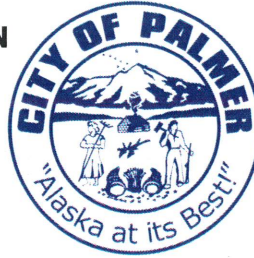




City of Palmer
Planning and Zoning Commission Packet
August 17, 2023



PLANNING & ZONING COMMISSION
REGULAR MEETING
6 PM, THURSDAY, AUGUST 17, 2023
CITY COUNCIL CHAMBERS
231 W. EVERGREEN AVENUE, PALMER
www.palmerak.org



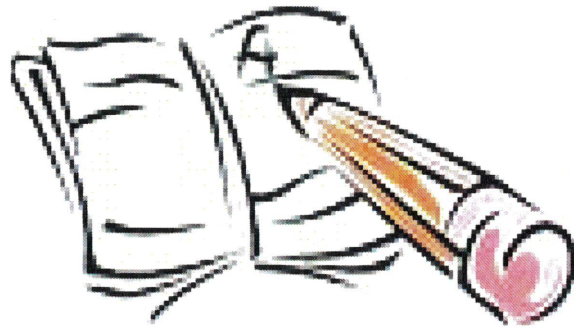
CHAIR CASEY PETERSON
VICE CHAIR PENNY MOSHER
COMMISSIONER LINDA COMBS
COMMISSIONER LISBETH JACKSON
COMMISSIONER JOHN MURPHY
COMMISSIONER KRISTY THOM BERNIER
VACANT

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 October 20, 2022
 - 2. Regular Meeting of January 19, 2023
 - 3. Regular Meeting of March 16, 2023
 - 4. Regular Meeting of April 20, 2023
 - 5. Regular Meeting of July 20, 2023
- F. Reports
- G. Audience Participation
- H. Public Hearings
- I. Unfinished Business
- J. New Business
 - 1. IM 23-007: Consideration of Recommendation of a Text Amendment to Amend Palmer Municipal Code Chapter 17.08 Definitions, Palmer Municipal Code Chapter 17.20 R-1 Single-family Residential, Palmer Municipal Code Chapter 17.24 R-2 Low Density Residential, Palmer Municipal Code Chapter 17.26 R-3 Medium Density Multifamily Residential, Palmer Municipal Code Chapter 17.27 R-4 High Density Residential, Palmer Municipal Code Chapter 17.52 R-1E Single-family Residential Estate, Palmer Municipal Code Chapter 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Humanitarian Service in Commercial Land Use Matrix Chapter 17.28.020, and review of draft ordinance to Enact Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix
- K. Plat Reviews
- L. Public Comments
- M. Commissioner Comments
- N. Adjournment



Minutes



Meeting Minutes

The minutes for the October 20, 2022, January 19, March 16, April 20, & July 20, 2023 Planning and Zoning Commission meeting were not ready in time to be included with your packet.

When the minutes are received, a copy will be emailed to each Commissioner and will be available at the meeting.



New Business



**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 23-015 (FORMERLY IM 23-007)**

SUBJECT: Consideration of Recommendation of a Text Amendment to Amend Palmer Municipal Code Chapter 17.08 Definitions, Palmer Municipal Code Chapter 17.20 R-1 Single-family Residential, Palmer Municipal Code Chapter 17.24 R-2 Low Density Residential, Palmer Municipal Code Chapter 17.26 R-3 Medium Density Multifamily Residential, Palmer Municipal Code Chapter 17.27 R-4 High Density Residential, Palmer Municipal Code Chapter 17.52 R-1E Single-family Residential Estate, Palmer Municipal Code Chapter 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Humanitarian Service in Commercial Land Use Matrix Chapter 17.28.020, and review of draft ordinance to Enact Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix

AGENDA OF: August 17, 2023

ACTION: Review, comment and if approved, send a recommendation to the City Council for adoption

Attachment(s): 1) PMC 17.08 Definitions
2) Proposed Ordinance No. 23-0XX

Summary: This item was previously discussed during committee of the whole as former IM 23-007 reviewing code language regarding residential care facilities in residential districts. Based on prior discussions, a Residential Land Use Matrix has been created along with amending pertinent definitions and deleting redundant definitions.

The Residential Land Use Matrix was created to simplify uses and be consistent with our Commercial Land Use Matrix. Within the matrix, we tried to take our existing definitions and uses and consider new potential land uses and districts. Please review the matrix to ensure completeness and accuracy.

Additionally, please review your understanding of these complex land uses relating to homelessness and ADA compliance and their appropriateness within the different zoning districts.

Recommendation: Community Development recommends approval of the proposed text amendment to enact Palmer Residential Land Use Matrix and amend definitions as appropriate, and the forwarding of a recommendation supporting the requested changes to City Council.

Chapter 17.08

DEFINITIONS

17.08.004 Accessory.

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

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

17.08.005 Accessory dwelling unit (ADU).

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

17.08.006 Accessory use.

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

17.08.007 Adult.

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

17.08.008 Agriculture.

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

17.08.010 Agricultural building.

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

17.08.012 Agricultural products.

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

17.08.014 Agriculturally related products.

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

17.08.015 Alley.

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

17.08.020 Alteration.

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

17.08.025 Apartment.

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

17.08.030 Area, building.

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

17.08.032 Assisted living home.

“Assisted living home” means a residential facility, currently and duly licensed by the state of Alaska as an assisted living home, which combines housing, food service, general 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)

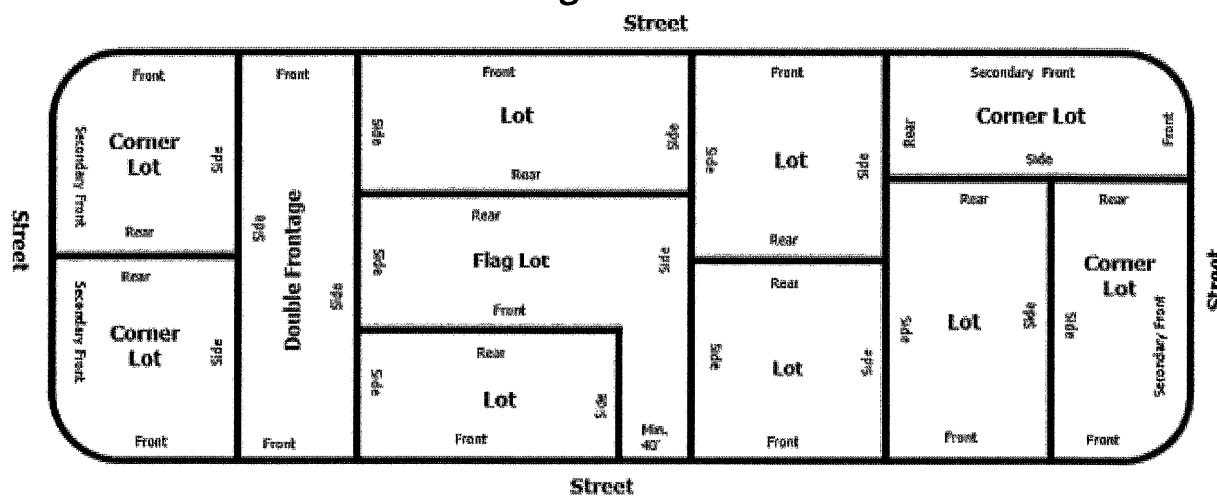
17.08.250 Loading space.

"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)

17.08.256 Lot classification diagram.



(Ord. 22-006 § 3, 2022)

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 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. A corner lot has one primary front yard which will be the address frontage and shall be subject to a full front yard setback as provided by PMC. The secondary front yard is on the secondary frontage side of the property and shall be subject to a secondary front yard setback. (Ord. 22-006 § 4, 2022; 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)

17.08.266 Lot, double frontage.

"Double frontage lot" means a lot which abuts on two separate parallel public streets. (Ord. 22-006 § 5, 2022)

17.08.268 Lot, flag.

"Flag lot" means a lot with a long narrow strip that resembles a pole providing a minimum of 40 feet access to the lot. Flag lots must meet the required lot minimum width of 60 feet with a minimum lot area of 8,400 square feet and does not include the strip (pole). Flag lots containing two and one-half acres or less, the minimum pole width is 30 feet where two or more poles are adjoining, and 40 feet in width for a single pole. Flag lots containing greater than two and one-half acres, the minimum pole width is 40 feet where two or more poles are adjoining, and 60 feet in width for a single pole. (Ord. 22-006 § 6, 2022)

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)

17.08.399 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)

The Palmer Municipal Code is current through Ordinance 23-004-A, passed July 25, 2023.

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.

**City of Palmer
Ordinance No. 23-00X**

Subject: Amending Palmer Municipal Code Chapter 17.08 Definitions, Palmer Municipal Code Chapter 17.20 R-1 Single-family Residential, Palmer Municipal Code Chapter 17.24 R-2 Low Density Residential, Palmer Municipal Code Chapter 17.26 R-3 Medium Density Multifamily Residential, Palmer Municipal Code Chapter 17.27 R-4 High Density Residential, Palmer Municipal Code Chapter 17.52 R-1E Single-family Residential Estate, Palmer Municipal Code Chapter 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Humanitarian Service in Commercial Land Use Matrix Chapter 17.28.020, and Enacting Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix

Agenda of: _____, 2023 – Introduction

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

Originator Information:

Originator: Brad Hanson, Director 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: \$ **0.00**

This legislation (√):

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

Funds are (√):

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

Director of Finance Signature: _____

Approved for Presentation By:

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

Attachment(s):

1. Ordinance No. 23-00X
2. Planning and Zoning Minutes for April 20, June 15, and July 20, 2023

Summary Statement/Background:

The recent discussion and approval of a conditional use permit for a residential care facility for five residents in an R-2 Low Density Residential District, prompted the Planning and Zoning Commission to review the code definitions and language regarding residential care facilities and group living in residential districts.

Some of the language in the definitions relating to group living in residential districts is outdated or redundant and confusing. It was also noted there is no code language or definitions regarding homeless shelters and in which districts they can be located.

The proposed amendments to the definitions and addition of the residential land use matrix are to promote the inclusive and compatible values of the residential districts. The amendments are designed to eliminate confusing and redundant language, and to promote a diverse range of allowable land use activities within different residential land use districts to form an integrated community.

An overview of the text amendments is listed below:

- Delete "day care" definition because it is redundant, since childcare definition is in code.
- Created definitions for homeless shelter and emergency to accommodate different situations of homelessness and placed in appropriate districts.
- Better defined difference in the residential and commercial land use matrix between assisted living home as small-scale group living permitted in all residential areas for people needing some assistance, and residential care facilities as a larger scale operation more appropriately placed as a conditional use in the central business district and general commercial district.
- Created residential land use matrix to show permitted and conditional uses.

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

Administration's Recommendation:

Adopt Ordinance No. 23-00X amending Palmer Municipal Code Chapter 17.08 Definitions, Palmer Municipal Code Chapter 17.20 R-1 Single-family Residential, Palmer Municipal Code Chapter 17.24 R-2 Low Density Residential, Palmer Municipal Code Chapter 17.26 R-3 Medium Density Multifamily Residential, Palmer Municipal Code Chapter 17.27 R-4 High Density Residential, Palmer Municipal Code Chapter 17.52 R-1E Single-family Residential Estate, Palmer Municipal Code Chapter 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Humanitarian Service in Commercial Land Use Matrix Chapter 17.28.020, and Enacting Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix.

LEGISLATIVE HISTORY

Introduced by:
Date:
Public Hearing:
Action:
Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

Ordinance No. 23-00X

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapter 17.08 Definitions, Palmer Municipal Code Chapter 17.20 R-1 Single-family Residential, Palmer Municipal Code Chapter 17.24 R-2 Low Density Residential, Palmer Municipal Code Chapter 17.26 R-3 Medium Density Multifamily Residential, Palmer Municipal Code Chapter 17.27 R-4 High Density Residential, Palmer Municipal Code Chapter 17.52 R-1E Single-family Residential Estate, Palmer Municipal Code Chapter 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Humanitarian Service in Commercial Land Use Matrix Chapter 17.28.020, and Enacting Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix

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

WHEREAS, the commission proposes text amendments to Palmer Municipal Code Title 17 for the promotion of Palmer's unique character and general welfare; and

WHEREAS, the commission has reviewed and discussed the city of Palmer's residential districts and shortage of housing options comparing our residential districts to other residential codes in other cities and drafted code language to allow for more flexibility and housing choices that are compatible with residential land uses; and

WHEREAS, the commission determined there is a need to expand housing opportunities for community residences through sound land use principals and projects that contain a compatible mix of single-family and residential group living land uses.

THE CITY OF PALMER, ALASKA, ORDAINS:

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

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

Section 3. Palmer Municipal Code Section 17.08.032 is hereby amended as follows (new language is underlined and deleted language is stricken):

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 and is compatible with the residential district.

Section 4. Palmer Municipal Code Section 17.08.113 is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**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.~~

Section 5. Palmer Municipal Code Section 17.08.212 Homeless shelter is hereby added as follows (new language is underlined and deleted language is stricken):

17.08.212 Homeless shelter.

"Homeless shelter" means a building used primarily to provide on-site meals, shelter and secondary personal services such as showers and haircuts to the homeless and the needy on a nonpermanent basis.

Section 6. Palmer Municipal Code Section 17.08.214 Homeless shelter, emergency is hereby added as follows (new language is underlined and deleted language is stricken):

17.08.214 Homeless shelter, emergency.

"Homeless shelter, emergency" means a building offering temporary housing for residents on a nonpermanent basis solely as an accessory use to places of religious worship.

Section 7. Palmer Municipal Code Section 17.08.217 is hereby amended as follows (new language underlined and deleted language is stricken):

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, unless activity is a permitted use. 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.

Section 8. Palmer Municipal Code Section 17.08.339 Senior Citizen Housing is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.08.339 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.~~

Section 9. Palmer Municipal Code Section 17.08.424 Special needs housing is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~17.08.424 — Special needs housing.~~

~~“Special needs housing” means a residential facility where tenants are physically or mentally disabled or are senior citizens.~~

Section 10. Palmer Municipal Code Section 17.20.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.20.020 Permitted uses.

Permitted principal uses and structures in the R-1 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. One single family dwelling per lot;~~

~~B. Gardens and greenhouses when incidental to residential use;~~

~~C. Home occupations;~~

~~D. Accessory buildings and uses not used or operated for gain nor used as a dwelling;~~

~~E. Parks and playgrounds;~~

~~F. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters.~~

Section 11. Palmer Municipal Code Section 17.20.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.20.030 Conditional uses.

Uses which may be permitted in the R-1 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures; provided, that no part of any building or structure used for such purposes shall be located nearer than 30 feet to an adjoining lot or street line;~~

~~B. Utility substation;~~

~~C. Child care facilities operating as a day care only; and provided, that no part of any building shall be located nearer than 30 feet to an adjoining lot or street line;~~

~~D. Special needs day care facilities; provided, that no part of any building shall be located nearer than 30 feet to an adjoining lot or street line.~~

Section 12. Palmer Municipal Code Section 17.24.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.24.020 Permitted uses.

Permitted principal uses and structures in the R-2 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. No more than a total of four dwelling units per lot. This may be a combination of single family dwellings, two family dwellings and/or multiple family dwellings with four or fewer units;~~

~~B. Boarding and roominghouses with four or fewer units;~~

~~C. Home occupations;~~

~~D. Parks and playgrounds;~~

~~E. Child care facilities and preschools, both operating as day care only;~~

~~F. Other compatible uses;~~

- G. ~~Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters;~~
- H. ~~Gardens and greenhouses when incidental to residential use;~~
- I. ~~Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures; provided, that no part of any building or structures used for such purposes shall be located nearer than 30 feet to any adjoining lot or street line;~~
- J. ~~Short term rentals, Type 1, Type 2, and Type 4 shall meet the requirements of PMC 17.89.070.~~

Section 13. Palmer Municipal Code Section 17.24.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.24.030 Conditional uses.

Uses which may be permitted in an R-2 district by obtaining a conditional use permit are:

- A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.
- A. ~~Public and private schools;~~
- B. ~~Public buildings and structures;~~
- C. ~~Residential planned unit development;~~
- D. ~~Residential care facilities for four or fewer patients and special needs day care facilities;~~
- E. ~~Utility substation;~~
- F. ~~Short term rentals, Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 14. Palmer Municipal Code Section 17.26.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.26.020 Permitted uses.

Permitted principal uses and structures in the R-3 district are:

- A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.
- A. ~~No more than a total of eight dwelling units per lot. This may be a combination of single family dwellings, two family dwellings and/or multiple family dwellings with eight or fewer units;~~
- B. ~~Boarding and roominghouses with eight or fewer units;~~
- C. ~~Home occupations;~~
- D. ~~Parks and playgrounds;~~
- E. ~~Child care facilities and preschools, both operating as day care only;~~
- F. ~~Other compatible uses and accessory uses, such as storage structures for use by residents of the development;~~
- G. ~~Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters;~~
- H. ~~Gardens and greenhouses when incidental to residential use;~~
- I. ~~Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures; provided, that no part of any building or structure used for such purposes shall be located nearer than 30 feet to any adjoining lot or street line;~~
- J. ~~Short term rentals, Type 1, Type 2, Type 3, and Type 4 shall meet the requirements of PMC 17.89.070.~~

Section 15. Palmer Municipal Code Section 17.26.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.26.030 Conditional uses.

Uses which may be permitted by the R-3 district by obtaining a conditional use permit are:

- A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.
- A. ~~Public and private schools;~~

- ~~B. Public buildings and structures;~~
- ~~C. Residential planned unit development meeting the requirements of Chapter 17.84 PMC;~~
- ~~D. Mobile homes that are used for occupancy in a mobile home court;~~
- ~~E. Residential care facilities with eight or fewer patients and special needs day care facilities;~~
- ~~F. Utility substation;~~
- ~~G. Short term rentals, Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 16. Palmer Municipal Code Section 17.27.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.27.020 Permitted uses.

Permitted principal uses and structures in the R-4 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. One family dwellings;~~
- ~~B. Two family dwellings;~~
- ~~C. Multiple family dwellings;~~
- ~~D. Boarding and roominghouses;~~
- ~~E. Home occupations;~~
- ~~F. Parks and playgrounds;~~
- ~~G. Child care facilities and preschools, both operating as day care only;~~
- ~~H. Other compatible uses and accessory uses such as storage structures for use by residents of the development;~~
- ~~I. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters;~~
- ~~J. Gardens and greenhouses when incidental to residential use;~~
- ~~K. Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures; provided, that no part of any building or structure used for such purposes shall be located nearer than 30 feet to any adjoining lot or street line;~~
- ~~L. Short term rentals, Type 1, Type 2, Type 3, Type 4, and Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 17. Palmer Municipal Code Section 17.27.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.27.030 Conditional uses.

Uses which may be permitted by the R-4 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. Public and private schools;~~
- ~~B. Public buildings and structures;~~
- ~~C. Residential planned unit development meeting the requirements of Chapter 17.84 PMC;~~
- ~~D. Mobile homes that are used for occupancy in a mobile home court;~~
- ~~E. Residential care facilities with eight or fewer patients and special needs day services facilities;~~
- ~~F. Utility substation.~~

Section 18. Palmer Municipal Code Section 17.28.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.28.020 Commercial land uses.

Public Assembly	CBD Overlay	C-L	C-G	BP	I	P	A
Assembly halls – auditorium, civic center, concert hall, performing arts center, theaters, senior, youth	P	P	P			P	
	Commission consider amendment						
<u>Homeless shelter</u>	<u>C</u>		<u>C</u>			<u>C</u>	
<u>Homeless shelter, emergency</u>							
Humanitarian service and shelter facilities, <u>including residential care facilities and nursing homes</u> – long-term	C		C			<u>P</u>	
Funeral parlors and mortuaries	P		P				
Libraries, museums, art galleries	P		P			P	P
Recreational facilities – ice arena, swimming pools	P					P	
Private clubs or lodges with alcohol	P		P				
Private clubs or lodges without alcohol	P	P	P				
Racetrack – nonmotorized				C	C		C
Racetrack – motorized						C	C
Place of worship – churches	P	C	P				P
Outdoor concert venue	P		P	P			
Center – youth, senior	P	P	P				

Section 19. Palmer Municipal Code Section 17.52.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.52.020 Permitted uses.

Permitted principal uses and structures in the R-1E district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. One family dwellings;~~
- ~~B. Bed and breakfast establishments;~~
- ~~C. Parks and playgrounds;~~
- ~~D. Recreational courts, including, but not limited to, tennis and other similar uses;~~
- ~~E. One temporary subdivision sales office per subdivision in a residential structure, when located within the subdivision, and provided such use is discontinued when all lots have been sold and provided it complies with PMC 15.08.3103, Temporary buildings or structures.~~

Section 20. Palmer Municipal Code Section 17.52.030 is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.52.030 Permitted accessory uses and structures.**~~

~~The following accessory uses and structures are permitted in the R-1E district:~~

- ~~A. Uses and structures customarily accessory to a permitted use;~~
- ~~B. Gardens and greenhouses when incidental to residential use;~~
- ~~C. Home occupations;~~
- ~~D. Travel trailers, campers and motor homes not used or occupied as living quarters.~~

Section 21. Palmer Municipal Code Section 17.52.040 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.52.040 Conditional uses.

Uses which may be permitted in the R-1E district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. Churches and related buildings, provided no part of any church building shall be located nearer than 30 feet to an adjoining lot or street line;~~
- ~~B. Public utility installations and substations;~~
- ~~C. Country clubs and golf courses;~~
- ~~D. Community and publicly owned recreational centers;~~
- ~~E. Public and private schools;~~
- ~~F. Cemeteries;~~
- ~~G. Child care facilities operating as a day care only; provided, that no part of any building is located nearer than 30 feet of a lot or street line;~~
- ~~H. Special needs day care facilities; provided, that no part of any building is located nearer than 30 feet from a lot or street line.~~

Section 22. Palmer Municipal Code Section 17.54.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.54.020 Permitted uses.

Permitted principal uses and structures in the RR district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. One family dwellings;~~
- ~~B. One accessory dwelling unit;~~
- ~~C. Two family dwellings;~~
- ~~D. Bed and breakfast;~~

- ~~E. Child care facilities and preschools, both operating as day care only;~~
- ~~F. Churches, synagogues, temples, chapels, mosques or similar places of worship and related structures;~~
- ~~G. Greenhouses, truck gardens, raising of bush and tree crops, flower gardens and nurseries, when incidental to residential use;~~
- ~~H. Home occupations;~~
- ~~I. Parks and playgrounds;~~
- ~~J. Recreational shop buildings not used for commercial purposes;~~
- ~~K. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters, not to include commercial storage;~~
- ~~L. Storage sheds;~~
- ~~M. Senior care facility operating up to a 24-hour basis;~~
- ~~N. Assisted living centers operating on a 24-hour basis;~~
- ~~O. Hospice facilities.~~

Section 23. Palmer Municipal Code Section 17.54.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.54.030 Conditional uses.

Uses which may be permitted in the RR district by obtaining a conditional use permit are uses such as, but not limited to, the following:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. Community and publicly owned recreational centers;~~
- ~~B. Driving ranges and golf courses;~~
- ~~C. Home based commercial business;~~
- ~~D. Public and private schools and learning centers;~~
- ~~E. Public facilities such as fire stations, libraries and museums;~~
- ~~F. Public utility installations and substations, but not including corporate offices, storage or repair yards, warehouses, and similar uses;~~
- ~~G. Seasonal roadside stands for the sale of produce and flowers;~~
- ~~H. Special needs day care facilities.~~

Section 24. Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.18.020 Residential land uses.

**City of Palmer
Residential Land Use Matrix**

Residential	R-1 Max is one dwelling unit	R-2 Max is four dwelling units	R-3 Max is eight dwelling units	R-4	R-1E Max is one dwelling unit	RR
Dwelling Units, Types:						
Dwelling unit, Single-family	P	P	P	P	P	P
Dwelling units, Two-family		P	P	P		P
Dwelling units, Multiple family		P	P	P		
<u>Dwelling unit, Accessory, must meet requirements of PMC 17.86 Permit required</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P
<u>Mobile homes used for occupancy in mobile home court must meet requirements of PMC 17.92</u>			CUP	CUP		

Residential	R-1 Max is one dwelling unit	R-2 Max is four dwelling units	R-3 Max is eight dwelling units	R-4	R-1E Max is one dwelling unit	RR
Accessory Uses:						
Accessory buildings and uses not used or operated for gain nor used as a dwelling	P	<u>P</u>	P	P	P	P
Gardens and greenhouses when incidental to residential use	P	P	P	P	P	P
Home based commercial business						CUP
Home Occupations	P	P	P	P	P	P
Home Child Care as a <i>Home Occupation</i> (max is 6 children)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Home Special Needs Care as a <i>Home Occupation</i> (max is 5 people)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Recreational shop buildings not used for commercial purposes						P
Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters, <u>not to include commercial storage</u>	P	P	P	P	P	P
Truck gardens, raising of bush and tree crops, flower gardens and nurseries, when incidental to residential use						P
Group Residences:						
Assisted Living Centers operating on a 24-hour basis						P
Assisted living home	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Homeless shelter						
Homeless shelter, emergency						
Hospice Facilities						P
Residential Care Facilities		CUP	CUP	CUP		
Residential Planned Unit Development meeting requirements of PMC 17.84	<u>CUP</u>	CUP	CUP	CUP		
Senior care facility operating up to a 24-hour basis						P
Temporary Lodging:						
Bed and breakfast establishments					P	P
Boarding and roominghouses		P	P	P		
Short-term Rentals shall meet requirements of PMC 17.89, see matrix*	*	*	*	*	*	*

Residential	R-1 Max is one dwelling unit	R-2 Max is four dwelling units	R-3 Max is eight dwelling units	R-4	R-1E Max is one dwelling unit	RR
Community and Education Services:						
Child care facilities and <u>preschools</u> operating as a day care only (1)	CUP	P	P	P	CUP	P
Public and private schools <u>and learning centers</u>		CUP	CUP	CUP	CUP	CUP
Special needs day care facilities for more than five people (1)	CUP	CUP	CUP	CUP	CUP	CUP
Cemeteries					CUP	<u>CUP</u>
Recreational and Cultural Land Uses:						
Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures (1)	CUP	P	P	P	CUP	P
Community and publicly owned recreational centers					CUP	CUP
Country clubs and Golf courses					CUP	<u>CUP</u>
Driving ranges and golf courses						<u>CUP</u>
Parks and Playgrounds <u>and other similar uses</u>	P	P	P	P	P	P
Recreational courts, including, but not limited to, tennis and other similar uses					P	
Government and Business Services:						
One temporary subdivision sales office per subdivision in a residential structure (2)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>
Public buildings and structures		CUP	CUP	CUP	CUP	CUP
Seasonal roadside stands for sale of produce and flowers						CUP
Utility substation	CUP	CUP	CUP	CUP	CUP	CUP

Zoning District Matrix Key:

R-1 = Single-family Residential
R-4 = High Density Residential

R-2 = Low Density Residential
R-1E = Single-family Residential Estate

R-3 = Medium Density Residential
RR = Rural Residential

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

- (1) Provided, that no part of any building or structure used for such purposes shall be located nearer than 30 feet to an adjoining lot or street line
- (2) When located within the subdivision, and provided such use is discontinued when all lots have been sold and provided it complies with PMC 15.08.3103, Temporary buildings or structures

Section 25. Palmer Municipal Code Chapter 17.18.021 Compatibility of land uses not defined is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.18.021 Compatibility of land uses not defined.

Where a proposed use is not specifically identified or is unclear as to whether the use is allowed in a particular zone, the zoning administrator may find, based on a finding of facts, the use is similar to another use that is permitted, allowed conditionally or prohibited in the subject zone and apply 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.

Section 26. Effective Date. Ordinance No. 23-0XX shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of ____, 2023.

Steve Carrington, Mayor

Shelly M. Acteson, CMC, City Clerk