

## 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. 05-004

## AN ORDINANCE ENACTING CHAPTER 17.27, R4 HIGH DENSITY RESIDENTIAL DISTRICT, REMOVING PARKING IN CERTAIN FRONT SIDEBACKS

## 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. PMC Chapter 17.27 (R4 High Density Residential Zone) is hereby enacted, as follows:

**17.27.010 Intent.**

The R4 district is intended for residential areas with a combination of multiple family structures and single-family residences with a high 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.

**17.27.020 Permitted uses.**

Permitted principal uses and structures in the R4 district are:

- A. One family dwellings;
- B. Two family dwellings;
- C. Multiple family dwellings;
- D. Boarding and rooming houses;
- 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.

**17.27.030 Conditional uses.**

Uses which may be permitted by the R4 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;
- E. Residential care facilities with eight or fewer patients and special needs day services facilities;
- F. Child care facilities;
- G. Utility substation.

**17.27.040 Prohibited uses.**

Prohibited uses and structures in the R4 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.

**17.27.050 Building height limit.**

The maximum building height shall be 50 feet.

**17.27.060 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;
  - 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
9 or more	2,700+	(as required)

- D. Maximum lot coverage by all structures containing dwelling units, exclusive of attached garages, shall not exceed 40 percent, except for nine or more multiple units which may not exceed 50 percent.

#### **17.27.064 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; ten feet.
    - c. Side yard for a lot created after June 30, 2005; 25 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 feet on that side or sides. The setback measurement shall begin at the R4 property's edge of the alley right-of-way.

#### **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 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.

**17.27.068 Fencing Requirements**

Lots abutting or immediately across an alley from a R1, R1E, R2 residential zone which contain 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.

**17.27.070 Parking.**

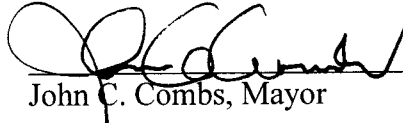
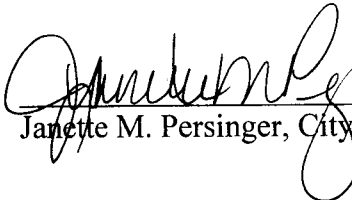
Parking requirements shall meet the requirements of Sections 17.64.010 through 17.64.030 of this title. Parking lots of structures containing five or more dwelling units shall not be located within the front setback dimensions; however traffic lanes and access to parking lots may be located in the setbacks.

**17.27.080 Site plan requirements and access control.**

Chapter 17.62 regarding site plan requirements and access control shall apply after February 8, 2005, to the construction of four or more dwelling units on a lot.

Section 5. Effective Date. Ordinance No. 05-004 shall take effect on June 30, 2005.

Passed and approved this 8<sup>th</sup> day of February, 2005.

  
John C. Combs, Mayor  
Janette M. Persinger, City Clerk