

Commission Information:
 Initiated by: City Council
 First on Agenda: November 4, 2004
 Action: December 16, 2004
 Vote: Passed

Council Information:
 Introduced by: City Manager Healy
 Introduced: January 11, 2005
 Public Hearing: January 25, 2005
 Action: Postponed to February 8 meeting
 Date: February 8, 2005
 Action: Adopted
 Vote: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-002

AN ORDINANCE AMENDING CHAPTER 17.24 (R2 LOW ~~MEDIUM~~ DENSITY RESIDENTIAL ZONE), CHANGING ITS TITLE, DOWNZONING ITS USES TO NO MORE THAN FOUR DWELLING UNITS PER LOT, REMOVING MOBILE HOME COURTS AND HOSPITALS AS A CONDITIONAL USE, INCREASING MINIMUM LOT WIDTH, DECREASING DENSITY, DECREASING MAXIMUM LOT COVERAGE, AND, FOR BUILDINGS BUILT AFTER JUNE 30, 2005, INCREASING SIDE YARD SETBACKS

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

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

Section 3. The provisions of this ordinance regarding minimum lot width and decreased density per lot are not effective until amendment by the council of PMC 17.68.030, changing the lot-of-record date to June 30, 2005.

Section 4. PMC Chapter 17.24 (R2 Medium Density Residential Zone) is hereby amended as follows (new language is underlined and deleted language is stricken out):

R2 LOW ~~MEDIUM~~-DENSITY RESIDENTIAL DISTRICT

17.24.010 Intent.

The R2 district is intended for residential areas with a combination of ~~apartments~~ multiple family structures consisting of four or fewer dwelling units, ~~duplexes~~, single family residences and a low-to-medium population density. Nonresidential uses have been permitted on the basis of whether or not they are compatible with the predominantly residential character of this district.

17.24.020 Permitted uses.

Permitted principal uses and structures in the R2 district are:

- A. ~~One family dwellings~~ 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. ~~Two family dwellings;~~
- C. ~~Multiple family dwellings with three or more units;~~
- B. Boarding and rooming houses 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.

17.24.030 Conditional uses.

Uses which may be permitted in an ~~by the~~ R2 district by obtaining a conditional use permit are:

- A. Public and private schools;
- B. Public buildings and structures;
- C. 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;
- ~~D. C. Residential planned unit development;~~
- ~~D. Mobile home courts;~~
- ~~ED. Hospitals and homes for the elderly;~~
- ~~FD. Residential care facilities for four or fewer patients and special needs day care facilities;~~
- ~~GE. Child care facilities; provided that no part of any building shall be located nearer than thirty feet to an adjoining lot or street line;~~
- HF. Utility substation.

17.24.040 Prohibited uses.

Prohibited uses and structures in the R2 district are all uses and structures not specified as permitted outright, including, without limitation, the following:

- A. Parking or storage of heavy equipment, tractors, graders or trucks which are used for gain;
- B. Mobile homes which are used for occupancy outside of a mobile home court.

17.24.050 Building height limit.

The maximum building height shall be 35 feet.

17.24.060 Lot Area

~~Lot areas shall be as follows:~~

- ~~A. Minimum lot width: sixty feet;~~
- ~~B. Minimum lot area: seven thousand two hundred square feet;~~
 - ~~1. Minimum area: seven thousand two hundred square feet;~~
 - ~~2. Minimum lot area per dwelling unit;~~

No. of Dwelling units	Lot Area Per Unit	Minimum Total Lot Size
1	7,200 Sq. Ft.	7,200 Sq. Ft.
2	4,500	9,000
3	3,600	10,800
4	3,000	12,000
5	2,800	14,000
6	2,600	15,600
7	2,400	16,800
8	2,200	17,600
9 or more	2,200	(as required)

~~C. Minimum setback requirements:~~

~~1. One to four dwelling units:~~

- ~~a. Front yard: twenty five feet,~~
- ~~b. Side yard: six feet,~~
- ~~c. Side yard on street side of a corner lot: ten feet,~~
- ~~d. Rear yard: twenty five feet,~~

~~2. More than four dwelling units:~~

- ~~a. Front yard: twenty five feet,~~
- ~~b. Rear yard: twenty five feet,~~
- ~~c. Side yard: six feet plus one foot per dwelling over four units up to a maximum setback of twenty feet,~~
- ~~d. Side yard on street side of a corner lot: ten feet plus one foot per dwelling over four units up to a maximum setback of twenty feet,~~

~~D. Maximum lot coverage by all buildings shall not exceed forty percent except for ten or more multiple units which may not exceed fifty percent;~~

~~E. Each lot shall have an open area provided for outdoor activities of the occupants with a minimum of one hundred square feet allocated for each dwelling unit. This open area may be apportioned to each unit, groups of units or in the aggregate for all units on the lot, provided that no dimension of any open area is less than ten feet. The open area shall not be used for storage, vehicle parking, above ground building utilities or services or any structure except open or roofed patios.~~

17.24.061 Lot area restrictions.

Lot areas shall be as follows:

A. Minimum lot width:

- 1. For a lot of record as of January 17, 1978, 50 feet;
- 2. For a lot of record created after January 17, 1978, 60 feet.

B. Minimum lot area:

- 1. For a lot of record as of January 17, 1978, 5,000 square feet;
- 2. For a lot of record created after January 17, 1978, but before July 1, 2005, 7,200 square feet;
- 3. For a lot of record created after June 30, 2005, 8,400 square feet.

C. Minimum lot area per dwelling unit:

No. of Dwelling Units	Lot Area Per Unit	Minimum Total Lot Size
1	8,400 Sq. Ft.	8,400 Sq. Ft.
2	5,000	10,000
3	4,160	12,500
4	3,750	15,000

D. Maximum lot coverage by all structures containing dwelling units shall not exceed 35 percent, exclusive of attached garages.

17.24.064 Setback requirements.

Minimum setback requirements are as follows:

- A. Front yard: 25 feet,
- B. Side yard for a lot of record created before July 1, 2005: six feet,
- C. Side yard on street side of a corner lot for created before July 1, 2005: ten feet,
- D. Side yard for a lot created after June 30 2005: 15 feet;
- E. Rear yard: 25 feet.

17.24.066 Open Space Requirements.

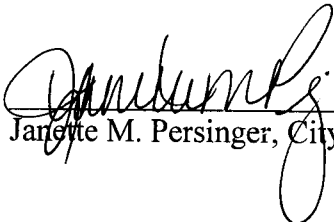
- A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than ten feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978, and 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 shall not be used to satisfy setback requirements. Open space may be used for lawn, shrubs, or trees.


17.24.070 Parking.

Parking requirements shall meet the requirements of Sections 17.64.010 through 17.64.030 of this title.

Section 5. Effective Date. Ordinance No. 05-002 shall take effect on June 30, 2005.

Passed and approved this 8th day of February, 2005.


Jarrett M. Persinger, City Clerk


John C. Combs, Mayor