

Introduced by: City Manager Healy  
Date: March 23, 2004  
Public Hearing: April 13, 2004  
Action: Adopted  
Vote: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 615

AN ORDINANCE AMENDING SECTION 17.72.080 (APPEAL TO HEARING EXAMINER) OF CHAPTER 17.72 (CONDITIONAL USE PERMITS) OF TITLE 17 (ZONING) OF THE PALMER MUNICIPAL CODE

THE CITY OF PALMER, ALASKA, ORDAINS:

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

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.

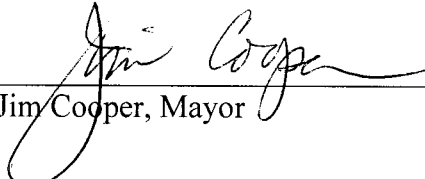
Section 3. Section 17.72.080 is amended to read as follows (new language is underlined and deleted language is stricken out):

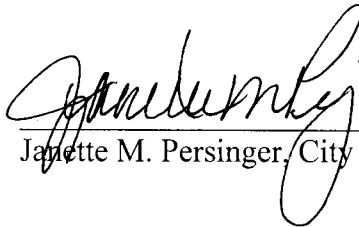
**17.72.090 Appeal to hearing examiner.**

- A. The commission's action may be appealed to the hearing examiner by any party, including but not limited to a city official. Right of appeal is forfeited unless the a written appeal is filed delivered to the clerk within twenty days of the commission's decision.
- B. The appeal from commission action on applications for a conditional use permit regarding a subject of substantial impact is to the council. All other appeals are to a hearing officer. Upon a timely request for appeal and subject to subsection C below, the city manager shall determine whether or not the application pertains to a subject of substantial impact.
- C. For purposes of this section, a subject of substantial impact includes at least one of the following:
1. a project covering more than 10 acres;
  2. a project involving construction of more than 20 dwelling units;
  3. a project involving construction of more than 10,000 square feet of floor space;
  4. other projects having a substantial impact on the health, safety, or welfare of a significant number of people in the vicinity of the project.

Section 4. Effective Date. This ordinance shall become effective immediately upon its adoption.

Adopted by the City Council of the City of Palmer, Alaska, this 13<sup>th</sup> day of April, 2004.

  
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Jim Cooper, Mayor

  
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Janette M. Persinger, City Clerk