

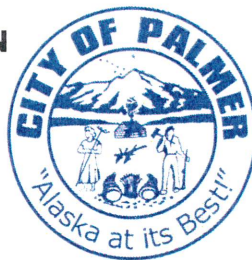


City of Palmer
Planning and Zoning Commission Packet

January 20, 2022



PLANNING & ZONING COMMISSION
REGULAR MEETING
6 PM, THURSDAY, JANUARY 20, 2022
CITY COUNCIL CHAMBERS
231 W. EVERGREEN AVENUE, PALMER
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. Organization of the Commission
 - 1. Election of Chairman
 - 2. Election of Vice Chairman
- E. Approval of Agenda
- P. 3 F. Minutes of Previous Meetings
 - 1. Regular Meeting of November 18, 2021
- G. Reports
- H. Audience Participation
- I. Public Hearings
- P. 5 J. Unfinished Business
 - 1. A Committee of the Whole: Discussion of IM 22-001 regarding Palmer Municipal Code Chapter 17.60 General District Regulations (note: action may be taken by the Commission following the committee of the whole)
- P. 27 K. New Business
 - 1. Resolution No. 22-001 A Resolution of the Palmer Planning and Zoning Commission in Appreciation of the Contributions of Planning and Zoning Commission Member Sabrina Shelton
- P. 31 L. Plat Reviews
 - 1. IM 22-002: Pre-Application Plat Review to create four lots from Lot 1B, Hermon-Hardisty #1 located inside Palmer city limits
- M. Public Comments
- N. Commissioner Comments
- O. Adjournment

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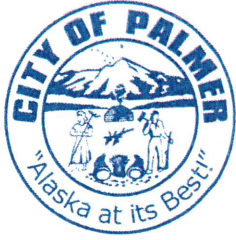
Minutes

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Unfinished Business

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**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 22-001**

Substitute for 21-018

SUBJECT: General District Regulations (PMC 17.60)

AGENDA OF: June 17, 2021
July 15, 2021
October 21, 2021
November 18, 2021
January 20, 2022

ACTION: Review and comment

Attachment(s): 1. Examples of fencing throughout the city of Palmer
2. PMC 17.60 General District Regulations
3. PMC 17.08 Definitions

Summary:

November 18, 2021

P&Z will continue discussion on General Districts, pertaining to future streets widths, fencing requirements for corner lots, as well as setback encroachments. Examples of fence setback and height considerations are provided. Fences on pages 13 & 22 are non-conforming.

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.

Corner lots, double frontage, and fencing information

Corner Lot Code Examples

Palmer Municipal Code

“**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.

Sultan WA

“**Corner lot**” means a lot with two adjacent sides fronting on public right-of-way. A corner lot has one primary front yard which will be the address assignment frontage and shall be subject to a full front yard setback as provided for the applicable zone in SMC Title 16. The secondary front yard is on the other frontage side of the property and shall be subject to a secondary for corner lots as provided in the applicable zone in SMC Title 16.

Burbank CA

“**Corner lot**” means a lot situated at the intersection of two (2) or more streets.

Code examples on corner lots:

Palmer Municipal Code

Minimum setback requirements:

1. Front yard, 25 feet;
2. Side yards, excluding side yard on street side of corner lot:
 - a. For a lot of record as of January 17, 1978, six feet;
 - b. For a lot of record created after January 17, 1978, but before July 1, 2005, where actual construction has begun as of June 30, 2005, six feet;
 - c. For all other lots, 10 feet;
3. Side yards on street side of **corner lot**, 10 feet;
4. Rear yard: 25 feet.

City of Forks, WA Where a side lot line is also a street right-of-way, the side yard setback in any residential district shall be 15 feet subject to the approval of the planning director consulting with the building inspector; on corner lots in any residential district, the side lot line adjacent to the street may be considered the front lot line and the front, side, and rear yards adjusted accordingly. Approval shall be granted when the shifting of yards will result in better siting of the dwelling without adversely affecting adjacent properties, or obscuring drivers’ views as determined by the planning director.

City of Burbank, CA Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard.

Reverse Corner Lots: Where a reversed corner lot abuts a key lot (See Diagram 10-1-603(G)(3) below) and the key lot is located in a residential zone, the minimum required street-facing side yard setback and permitted encroachments for all structures and objects in the rear 30 feet of the reversed corner lot is equal to the required setback and permitted encroachments for structures and objects in the front yard of the key lot.

- 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.

Other code examples on fence height requirements:

City of Midvale, UT

- B. Height. No fence or wall may exceed seven feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle, measured as follows:
 1. In a required yard abutting a street, the total effective height above the finished grade measured on the side nearest the street;
 2. In any other required yard, the total effective height above the finished grade measured on the side nearest the abutting property;
 3. On a property line, measured from the finished grade of either side when the abutting property owners are in agreement;
 4. A temporary fence on a construction site may be as high as required to protect the property during the period of construction;
 5. Fencing up to eight feet in height may be allowed in the side(s) or rear yard provided one of the following requirements are met:
 - a. The side(s) or rear property is adjacent to a freeway system or arterial or collector roadway.
 - b. Buffering between commercial/industrial uses and residential uses or between single family and multifamily residential uses.
 - c. Demonstration of safety and/or security matters.

Fencing eight feet in height shall comply with the following conditions:

- I. The proposed fence shall be reasonably compatible with respect to height from adjacent fences and shall transition consistently from one segment of fence to another.
- II. The proposed fence shall be reasonably compatible with respect to materials from adjacent fences and shall propose materials and colors that are consistent and similar.
- III. A building permit shall be obtained from the city and construction of fences and retaining walls must meet applicable requirements of the building codes; and

Corner lots may have a fence up to seven feet in height, enclosing the yard area opposite one of the side yards and along the street frontage, provided the fence does not extend into the remaining required front yard setback. [Any fence, hedge, or wall placed within ten feet of a driveway may not exceed three feet in height for sight-obscuring solid material or four feet in height for non-obscuring open materials for the first ten feet behind the sidewalk. Corner lot rule: Corner lots have two front yards. On corner lots there is no front yard.

City of Burbank, CA

Within a required street-facing side yard (other than a reverse corner lot), fences, walls, and hedges are limited to six (6) feet, except for that portion of the street-facing side yard between the rear of the main dwelling structure and the rear property line, the maximum allowed height of a fence, wall, or hedge is eight (8) feet. On a reverse corner lot, fences, walls, and hedges within the street-facing side yard are subject to the same height limits as apply in the front yard.

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:

Street or Road	Future Width
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

Street or Road	Future Width
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 – E. Cottonwood to E. Arctic	60 feet
N. Colony Way and N. Valley Way – N. of Arctic	60 feet

(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 Resolution 21-033, passed September 14, 2021.

Chapter 17.08 DEFINITIONS

17.08.004 **Accessory.**

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

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

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

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

17.08.006 **Accessory use.**

"Accessory use" means a use of land found on the same parcel as the principal use but that is subordinate and incidental. Accessory uses may be less subordinate and incidental by floor space devoted to use, economic importance of the use to operation, the number of customers/visitors and whether the accessory use serves the purpose of the principal use. (Ord. 21-002 § 4, 2021)

17.08.007 **Adult.**

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

17.08.008 **Agriculture.**

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

17.08.010 **Agricultural building.**

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

17.08.012 **Agricultural products.**

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

17.08.014 **Agriculturally related products.**

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

17.08.015 **Alley.**

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

17.08.020 **Alteration.**

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

17.08.025 **Apartment.**

"Apartment" means any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which contains dwelling units for three – 1 5 – 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)

17.08.075 **Caretaker dwelling unit.**

"Caretaker dwelling unit" means a permanent residence, secondary and accessory to an existing allowed use for persons employed on site for purposes of care and protection of property, plants, animals, equipment, or other circumstances on site or on contiguous lots under the same ownership. (Ord. 21-002 § 9, 2021)

17.08.076 **Central business district.**

"Central business district (CBD)" means an overlay district created to assist Palmer to promote and protect the public health, safety, comfort, character, convenience and general welfare, as well as encourage economic growth in the downtown core both commercially and residentially. The boundaries are those described in PMC 17.30.050(A)(5). (Ord. 21-001 § 3, 2021)

17.08.077 **Child.**

"Child" means a person under 18 years of age. (Ord. 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)

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 gr – 1 7 – 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; – 1 8 – § 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 – 19 – 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 – 20 – 2)

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)

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 el – 2 2 – 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 $\epsilon - 2 4 -$ rd 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.**

- 25 -

"Zoning administrator" means a city official appointed by the city manager to administer and enforce the zoning ordinance. (Ord. 454 § 4, 1992)

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New Business

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PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 22-001

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION IN APPRECIATION OF THE CONTRIBUTIONS OF PLANNING AND ZONING COMMISSION MEMBER SABRINA SHELTON

WHEREAS, Ms. Shelton served on the City of Palmer Planning and Zoning Commission from August 2019 to January 2022; and

WHEREAS, Ms. Shelton was a reliable and committed member of the Commission; and

WHEREAS, Ms. Shelton contributed in many ways to the discussion of issues before the Planning and Zoning Commission; and

WHEREAS, Ms. Shelton demonstrated meticulous and conscientious review of commission packets, materials, and issues coming before the Planning Commission; and

WHEREAS, Ms. Shelton assisted in rewriting Title 17 Land Use, and handled controversial issues fairly, professionally, and efficiently; and

WHEREAS, Ms. Shelton sought through her work on the Commission, to improve the quality of life for City residents and to protect the public health, safety, and welfare; and

WHEREAS, the Commissioners enjoyed serving with Ms. Shelton as a fellow Commissioner and wish her well; and

NOW, THEREFORE, BE IT RESOLVED that the City of Palmer Planning and Zoning Commission expresses its gratitude to Ms. Shelton for having served as City Planning and Zoning Chairman and Commissioner.

ADOPTED by the City of Palmer Planning and Zoning Commission this 20th day of January 2022.

Casey Peterson, Chairman

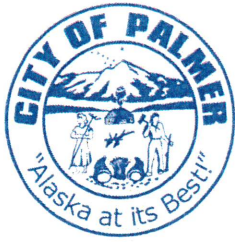
Nichole Degner
Community Development Specialist

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Plat Reviews

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**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 22-002**

SUBJECT: Pre-Application Routing Slip for Hermon-Hardisty #1 Subdivision

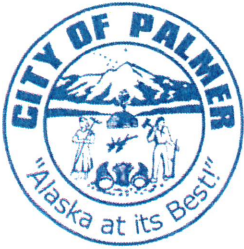
AGENDA OF: January 20, 2022

ACTION: Review and comment

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

Summary: To create four lots from Lot 1B, Hermon-Hardisty Add #1 within the City of Palmer.

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



MEMORANDUM

TO: John Moosey, City Manager
 Brad Hanson, Community Development Director
 Dusten Voehl, Building Inspector
 Chad Cameron, Fire Chief
 Jude Bilafer, Public Works Director
 Greg Wickham, Public Works Superintendent

FROM: Nichole Degner, Community Development Specialist

DATE: December 13, 2021

SUBJECT: Pre-Application Routing Slip for Lot 1B, Hermon-Hardisty #1

Project Location: Sec 04, T17N, R02E, S.M, AK

The request is: To create four lots from Lot 1B, Hermon-Hardisty Add #1, Plat No. 2006-223 within the City of Palmer. Petitioner will require a variance from MSB Legal access, as there is only 10' wide easement.

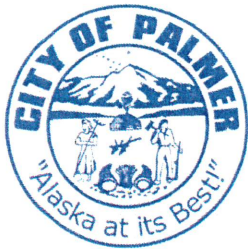
Inside Palmer city limits

Outside Palmer city limits

Petitioner: Ray & Kristen Gamradt

* Please review and comment on the attached information and return this form by **December 21st**, so we may meet the Borough review period. Non-reply will be taken as concur, no changes necessary. Thank you.

<i>Dept. (Items to review)</i>	<i>Initials</i>	<i>Date</i>	<i>No changes necessary</i>	<i>Comments (Attach pages if necessary)</i>
			<i>(check box below)</i>	
Building Inspector				No comments
City Manager				No comments
Community Development Dept.	BH	12/13/2021		Minimum access for lots in R-1 require a width of 60'. All lots must be on a public or private street. <input checked="" type="checkbox"/> Airport Influence Area
Fire Department				No comments
Public Works				No comments



Brad Hanson
Director

Beth Skow
Library Director

Cotton Gore
Parks & Facilities Manager

Dusten Voehl
Building Inspector

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
www.palmerak.org

MEMORANDUM

TO: Fred Wagner, Chief of Platting
FROM: Nichole Degner, Community Development
DATE: December 20, 2021
SUBJECT: Pre-Application Routing Slip for Lot 1B, Hermon-Hardisty #1

Inside City Limits

Outside City Limits

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

1. City Manager: No comments
2. Building Inspector: No comments
3. Community Development: Minimum access for lots in R-1 require a width of 60'. All lots must be on a public or private street.
4. Fire Chief: No comments
5. Public Works: No comments
6. Planning and Zoning Commission: The proposed platting action is scheduled to be reviewed at the January 20, 2021 Planning & Zoning Commission meeting; any additional comments will be forwarded at that time.

**MATANUSKA-SUSITNA BOROUGH
PLATTING DIVISION
PRE-APPLICATION ROUTING SLIP**

AOB

DUE DATE: **December 20, 2021**
 MEETING DATE: **December 23, 2021**
 TIME: **Email only**
 PETITIONER / #: **Ray & Kirsten Gamradt 406-546-1956**
 EMAIL: rgamradt@hotmail.com
 OWNER(s) / #: **Same**
 SEC/TWP/RNG: **SEC 04, T17N, R02E** TAX MAP: **PA 12**
 SUBDIVISION: **Hermon-Hardisty Add #1, Plat No. 2006-223** RSA#: **NA**
 TAX ID: **55987000L001B** CITY OF: **Palmer**
 REQUEST: **To create four lots from Lot 1B, Hermon-Hardisty Add #1, Plat No. 2006-223. Within the City of Palmer. Petitioner will require a variance from MSB 43.20.120 Legal Access, as there is only a 10' wide easement.**

SENT PRE-APP PACKET TO:



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

COMMUNITY DEVELOPMENT, **JILL IRSIK,**
ERIC PHILLIPS
 PUBLIC WORKS DEPT, **TERRY DOLAN**
 O & M DIVISION, **JIM JENSON**
 PRE-DESIGN & ENGINEERING DIV,
BRAD SWORTS, JAMIE TAYLOR
 EMS SERVICES, **FIRE CODE**

COMMENTS:

PA20210228

PLT-21-8-2538

PRE-APP CHECK LIST.	
TASK	COMPLETE
Collect \$50 / Receipt	√
Collect Map	√
Collect Application	√
Schedule Date	√
Summary My Property	√
GIS Tax Map	√
OSHP Map	√
Aerial Map	√
SOA Road?	No
Cartegraph Sheet	√
CITY P/W/H?	COP
Cross Check	
E-Mail for Comments	
Add to Platting Calendar	√

Pre-Application Request Form

Name of Requestor: Rau and Kirsten Gauvreau
Mailing Address: 761 S. Guikard St
Palmer, AK 99645
Phone Number: (406) 546-1956
Email: rgauvreau@hotmail.com

Owner's name (if different)

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

Required Items:

1. Fee of \$50.00. Payable to MSB. RECEIVED
DEC 10 2021 TAX MAP # PA 12
2. Location of land (Township, Range, Section; Tax Account #; Subdivision Name and Lot & Block, etc.):
55 987 000 001 B PLATTING 17N02E04
Lot 1B Herman - Hardisty Add #1 Plot #2006-223
3. Provide Basic dimensions of the lots to be created, the road to be built, the area to be vacated, etc.
4. Show existing rights of way with road names.
5. If eliminating lot lines or vacating easements or right-of-ways: show the area of vacation or the lot line to be eliminated.
6. If creating a street or road: show proposed rights of way.
7. Please explain the purpose of the proposed action. For lot line eliminations or easement/right-of-way vacations, please explain the reason, i.e., setback violation, encroachment, topography, etc.:
Our intention is to subdivide Lot 1B into 4 distinct lots. This is creating 3 new lots that could accommodate new single-family dwellings in the future. See Plan. The original lot will reduce in size (from 2.54 ac to 1.22 ac (approx)), with new lots of sizes (Sublot 1, 0.33 ac, and 0.33 ac (approx)).

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

PA 20210228 pl-21-82538

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

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

Provide if available:
Easement Documentation
As-Built Survey

PRE-APPLICATION CONFERENCE DATE & TIME:
12/23/21

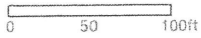
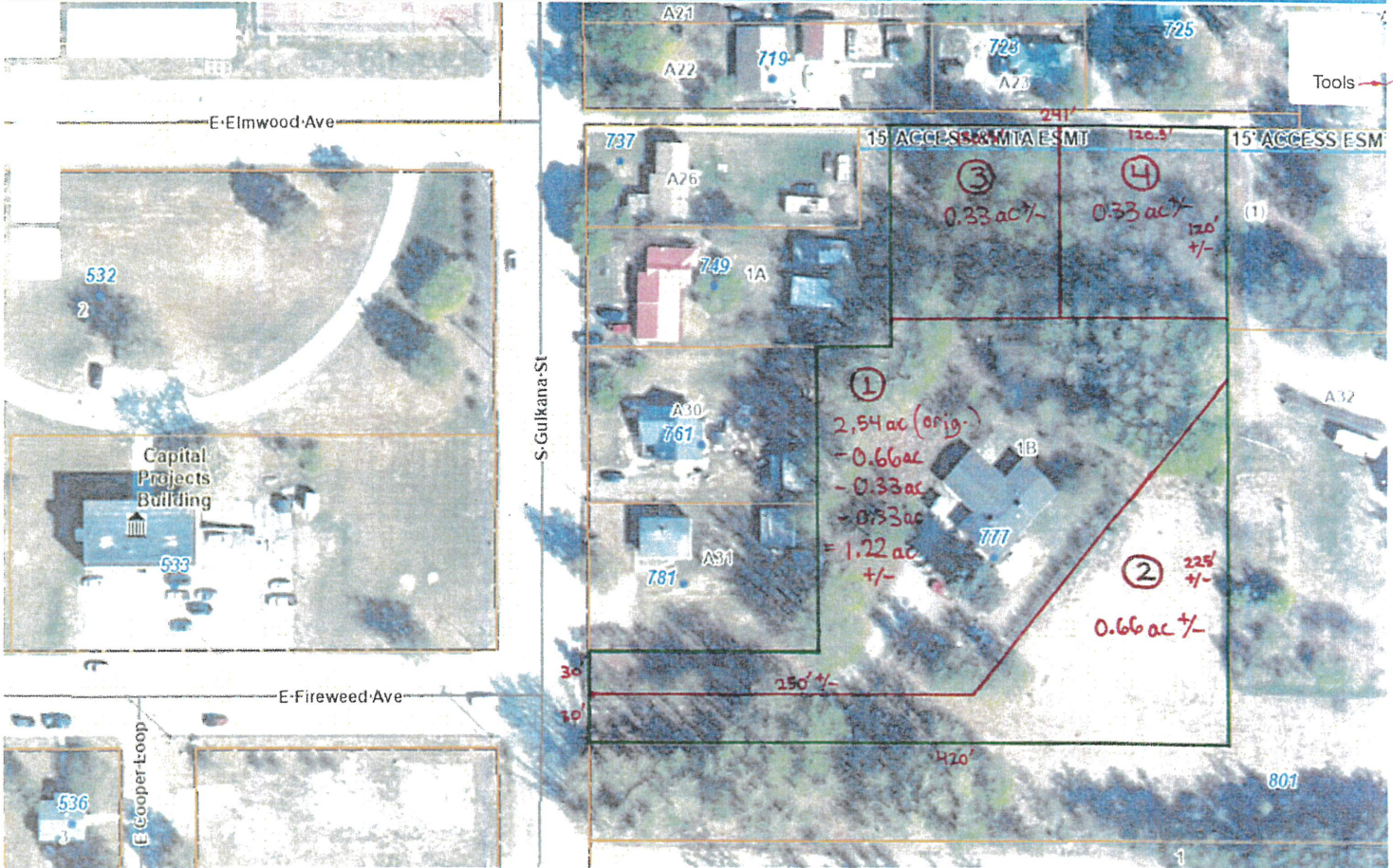
Return to: Matanuska-Susitna Borough
Attention: Platting Division
350 E. Dahlia Ave
Palmer AK 99645

For Office Use Only
Date Rcvd: 12/10/21
How Paid: C/C
Initials: GW



MSB Parcel Viewer

MATINEC SUDBURY BOROUGH



E EVERGREEN AVE

B25

1	2	BEN-HUR	4	A43
A21		3 (1659)	A25	
A22	A23			

ST. JOHN SUB

2

A26	1A	HERMON-HARDISTY	(1) ⁽¹³⁴⁵⁾ 2	
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(5341) 1

A30	ADD NO 1 1B (5987)	A32	A7
A31			

E FIREWEED AVE

S GULKANA ST

(5007)	1	EGTVET	2	2 (3043)
--------	---	--------	---	----------

1	2	3	(1)
E COOPER LOOP			
TR A			

A33	A34	A8
-----	-----	----

1	2	3	4
(2)			

13	12	11	10	9	8	7	6	5	4	3	2	1
VIRGIL ECKERT												
(5006)												

E YUKON ST

ARBOR ESTATES

(5910)

TR B

LS01

9	10
---	----

PA

PA05

EVERGREEN

PA12

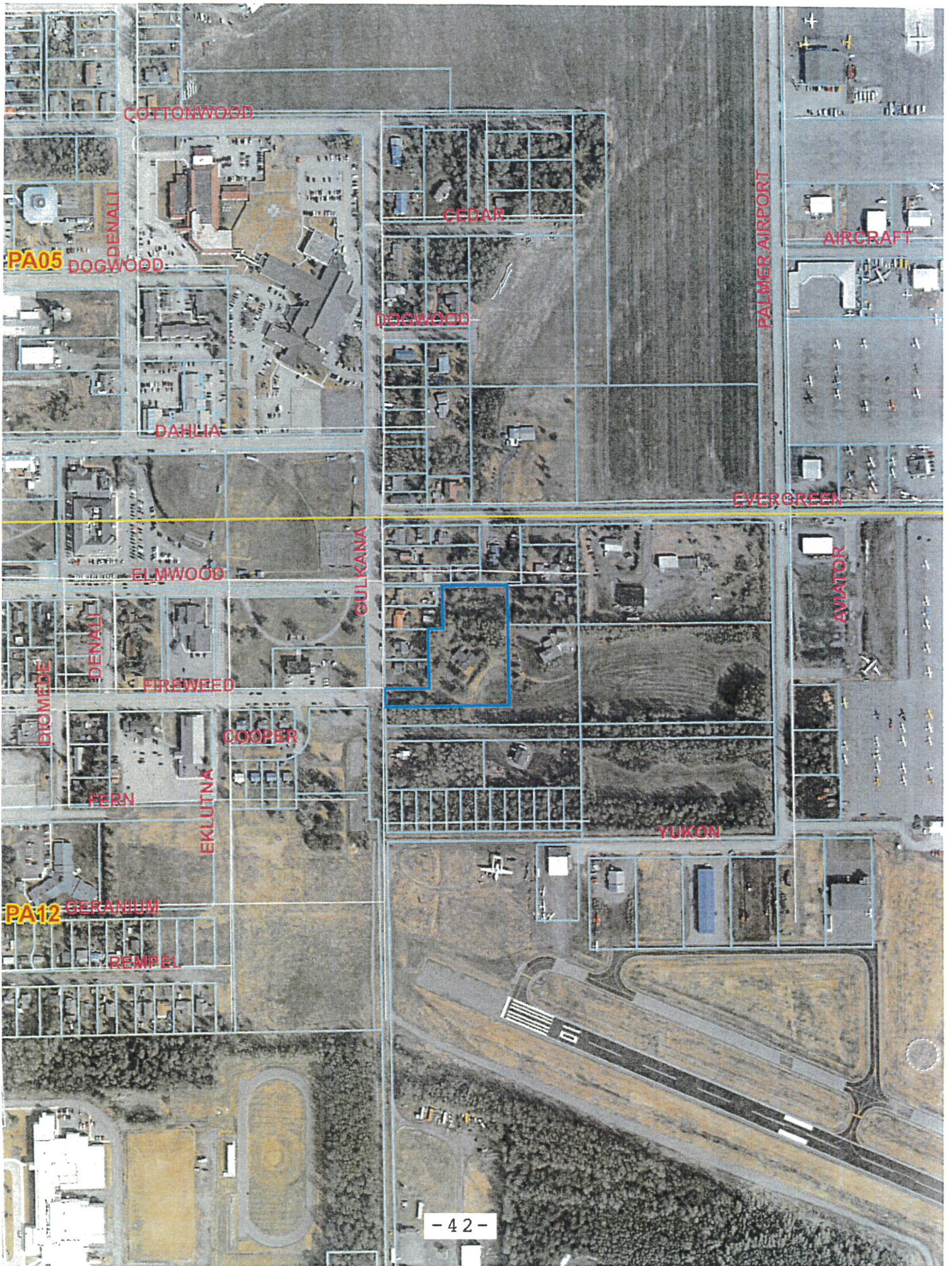
GULKANIA

PA05

EVERGREEN

PA12

GULKANA



Cartegraph Road Information

Road Info

Road Number: 003269	Road Name: Gulkana Court	RSA #: 5	PALMER RSA
Surface Type: 2" Asphalt	Certified: 0	Map #: PA05	
TRS: S18N02E28	TRS Left:	TRS Right:	
ROW Width: 50	Length: 0.07	Classification: Residential	AC Asphalt Concrete
Route Back: Falcon Court	Route Ahead: End	Travel Direction:	
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer	
Status: Active			

Certified Value of 1 denotes Certified.

Road Number: 004821	Road Name: Gulkana Street	RSA #: 5	PALMER RSA
Surface Type: 3" Gravel Avg	Certified: 0	Map #: PA05	
TRS: S17N02E04	TRS Left:	TRS Right:	
ROW Width: 60	Length: 0.07	Classification: Residential	UNS Unsurfaced
Route Back: Yukon Street	Route Ahead: Fireweed Avenue	Travel Direction:	
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer	
Status: Active			

Road Number: 004821	Road Name: Gulkana Street	RSA #: 5	PALMER RSA
Surface Type: 2" Asphalt	Certified: 0	Map #: PA05	
TRS: S17N02E04	TRS Left:	TRS Right:	
ROW Width: 60	Length: 0.12	Classification: Residential	AC Asphalt Concrete
Route Back: Fireweed Avenue	Route Ahead: Evergreen Avenue	Travel Direction:	
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer	
Status: Active			

Road Info				
Road Number: 004821	Road Name: Gulkana Street	RSA #: 5	PALMER RSA	
Surface Type: 3" Gravel Avg	Certified: 0	Map #: PA05		
TRS: S17N02E04	TRS Left:	TRS Right:		
ROW Width: 30	Length: 0.13	Classification: Residential	UNS Unsurfaced	
Route Back: Cope Industrial Way	Route Ahead: Yukon Street	Travel Direction: North		
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer		
Status: Active				
Road Number: 004821	Road Name: Gulkana Street	RSA #: 5	PALMER RSA	
Surface Type: 2" Asphalt	Certified: 0	Map #: PA05		
TRS: S18N02E33	TRS Left:	TRS Right:		
ROW Width: 60	Length: 0.25	Classification: Residential	AC Asphalt Concrete	
Route Back: Evergreen Avenue	Route Ahead: Cottonwood Avenue	Travel Direction: North		
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer		
Status: Active				
Road Number: 004821	Road Name: Gulkana Street	RSA #: 5	PALMER RSA	
Surface Type: 2" Asphalt	Certified: 0	Map #: PA05		
TRS: S18N02E28	TRS Left:	TRS Right:		
ROW Width: 60	Length: 0.49	Classification: Residential	AC Asphalt Concrete	
Route Back: Eagle Avenue	Route Ahead: Falcon Court	Travel Direction: North		
Custodian: City of Palmer	RSA Superintendent:	Contractor: City of Palmer		
Status: Active				



MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 55987000L001B

Site Information

Account Number	55987000L001B	Subdivision	HERMON-HARDISTY ADDN 1
Parcel ID	61554	City	Palmer
TRS	S17N02E04	Map PA12	
Abbreviated Description (Not for Conveyance)	HERMON-HARDISTY ADDN 1 LOT 1B		Tax Map

Site Address 777 S Gulkana St

Ownership

Owners	GAMRADT RAYMOND & KIRSTEN	Buyers	
Primary Owner's Address	761 S GULKANA ST PALMER AK 99645-6679	Primary Buyer's Address	

Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2021	\$61,500.00	\$226,100.00	\$287,600.00	2021	\$61,500.00	\$226,100.00	\$287,600.00
2020	\$61,500.00	\$211,400.00	\$272,900.00	2020	\$61,500.00	\$211,400.00	\$272,900.00
2019	\$61,500.00	\$190,500.00	\$252,000.00	2019	\$61,500.00	\$190,500.00	\$252,000.00

Building Information

Structure 1 of 1			
Residential Units	1	Use	Residential Building
Condition	Standard	Design	One Story
Basement	Full	Construction Type	Frame
Year Built		Grade	04.9
Foundation	Concrete Block	Building Appraisal	\$226100
Well	Well P - Public Water	Septic	Septic P - Public Septic

Building Item Details

Building Number	Description	Area	Percent Complete
1	Unfinished Basement - 2A		1788 Sq. Ft. 100%
1	Fin. Basement Living - 2C		1788 Sq. Ft. 100%
1	Gas Heat		1 Sq. Ft. 100%
1	Garage (10,3) Area - 11M		598 Sq. Ft. 100%
1	First Story		1788 Sq. Ft. 100%

Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2021	Yes	0012	12.942	\$3722.12
2020	Yes	0012	13.322	\$3635.57
2019	Yes	0012	13.386	\$3373.27

Recorded Documents

Date	Type	Recording Info (offsite link to DNR)
7/22/2021	WARRANTY DEED (ALL TYPES)	Palmer 2021-021792-0
6/6/2014	WARRANTY DEED (ALL TYPES)	Palmer 2014-010242-0
8/27/2013		Palmer 2013-018818-0

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00 No

Land and Miscellaneous

Gross Acreage	2.54	Taxable Acreage	2.46	Assembly District	002	Precinct	11-070	Fire Service Area	Palmer Fire Service is under the jurisdiction of the City of Palmer	Road Service Area	No Borough Road Service, for City of Palmer road service info, call (907)745-3400
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¹ Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

² If account is in foreclosure, payment must be in certified funds.