

Commission Information:  
 Initiated by: Planning and Zoning Commission  
 First on Agenda: November 21, 2013  
 Action: Approved  
 Vote: Unanimously  
 Council Information:  
 Introduced by: City Manager Griffin  
 Introduced: January 14, 2014  
 Public Hearing: January 28, 2014  
 Action: Adopted  
 Vote: Unanimous

Yes:	No:
Best	
Carrington	
Combs	
DeVries	
Hanson	
Johnson	

CITY OF PALMER, ALASKA

**Ordinance No. 14-001-Z-1**

**An Ordinance of the Palmer City Council Amending the Zoning Map to Revise the Designation of Tax Parcel D8, Section 8, Township 17 North, Range 2 East, Seward Meridian from R-1, Single Family Residential to I-Industrial with Special Limitations**

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. Authority for zoning map amendments with special limitations. Pursuant to 17.80.015, the City Council may include special limitations that restrict structures, or use of land to a degree greater than otherwise provided for by the zoning district to which the property is rezoned by amendment.

Section 4. Authority and legislative findings. Pursuant to 17.80.040, the City Council hereby adopts the following zoning map amendment in accordance with the legislative findings set below:

WHEREAS, the City of Palmer Planning and Zoning Commission (the Commission) received an application on October 11, 2013, from Steve Agni, Development Manager for Alaska Demolition, LLC, the property owners of Tax Parcel D8 located in Section 08, Township 17

North, Range 2 East, Seward Meridian, Alaska to rezone the subject property from R-1 Single Family Residential to I-Industrial with Special Limitations; and

WHEREAS, the Commission duly gave required notices, held its required public hearing on November 21, 2013, made a written report of its decision as to such need, justification and effect of the change of zoning in Commission Resolution 13-012, and voted unanimously to recommend that such amendment to the zoning map be approved; and

WHEREAS, the Commission adopted finding of fact as to such need, justification and effect of the change of zoning on November 21, 2013; and

WHEREAS, the City Council duly gave required notices, held its required public hearing on this date, and has duly considered the request to rezone the property, all evidence and testimony presented including any comments of the persons attending the public hearing, the findings of fact set forth in Planning and Zoning Commission Resolution 13-012, and the recommendation of the Commission; and

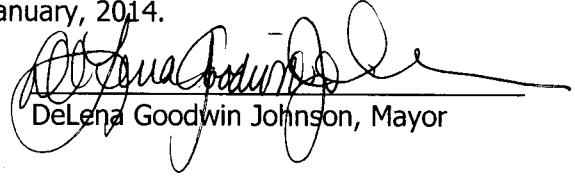
Section 5. The City of Palmer Zoning Districts map dated March 2012 is hereby amended to revise the zoning designation of Tax Parcel D8 located in Section 08, Township 17 North, Range 2 East, Seward Meridian, Alaska from R-1 Single Family Residential to I-Industrial subject to the Special Limitations and requirements of Section 6.

Section 6. To ensure that the use of the property pursuant to this rezoning does serve to advance the public health, safety and welfare of the citizens of Palmer in both the short term and the long term, the City Council further imposes the following limitations and requirements on the use of the property pursuant to the Industrial zoning classification:

- A. The industrial use of the property is limited to only the reclamation of the property through the operation of an inert waste mono-fill and those activities incidental thereto that are necessary to reclaim the property in a manner consistent with the findings set forth in Planning and Zoning Commission Resolution 13-012.
- B. No use of the property authorized by subparagraph A shall commence or continue except in conformance with a conditional use permit approved by the Palmer Planning Commission, consistent with the above findings.
- C. The Industrial zoning classification of this property shall terminate no later than 10 years after the effective date of this ordinance, unless terminated sooner pursuant to subparagraph D or by subsequent rezoning.
- D. If prior to ten years after the effective date of this ordinance the Palmer Planning Commission finds that the reclamation of the property has been completed, the Industrial zoning classification shall then terminate on the effective date thereof. Such a finding shall be made only after notice to the property owner and a public hearing.
- E. Upon the effective date of termination of the Industrial zoning classification pursuant to subparagraph C or D above, the property shall revert to the zoning classification in effect prior to the adoption of this ordinance (R-1, Single Family Residential), unless otherwise rezoned.

Section 7. Effective Date. Ordinance 14-001-Z-1 shall take effect upon adoption by the Palmer City Council.

Passed and approved this twenty-eighth day of January, 2014.



DeLena Goodwin Johnson, Mayor



Janelle M. Bower, MMC, City Clerk