

Commission Information:

Initiated by: Administration
 First on Agenda: 8-18-05
 Action: 9-15-05
 Vote: Passed
 Unanimously

Council Information:

Introduced by: City Manager Healy
 Introduced: October 11, 2005
 Public Hearing: October 25, 2005
 Special Meeting scheduled for
 Action: December 6 – Main motion
 pending to December 13
 Date (Special Meeting): December 6, 2005
 Date (Regular Meeting –
 Unfinished Business): December 13, 2005 *
 Action: Adopted
 Vote: Unanimous

Yes:	No:
Hill	Hanson
Vanover	
Erbey	
Pippel	

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-036

AN ORDINANCE ENACTING SECTION: SPECIAL NEEDS HOUSING (17.08.424); AMENDING CHAPTER 17.64, OFF-STREET PARKING AND LOADING; SPECIFICALLY REPEALING SECTIONS: SPACE REQUIRED (17.64.010), DEVELOPMENT REQUIREMENTS (17.64.020), GENERAL CONDITIONS (17.64.030) AND OFF-STREET PARKING (17.64.040) AND ENACTING SECTIONS: INTENT (17.64.005), GENERAL PROVISIONS (17.64.015), PARKING LOT DESIGN STANDARDS (17.64.021), PARKING SPACES REQUIRED (17.64.031), OFF-SITE PARKING (17.64.035), SHARED USE PARKING (17.64.041), DOWNTOWN PARKING DISTRICT (17.64.050), FEE-IN-LIEU PARKING PROGRAM (17.64.055), OFF-STREET LOADING (17.64.060), DEVELOPMENT PLAN REQUIREMENTS (17.64.070) AND LANDSCAPING REQUIREMENTS (17.64.080) 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 17.08.424 is hereby enacted to read as follows:

17.08.424 Special Needs Housing.

A residential facility where tenants are physically or mentally disabled or are senior citizens.

Section 4. Section 17.64.005 is hereby enacted to read as follows:

17.64.005 Intent.

The intent of this chapter is to promote the safety, convenience, comfort and common welfare of the public by providing minimum standards to regulate vehicle parking in a safe and efficient manner, to avoid the unnecessary congestion and interference with public rights-of-way, to reduce traffic hazards, and to provide safe operation of traffic circulation.

Section 5. Section 17.64.010 is repealed.

Section 6. Section 17.64.015 is hereby enacted to read as follows:

17.64.015 General provisions.

- A. Permanently maintained, free off-street parking facilities for the use of occupants, employees and patrons of buildings shall be provided for all new buildings at the time of construction.
- B. Outside the Downtown Parking District, free off-street parking shall be required for any addition or enlargement of an existing building and for any change in the use of any building that would result in additional parking space being required. The number of parking spaces shall be that specified in this chapter unless it is demonstrated to the zoning administrator that the addition or enlargement of the existing building or the change in the use of any proposed building will not increase parking demand or reduce the total number of pre-existing required parking spaces and that the amount of proposed off-street parking is within 90 percent of the total requirement for all proposed uses and structures, including the enlargement of the existing building.
- C. The intended use of all parking spaces required in this chapter is the temporary use by operable vehicles. Parking spaces shall not be used for the storage of delivery vehicles or trailers, motor homes, campers, dumpsters or other objects.
- D. No existing parking area and no parking area provided for the purpose of complying with the provisions of this title shall, after January 17, 1978, be relinquished or reduced in any manner below the requirements established in this title.

Section 7. Section 17.64.020 is repealed.

Section 8. Section 17.64.021 is hereby enacted to read as follows:

17.64.021 Parking lot design standards.

- A. Standard parking stalls shall be a minimum of nine feet in width and 20 feet in length.
- B. Parking lots with 90 degree parking stalls shall have a minimum aisle width of 25 feet.

- C. All parking areas, except for single and two family dwellings shall be designed so no parking space requires the backing of a vehicle into public rights-of-way or across a sidewalk.
- D. Turning and maneuvering space, except that which serves single and two-family dwellings, shall be located entirely on private property.
- E. Ingress and egress to parking facilities shall be designed to maintain adequate sight distance and safety.
- F. A secured wheel bumper to prevent encroachment of vehicles on pedestrian, bicycle or traffic routes shall be provided in parking stalls which are perpendicular to building fronts or abut property lines. This requirement does not apply when a fence or sight-obscuring landscaping occupies the same property line of the parking area or to single family and two family residences. The bumper shall not be less than six inches high.
- G. No wall, post, guardrail or other obstruction that will restrict car door opening shall be permitted within five feet of the centerline of a parking space.
- H. Refuse containers located within or on the same pavement as the parking area shall be screened by a wall, fence or landscaping unless the containers are located on a lot used for a single or two family dwelling.
- I. Parking lots shall be designed to avoid erosion damage to grading and surrounding landscaping.
- J. Accessible parking for the persons with disabilities shall be designed in accordance with the Accessibility Guidelines for Buildings and Facilities for Americans with Disabilities Act.
 - 1. An access aisle shall be provided of not less than five feet in width for each space, except accessible parking spaces may share a common access aisle.
 - 2. Accessible space shall be designated by the international symbol of accessibility.
 - 3. Accessible spaces shall be located near building entrances and have an unobstructed route to accessible entrances and along a path at least 36 inches in width without going behind parked cars.
 - 4. One in every eight accessible spaces, but not less than one, shall be served by an access aisle with a width of at least eight feet and shall be designated "van accessible".
 - 5. Except for parking facilities where fewer than ten spaces are required, the following accessible parking spaces shall be required.

Total Parking Spaces in Lot	Minimum Required Accessible Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
500 - 1,000	2 percent of total spaces

- K. Prior to approval by the city for use, all parking facilities within the city shall be permanently surfaced with a suitable gravel base or paved with concrete or asphalt compound.
- L. Parking facilities which adjoin the side of a lot in residential districts shall be separated from the residential district by a fence or sight obscuring landscaping. Fences shall be six feet in height; landscaping shall not be less than four feet. The fence or landscaping shall be maintained in good condition and shall comply with the requirements of PMC 17.60.070.
- M. All parking areas in nonresidential use districts and parking areas which serve nonresidential uses shall have lighting which meets the level of illumination, uniformity ratios and minimum lumen intensities specified in the illumination guidelines set by the Illuminating Engineering Society of North America. The lighting system shall be designed to prevent glare to motorists on public rights of way and shall be arranged to reflect the light away from adjoining premises and streets.
- N. Signage or other provisions designating parking lot layout shall be required if the city determines that the layout is not apparent to the general public.

Section 9. Section 17.64.030 is repealed.

Section 10. Section 17.64.031 is enacted to read as follows:

17.64.031 Parking spaces required.

- A. The following minimum number of free-off-street parking spaces shall be provided in all districts for all structures and uses. For uses not specifically identified in this section, the requirement for free off-street parking shall be the same as for the use duly determined by the zoning administrator to be the most similar.

Use	Parking Requirement
Automobile service stations, repair garages	Four parking space for each vehicle repair bay, plus three parking spaces
Churches, auditoriums, theatres and other similar places of assembly	One parking space for every 4 seats in the principal auditorium or assembly room.
Dance hall, bowling alley or skating rink	One parking space for each 400 square feet of gross floor area
Hospitals, nursing, convalescent homes	One parking space for each three beds based on maximum capacity
Hotel	One parking space for each two guest rooms
Laundromat	One parking space for each 250 square feet of gross floor area

Manufacturing uses; industrial, research, testing, processing, assembling, all industries	One parking space for each 500 square feet of gross floor area, plus one parking space for each 300 square feet of office gross floor area
Medical offices and clinic	One parking space for each 300 square feet of gross floor area
Mortuary	One parking space for each four seats in the principle seating area
Motel	One parking space for each guest room
Post Office	One parking space for each 100 square feet of gross floor area
Professional, Offices, financial institutions	One parking space for each 300 square feet of gross floor area
Residences, Multi-Family	One and one-half parking spaces for each one bedroom unit; two parking spaces for two bedroom units; two and one-half parking spaces for each three bedroom unit, plus one guest parking space for each five units
Residences, Single Family and two family	Two parking spaces per dwelling unit up to 1,800 square feet and three parking spaces for each dwelling unit over 1,800 square feet
Restaurants and bars	One parking space for each four seats based on maximum seating capacity
Retail space, under 1,000 square feet	One parking space for each 500 square feet of gross floor area
Retail space, over 1,001 square feet	One parking space for each 350 square feet of gross floor area
Retail space, for furniture, large appliance, carpet or similar use	One parking space for each 500 square feet of gross floor area
Retail, Shopping Center	One parking space for each 350 square feet of gross leasable space
Rooming houses or boardinghouses	One parking space for every two guestrooms

B.

Schools – Elementary	Two parking spaces for each classroom
Schools – Middle	Three parking spaces for each classroom
Schools – Senior High	One parking space for every three students based on the proposed building capacity at the time of initial construction
Self Storage Facilities	One parking space for each 2,000 square feet of gross floor area, plus one parking space for each 300 square feet of gross floor area used for offices
Swimming Pools	One parking space for every four persons based on pool capacity
Warehouses, storage and wholesale businesses	One parking space for each 2,000 square feet of gross floor area, plus one parking space for each 300 square feet of gross floor area used for offices, or a minimum of three whichever is greater

Calculation of amounts of required parking

1. When there is a mixed use structure or combination of uses on a lot, the required number of parking spaces shall be the sum of the spaces required for each individual use.
2. If the calculation of required spaces results in a fraction of a parking space, the number shall be rounded up to the nearest whole number.

Section 11. Section 17.64.035 is enacted to read as follows:

17.64.035 Off-site parking.

- A. All parking spaces provided shall be on the subject lot with the main building it serves, except that the commission, by conditional use, may permit the parking spaces to be on an abutting lot or any lot within 300 feet of the building if it determines that it is impracticable to provide parking on the subject lot.
 1. Effective March 27, 2001, if the commission permits parking spaces to be on a lot other than the subject lot, then the commission, as a matter of law, shall require at a minimum the following conditions: that the off-site lot be made subject to duly recorded enforceable covenants running with the land reasonably acceptable to the city, which covenants:
 - a. Burden the off-site lot to the extent necessary to provide adequate incremental parking for the benefit of the subject lot;
 - b. Make the city a third-party beneficiary of the covenants;
 - c. Prohibit the termination, amendment, or subordination of the covenants without council approval; and

- d. Have a priority position prior to any deed of trust, mortgage or other encumbrance that can foreclose out the covenants.
2. The required priority position of the covenants may be obtained by due subordination of any existing encumbrance.
3. Upon the recording of the covenants, the owner of the subject lot must reimburse the city for obtaining a title policy on the off-site lot showing the covenants have the required priority position.
4. The owner of the subject lot shall post and maintain signs on the subject lot and on the off-site lot informing the public of the off-site parking relationship between the off-site lot and the subject lot.
5. If through change of use of the subject lot or otherwise the off-site parking is no longer required or if the extent of such requirement is significantly reduced, then the city, upon the written request duly signed by both the owner of the subject lot and the owner of the off-site lot and delivered to the city manager, shall in due course and after council action allow the termination or amendment of the covenants to meet the then-current requirements for parking for the subject property.

Section 12. Section 17.64.040 is repealed.

Section 13. Section 17.64.041 is enacted to read as follows:

17.64.041 Shared use parking.

Joint use of off-street parking facilities within 300 feet may be permitted by the commission subject to the following conditions:

- A. The off-street parking requirements for buildings of limited uses, for example churches, auditoriums, clubs, or lodges, may be supplied through the use of off-street parking facilities provided for other uses, for example business offices, retail stores, and manufacturing or wholesale buildings whose operations are not normally conducted during the same hours.
- B. Off-street parking space designated for joint use shall meet all other requirements as set out in this chapter.
- C. Sufficient evidence shall be presented to the commission to demonstrate that there will be no substantial conflict in the principal operating hours of the use or structures for which the joint use is proposed.
- D. The owner of the parcel seeking a shared parking agreement has adequate area on the lot or within 300 feet of the lot which could be used for parking in the event it is no longer possible to obtain shared parking.
- E. The use of off-street parking space for joint use shall be subject to the prior approval of the commission.

Section 14. Section 17.64.050 is enacted to read as follows:

17.64.050 Downtown Parking District

In order to encourage economic growth in the downtown core and permit the redevelopment of property to its highest commercial use, parking requirements may be

waived after review by commission. It is the intent of this clause to provide as much off-street parking as practical while allowing commercial development in the core area. The downtown parking district is described as follows:

Beginning at the intersection of Evergreen Avenue and the Glenn Highway, proceed south on the Glenn Hwy one block to W. Elmwood Avenue, then east on W. Elmwood Avenue to S. Cobb Street, south on S. Cobb Street to the intersection of W. Glacier View Avenue, and S. Colony Way, then north on S. Colony Way to E. Cottonwood Avenue, west on E. Cottonwood Street to S. Alaska Street, north on S. Alaska Street to W. Birch Avenue, west on W. Birch Avenue to the alley between S. Alaska Street and S. Bailey Street, south on the alley to W. Cottonwood Avenue, west on W. Cottonwood Avenue to the alley between S. Bailey Street and S. Cobb Street, south on the alley to W. Cedar Avenue, west on W. Cedar Avenue to S. Cobb Street, south on S. Cobb Street to W. Evergreen Avenue then west to the intersection of W. Evergreen Avenue and the Glenn Highway. The following four properties are also included in the district: 18N02E32D007, 18N02E32D008, 18N02E32D013, 2808000T00A-1.

- A. No existing parking spaces in the downtown district shall be relinquished as a result of this section.
- B. Developers may provide the parking spaces required in this chapter or may apply for a waiver from meeting those requirements and make payment to the city in lieu of parking spaces.
- C. Waivers may be granted if the commission determines and cites evidence in its decision that:
 1. The property is within the downtown parking district;
 2. No parking spaces have been lost due to redevelopment or change of use;
 3. There is a city owned, fee-in-lieu designated public parking area (excluding the parking lots at City Hall and the Fire Station located on W. Evergreen Avenue and S. Cobb Street) within 400 feet of the building as measured along public right-of-ways;
 4. The waiver is for less than 30 percent of the required parking spaces for buildings constructed after December 13, 2005.
 5. To the extent practicable, the waiver is for less than 70 percent of the required parking spaces for buildings in existence on December 13, 2005.
 6. The waiver furthers the goals of the Comprehensive Plan.

Section 15. Section 17.64.055 is enacted to read as follows:

17.64.055 Fee-in-Lieu Parking Program.

For property located in the Downtown Parking District, an in-lieu parking fee shall be submitted to the city for each required free off-street parking space that is not provided and for which a waiver has been granted. The in-lieu parking fee shall be determined annually based on the costs for planning, acquisition, design, development, construction, financing (including interest on city self-financing), maintenance and operation of off-street parking facilities within 400 feet of the subject building as measured along public right-of-ways.

- A. There is created in the city treasury a special fund designated the “parking improvement fund” into which in-lieu parking fees shall be deposited to be expended only for public improvements. The city council may from time to time direct that other monies be transferred into the fund.
- B. The fund shall be used exclusively for planning, acquisition, design, development, construction, financing, maintenance and operation of off-street parking facilities within the Downtown Parking District.

Section 16. Section 17.64.060 is enacted to read as follows:

17.64.060 Off-street loading.

- A. All uses involving the receipt of or distribution of materials or merchandise by vehicles shall provide and maintain sufficient off-street loading space on the premises so as not to obstruct the freedom of traffic movement on public rights of way.
- B. On the same lot or premises with every building structure or part thereof erected and occupied for commercial, manufacturing or industrial use, or other uses similarly involving the receipt of or distribution of materials or merchandise by vehicles, there shall be provided and permanently maintained adequate space for standing of vehicles and unloading services in such manner as not to obstruct the freedom of traffic movement upon public rights of way. The space shall not be less than 15 feet wide by 25 feet long with a 14 foot height clearance and shall have access to an alley or street.

Section 17. Section 17.64.070 is enacted to read as follows:

17.64.070 Development plan requirements.

Plans for all parking and loading areas shall accompany the building plans when the application for a building permit is made. Such plans shall show the following:

- A. Area of the lot involved;
- B. Layout and dimensions of each parking space;
- C. Entrance and exit to the parking area and the direction of traffic;
- D. Widths of all curb cuts, entrances, exits and driveways serving each parking or loading area;
- E. Lighting plan (see item in parking lot standards);
- F. Landscaping (see section below).

Section 18. Section 17.64.080 is enacted to read as follows:

17.64.080 Landscaping requirements.

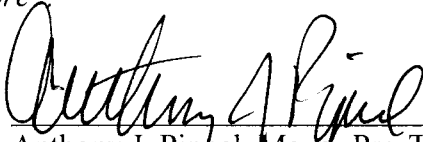
- A. All off-street parking lots shall have landscaping as required by this section, except those parking lots for single-family and two-family dwellings.
- B. All required parking lots shall provide a landscape buffer at least five feet in width along any property line adjacent to or coincident with the parking lot, except for those in the Airport Commercial, Airport Industrial, and Industrial districts where they do not border a residential district.
- C. For parking lots containing less than five spaces, an area equal to at least 5 percent of the parking lot shall be in landscaping.


- D. For parking lots containing five or more spaces, an area equal to at least 10 percent of the parking area shall be in landscaping.
1. Any interior landscaping planter counted towards the percentage requirement must have a minimum five foot wide area exclusive of any vehicle overhang. Only low-level shrubs, ground cover and grass shall be used in vehicle overhang areas.
 2. Any landscaping between the building and the parking lot counted towards the percentage requirement must have a minimum five foot wide area exclusive of any vehicle overhang. Only low level shrubs, ground cover, and grass shall be used in vehicle overhang areas.
- E. No parking lot shall contain 45 or more contiguous parking spaces without a curbed planting area. Interior landscaping planters shall be dispersed throughout the entire parking lot area. Parking lots in the Industrial and Business Park zoning districts may be exempt from interior landscaping requirements. Applications may be submitted to the commission requesting substitution of interior landscaping in exchange for common use area(s) for employees, such as a picnic or exercise areas.

Section 19. Effective Date. Ordinance No. 05-036 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this 13th day of December, 2005.

**Clerk's Note: A motion to amend something previously adopted was made on December 27, 2005. The motion amended section 17.64.080 E. The originally adopted language was "No parking lot shall contain 20 contiguous...". The motion to amend something previously adopted amended it to "45 or more"*


 Anthony J. Pippel, Mayor Pro-Tempore


 Janette M. Bower, City Clerk