

Commission Information:
 Initiated by: Administration
 First on Agenda: April 21 & May 5, 2005
 Action: Passed
 Vote: Unanimous

Council Information:
 Introduced by: Administration
 Introduced: May 24, 2005
 Public Hearing: June 14, 2005
 Action: Adopted
 Vote: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-029

AN ORDINANCE PROVIDING FOR TECHNICAL AMENDMENTS TO SECTIONS 17.20.030 (CONDITIONAL USES), 17.20.060 (SET BACK REQUIREMENTS), 17.24.030 (CONDITIONAL USES), 17.24.061 (LOT AREA RESTRICTIONS), 17.26.030 (CONDITIONAL USES), 17.26.061 (LOT AREA RESTRICTIONS), 17.27.030 (CONDITIONAL USES) AND 17.27.060 (LOT AREA RESTRICTIONS) OF TITLE 17 (ZONING)

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 provision 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. Section 17.20.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.20.030 Conditional Uses.

Uses which may be permitted in the R1 district by obtaining a conditional use permit are:

- 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. ~~Adult day services~~ 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 4. Section 17.20.060 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.20.060 ~~Set back requirements.~~ Lot area restrictions.

- A. Minimum lot width:
 1. For a lot of record as of January 17, 1978, zero to 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 set back requirements:
 1. Front yard, 25 feet;
 2. Side yards, excluding side yard on street side of corner lot:
 - a. For a lot of record as of January 17, 1978, six feet;
 - b. For a lot of record created after January 17, 1978, but before July 1, 2005, where actual construction has begun as of June 30, 2005, six feet;
 - c. For all other lots, ten feet.
 3. Side yards on street side of corner lot: ten feet.
 4. Rear yard: 25 feet.
- D. Maximum lot coverage by all buildings shall not exceed 30 percent.

Section 5. Section 17.24.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.24.030 Conditional uses.

Uses which may be permitted in an 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 thirty feet to an adjoining lot or street line;~~
- C. Residential planned unit development;
- D. Residential care facilities for four or fewer patients and special needs day care facilities;
- ~~E. Child care facilities;~~
- F. Utility substation.

Section 6. Section 17.24.061 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.24.061 Lot area restrictions.

- A. Minimum lot width:
 1. For a lot of record as of January 17, 1978, zero to 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;
 - 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.

Section 7. Section 17.26.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

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;
- E. Residential care facilities with eight or fewer patients and special needs day care facilities;
- ~~F. Child care facilities;~~
- ~~G.~~ Utility substation.

Section 8. Section 17.26.061 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.26.061 Lot area restrictions.

- A. Minimum lot width:
 - 1. For a lot of record as of January 17, 1978, zero to 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.

Section 9. Section 17.27.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

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.~~ F. Utility substation.

Section 10. Section 17.27.060 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

17.27.060 Lot area restrictions.

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

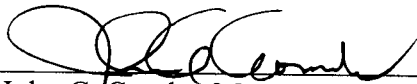
- A. Minimum lot width:
 - 1. For a lot of record as of January 17, 1978, zero to 50 feet;
 - 2. For a lot of record created after January 17, 1978, 60 feet.
- B. Minimum lot area:
 - 1. For a lot of record as of January 17, 1978, 5,000 square feet;
 - 2. For a lot of record created after January 17, 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

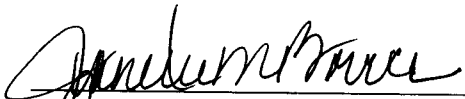
9 or more 2,700+ (as required)
D. Maximum lot coverage by all structures containing dwelling units, exclusive of attached garages, shall not exceed 40 percent, except for nine or more multiple units which may not exceed 50 percent.

Section 11. Effective Date. This ordinance shall become effective on June 30, 2005.

Adopted by the City Council of the City of Palmer, Alaska, this 14th day of June, 2005.



John C. Combs, Mayor



Janelle M. Bower, City Clerk