

City of Palmer Planning and Zoning Commission Packet

February 15, 2024



PLANNING & ZONING COMMISSION
REGULAR MEETING
6 PM, THURSDAY, FEBRUARY 15, 2024
CITY COUNCIL CHAMBERS
231 W. EVERGREEN AVENUE, PALMER
www.palmerak.org



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

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 March 16, 2023
 - 2. Regular Meeting of October 19, 2023
 - 3. Regular Meeting of December 21, 2023
 - 4. Regular Meeting of January 18, 2024
- A. Reports
- B. Audience Participation
- C. Public Hearings
 - IM 24-001: Consideration of a Text Amendment to Palmer Municipal Code By Making Omnibus Revisions to Title 17, Zoning, By Adding and Deleting Code Language Pertaining to Residential and Commercial Districts, Central Business District, and Commercial Land Uses
- D. Unfinished Business
- E. New Business
 - 1. Resolution No. 24-001: A Resolution of the Palmer Planning and Zoning Commission Extending a Conditional Use Permit to Hold SCCA Sanctioned Rallycross Events for an Additional Five Years at the Fairgrounds in the F-Fairgrounds District at 2075 S. Glenn Highway Located on Lots 1, 2 and Tract A, Alaska State Fair 2010
- F. Plat Reviews
 - IM 24-002: Preliminary Plat Review To create five lots from Tax Parcel B6 in Section 10, Township 17 North, Range 2 East, Seward Meridian, to be known as Mountain View Farms, located outside Palmer city limits
- G. Public Comments
- H. Commissioner Comments
- I. Adjournment

City of Palmer, Alaska February 15, 2024



Minutes

REGULAR MEETING THURSDAY, MARCH 16, 2023 6:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 6:03 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Casey Peterson, Chair

Penny Mosher, Vice Chair

Linda Combs (present at 6:05 p.m.)

Lisbeth Jackson

Kristy Thom Bernier

(Vacant)

Absence(s) excused without objection:

John Murphy

Also present were:

Brad Hanson, Community Development Director

Kimberly McClure, Community Development Specialist

Pam Whitehead, Recording Secretary (via Zoom teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented without objection.

E. MINUTES OF PREVIOUS MEETING(S):

1. The minutes of the **February 16, 2023, Regular Meeting** were unanimously approved as presented.

F. REPORTS:

Staff Report: Director Hanson:

- Updated on DOT&PF plans for Arctic Avenue in 2025 the road will be re-asphalted; the project does not include right-of-way acquisition for expansion.
- Updated as to current status of the Library:
 - o signed a one-year lease for temporary library space at Rigg's building by Napa;
 - o will be signing a lease for low volume library books to be stored in Industrial park area;
 - o received approval to move forward with an RFP for architectural services for the library.
- Updated on upcoming second survey regarding railroad right-of-way in the downtown area and BED's plan.
- G. AUDIENCE PARTICIPATION: None.
- H. PUBLIC HEARINGS:

- I. UNFINISHED BUSINESS: None.
- J. **NEW BUSINESS:** None.
- K. PLAT REVIEWS:
- 1. **IM 23-004:** Abbreviated Plat Review To create one lot from Lots 8 & 9, Block 2, Sherrod, Plat No. 12-204 to be known as Stella subdivision, located inside Palmer city limits.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. There were no issues or concerns. The Commission reviewed and had no comments.

- L. PUBLIC COMMENTS: None.
- M. COMMISSIONER COMMENTS:

Commissioner Thom Bernier:

 Commented Alaska State Fair is currently looking for a CEO; plans and events are underway for upcoming fair season.

Commissioner Combs:

Updated on status of senior center and continuing programs and services being offered.

Commissioner Jackson:

ADJOURNMENT:

N.

Thanked fellow commissioners for their work and volunteering.

There being no further business, the meeting adjourned without objection at 6:42 p.m.
APPROVED by the Planning and Zoning Commission this day of, 2024.
Casey Peterson, Chair

Brad Hanson, Community Development Director

REGULAR MEETING THURSDAY, OCTOBER 19, 2023 6:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The Regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 6:00 p.m.

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair

Linda Combs

Lisbeth Jackson

Kristy Thom Bernier

John Murphy

Absence(s) excused without objection:

Penny Mosher

Also present were:

Brad Hanson, Community Development Director

Kimberly McClure, Community Development Specialist

Pam Whitehead, Recording Secretary (via Zoom teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented.

E. MINUTES OF PREVIOUS MEETINGS:

1. The minutes of the April 20, 2023, Regular Meeting were unanimously approved as presented.

F. REPORT:

Staff Report: Director Hanson:

- Updated as to current status of the Library security walls are in place.
 - o Another public meeting on November 15, 2023, 4-6 p.m.
 - o Bond passed for the library.
- Reported it is budget time at City Council.

G. AUDIENCE PARTICIPATION:

Shaun Tucker is in attendance to answer any questions regarding the conditional use permit for Alaska Demolition on the agenda tonight.

- H. PUBLIC HEARINGS: None.
- I. UNFINISHED BUSINESS: None.
- J. NEW BUSINESS:

1. IM 23-017: Annual Review of Conditional Use Permits.

Director Hanson provided a staff report noting the Commission annually reviews for compliance all active conditional use permits (see log in the packet, p. 17) reflecting 33 active CUPs and their status. Briefly discussed five CUPs, specifically Tesoro Fuel Propane Storage Tank, Glacier View Carwash, Purely Alaskan Water has closed business, Contractor's Equipment Yard and Contractor's Caretaker's Residence, that need to be closed due to changes in code with the use becoming a permitted use thereby no longer requiring a CUP. Addressed current active status of CUP for the Food Bank and Alaska Demolition.

Following brief discussion, the Commission had no additional direction or comments.

Main Motion: To approve the annual review of the conditional use permits as presented by staff.

Moved by:	Combs	
		A
Seconded by:	Thom Bernier	
Vote:	Unanimous (Murphy, Thom-Bernier, Jackson, Combs, Peterson)	1 10 M
Action:	Motion Carried.	

K. PLAT REVIEWS:

1. **IM 23-018:** Abbreviated Plat Review – To create two lots from Lot 1, Caulkins subdivision, Plat No. 93-95, to be known as Lots 1A and 1B, located outside Palmer city limits.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. An updated plat map was provided as a hand-out at tonight's meeting. There were no issues or comments.

The Commission reviewed and had no additional comments.

2. **IM 23-019:** Abbreviated Plat Review – To create one lot from Lot 1, Mosier Estates, Plat No. 2014-3 and Tax Parcel C12, in Section 33, Township 18 North, Range 2 East, Seward Meridian, to be known as Palmer Towne, located inside Palmer city limits.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. There were no issues or concerns. The Commission reviewed and had no comments.

Director Hanson will have an update at the next meeting regarding latest plans from DOT for Arctic Avenue.

L. PUBLIC COMMENTS: None.

M. COMMISSIONER COMMENTS:

Commissioner Jackson:

Announced she will not be able to attend the November and December meetings.

Commissioner Combs:

• Attended a presentation by the Mat-Su Senior Center, to our local political leaders.

Commissioner Thom Bernier:

- Commented it is fascinating to see the road construction from the plans taking place on the Glenn Highway.
- Asked if we had any applications for a new commission member.

Chair Peterson:

• Commented on the road construction to expand the highway and utilization of the annex study to consider annexing those areas going out to the highway.

N. ADJOURNMENT:		
There being no further business, the meeting adjo	ourned without objection at 7:02 p.m.	
APPROVED by the Planning and Zoning Com	mission this day of	, 2024.
-		
	Casey Peterson, Chair	
Brad Hanson, Community Development Director		

REGULAR MEETING THURSDAY, DECEMBER 21, 2023 6:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The Regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 6:00 p.m.

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair

Kristy Thom Bernier

John Murphy

Penny Mosher

Absence(s) excused without objection:

Lisbeth Jackson

Linda Combs

Also present were:

Brad Hanson, Community Development Director

Kimberly McClure, Community Development Specialist

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented without objection by all members present. [Murphy, Mosher, Thom-Bernier, Peterson]

E. MINUTES OF PREVIOUS MEETINGS:

- 1. Regular Meeting of September 15, 2022
- 2. Regular Meeting of July 20, 2023
- 3. Regular Meeting of August 17, 2023
- 4. Regular Meeting of September 14, 2023

Commissioner Mosher noted the September 15, 2022, draft meeting minutes show her as absent in Agenda Item B, D and E and arriving late via zoom at 6:43pm but she believes she arrived via zoom at 6:00pm and the minutes need to be corrected accordingly.

Main Motion: To amend the minutes of the September 15, 2022, meeting to reflect the

change to sections B, D and E recognizing Penny Mosher was present via

zoom at 6:00pm and participated in roll call votes.

Moved by: Mosher
Seconded by: Murphy
Vote: Unanimous (Mosher, Murphy, Thom-Bernier, Peterson)
Action: Motion Carried.

Review of audio recording from September 15, 2022, meeting, confirms Commissioner Penny

Mosher was absent from meeting until joining via zoom at 6:43pm.

The minutes of the **July 20, August 17, and September 14, 2023, Regular Meetings** were unanimously approved as presented.

[Mosher, Murphy, Thom-Bernier, Peterson]

F. REPORTS:

Staff Report: Director Hanson:

- Updated as to status of future plans for Arctic Avenue from Scott Thomas, State of Alaska Department of Transportation (packet pp. 23-28).
 - o Paving projects are planned for summer 2025;
 - o SOA DOT&PF is establishing a Mat-Su Borough Planning Department.
- Updated as to current status of the library at the last council meeting City Council agreed to reconstruct the library in its entirety.
 - The first phase of Wolf Architecture's contract will be completed in January, providing cost estimates for both a reconstructed library and repairing the existing library;
 - Another opportunity to speak on the library on January 23;
 - On January 9, council authorized negotiations for the second phase of the project with Wolf Architecture;
 - The project is expected to be completed in January 2026, saving approximately six months by extending the contract with Wolf Architecture without going through a new RFP process;
 - o The current library is functioning at about 40-50% of its former capacity.
- G. AUDIENCE PARTICIPATION: None.
- **H. PUBLIC HEARINGS:** None.
- I. UNFINISHED BUSINESS: None.
- J. **NEW BUSINESS:** None.
- K. PLAT REVIEWS:
- 1. **IM 23-020:** Abbreviated Plat Review to create one lot from Lots 8 & 9, Block 1, Gold Key Estates Addition #1, Plat No. 83-107, to be known as Lot 1, Martha's View Estate, located inside Palmer city limits.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. There were no issues or objections.

The Commission reviewed and had no comments.

Director Hanson excused himself from the meeting at 6:27 p.m. from reporting on the next plat on the agenda since he is a registered owner of adjacent properties.

2. **IM 23-021:** Pre-Application Routing Slip Review to create three lots from Lots 8-13, Virgil Eckert subdivision, Plat No. 10-139, to be known as Virgil Eckert Resub, located inside Palmer city limits.

Community Development specialist Kimberly McClure reported the Abbreviated Plat Request is to combine six lots into three lots. Community Development commented the property lies within the Airport Influence Area and should be noted on the plat. There was a brief discussion regarding the proposed flag lots, lot size and access. There were no issues or concerns.

The Commission reviewed and had no comments.

Director Hanson rejoined the meeting at 6:32 p.m.

- L. PUBLIC COMMENTS: None.
- M. COMMISSIONER COMMENTS:

Chair Peterson:

Welcomed new Commissioner Hunt to the P&Z Commission.

Commissioner Thom Bernier:

- Welcomed new Commissioner Hunt to the P&Z Commission.
- Wished everyone a merry Christmas.

Commissioner Mosher:

- Welcomed new Commissioner Hunt to the P&Z Commission.
- Wished everyone a merry Christmas and happy New Year.

Commissioner Murphy:

- Welcomed new Commissioner Hunt to the P&Z Commission.
- Wished everyone a merry Christmas and happy New Year.

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There being no further business, the meeting adjourned without objection at 6:34 p.m.

PPROVED BY	y tne Piann	ing and Zo	oning Con	mission this _	day of	, 2024.
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rad Hanson, (Community D	evelopmen	t Director			
	4	atte for the control				

REGULAR MEETING THURSDAY, January 18, 2024 6:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 6:00 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Casey Peterson, Chair John Murphy

Penny Mosher, Vice Chair Kristy Thom Bernier

Linda Combs Barbara Hunt

Lisbeth Jackson

Also present were:

Brad Hanson, Community Development Director

Pam Whitehead, Recording Secretary (via Zoom teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. ORGANIZATION OF THE COMMISSION:

1. Election of Chair:

Following nomination:

Main Motion: To elect Commissioner Penny Mosher to serve as Chair for the ensuing term.

Moved by: Peterson Seconded by: Combs

Vote: Yes-5 [Combs, Hunt, Murphy, Mosher and Peterson]

No-2 [Jackson & Thom Bernier]
Action: Motion Carried by roll call vote.

Main Motion: To elect Commissioner Casey Peterson to serve as Chair for the ensuing term.

Moved by: Jackson
Seconded by: Thom Bernier
Vote: No vote

Action: No vote

Action: Motion Failed

2. Election of Vice Chair:

Following nomination:

Main Motion: To elect Commissioner Casey Peterson to serve as Vice Chair for the ensuing term.

Moved by: Thom Bernier
Seconded by: Jackson
Vote: Unanimous

Action: Motion Carried

E. APPROVAL OF AGENDA:

The agenda was approved as presented without objection by all members present. [Thom Bernier, Murphy, Jackson, Combs, Mosher, Peterson, Hunt]

F. MINUTES OF PREVIOUS MEETING(S): No minutes were presented.

G. REPORTS:

Staff Report: Director Hanson:

- Updated as to current status of the Library:
 - Wolf Architecture to present feasibility report of repairing, expanding, or replacing library with initial cost estimate of 5.9 million to repair; estimate for replacement has been sent to cost estimators; and estimate to replace is around 15 million dollars.
 - Commented that repairing the existing library would be deemed cost-prohibitive due to the need to upgrade mechanical systems.
 - The council also approved for staff to negotiate the extension of the existing contract with Wolf Architecture.
- Reported the budget was approved by City Council.
 - The city's tax revenues are doing well due to increased traffic and shopping, despite insurance costs rising and the introduction of a payroll increase in the new budget.
- Spoke of scheduling a joint meeting with City Council, initially suggested for March but later moved to April as preference due to potential conflicts with the Arctic winter games and Iditarod.
- Announced the retirement of the city manager in June.
- Briefly discussed the comprehensive plan update, along with the cost of updating it. It was decided to add this topic to the next agenda for further discussion.
- H. AUDIENCE PARTICIPATION: None.
- I. PUBLIC HEARINGS: None.
- J. UNFINISHED BUSINESS: None.
- K. NEW BUSINESS:
- 1. <u>Committee of the Whole</u>: Discussion of IM 24-001 Consideration of text amendments to Palmer Municipal Code Title 17 Zoning (note: action may be taken by the Commission following the committee of the whole).

Main Motion: To enter Committee of the Whole for discussion on IM 24-001.

Moved by: Peterson
Seconded by: Jackson
Vote: Unanimous
Action: Motion Carried

[The Commission entered Committee of the Whole at 6:32 p.m.; exited at 7:11 p.m.]

Staff Report: Director Hanson gave an overview of several minor inconsistencies with the code language throughout Title 17 as reflected in IM 24-001 in the packet (p 5). There was discussion and agreement of eliminating the individual sections within the code pertaining to permitted use and conditional use regulations within each residential district and show those uses in the residential land use matrix, to be consistent with what was done in the commercial districts and the commercial land use matrix. Director

Hanson provided clarification about allowing short-term rentals in the R-1 Single-family Residential District.

Discussed and agreed upon the placement of code language regarding the compatibility of land uses not defined and appeals language to be located at the end of the commercial land use matrix and removed from individual sections within each district.

Director Hanson suggested incorporating open space requirements throughout each applicable land use district for consistency.

There being no additional comments, Chair Mosher declared exit of Committee of the Whole at 7:11 p.m.

Main Motion: Staff to draft an ordinance reflecting the discussed changes to Palmer Municipal Code Title 17

Moved by: Combs
Seconded by: Jackson
Vote: Unanimous
Action: Motion Carried

- L. PLAT REVIEWS: None.
- M. PUBLIC COMMENTS: None.
- N. COMMISSIONER COMMENTS:

Commissioner Jackson:

- Welcomed Commissioner Hunt.
- Congratulated Chair Mosher on new position and thanked Vice Chair Peterson for his leadership and continued support.

Commissioner Thom Bernier:

- Also congratulated Chair Mosher on new position and thanked Vice Chair Peterson for his time that he served and offer to stay another year on the Commission to serve as Vice Chair.
- Spoke in appreciation of the City's snow clearing and removal efforts in Beylund subdivision on Scott Road.

Commissioner Murphy:

- Thanked staff for the assistance.
- Also congratulated Chair Mosher and Vice Chair Peterson.

Commissioner Hunt:

• Commented on her experience trying to familiarize herself with the city's code, emphasizing its value.

Commissioner Combs:

- Welcomed Commissioner Hunt commented on her valuable service in the past to the City in many other capacities.
- Commented on the challenges faced by the senior center due to the pandemic and its financial stability; announced the building next door to the senior center will be paid in full within the next 90 days.
- Commented on her attendance at a reception held by the Japanese Consulate honoring Carla Swick, a

Japanese teacher at Palmer High School, and was recognized for her significant contributions to Japanese American relations and her involvement in the Japanese English teacher program.

- Apologized for missing last month's meeting without prior notice.
- · Congratulated Chair Mosher.

Vice Chair Peterson:

- Appreciates the positive feedback on his tenure as Chair and congratulated the newly nominated Chair Mosher.
- Welcomed Commissioner Hunt.

Chair Mosher:

O.

- Thanked everyone for the nominations and votes.
- Welcomed Commissioner Hunt.

ADJOURNMENT:

- Mentioned Daybreak, a navigation tool for the homeless, will be presenting at the next City Council meeting and encouraged anyone interested to attend.
- Thanked everyone on the Commission for being prepared to make well-informed decisions at meetings.
- Echoed comment recognizing the efforts of the public works team in handling snow removal.

Commissioner Thom Bernier requested to be excused from the February meeting. Vice Chair Peterson noted that he will be unable to attend the meeting in March.

•	There being no further business, the meet	ing adjourned without objection at 7:30 p.m.
APPI	ROVED by the Planning and Zoning Com	mission this day of, 2024.
		Penny Mosher, Chair
Brad	Hanson, Community Development Director	



Public Hearings



CITY OF PALMER PLANNING & ZONING COMMISSION INFORMATION MEMORANDUM 24-001

SUBJECT: Consideration of text amendments to Palmer Municipal Code Title 17

Zoning

AGENDA OF: February 15, 2024

January 18, 2024

ACTION: Review and make recommendation

Attachment(s): 1) Draft Ordinance to City Council

Summary:

Update: Review noted changes as shown below that were discussed during January 18 meeting and make amendments if necessary.

Items #1 & 2 have been addressed by the recent City Council adoption of Ordinance No. 24-001 enacting the Residential Land Use Matrix on January 23, 2024.

- 1. PMC 17.20.030 Conditional Uses in the R-1 district does not list a Type 1 short-term rental as a conditional use as shown in the short-term rental matrix in PMC 17.89.070
- 2. PMC 17.52.040 Conditional Uses in the R-1E district does not list Types 1, 2, 4 and 5 short-term rentals as conditional uses as shown in the short-term rental matrix in PMC 17.89.070
- 3. Open space requirements should be added to PMC 17.26 R-3 for consistency within the residential districts
- 4. Compatibility of Land Uses Not Defined and Appeal of Compatibility of Use are shown in PMC 17.29 C-L, Limited Commercial District, PMC 17.30 Central Business District and PMC 17.32 C-G, General Commercial District, but are not reflected in PMC 17.28 Commercial Land Uses. Compatibility of Land Uses Not Defined and Appeal of Compatibility of Use are being added to PMC 17.28 Commercial Land Uses for clarity and consistency.
- 5. Rooftops and balconies should be added to open space requirements in 17.29.066 Limited Commercial District for consistency.

Recommendation: Review draft Ordinance No. 24-0XX, make changes if necessary and if

approved, move forward to City Council with recommendation for

adoption.

City of Palmer Ordinance No. 24-00X

Subject: Amending Palmer Municipal Code By Making Omnibus Revisions to Title 17, Zoning, By Adding and Deleting Code Language Pertaining to Residential and Commercial Districts, Central Business District, and Commercial Land Uses

Agenda of:	, 2024 -	· Intro	duction	
Council Action:	□ Adopted□ Defeated		Amended:	
		Origi	nator Information:	
Originator:	Brad Hanson, Directo	or Com	munity Development	
		De	partment Review:	
Route to:	Department Directory Community Developer Finance Fire Police		Signature:	Date:
	Public Works			
This legislation (x Creates rever Creates expe	nue in the amount of: nditure in the amount of: ring in the amount of: impact Line item(s):	of:	\$\$ \$\$ \$	
		D	irector of Finance Signature:	
	Aı	prove	ed for Presentation By:	
City Manager City Attorney	Signature	1	Rema	arks:
City Clerk				

Attachment(s):

- 1. Ordinance No. 24-00X
- 2. Planning and Zoning Minutes for January 18, 2024
- 3. Planning and Zoning Minutes for February 15, 2024

Summary Statement/Background:

The recent discussion and drafting of the Residential Land Use matrix revealed some inconsistencies with code language affecting residential and commercial districts and commercial land uses.

The proposed amendments will help provide consistent and uniform code language throughout the residential and commercial districts.

An overview of the text amendments is listed below:

- Open space requirements should be added to PMC 17.26 R-3 for consistency within the residential districts.
- Compatibility of Land Uses Not Defined and Appeal of Compatibility of Use are shown in PMC 17.29
 C-L, Limited Commercial District, PMC 17.30 Central Business District and PMC 17.32 C-G, General
 Commercial District, but are not reflected in PMC 17.28 Commercial Land Uses or other pertinent
 districts. Compatibility of Land Uses Not Defined and Appeal of Compatibility of Use are being added
 to PMC 17.28 Commercial Land Uses and being deleted from individual district sections for clarity
 and applicability to all uses listed within the commercial land use matrix.
- Rooftops and balconies should be added to open space requirements in 17.29.066 Limited Commercial District for consistency.

The Planning and Zoning Commission discussed the proposed text amendments at the January 18, 2024, meeting and directed staff to draft an ordinance for review. At the February 15, 2024, meeting, the Commission discussed and reviewed the changes to the draft ordinance and voted unanimously to move the draft ordinance forward to City Council with a recommendation for adoption.

Administration's Recommendation:

Adopt Ordinance No. 24-00X amending Palmer Municipal Code By Making Omnibus Revisions to Title 17, Zoning, By Adding and Deleting Code Language Pertaining to Residential and Commercial Districts, Central Business District, and Commercial Land Uses

	LEGISLA	TIVE HISTORY	
	Introduced by:		
	Date:		
	Public Hearing:		
	Action:		
	Vote:		
	Yes:	No:	
_	100.	1101	_
-	103.	110.	
-	163.	No.	
_	163.	110.	
-	163.	110.	
_	163.	110.	
_	163.	110.	

CITY OF PALMER, ALASKA

Ordinance No. 24-00X

An Ordinance of the Palmer City Council Amending Palmer Municipal Code By Making Omnibus Revisions to Title 17, Zoning, By Adding and Deleting Code Language Pertaining to Residential and Commercial Districts, Central Business District, and Commercial Land Uses

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 consistently applied across all zoning districts to give orderly growth to the city; and

WHEREAS, the commission proposes text amendments to Palmer Municipal Code Title 17 for the promotion of public health, safety and general welfare; and

WHEREAS, the Commission has reviewed and discussed the proposed text amendment and supports the recommended changes to Palmer Municipal Code Title 17.

THE CITY OF PALMER, ALASKA, ORDAINS:

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

<u>Section 2.</u> 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.

<u>Section 3.</u> Palmer Municipal Code Section 17.26.066 Open space requirements is hereby added as follows (new language is underlined and deleted language is stricken):

17.26.066 Open space requirements.

- A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than ten feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978, and which footprint has not been significantly altered.
- B. Open space shall not be used for storage, driveway, vehicle or other parking, above ground building utilities or services, or any structures (other than a fence). Open space may not be used to satisfy setback requirements. Open space may be used for lawn, shrubs, or trees.
- C. Deck, covered patios, and porches may serve to satisfy open space requirements at 50 percent of total space.

<u>Section 4.</u> Palmer Municipal Code Section 17.27.066 Open space requirements is hereby amended as follows (new language is underlined and deleted language is stricken):

17.27.066 Open space requirements.

For structures with nine or more dwelling units:

- A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than eight ten feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978, and which footprint has not been significantly altered.
- B. Open space shall not be used for storage, driveway, vehicle or other parking, above ground building utilities or services, or any structures (other than a fence). Open space may not be used to satisfy setback requirements. Open space may be used for lawn, shrubs, or trees.
- C. Dwelling units in excess of 10 units are required to provide a fenced pet yard (park), if tenants are allowed pets in dwelling units. Minimum lot size of pet park is 200 square feet and 10 additional square feet per dwelling unit over 10, up to a maximum of 1,000 square feet.
- D. Deck, covered patios, and porches may serve to satisfy open space requirements at 50 percent of total space.

<u>Section 5.</u> Palmer Municipal Code Section 17.28.021 Compatibility of land uses not defined is hereby added as follows (new language is underlined and deleted language is stricken):

17.28.021 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.

<u>Section 6.</u> Palmer Municipal Code Section 17.28.022 Appeal of compatibility of use is hereby added as follows (new language is underlined and deleted language is stricken):

17.28.022 Appeal of compatibility of use.

<u>In the event the petitioner disagrees with the decision of the planning and zoning commission they may appeal to the Palmer city council for final city evaluation. Any subsequent appeal shall be made to the superior court for the state of Alaska, in Palmer, Alaska.</u>

<u>Section 7.</u> Palmer Municipal Code Section 17.29.021 Compatibility of land uses not defined is hereby deleted as follows (new language is underlined and deleted language is stricken):

17.29.021 Compatibility of land uses not defined.

Where a proposed use is not specifically identified 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.

<u>Section 8.</u> Palmer Municipal Code Section 17.29.022 Appeal of compatibility of use is hereby deleted as follows (new language underlined and deleted language is stricken):

17.29.022 Appeal of compatibility of use.

In the event the petitioner disagrees with the decision of the planning and zoning commission they may appeal to the Palmer city council for final city evaluation. Any subsequent appeal shall be made to the superior court for the state of Alaska, in Palmer, Alaska.

<u>Section 9.</u> Palmer Municipal Code Section 17.29.066 Open space requirements is hereby amended as follows (new language underlined and deleted language is stricken):

17.29.066 Open space requirements.

- A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than 10 feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978, and which footprint has not been significantly altered.
- B. Open space shall not be used for storage, driveway, vehicle or other parking, or sheds (other than a fence). Open space may be used for lawn, shrubs, or trees.
- C. Open space that can be considered includes rooftops and balconies.

<u>Section 10.</u> Palmer Municipal Code Section 17.30.021 Compatibility of use not defined is hereby deleted as follows (new language is underlined and deleted language is stricken):

17.30.021 Compatibility of use not defined.

Where a proposed use is not specifically identified or it is unclear as to whether the use is allowed in a particular zone, the zoning administrator may find the use is similar to another use that is permitted, allowed conditionally, or prohibited in the central business district and apply the code accordingly. Land use rulings requiring 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.

<u>Section 11.</u> Palmer Municipal Code Section 17.30.022 Appeal of compatibility of use is hereby deleted as follows (new language is underlined and deleted language is stricken):

17.30.022 Appeal of compatibility of use.

In the event the petitioner disagrees with the confirmation of the planning and zoning commission they may appeal to the Palmer city council for final city evaluation. Any subsequent appeal shall be made to the superior court for the state of Alaska, in Palmer, Alaska.

<u>Section 12.</u> Palmer Municipal Code Section 17.32.021 Compatibility of land uses not defined is hereby deleted to read as follows (new language is underlined and deleted language is stricken):

17.32.021 Compatibility of land uses not defined.

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

<u>Section 13.</u> Palmer Municipal Code Section 17.32.022 Appeal of compatibility of land use is hereby deleted to read as follows (new language is underlined and deleted language is stricken):

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In the event the petitioner disagrees with the confirmation of the planning and zoning commission they may appeal to the Palmer city council for final city evaluation. Any subsequent appeal shall be made to the superior court for the state of Alaska, in Palmer, Alaska.

<u>Section 14.</u> Effective Date. C City Council.	Ordinance No. 24-0XX	shall take effect upon a	doption by the city of Palmer
Passed and approved this	day of, 2024.		
		Steve Carrington, Mayo	 or
Shelly M. Acteson, CMC, City Clerk			



New Business



CITY OF PALMER **PLANNING & ZONING COMMISSION INFORMATION MEMORANDUM 24-003**

SUBJECT:

Requesting a five-year extension of an approved Conditional Use Permit to hold SCCA sanctioned RallyCross events over the next five years at the Fairgrounds in the F-Fairgrounds District at 2075 S. Glenn Highway located on Lots 1, 2 and Tract A, Alaska State Fair 2010.

AGENDA OF:

February 15, 2024

ACTION:

For consideration and approval, if appropriate.

Attachment(s):

1) Emailed request for five-year extension of approved Conditional Use Permit

2) Resolution No. 24-001

Summary:

The subject parcel is zoned F-Fairgrounds. The applicant applied and was approved for a conditional use permit to hold SCCA sanctioned RallyCross events for a period of five years at the Fairgrounds which will expire on April 18, 2024. The applicant has requested a five-year extension to the approved conditional use permit. Motorized vehicle racing is a permitted use in the F-Fairgrounds District by obtaining a conditional use permit.

Recommendation: Community Development recommends approving the extension of a Conditional Use Permit to hold SCCA sanctioned RallyCross events over the next five years at the Fairgrounds on Lots 1, 2 and Tract A, Alaska State Fair 2010 with certain conditions listed in Resolution No. 24-001.

P & Z IM 24-003

Kimberly McClure

From:

Kent Hamilton < kent.hamilton.134@gmail.com>

Sent:

Thursday, December 28, 2023 1:41 PM

To:

Kimberly McClure

Cc:

Sheri Musgrave; Terrance Pearson

Subject:

Re: Conditional Use Permit renewal

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kimberly,

We have had success conducting our RallyCross events under the parameters of the current permit, and our club would agree to continue under the same parameters if granted the opportunity to extend the permit. I would like to attend the meeting along with our Regional Executive, Terrance Pearson (Cc'd). Unfortunately I'm unavailable on January 18, so if there's a way to push to your February 15 meeting I'd appreciate it.

I've Cc'd Sheri Musgrave with the State Fair and she can help with the permission letter/email.

Thank you, and Happy New Year Kent Hamilton

On Thu, Dec 28, 2023 at 11:02 AM Kimberly McClure < kmcclure@palmerak.org> wrote:

Good morning,

Please let us know if you are intending to continue the rallycross races under the same current parameters/conditions as listed in the approved conditional use permit (copy attached). If so, then we will place this item on our January 18 Planning and Zoning meeting for review. Since our office has not received any complaints, it should not be an issue to approve the extension of the rallycross events with the same conditions for another 5 year term after review by our Planning and Zoning Commission. It would be helpful and would expedite the process to submit an authorization/letter (or email) from the Alaska State Fair office of their agreement in renewing/extending the use of the property for another 5 year permit term for the rallycross events as soon as possible so it can be included with the packet information for the Planning and Zoning Commission meeting (copy of prior authorization attached for reference).

Please let me know who will be attending the January 18 Planning and Zoning meeting on behalf of Sports Car Club of America, Inc.

Thank you and Happy Holidays,
Kimberly McClure
Community Development Specialist
City of Palmer – Community Development
645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone (907) 761-1306
mailto:kmcclure@palmerak.org
From: Kent Hamilton < kent.hamilton.134@gmail.com > Sent: Friday, December 22, 2023 2:31 PM To: Kimberly McClure < kmcclure@palmerak.org > Subject: Conditional Use Permit renewal
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
Hello Kimberly,
The Arctic Alaska Region of the Sports Car Club of America received your letter dated September 14 regarding the annual review of our CUP for RallyCross events at the Fairgrounds. We've heard nothing since, so we're assuming the review went well and there's no outstanding issues. If that's the case, we along with the State Fair are definitely interested in renewing for another 5-year permit. What is the best way to go about it? Do we start the entire application process over again or is there an easier way?

Thank you, and Happy Holidays!

Kent Hamilton

SCCA RallyCross Chair

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 24-001

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION EXTENDING A CONDITIONAL USE PERMIT TO HOLD SCCA SANCTIONED RALLYCROSS EVENTS FOR AN ADDITIONAL FIVE YEARS AT THE FAIRGROUNDS IN THE F-FAIRGROUNDS DISTRICT AT 2075 S. GLENN HIGHWAY LOCATED ON LOTS 1, 2 AND TRACT A, ALASKA STATE FAIR 2010

WHEREAS, motorized vehicle racing is listed under 17.42.030(D) as uses that may be permitted in the F-Fairgrounds District by obtaining a conditional use permit; and

WHEREAS, SCCA Arctic Alaska Region, applicant and Alaska State Fair Inc., owner, submitted a Conditional Use Permit application on February 8, 2019 for a Conditional Use Permit to hold SCCA sanctioned RallyCross events over the next five years at the Fairgrounds; and

WHEREAS, Conditional Use Permits are authorized by the Planning and Zoning Commission of the City of Palmer in accordance with PMC 17.72; and

WHEREAS, on April 18, 2019, the Commission made findings as reflected in City of Palmer Planning and Zoning Resolution No. 19-001 that supported the issuance of a Conditional Use Permit to hold SCCA sanctioned RallyCross events for a period of five years at the Fairgrounds set to expire on April 18, 2024; and

WHEREAS, in accordance with Condition #7 of Resolution No. 19-001 and as listed below, no substantial complaints have been filed with the City of Palmer Community Development Department as a result of the RallyCross events; and

WHEREAS, on Friday, December 22, 2023, Kent Hamilton, SCCA RallyCross Chair, requested the Conditional Use Permit to hold SCCA sanctioned RallyCross events at the Fairgrounds be extended for an additional five-year period in accordance with the findings and the existing conditions as reflected in Resolution No. 19-001; and

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby approve the requested extension of the Conditional Use Permit on Lots 1, 2 and Tract A, Alaska State Fair 2010 with the following conditions:

- 1) All development must comply with all federal, state and local regulations.
- 2) Obtain all necessary building permits from the City of Palmer.
- 3) Remain in compliance with the quiet hours established in Palmer Municipal Code Chapter 8.36.025.
- 4) Provide dust control through watering and other appropriate measures to prevent dust from blowing off site.
- 5) Provide a 200' setback from all lot lines for RallyCross course.
- 6) A total of seven SCCA sanctioned RallyCross events will be permitted per year for the duration of the conditional use permit five-year term.

- 7) If no substantial complaints are filed as a result of the RallyCross event(s), the Conditional Use Permit for SCCA sanctioned RallyCross events, if requested, may be extended. If complaints are received, any corrective action not immediately taken may result in the revocation of the permit.
- 8) The conditional use permit is for SCCA sanctioned RallyCross events in accordance with the conditions herein, no additional motorized vehicle racing events will be allowed under this permit. Any additional motorized vehicle racing is required to apply for a separate conditional use permit in compliance with PMC 17.72, Conditional Use Permits.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this $15^{\rm th}$ day of February 2024.

Casavi	starcan Chairmann
casey P	eterson, Chairman

Kimberly A. McClure Planning & Code Compliance Technician



Plat Reviews



CITY OF PALMER PLANNING & ZONING COMMISSION INFORMATION MEMORANDUM 24-002

SUBJECT:

Preliminary Plat Request for Comments: Tax Parcel B6 in Section 10,

Township 17 North, Range 2 East, Seward Meridian

AGENDA OF:

February 15, 2024

ACTION:

Review and comment

Attachment(s):

1) Staff Comments

2) Preliminary Plat package from MSB Platting Division

Summary:

The request is to create five lots from Tax Parcel B6 in Section 10,

Township 17 North, Range 2 East, Seward Meridian, to be known as

Mountain View Farms, located outside Palmer city limits.

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

Page 1 of 1 P & Z IM 24-002





Brad Hanson Director

Nathaniel Ouzts **Building Inspector**

> Beth Skow Library Director

MEMORANDUM

Bret Chisholm Parks & Facilities Manager

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

TO:

Fred Wagner, Chief of Platting

FROM:

Kimberly McClure, Community Development

DATE:

January 30, 2024

LOCATION: Tax Parcel B6 in Section 10, Township 17 North, Range 2 East

SUBJECT:

Preliminary Plat RFC - Mountain View Farms

TAX ACCT#: 17N02E10B006

CASE #:

2024-005

☐ 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: This is very poorly designed. Four flag lots on a 5-parcel subdivision should be unacceptable. Only done to push all costs on the future homeowners. The street should be extended to provide frontage for all five lots.
- 2. Building Inspector: No changes necessary. No concerns. Interested in advisement of Flag Lot driveways widths req, existing materials, vehicles, barn location in relation to property line(s). Is existing PUE turnaround remaining?
- 3. Community Development: The parcels are located within the designated Airport Influence Area; it is recommended that a plat note be added to the new plat reflecting this information. If the proposed lots were located inside Palmer city limits and zoned R-1, Single-family Residential, the minimum required lot width for all proposed lots would be 60 feet and the minimum required lot area would be 8,400 square feet per lot and does not include the strip (pole). Proposed Lots 1, 2, 3 and 5 are Flag Lots. 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, if located inside Palmer city limits.
- 4. Fire Chief: No changes necessary.
- 5. Public Works: No issues.
- 6. Planning and Zoning Commission: The proposed platting action is scheduled to be reviewed at the February 15, 2024, Planning & Zoning Commission meeting; any additional comments will be forwarded at that time.

MATANUSKA-SUSITNA BOROUGH

JAN 19 2024

Platting Division

350 East Dahlia Avenue – Palmer AK 99645 Phone (907) 861-7874 – Fax (907) 861-8407 City of Palmer

Comments Due: January 29, 2024

Date: January 19, 2024

Preliminary Plat Request for Comments

AK Dept. of Transportation – Anchorage
AK Dept. of Transportation – Aviation
AK DNR, Division of Mining/Land/Water

MSB – Emergency Services
MSB – Community Development
MSB – Public Works, Engineering

AK DNR, Public Access Defense
AK DNR, Division of Agriculture

MSB – Public Works, Pre-Design Division
MSB – Assessments

AR DNR, Division of Agriculture

ADF&G, Habitat Mgmt. & Permitting

MSB – Assessments

MSB – Planning Division

ADF&G, Division of Sport Fish

AK Pailroad Engineering Department

MSB – Borough Attorney

MSB – Borough Attorney

AK Railroad, Engineering Department MSB – Borough Attorney

U.S. Army Corp of Engineers

U.S. Postmaster

City of: Palmer

Community Council: N/A

MEA

MTA

Enstar

GCI

Fire Service Area: Greater Palmer Assembly District #2

Consolidated

Road Service Area: South Colony bc: Platting Board

Title: Mountain View Farms
Location: Sec 10, T17N, R02E, S.M, AK

Petitioners: Steven Dike & Linda Hotchkiss, 12601 Atherton Rd. Anchorage, AK 99516

Surveyor: Hanson Land Solutions, 305 E. Fireweed Avenue, Palmer, AK 99645 Engineer: Hanson Land Solutions, 305 E. Fireweed Avenue, Palmer, AK 99645

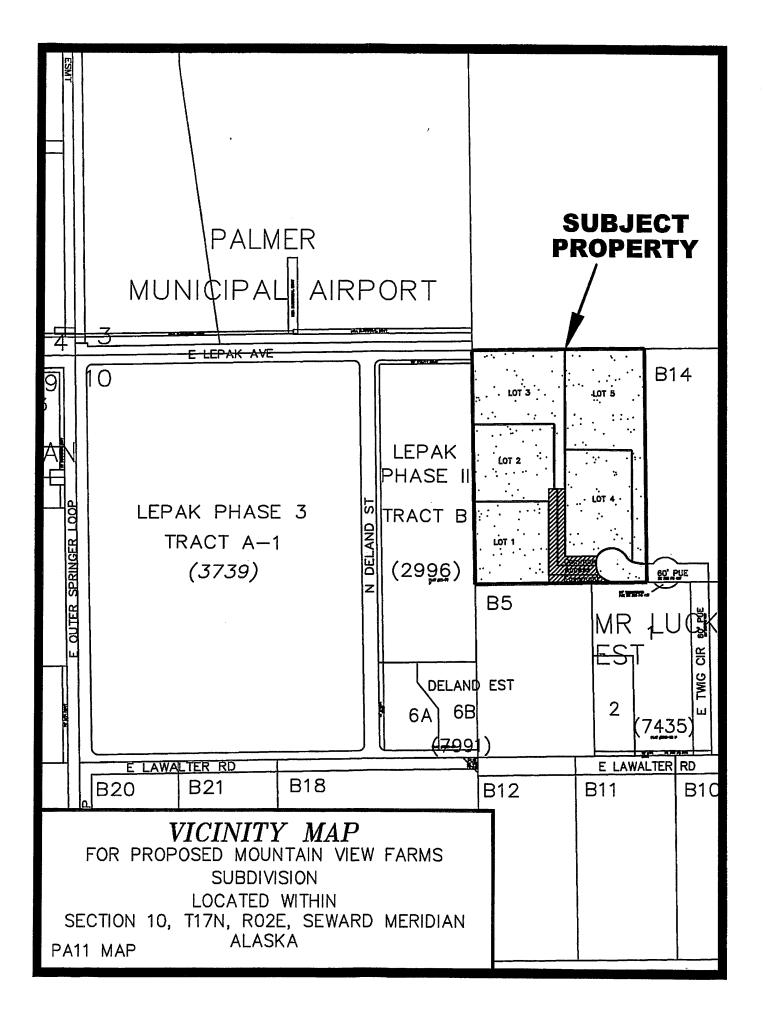
The request is to create five lots from Parcel 1, MSB Waiver 82-56-PWm, recorded as 82-74W, (Tax I.D. # 17N02E10B006) to be known as **MOUNTAIN VIEW FARMS**, containing 10 acres +/-. The property is located north of E. Lawalter Road, east of N. Deland Street; within the NW1/4 Section 10, Township 17 North, Range 02 East, Seward Meridian, Alaska.

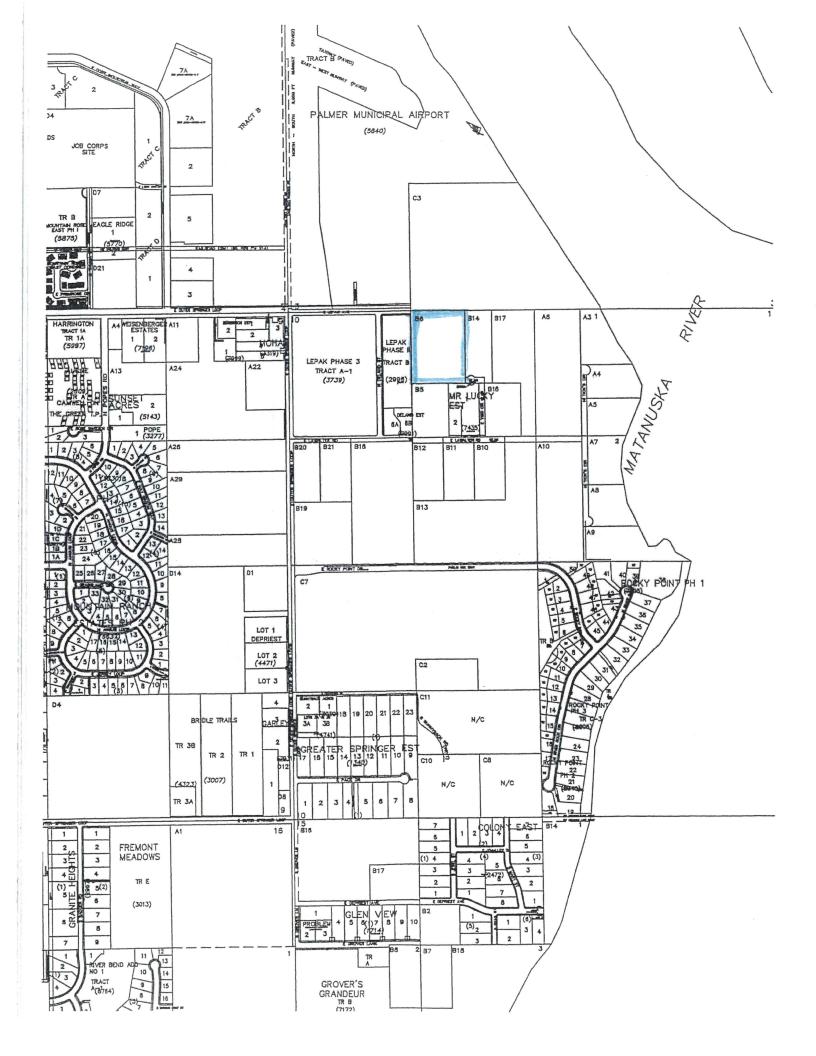
Please submit your comments in writing, specifying any easements or other requirements your Department or agency may need or any data, which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations. All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by *January 29*, 2024 so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **March 7**, 2024.

Sincerely,

Chris Curlin

Platting Technician
Direct line: 861-7873
jesse.curlin@matsugov.us













Matanuska-Susitna Borough 350 E. Dahlia Avenue Palmer, Alaska 99645 Platting Case Summary for

2024005

MTN VW FARMS

Applicant Name:

HANSON LAND SOLUTION:

Status: A

01/17/2024

Technician:

CURLIN CHRIS

Surveyor:

HANSON LAND SOLUTIONS

Engineer:

Pre-App Date:

10/27/2023

Date Submitted:

01/10/2024

Date App Accepted:

01/17/2024

Start Date:

01/17/2024

Expiration Date:

30-Day Letter Date: NOA Date:

Platting Board Date: 03/07/2024

TRS:

Platting Board Approval:

Resolution #:

Linked Parcels:

<u>PA 11 MAP</u>

S 17N02E10 TRS

2024005

117N02E10B006

Assembly District 002

132 Greater Palmer Consolid 016 South Colony RSA

GRTR PALMER COMM COL

Case Type: SUB 2024005

Subdivision Sub-Type: Sub

Total Acreage:

10.00 Covenants: Total Parcels: 5

Plat Sheets: 1

Recording Info:

Rec Date:

Rec Dis Book **Page**

Plat Year

Plat#

Last Modified by:

curl1264



PALMER, ALASKA MOUNTAIN VIEW FARMS ANTICIPATED ANERAGE DAILY TRAFFIC

8WG 4: 23-109 DESIGN. DRAIN BY: ELF DRAIN BY: ELF SCALE. 19.77 1 = 280° 22.8.54 1 = 140° REVISION DATE. 12/05/23

