

CITY OF PALMER, ALASKA

ORDINANCE NO. 457

AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE PALMER MUNICIPAL CODE BY ADDING A NEW SECTION 17.08.008 (AGRICULTURE) TO CHAPTER 17.08 (DEFINITIONS) AND ADDING A NEW CHAPTER 17.52 (R-1E SINGLE FAMILY RESIDENTIAL ESTATE) DISTRICT AND ADDING A NEW CHAPTER 17.56 (AGRICULTURE) DISTRICT TO THE PALMER MUNICIPAL CODE.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions 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. Title 17 (Zoning) of the Palmer Municipal Code is hereby amended by adding Section 17.08.008--Agriculture to Chapter 17.08-Definitions as follows:

17.08.008 Agriculture.

17.08.008 Agriculture. "Agriculture" means the production, keeping or maintenance for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and seed crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, exotic animals or any mutations thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fruits of all kinds, including grapes, nuts and berries; vegetables, nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Section 4. A new Chapter 17.52 - R-1E Single Family Residential Estate District is hereby added to Title 17 (Zoning) as follows:

Chapter 17.52

R-1E SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT

Sections:

- 17.52.010 Intent.
- 17.52.020 Permitted uses.
- 17.52.030 Permitted accessory uses and structures.
- 17.52.040 Conditional uses.
- 17.52.050 Standards for conditional use.
- 17.52.060 Prohibited uses.
- 17.52.070 Building height limit.
- 17.52.080 Minimum lot requirements.
- 17.52.090 Parking.

17.52.010 Intent. The R-1E district is established to provide large lot residential estates comprised primarily of single family residences. The regulations are designed to protect and stabilize the characteristics of the neighborhood, to encourage an environment compatible for family living, and to prohibit all commercial activities except home occupations.

17.52.020 Permitted uses. Permitted principal uses

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and structures in the R-1E district are:

- A. One family dwellings;
- B. Parks and playgrounds;
- C. Recreational courts, including but not limited to, tennis and other similar uses;
- D. 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 Section 15.08.104(e), MOVED BUILDINGS AND TEMPORARY BUILDINGS of the Palmer Municipal Code.

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, camper and motor homes not used or occupied as living quarters.

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

- A. Churches and related buildings, provided no part of any church building shall be located nearer than thirty (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.

17.52.050 Standards for a conditional use. In addition to the requirements of Section 17.72.050 of Chapter 17.72-Conditional Use Permits, conditional uses shall be provided with access determined to be adequate by the Palmer Planning and Zoning Advisory Commission.

17.52.060 Prohibited uses. Prohibited uses and structures in the R-1E district are all uses and structures not specified as permitted outright, including:

- A. Residences other than those for single family dwelling purposes;
- B. Parking or storage of heavy equipment, tractors, graders or trucks which are used for gain;
- C. Mobile homes.

17.52.070 Building height limit. The maximum building height shall be thirty-five (35) feet above grade.

17.52.080 Minimum lot requirements. A. Minimum lot width: Minimum average lot width shall be eighty-five (85) feet. Each lot shall have not less than forty-five (45) feet of frontage when a lot fronts on a cul-de-sac or sixty (60) feet of frontage on a street;

B. Minimum lot area: twenty thousand (20,000) square feet;

C. Minimum setback requirements:

1. Front yard: twenty-five (25) feet,
 2. Side yard: fifteen (15) feet,
 3. Side yard on street side of corner lot: fifteen (15) feet,
 4. Rear yard: twenty-five (25) feet;
- D. Maximum lot coverage by all buildings shall not exceed thirty (30) percent.

17.52.090 Parking. Parking space shall meet the requirements of Sections 17.64.010 through 17.64.030 of Chapter 17.64-Off Street Parking and Loading.

Section 5. A new Chapter 17.56 - AG Agricultural District is hereby added to Title 17 (Zoning) as follows:

Chapter 17.56

AG AGRICULTURAL DISTRICT

Sections:

- 17.56.010 Intent.
- 17.56.020 Permitted uses.
- 17.56.030 Permitted accessory uses and structures.
- 17.56.040 Conditional uses.
- 17.56.050 Standards for a conditional use permit.
- 17.56.060 Prohibited uses.
- 17.56.070 Building height limit.
- 17.56.080 Minimum lot requirements.
- 17.56.090 Parking.

17.56.010 Intent. The AG district is intended to be used wherein the predominant current use is agriculture, but which may be needed for expansion of the city. Agriculture is encouraged to continue by recognition as a permitted use and by protection from incompatible uses through the conditional use process. The conditional use process facilitates an orderly transition to urban uses.

17.56.020 Permitted uses. Permitted principal uses and structures in the AG district are:

- A. Agriculture.
- B. Horse and/or animal show arenas.
- C. Parks, playgrounds and green belts.

17.56.030 Permitted accessory uses and structures. The following accessory uses and structures are permitted in the AG district:

- A. Uses and structures customarily accessory to a permitted use where such accessory uses are under the management or control of the organization or agency responsible for the permitted principal use. In the case of agricultural uses this includes one principal residential structure per farm and one residential structure for farm help only;
- B. Gardens and greenhouses;
- C. Home occupations;
- D. Travel trailers, camper and motor homes not used or occupied as living quarters.

17.56.040 Conditional uses. Uses which may be permitted in the AG district by obtaining a conditional use permit are:

- A. Residential planned unit development;
- B. Churches and related buildings, provided no part of any church building shall be located nearer than thirty (30) feet from an adjoining lot or street line;
- C. Utility substations;
- D. Public and private schools;
- E. Public buildings and structures;
- F. Fairgrounds and convention facilities;
- G. Museums, historic and cultural exhibits and the like;
- H. Hospitals, cemeteries, mental health facilities, commercial recreational facilities, sanitariums, residential care facilities, nursing homes, convalescent homes, homes for the aged and the like;
- I. Campgrounds;
- J. Parking or storage of heavy equipment, tractors, graders or trucks which are used for gain.

17.56.050 Standards for a conditional use permit. The following standards shall be met in addition to the

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requirements of Section 17.72.050 of Chapter 17.72-
Conditional Use Permits:

A. All lots less than five (5) acres shall be connected to the city water and sewerage systems when service is within 150 feet as measured in a straight line from the sanitary sewer or public water supply to the nearest exterior lot line, as required by 13.08.040 of the Palmer Municipal Code. On site disposal will be allowed providing DEC approval is obtained and city water and/or sewerage systems are not within 150 feet of a property line. The cost of any necessary extensions shall be paid by the owner/developer.

B. Appropriate access is provided.

17.56.060 Prohibited uses. Prohibited uses and structures in the AG district are all uses and structures not specified as permitted outright or conditionally permitted.

17.56.070 Building height limit. The maximum building height shall be thirty-five (35) feet above grade except for buildings used for agricultural purposes such as barns and silos.

17.56.080 Minimum lot requirements. A. Minimum lot width:

1. Lots five (5) acres or larger: Three hundred (300) feet;
2. Lots less than five (5) acres: Sixty (60) feet;

B. Minimum lot area:

1. Lots not provided with both city water and sewer: five (5) acres;

C. Minimum setback requirements:

1. Front yard: twenty-five (25) feet,
2. Side yard: six (6) feet,
3. Side yard on street side of corner lot: ten (10) feet,
4. Rear yard: twenty-five (25) feet;

D. Maximum lot coverage by all buildings shall not exceed thirty (30) percent.

17.56.090 Parking. Parking space shall meet the requirements of Sections 17.64.010 through 17.64.030 of Chapter 17.64-Off Street Parking and Loading.

Section 6. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption. Publication shall be by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption, and further it shall be published by being printed and included in the Palmer Municipal Code at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading: March 23, 1993

Public Hearing &
Second Reading: April 13, 1993

Adopted by the City Council of the City of Palmer,
Alaska, this 13th day of April, 1993.



GEORGE W. CARTE', MAYOR



GEORGE A. CASTANEDA, ACTING CITY CLERK