

**PLANNING & ZONING COMMISSION  
CITY OF PALMER, ALASKA  
REGULAR MEETING  
THURSDAY, AUGUST 20, 2009  
7:00 P.M. - COUNCIL CHAMBERS**

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A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Vice Chairman Madar at 7:03 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Vice Chairman Madar, Commissioners Kircher, Bower, Hamming, and Silva. Also present were Sandra Garley, Community Development Director, and Dawn Webster, Recording Secretary.

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Commissioner Hamming.

D. APPROVAL OF AGENDA: Commissioner Hamming requested item G.2., under Public Hearings, be postponed until the September 17, 2009 meeting to allow staff to modify the request to include Lot 9, Block 1, Rempel Subdivision and to reflect the house located on Lot 8 rather than Lot 9. The agenda was approved as amended.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of March 19, 2009 were approved as corrected.

F. PERSONS TO BE HEARD: None.

G. PUBLIC HEARING:

1. Request for a Zoning Map Amendment to rezone Lot 3, Raven's Ridge Subdivision from R-1, Single-Family Residential District to R-1E, Single-Family Residential Estate District.

Ms. Garley provided the staff report and stated:

- two of the three lots in Raven's Ridge are already designated R-1E;
- the owner agreed to rezone to R-1E rather than retain a spot zoning for Lot 3; rezone to R-1E;
- 89 public notice letters were mailed on August 3, 2009, no responses were received;
- the lot is 2.99 acres in size; the minimum lot size for district is 20,000 s.f.;
- the lot meets the frontage requirements of the district; and
- staff findings were read into the record

The public hearing was opened at 7:13 p.m., there being no one present to testify, the public hearing was closed at 7:13 p.m.

Commissioner Hamming moved, seconded by Commissioner Kircher, to approve the

requested zone change for the reasons listed by staff.

Commissioner Kircher recommended approval of the rezone based upon the recommendations of staff and because it resolves a spot zoning issue.

<b>Madar</b>	<b>Kerslake</b>	<b>Hamming</b>	<b>Bower</b>	<b>Silva</b>	<b>Kircher</b>	
1. The proposed change is in accordance with the borough and city comprehensive plans.						
Y	A	Y	Y	Y	Y	
2. The proposed change is compatible with the surrounding zoning districts and the established land use pattern.						
Y	A	Y	Y	Y	Y	
3. Public facilities such as schools, utilities and streets are adequate to support the proposed change.						
Y	A	Y	Y	Y	Y	
4. Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change.						
Y	A	Y	Y	Y	Y	
5. The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).						
Y	A	Y	Y	Y	Y	

### Findings

Fact: 1) The proposed change is in accordance with the borough and city comprehensive plans;

Finding: Chapter 6, Land Use, of the Comprehensive Plan, Goal 2 states "Maintain high quality residential neighborhoods; promote development of a range of desirable new places to live in Palmer" and, Objective B states "Provide areas for single family housing appealing to the upper end of the housing market" and, Chapter 3-4, Guide Community Growth "Respect private property rights. Find a practical balance between community policies that guide growth and the benefits of allowing individuals and businesses to develop properties as they see fit."

Fact: 2) The proposed change is compatible with surrounding zoning districts and the established land use pattern;

Finding: Land use in the surrounding zoning districts is primarily single-family residential estate; therefore, the change is compatible with the area.

Fact: 3) Public facilities such as schools, utilities and streets are adequate to support the proposed change;

Finding: It is not anticipated there will be any need for upgrades in public facilities due to the requested change because the allowable residential density of the lot will be reduced.

Fact: 4) Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change;

Finding: The changed condition is the previous rezone of the adjacent lots to R-1E. It is the desire of the property owner to have more flexibility in the use of the lot.

Fact: 5) The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Finding: The welfare of the public is not impacted by the zoning change because the change has no direct impact on the public. No special privilege will be realized by the owner as a result of

the change; the owner is looking for more flexibility in the use of the land. As an example, the R-1E, Single-Family Residential Estates permits some recreational uses and bed and breakfast establishments. The lot is located in the vicinity of land designated General Commercial and the Glenn Highway and therefore should be allowed greater flexibility in the future development of the land.

**VOTE ON MOTION: Motion Carried Unanimously**

H. UNFINISHED BUSINESS:

1. Discussion on Agricultural District

The staff report was provided by Ms. Garley:

- draft previously presented in April 2009;
- 60-day review of text amendment has begun;
- important part of change is the intent portion of the ordinance;
- expressed farm community's displeasure with the intent portion of the existing ordinance;
- intent should be to promote the continuing vitality of agriculture and other uses generally associated with rural uses; and
- ordinance expands the types of uses allowable in the district.

Commissioner Kircher moved, seconded by Commissioner Hamming, to enter the Committee of the Whole to discuss the proposed ordinance.

**VOTE ON MOTION: MOTION CARRIED UNANIMOUSLY**

The Commission entered the Committee of the Whole at 7:25 p.m.

Commissioner Hamming moved, seconded by Commissioner Bower to exit the Committee of the Whole at 8:21 p.m.

**VOTE ON MOTION: MOTION CARRIED UNANIMOUSLY**

Addressed considerations to be explored prior to finalizing the Agricultural District:

- needs to be trimmed down, is too broad;
- the intent portion is an improvement, suggested it be revised to read "The intent of the AG district is to promote the continuing vitality of agriculture and related uses";
- perfect district for performance zoning;
- preserve the rights of the R-1 District;
- promote and protect agricultural uses;
- regulate consequences of the activity;
- any farm-related activity not permitted outright may be a conditional use;
- change maple sap to birch sap;
- review lot coverage listed, says only 30 percent, what about hydroponic gardens?
- questioned use of 25% limit on certain items sold, thought it too restrictive;
- item F, permitted uses, appears to be a conditional use under L;
- intensity of the use is the issue, not the use (i.e., 12 chickens vs. 88,000 chickens);
- research the Right to Farm act and send copies to the commissioners before next meeting;

- inquired as to how many farm areas might be annexed in the future;
- requested hospitals and associated uses shown on page 45 be stricken; and
- requested input from the farm community assist in writing district regulations.

The Commission took a break at 8:21 p.m. and returned to regular session at 8:29 p.m.

I. NEW BUSINESS:

1. Expanding downtown revitalization district (CBD) boundary

Ms. Garley gave a brief staff report advising of previous (1982, 1986, and 2006) Comprehensive Plans all indicating different boundaries for the Downtown Revitalization District, which eventually was transformed into the Central Business District boundary as shown on the current zoning map. Staff would like to bring back a resolution or have Commission consensus on whether or not to tackle the question of expanding the boundary. There are definite benefits to redevelopment of parcels with established buildings located on fairly small scale lots. Parking at any of the small businesses is difficult to meet. The Central Business District has relaxed those standards to entice people to reuse the existing buildings without penalizing them. The map, included in the packet, indicates those areas staff thought would benefit from an expansion of the district. The area north of the current district, along Arctic, consists of a significant mix of uses, such as commercial, multi-family, and single family; the area to the southwest of the current district is currently being redeveloped and should be considered for reuse. If the district is expanded, the ongoing facelift efforts in the community could continue to expand.

Following the discussion, the Commissioners requested a resolution be brought forward at the next meeting to include expansion of the Central Business District. Further the Commission would like to work on the Revitalization District to add incentives for remodel and renovation work in the downtown area. The map included in the packet should be attached to the resolution. A public hearing will be required for expansion of the district.

J. PLAT REVIEWS: None.

K. PUBLIC COMMENTS: None.

L. STAFF REPORT:

Ms. Garley advised of the Palmer Municipal Code codifier's request to relocate the criteria for Mobile Home Courts from Chapter 5, Business Licenses and Regulations, to Title 17, Zoning. A draft ordinance included in the packet; reflects the change from a license process to a permitting process; and a change in the district where trailer courts are permitted. Chapter 5 allowed trailer courts only in the R-2, C-L, and C-G Districts while Title 17 permits trailer parks only in the R-4 District. It is intended that a mobile home park be required to go through the Conditional Use Permit process; that individual spaces would be a minimum of 6,000 square feet for a single-wide unit and 6,500 square feet for a double-wide unit; and that all units allowed in the park meet HUD construction standards. Units older than 1976 would not be permitted in the park because they do not meet HUD construction standards. Ms. Garley requested comments be submitted to Ms. Webster prior to the next meeting. Ms. Garley stressed the life safety code requirements for trailers and the need to prohibit units from being brought into the city that would not meet life safety code requirements.

Commissioner Hamming inquired whether the city could put a newer date on the trailers; Ms. Garley advised she would check with the city attorney.

Ms. Garley also discussed the problems of subdivisions with narrow roads and the parking which occurs along the edge of the roads; she would like to address this issue at the September Planning and Zoning Commission meeting. The current ordinance allows parking in the street for up to 72 hours; discussion followed regarding different parking durations and narrow street widths. Commissioner Bower stated there is a State statute prohibiting parking on the driving lane; he will send a copy to Ms. Garley.

A brief discussion was held regarding the enforcement of codes and the process required for issuing citations. Ms. Webster advised of concerns regarding "right of entry" and the need to follow enforcement policies established by the city.

Ms. Garley advised the Commissioners they each have a copy of the Borough's Earth Materials Extraction Ordinance and requested their review and that comments be sent to Ms. Webster so they may be forwarded to the Borough. Ms. Garley advised that we did not get the copy of the ordinance in a timely manner and that the ordinance, as currently written, includes the cities of Houston, Palmer, and Wasilla. Ms. Garley further advised of the resolution before the City Council for the meeting of August 25, 2009 requesting the Borough not to adopt the ordinance and the ordinance not to include the City of Palmer.

M. BOARD OF ECONOMIC DEVELOPMENT:

Commissioner Hamming reported the Board is working to further the goals of the Comprehensive Plan, specifically to keep the institutional facilities inside the city limits of Palmer. As a project, Commissioner Hamming has requested the board list one item in Title 17 felt to be an impediment to meeting that goal. Mr. Vogel and Mr. Ritari were at the meeting; Mr. Ritari appeared to be interested in the issue of noise. Councilman Brown also attended the meeting; Commissioner Hamming requested Councilman Brown look at the rest of the code for impediments to furthering the goal of keeping institutional facilities inside the city. If the issue of noise is brought up, Commissioner Hamming advised the Commission he would leave the room during any discussions on noise because it may come forward under a request for a conditional use permit.

N. COMMISSIONER COMMENTS:

Commissioner Kircher advised the Commission of Google Earth's presence in the city; questioned the construction work behind the depot; Ms. Garley advised the work was removal of the old water lines.

Commissioner Hamming: No comments

Commissioner Silva: Mentioned there has been a significant increase in break-ins and vandalism due to lack of police presence while the Alaska Street construction project is occurring. Commissioner Silva had requested police presence more often during the evening hours when there are no vehicles around the building. Palmer High School is playing West Valley on Saturday.

Commissioner Bower: No comments

Commissioner Madar: Complimented staff on the preparation of the Finding of Facts, however, he stated it should be the commissioners' job to prepare the findings. He attended the Highway Corridor Landscape Ordinance meeting and stated they are doing an excellent job and was very impressed with their work. Also he would like everyone to consider spending an evening supporting the Palmer Moose at their games; the next home game is September 4<sup>th</sup> when they will be playing Colony High School.

Commissioner Hamming advised he won't be in attendance at the next meeting on September 17, 2009.

Commissioner Silva spoke to the Downtown Palmer Walking Map; Ms. Garley provided a copy of the map to the Commissioners.

P. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:22 p.m.

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Mike Madar, Vice Chairman

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Dawn U. Webster, Recording Secretary