

**LEGISLATIVE HISTORY**

Introduced by: John Moosey  
Date: 01-09-2024  
Public Hearing: 01-23-2024  
Action: Adopted  
Vote: Unanimous

Yes:	No:
Mayor Carrington Anzilotti Alcantra Best Cooper Melin	

**CITY OF PALMER, ALASKA**

**Ordinance No. 24-001**

**An Ordinance of the Palmer City Council Amending Palmer Municipal Code Chapters 17.08 Definitions, 17.20 R-1 Single-family Residential, 17.24 R-2 Low Density Residential, 17.26 R-3 Medium Density Multifamily Residential, 17.27 R-4 High Density Residential, 17.52 R-1E Single-family Residential Estate, 17.54 RR Rural Residential, Adding Homeless Shelter and Homeless Shelter, Emergency and amending Commercial Land Use Matrix Chapter 17.28.020, and Enacting Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix.**

WHEREAS, the Planning and Zoning Commission proposes and recommends text amendments as necessary to Title 17, Zoning to ensure that the regulations and standards are applicable to the current needs of the community; and

WHEREAS, the commission proposes text amendments to Palmer Municipal Code Title 17 for the promotion of Palmer’s unique character and general welfare; and

WHEREAS, the commission has reviewed and discussed the city of Palmer’s residential districts and shortage of housing options comparing our residential districts to other residential codes in other cities and drafted code language to allow for more flexibility and housing choices that are compatible with residential land uses; and

WHEREAS, the commission determined there is a need to expand housing opportunities for community residences through sound land use principals and projects that contain a compatible mix of single-family and residential group living land uses.

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. Palmer Municipal Code Section 17.08.032 is hereby amended as follows (new language is underlined and deleted language is stricken):

**17.08.032 Assisted living home.**

"Assisted living home" means a residential facility, currently and duly licensed by the state of Alaska as an assisted living home, which combines housing, food service, general protective oversight and personalized assistance with the activities of daily living tasks such as eating, bathing, dispensing of medicines, housekeeping and other tasks and is compatible with the residential district.

Section 4. Palmer Municipal Code Section 17.08.113 is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.08.113 Day Care.**~~

~~"Day care" means providing care and supervision services for compensation between 6:00 a.m. and 10:00 p.m.~~

Section 5. Palmer Municipal Code Section 17.08.212 Homeless shelter is hereby added as follows (new language is underlined and deleted language is stricken):

**17.08.212 Homeless shelter.**

"Homeless shelter" means a building used primarily to provide on-site meals, shelter and secondary personal services such as showers and haircuts to the homeless and the needy on a nonpermanent basis.

Section 6. Palmer Municipal Code Section 17.08.214 Homeless shelter, emergency is hereby added as follows (new language is underlined and deleted language is stricken):

**17.08.214 Homeless shelter, emergency.**

"Homeless shelter, emergency" means a building offering temporary housing for residents on a nonpermanent basis solely as an accessory use to places of religious worship.

Section 7. Palmer Municipal Code Section 17.08.217 is hereby amended as follows (new language underlined and deleted language is stricken):

**17.08.217 Home based commercial business.**

"Home based commercial business" means an activity conducted for profit by the residents of a property in a rural residential district which has received a conditional use permit for operation of the business, unless activity is a permitted use. The business shall be secondary to the use of the dwelling for living purposes and shall be conducted in a manner that does not reasonably interfere with the primary residential character of the area.

Section 8. Palmer Municipal Code Section 17.08.380 is hereby amended as follows (new language underlined and deleted language is stricken):

**17.08.380 Residential care facility.**

"Residential care facility" means a ~~place~~ facility, currently and duly licensed by the State of Alaska, which provides 24-hour care for one or more people who are not related by blood, marriage or legal adoption to the owner or operator and includes facilities called group homes and institutions.

Section 9. Palmer Municipal Code Section 17.08.339 Senior Citizen Housing is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.08.339 Senior citizen housing.**~~

~~"Senior citizen housing" means housing in which each dwelling unit is occupied by individuals representing one or more of the following classifications:~~

- ~~A. One or more senior citizens;~~
- ~~B. The surviving spouse of a senior citizen who was, at the time of his or her death, living in the dwelling unit with the surviving spouse;~~

~~C. One or more individuals who reside in the same dwelling unit as a senior citizen, so long as such individuals are related to the senior citizen within two degrees of consanguinity and nieces and nephews;~~

~~D. One or more individuals who reside in the same dwelling unit as a senior citizen, so long as such individuals are essential to the care or well-being of the senior citizen.~~

~~Senior citizen housing also includes individuals who meet the eligibility requirements of a state or federal senior housing program that provides financing for projects so long as at least 80 percent of the units in the project are occupied exclusively by individuals who satisfy the requirements of subsection (A), (B), (C), or (D) of this section.~~

Section 10. Palmer Municipal Code Section 17.08.424 Special needs housing is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.08.424 — Special needs housing.**~~

~~“Special needs housing” means a residential facility where tenants are physically or mentally disabled or are senior citizens.~~

Section 11. Palmer Municipal Code Section 17.20.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.20.020 Permitted uses.**

Permitted principal uses and structures in the R-1 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. One single family dwelling per lot;~~

~~B. Gardens and greenhouses when incidental to residential use;~~

~~C. Home occupations;~~

~~D. Accessory buildings and uses not used or operated for gain nor used as a dwelling;~~

~~E. Parks and playgrounds;~~

~~F. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters.~~

Section 12. Palmer Municipal Code Section 17.20.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.20.030 Conditional uses.**

Uses which may be permitted in the R-1 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~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. 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 13. Palmer Municipal Code Section 17.24.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.24.020 Permitted uses.**

Permitted principal uses and structures in the R-2 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section

17.18.020.

- ~~A. No more than a total of four dwelling units per lot. This may be a combination of single family dwellings, two family dwellings and/or multiple family dwellings with four or fewer units;~~
- ~~B. Boarding and roominghouses with four or fewer units;~~
- ~~C. Home occupations;~~
- ~~D. Parks and playgrounds;~~
- ~~E. Child care facilities and preschools, both operating as day care only;~~
- ~~F. Other compatible uses;~~
- ~~G. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters;~~
- ~~H. Gardens and greenhouses when incidental to residential use;~~
- ~~I. Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures; provided, that no part of any building or structures used for such purposes shall be located nearer than 30 feet to any adjoining lot or street line;~~
- ~~J. Short term rentals, Type 1, Type 2, and Type 4 shall meet the requirements of PMC 17.89.070.~~

Section 14. Palmer Municipal Code Section 17.24.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.24.030 Conditional uses.**

Uses which may be permitted in an R-2 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. Public and private schools;~~
- ~~B. Public buildings and structures;~~
- ~~C. Residential planned unit development;~~
- ~~D. Residential care facilities for four or fewer patients and special needs day care facilities;~~
- ~~E. Utility substation;~~
- ~~F. Short term rentals, Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 15. Palmer Municipal Code Section 17.26.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.26.020 Permitted uses.**

Permitted principal uses and structures in the R-3 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. No more than a total of eight dwelling units per lot. This may be a combination of single family dwellings, two family dwellings and/or multiple family dwellings with eight or fewer units;~~
- ~~B. Boarding and roominghouses with eight or fewer units;~~
- ~~C. Home occupations;~~
- ~~D. Parks and playgrounds;~~
- ~~E. Child care facilities and preschools, both operating as day care only;~~
- ~~F. Other compatible uses and accessory uses, such as storage structures for use by residents of the development;~~
- ~~G. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters;~~
- ~~H. Gardens and greenhouses when incidental to residential use;~~
- ~~I. 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;~~
- ~~J. Short term rentals, Type 1, Type 2, Type 3, and Type 4 shall meet the requirements of PMC 17.89.070.~~

Section 16. Palmer Municipal Code Section 17.26.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.26.030 Conditional uses.**

Uses which may be permitted by the R-3 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. Public and private schools;~~

~~B. Public buildings and structures;~~

~~C. Residential planned unit development meeting the requirements of Chapter 17.84 PMC;~~

~~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. Utility substation;~~

~~G. Short term rentals, Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 17. Palmer Municipal Code Section 17.27.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.27.020 Permitted uses.**

Permitted principal uses and structures in the R-4 district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. One family dwellings;~~

~~B. Two family dwellings;~~

~~C. Multiple family dwellings;~~

~~D. Boarding and roominghouses;~~

~~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;~~

~~L. Short term rentals, Type 1, Type 2, Type 3, Type 4, and Type 5 shall meet the requirements of PMC 17.89.070.~~

Section 18. Palmer Municipal Code Section 17.27.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.27.030 Conditional uses.**

Uses which may be permitted by the R-4 district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

~~A. Public and private schools;~~

~~B. Public buildings and structures;~~

~~C. Residential planned unit development meeting the requirements of Chapter 17.84 PMC;~~

~~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. Utility substation.~~

Section 19. Palmer Municipal Code Section 17.28.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.28.020 Commercial land uses.**

Public Assembly	CBD Overlay	C-L	C-G	BP	I	P	A
Assembly halls – auditorium, civic center, concert hall, performing arts center, theaters, senior, youth	P	P	P			P	
<u>Homeless shelter</u>							
<u>Homeless shelter, emergency</u>							
<del>Humanitarian service and shelter facilities, including Residential care facilities and nursing homes – long-term</del>	C		C			<u>P</u>	
Funeral parlors and mortuaries	P		P				
Libraries, museums, art galleries	P		P			P	P
Recreational facilities – ice arena, swimming pools	P					P	
Private clubs or lodges with alcohol	P		P				
Private clubs or lodges without alcohol	P	P	P				
Racetrack – nonmotorized				C	C		C
Racetrack – motorized						C	C
Place of worship – churches	P	C	P				P
Outdoor concert venue	P		P	P			

Public Assembly	CBD Overlay	C-L	C-G	BP	I	P	A
Center – youth, senior	P	P	P				

Section 20. Palmer Municipal Code Section 17.52.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.52.020 Permitted uses.**

Permitted principal uses and structures in the R-1E district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section

17.18.020.

- ~~A. One family dwellings;~~
- ~~B. Bed and breakfast establishments;~~
- ~~C. Parks and playgrounds;~~
- ~~D. Recreational courts, including, but not limited to, tennis and other similar uses;~~
- ~~E. One temporary subdivision sales office per subdivision in a residential structure, when located within the subdivision, and provided such use is discontinued when all lots have been sold and provided it complies with PMC 15.08.3103, Temporary buildings or structures.~~

Section 21. Palmer Municipal Code Section 17.52.030 is hereby deleted as follows (new language is underlined and deleted language is stricken):

~~**17.52.030 Permitted accessory uses and structures.**~~

~~The following accessory uses and structures are permitted in the R-1E district:~~

- ~~A. Uses and structures customarily accessory to a permitted use;~~
- ~~B. Gardens and greenhouses when incidental to residential use;~~
- ~~C. Home occupations;~~
- ~~D. Travel trailers, campers and motor homes not used or occupied as living quarters.~~

Section 22. Palmer Municipal Code Section 17.52.040 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.52.040 Conditional uses.**

Uses which may be permitted in the R-1E district by obtaining a conditional use permit are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section

17.18.020.

- ~~A. Churches and related buildings, provided no part of any church building shall be located nearer than 30 feet to an adjoining lot or street line;~~
- ~~B. Public utility installations and substations;~~
- ~~C. Country clubs and golf courses;~~
- ~~D. Community and publicly owned recreational centers;~~
- ~~E. Public and private schools;~~
- ~~F. Cemeteries;~~
- ~~G. Child care facilities operating as a day care only; provided, that no part of any building is located nearer than 30 feet of a lot or street line;~~
- ~~H. Special needs day care facilities; provided, that no part of any building is located nearer than 30 feet from a lot or street line.~~

Section 23. Palmer Municipal Code Section 17.54.020 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.54.020 Permitted uses.**

Permitted principal uses and structures in the RR district are:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. One family dwellings;~~
- ~~B. One accessory dwelling unit;~~
- ~~C. Two family dwellings;~~
- ~~D. Bed and breakfast;~~
- ~~E. Child care facilities and preschools, both operating as day care only;~~
- ~~F. Churches, synagogues, temples, chapels, mosques or similar places of worship and related structures;~~
- ~~G. Greenhouses, truck gardens, raising of bush and tree crops, flower gardens and nurseries, when incidental to residential use;~~
- ~~H. Home occupations;~~
- ~~I. Parks and playgrounds;~~
- ~~J. Recreational shop buildings not used for commercial purposes;~~
- ~~K. Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters, not to include commercial storage;~~
- ~~L. Storage sheds;~~
- ~~M. Senior care facility operating up to a 24 hour basis;~~
- ~~N. Assisted living centers operating on a 24 hour basis;~~
- ~~O. Hospice facilities.~~

Section 24. Palmer Municipal Code Section 17.54.030 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.54.030 Conditional uses.**

Uses which may be permitted in the RR district by obtaining a conditional use permit are uses such as, but not limited to, the following:

A. Land uses as defined in the Palmer Residential Land Use Matrix in Palmer Municipal Code Section 17.18.020.

- ~~A. Community and publicly owned recreational centers;~~
- ~~B. Driving ranges and golf courses;~~
- ~~C. Home based commercial business;~~
- ~~D. Public and private schools and learning centers;~~
- ~~E. Public facilities such as fire stations, libraries and museums;~~
- ~~F. Public utility installations and substations, but not including corporate offices, storage or repair yards, warehouses, and similar uses;~~
- ~~G. Seasonal roadside stands for the sale of produce and flowers;~~
- ~~H. Special needs day care facilities.~~

Section 25. Palmer Municipal Code Chapter 17.18.020 Residential Land Use Matrix is hereby added to read as follows (new language is underlined and deleted language is stricken):



17.18.020 Residential land uses.

**City of Palmer  
Residential Land Use Matrix**

Residential	R-1 Max is one dwelling unit	R-2 Max is four dwelling units	R-3 Max is eight dwelling units	R-4	R-1E Max is one dwelling unit	RR
<b>Dwelling Units, Types:</b>						
Dwelling unit, Single-family	P	P	P	P	P	P
Dwelling units, Two-family		P	P	P		P
Dwelling units, Multiple family		P	P	P		
<u>Dwelling unit, Accessory, must meet requirements of PMC 17.86 Permit required</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P
Mobile homes used for occupancy in mobile home court <u>must meet requirements of PMC 17.92</u>			CUP	CUP		
<b>Accessory Uses:</b>						
Accessory buildings and uses not used or operated for gain nor used as a dwelling	P	<u>P</u>	P	P	P	P
Gardens and greenhouses when incidental to residential use	P	P	P	P	P	P
Home based commercial business						CUP
Home Occupations	P	P	P	P	P	P
<u>Home Child Care as a Home Occupation (max is 6 children)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Home Special Needs Care as a Home Occupation (max is 5 people)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>Recreational shop buildings not used for commercial purposes</del>						P
Storage of travel trailers, campers, pleasure boats and motor homes neither used nor occupied as living quarters, <u>not to include commercial storage</u>	P	P	P	P	P	P
Truck gardens, raising of bush and tree crops, flower gardens and nurseries, when incidental to residential use						P
<b>Group Residences:</b>						
<del>Assisted Living Centers operating on a 24-hour basis</del>						P
<u>Assisted living home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Homeless shelter</u>						
<u>Homeless shelter, emergency</u>						
Hospice Facilities						P
Residential Care Facilities		CUP	CUP	CUP		

<b>Residential</b>	<b>R-1</b> Max is one dwelling unit	<b>R-2</b> Max is four dwelling units	<b>R-3</b> Max is eight dwelling units	<b>R-4</b>	<b>R-1E</b> Max is one dwelling unit	<b>RR</b>
Residential Planned Unit Development meeting requirements of PMC 17.84	<u>CUP</u>	CUP	CUP	CUP		
<del>Senior care facility operating up to a 24-hour basis</del>						P
<b>Temporary Lodging:</b>						
<del>Bed and breakfast establishments</del>					P	P
Boarding and roominghouses		P	P	P		
Short-term Rentals shall meet requirements of PMC 17.89, see matrix*	*	*	*	*	*	*
<b>Community and Education Services:</b>						
Child care facilities and <u>preschools</u> operating as a day care only (1)	CUP	P	P	P	CUP	P
Public and private schools <u>and learning centers</u>		CUP	CUP	CUP	CUP	CUP
Special needs day care facilities for more than five people (1)	CUP	CUP	CUP	CUP	CUP	CUP
Cemeteries					CUP	<u>CUP</u>
<b>Recreational and Cultural Land Uses:</b>						
Churches, synagogues, temples, chapels, mosques or similar places of religious worship, and related structures (1)	CUP	P	P	P	CUP	P
<del>Community and publicly owned recreational centers</del>					CUP	CUP
<del>Country clubs and Golf courses</del>					CUP	<u>CUP</u>
<del>Driving ranges and golf courses</del>						CUP
Parks and Playgrounds <u>and other similar uses</u>	P	P	P	P	P	P
<del>Recreational courts, including, but not limited to, tennis and other similar uses</del>					P	
<b>Government and Business Services:</b>						
One temporary subdivision sales office per subdivision in a residential structure (2)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>
Public buildings and structures		CUP	CUP	CUP	CUP	CUP
Seasonal roadside stands for sale of produce and flowers						CUP
Utility substation	CUP	CUP	CUP	CUP	CUP	CUP

Zoning District Matrix Key:

R-1 = Single-family Residential  
R-4 = High Density Residential

R-2 = Low Density Residential  
R-1E = Single-family Residential Estate

R-3 = Medium Density Residential  
RR = Rural Residential

P = Permitted Use  
C = Conditional use  
Blank= Not permitted

- (1) 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
- (2) When located within the subdivision, and provided such use is discontinued when all lots have been sold and provided it complies with PMC 15.08.3103, Temporary buildings or structures

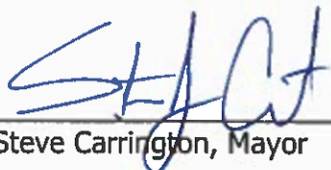
Section 26. Palmer Municipal Code Chapter 17.18.021 Compatibility of land uses not defined is hereby added to read as follows (new language is underlined and deleted language is stricken):

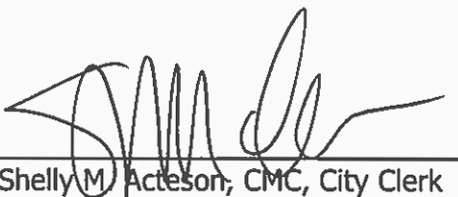
**17.18.021 Compatibility of land uses not defined.**

Where a proposed use is not specifically identified or is unclear as to whether the use is allowed in a particular zone, the zoning administrator may find, based on a finding of facts, the use is similar to another use that is permitted, allowed conditionally or prohibited in the subject zone and apply code accordingly. Land use findings by the zoning administrator will be based on zoning district compatibility, intensity of use and comparison to like activities or land use. Land use rulings that require discretion on the part of the zoning administrator shall be confirmed by the planning and zoning commission at the next regular meeting that allows due public notice.

Section 26. Effective Date. Ordinance No. 24-001 shall take effect upon adoption by the city of Palmer City Council.

**Passed and approved** this 23<sup>rd</sup> day of January 2024.

  
\_\_\_\_\_  
Steve Carrington, Mayor

  
\_\_\_\_\_  
Shelly M. Acteson, CMC, City Clerk