

**City of Palmer  
Ordinance No. 23-001**

**Subject:** Amending the Zoning Map to Revise the Zoning Designation of Lots 8 & 9, Colony Fair Subdivision Located in Section 32, Township 18 North, Range 2 East, Seward Meridian, Alaska to be Rezoned from R-4, High Density Residential, to C-L, Limited Commercial


**Agenda of:** March 28, 2023 and April 11, 2023

**Council Action:**    ☒ **Adopted**                      ☐ **Amended:** \_\_\_\_\_  
                                 ☐ **Defeated**

**Originator Information:**

**Originator:**    Brad Hanson, Community Development Director

**Department Review:**

<b>Route to:</b>	<b>Department Director:</b>	<b>Signature:</b>	<b>Date:</b>
_____	Community Development		February 28, 2023
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Certification of Funds:**

Total amount of funds listed in this legislation:    \$ \_\_\_\_\_

This legislation (√):

<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: \_\_\_\_\_

**Approved for Presentation By:**

**Signature:**

**Remarks:**

City Manager	_____	_____
City Attorney	_____	_____
City Clerk	_____	_____

**Attachment(s):**

1. Ordinance No. 23-001
2. Planning and Zoning Commission Resolution No. 23-001 with Findings of Facts
3. Planning and Zoning Commission Minutes for February 16, 2023 (Draft Copy)
4. Staff Report
5. Public Notice and Vicinity Map for Commission Public Hearing of February 16 & City Council Public Hearing of April 11, 2023
6. Zoning Map Amendment Application
7. Public Comments Received for Commission and City Council Public Hearing

**Summary Statement/Background:**

On December 29, 2022, Barbara & Joseph Gerard initiated a zoning map amendment to change the zoning designation of Lots 8 and 9, Colony Fair subdivision to be rezoned from R-4, High Density Residential to C-L, Limited Commercial District.

The owners are requesting a zone change to open opportunities for light commercial activities to serve the residential needs of the surrounding community. As Limited Commercial, it will increase the likelihood of attracting businesses that will strengthen Palmer and grow the local economy by providing goods and services that are needed by residents that live nearby. Both lots have been used as a permitted preschool and childcare business for the last 28 years; the proposed rezone is an expansion of use. Existing utilities, accesses and parking are sufficient for any type of permitted use in the C-L District. The surrounding area of these lots includes a mix of low density, high density residential uses and general commercial uses. The proposed rezone would provide a compatible buffer between residential uses and general commercial activities. The zoning map amendment would support the objectives and goals of the City's Comprehensive Plan by encouraging commercial development that would expand the commercial footprint of Palmer.

Ordinance No. 23-001 will change the zoning designation of Lots 8 and 9, Colony Fair subdivision from R-4, High Density Residential to C-L, Limited Commercial District.

**Administration's Recommendation:**

Adopt Ordinance No. 23-001 to amend the Zoning Map to revise the designation of Lots 8 and 9, Colony Fair subdivision located in Section 32, Township 18 North, Range 2 East, Seward Meridian, Alaska to be rezoned from R-4, High Density Residential to C-L, Limited Commercial District.

**LEGISLATIVE HISTORY**

Introduced by: Manager Moosey

Date: 3.28.2023

Public Hearing: 4.11.2023

Action: Approved

Vote: Unanimous

Yes:

No:

Mayor Carrington

Ojala IV

Melin

Tudor

Alcantra

Best

**CITY OF PALMER, ALASKA****Ordinance No. 23-001****An Ordinance of the Palmer City Council Amending the Zoning Map to Revise the Zoning Designation of Lots 8 and 9, Colony Fair subdivision located in Section 32, Township 18 North, Range 2 East, Seward Meridian, Alaska to be rezoned from R-4, High Density Residential to C-L, Limited Commercial**

WHEREAS, Barbara & Joseph Gerard, have initiated a zoning map amendment application on December 29, 2022, to change the zoning designation of Lots 8 and 9, Colony Fair subdivision to be rezoned from R-4, High Density Residential to C-L, Limited Commercial; and

WHEREAS, a request for a zoning map amendment must be reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission must be forwarded to the City Council; and

WHEREAS, on January 30, 2023, 182 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on February 10, 2023. A total of 9 written comments were received in response with 4 in favor, 2 opposed, 2 no objection and 1 general comment; and

WHEREAS, Chapter 6 Goal 4 of the Comprehensive Plan encourages new commercial developments, so residents of Palmer, residents of surrounding areas, and visitors can find the goods and services they need in Palmer; and

WHEREAS, Chapter 6, Goal 1, Objective A recommends guiding growth and development patterns for the right balance of residential and commercial uses, to ensure the City maintains its fiscal health; and

WHEREAS, Chapter 7, Economic Vitality, of the City of Palmer Comprehensive Plan Goal 3 identifies the need for strengthening Palmer's role as a place to shop for residents of Palmer, residents of surrounding areas and visitors; and

WHEREAS, Objective A of Goal 3, of the Plan mentions the need to provide space for commercial expansion; set high standards to ensure quality development. Objective A also notes that commercial growth is essential to Palmer's quality of life and economic health; and

WHEREAS, Objective A of Goal 3 notes that the Comprehensive Plan policies are intended to ensure appropriate and sufficient land is zoned to encourage investors and business owners to make investments that expand the commercial products and services available in Palmer.

THE CITY OF PALMER, ALASKA, ORDAINS:

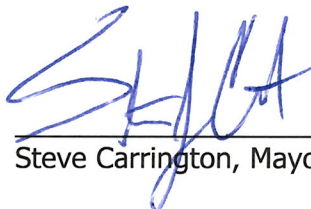

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. The City of Palmer Zoning Districts Map dated October 2022 is hereby amended to revise the zoning designation of Lots 8 and 9, Colony Fair subdivision located in Section 32, Township 18 North, Range 2 East, Seward Meridian, Alaska from R-4, High Density Residential to C-L, Limited Commercial.

Section 4. Effective Date. Ordinance No. 23-001 shall take effect upon adoption by the Palmer City Council.

**Passed and approved** this 11th day of April, 2023.

  
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Steve Carrington, Mayor  
\_\_\_\_\_  
Shelly M. Acteson, CMC, City Clerk