

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
 Date: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-003

AN ORDINANCE AMENDING CHAPTER 17.26 (R3 MEDIUM DENSITY RESIDENTIAL DISTRICT), DOWNZONING ITS USES TO NO MORE THAN EIGHT DWELLING UNITS PER LOT, INCREASING MINIMUM LOT WIDTH, DECREASING DENSITY, AND, FOR BUILDINGS BUILT AFTER JUNE 30, 2005, INCREASING SIDE YARD SETBACKS, REMOVING HOSPITALS AS A CONDITIONAL USE AND REMOVING PARKING IN CERTAIN FRONT 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 17.68.031, changing the lot-of-record date to June 30, 2005.

Section 4. PMC Chapter 17.26 (R3 Medium Density Residential Zone) is hereby amended as follows (new language is underlined and deleted language is stricken out):

17.26.010 Intent.

The R3 district is intended for residential areas with a combination of ~~apartments~~ multiple family structures consisting of eight or fewer dwelling units, duplexes and single family residences with a 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.

17.26.020 Permitted uses.

Permitted principal uses and structures in the R3 district are:

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

17.26.030 Conditional uses.

Uses which may be permitted by the R3 district by obtaining a conditional use permit are:

- A. Public and private schools;
- B. Public buildings and structures;
- C. Residential planned unit development; meeting the requirements of Chapter 17.84 of this title;
- D. Mobile homes that are used for occupancy in a mobile home court; ~~Mobile home courts;~~
- E. ~~Hospitals and homes for the elderly;~~
- F.E. Residential care facilities with eight or fewer patients and special needs day care facilities;
- GF. Child care facilities; ~~provided that no part of any building shall be located nearer than thirty feet to an adjoining lot or street line;~~
- HG. Utility substation.

17.26.040 Prohibited uses.

Prohibited uses and structures in the R3 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.

17.26.050 Building height limit.

The maximum building height shall be 35 feet.

17.26.060 Lot area restrictions.

~~Lot areas shall be subject to the following restrictions:~~

- A. ~~Minimum lot width: sixty feet;~~
- B. ~~Minimum lot area and densities;~~

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	2,200	16,800
8	2,200	17,600
9 or more	3,000	(as required)

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

17.26.061 Lot area restrictions.

~~Lot areas shall be subject to the following restrictions:~~

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
5	3,480	17,400
6	3,180	19,100
7	2,940	20,600
8	2,700	21,600

D. Maximum lot coverage by all structures containing dwelling units shall not exceed 40 percent, exclusive of attached garages.

17.26.064 Setback requirements.

Minimum setback requirements are as follows:

- A. One to four dwelling units per lot:
 - 1. Front yard: 25 feet,
 - 2. Side yard: 15 feet,
 - a. Side yard for a lot of record as of July 1, 2005; six feet.
 - b. Side yard on a street side of a corner lot of record before July 1, 2005; ten feet.
 - c. Side yard for a lot created after June 30, 2005; 15 feet.
 - 3. Rear yard: 25 feet,
- B. More than four dwelling units per lot:
 - 1. Front yard: 25 feet,
 - 2. Side yard: 20 feet,
 - a. Side yard for a lot of record as of July 1, 2005; six feet.
 - b. Side yard on a street side of a corner lot of record before July 1, 2005; minimum ten feet;
 - c. Side yard for a lot created after June 30, 2005; 20 feet.
 - 3. Rear yard: 25 feet,
- C. Subsection B notwithstanding, the setback for a lot containing more than four dwelling units with a side or rear yard abutting or immediately across an alley from property zoned R1 or R1E shall be at least 25 thirty-five feet on that side or sides, which thirty-five twenty-five feet shall include the width of any intervening alley. The setback measurement shall begin at the R3 property's edge of the alley right-of-way.

~~17.26.066 Fencing and open space requirements.~~

- ~~A. A lot abutting or immediately across an alley from property zoned R-1, R-1E, or R-2 shall not contain more than four dwelling units unless the lot is separated from the property zoned R-1, R-1E, or R-2 by a well built, finished, and well-maintained solid fence six feet high (subject to section 17.60.070) on the side or sides abutting or immediately across an alley from property zoned R-1, R-1E, or R-2.~~
- ~~B. Each lot shall have open area provided for outdoor activities of the occupants with a minimum of two 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.~~
- ~~C. A lot abutting or immediately across an alley from property zoned R-1 or R-1E shall not contain more than four dwelling units unless the lot is separated from the property zoned R-1 or R-1E by open space on the side or sides abutting or immediately across an alley from property zoned R-1 or R-1E at least thirty-five feet in width for the length of said side or sides, which thirty-five feet shall include the width of any intervening alley.~~
- ~~D. A lot abutting or immediately across an alley from property zoned R-2 shall not contain more than four dwelling units unless the lot is separated from the property zoned R-2 by open space on the side or sides abutting or immediately across an alley from property zoned R-2 at least twenty-five feet in width for the length of said side or sides, which twenty-five feet shall include the width of any intervening alley.~~
- ~~E. The open space shall not be used for storage, driveway, vehicle or other parking, above ground building utilities or services or any structure except open or roofed patios. The open space may be used for lawn, shrubs or trees.~~

17.26.068 Fencing Requirements

A lot, which abuts or is immediately across an alley from a R1, R1E, or R2 residential zone and which contains five or more dwelling units, shall have a six-foot six-inch solid or interlap fence on the side or sides abutting or across an alley from the lower-density residential zones. The fence shall be well built, finished and maintained.

17.26.070 Parking.


Parking requirements shall meet the requirements of Sections 17.64.010 through 17.64.030 of this title. Parking lots of structures containing five or more dwelling units shall not be located within the front setback dimensions; however traffic lanes and access to parking lots may be located in the setbacks.

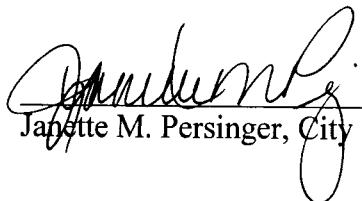
17.26.080 Site plan requirements and access control.

Chapter 17.62 regarding site plan requirements and access control shall apply after February 26, 2002, to the construction ~~in this district~~ of (1) more than four total ~~(cumulative)~~ dwelling units on a lot. ~~and (2) residential buildings with more than three dwelling units.~~

Section 5. Effective Date. Ordinance No. 05-003 shall take effect on June 30, 2005.

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


John C. Combs, Mayor


Janette M. Persinger, City Clerk