

Review of Chapter 5  
Part I  
(pages 179 – 259 of T21 Draft 2)

**Note:** This review constitutes my comments on 21.05 thru the pages above. The Chapter ends on page 294. “Part I” was just how far I got over the weekend and does not fall on a designated “part” in the chapter. Many important sections follow in this “Use Regulations” chapter which I hope to get to soon.

p182. We have a glaring contradiction between statements in Items B. and D. pertaining to the Table of Allowed Uses as follows: In Item B “This classification does not list every use or activity that may appropriately exist within the categories, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool and are not regulatory.” In Item D we see the contrary “Development or use of a property for another use not specifically allowed in the tables and approved under the appropriate process is prohibited.” Discussion: Either the tables are regulatory or they are not. The first statement (which is fair and true) holds that they are not, and the second statement, which speaks authoritatively, says they are. We need something that says that **the Table of Allowed Uses is the best compilation we have to guide development in the various Zoning Districts, and shall be followed in as much as it is practical to do so, but they will not apply to every situation or circumstance.** Or some words to that effect.

p183. Here begins the Table of Allowed Uses that runs thru p. 197. Pages 183-185 list the Residential Uses. In keeping with my previous review, I’m taking out the RM-3 and RM-4 (since they do not apply to CER) and putting in the new RL-5 (5 acre of greater residential). On page 183 under RL-5 put a P (permitted) next to Dwelling, single family detached, and an S (Admin Site Plan Review) next to Botanical Gardens. In addition, all Residential zones should have an S for Botanical Gardens. Add a C (Conditional Use) to both Adult Care categories for RS-2.

p184. Under Residential, Match the new RL-5 Zoning District with RL-3 and RL-4. Under Commercial Uses in Residential Districts for RL-4 and RL-5 add P’s for both “Agricultural Uses”, and for “Animal Sales, Service and Care” add S/M to all districts RL-2 thru RL-5, both categories. Also add a C to RL-5 for Outdoor Recreation.

p185. Add a C (Conditional Use) to Districts RS-2, RL-3, RL-4 and RL-5 for Nursery Commercial. Add a C or S/C to RL-5 to match RL-3.

pp186-189. No change in the assigned uses. However I would modify the Zoning Districts in the Commercial and Mixed Use Districts: Drop the RMU (Regional Mixed Use) and MMU (Mid-town Mixed Use) for Chugiak-Eagle River, keep the NMU and CMU, and possibly keep one CBD, but note that the CMU and CBD could be combined.

p.190. Move the S/M out of AC, the Automobile Corridor, to RC (Rural Commercial) for the Animal Control Shelter, or at least add S/M to RC for the Animal Control Shelter. Remove P/M from AC, and CBD's for Kennel Commercial. Add P/M to the CBD's for Veterinary Clinic.

p.192. Add the word "Laundromat" to Dry Cleaning establishment since that is what is clearly intended in the Use Type. Add P/M to NC, CBD's and Mixed Use Districts for the Laundromat/Dry cleaning establishment. Add P/M to the NC (Neighborhood Commercial) for the Repair and/or service and the Small Equipment Rental use types.

p.193. Add S/M to the NC District for the Building Materials store use type, P/M for the Farmer's Market, S/M for Fueling Station, P/M for the Meat and Seafood processing storage and sales, and S/M for the Pawnshop – all in the NC district. Add S/M's to the CBD's for Fueling Station. Add S/M's to the CBD's and MU's for the Meat and Seafood processing storage and sales. Why have a P/M in the AC for Nursery Commercial ? Add S/M's in the CBD's and MU's for Pawnshop.

p.194. Add P/M in the AC for Heavy equipment sales and rental. Change P to S/M in the RC for Parking Lot or Structure 50+ spaces.

p.195. Under Industrial Uses for Data processing facility add S/M to the CBD's the MU's, and for General Industrial Service add S/M to CBD's and MU's, and for Governmental Service add P/M to CBD's and MU's. Why have a P in AC for Commercial Food Production.

p.196. Remove "placer mining" as a Use Type. No placer mining shall be allowed in Chugiak-Eagle River. Add P/M to IC, I1 and I2, for Facility for combined marine and general construction.

p.197. Add C to RC for Snow Disposal Site.

p.199. Item C uses 25,000 square feet to determine which review procedure is applicable in the Commercial Use category. I question whether this should be the sole determining factor in deciding the appropriate level of review.

p.200. 1. Dwelling Mixed-Use. There has been some discussion about allowing Mixed Use of this type in C-ER. In any event I would not permit RM-3 or RM-4.

p.201. The distinction between mobile homes and manufactured homes is not well made. Apparently mobile homes were built before 1976 and manufactured homes apply to the same type of building after 1976. Manufactured homes should be distinguished from Mobile homes as dwelling units assembled from prefabricated materials, assembled on site. The code makes no real distinction between mobile homes and manufactured homes except for the 1976 date. The Manufactured Home Community should be called a Mobile Home Court or Community. Also under 7.b. mobile homes on RL-1 lots should **not** be required to have permanent foundations. Bad idea. Appropriately blocked and

skirted, but not on a permanent foundation. (This would apply to the definition of manufactured homes as used in this code.)

p.202. Question the minimum lot size of 2 acres for Mobile Home Courts / Manufactured Home Communities. Seems too small.

p.207. Correctional Community Residential Centers are discussed. Centers that house felons are also mentioned. Centers of both types need to have full review by any community that would hold them. Restrictions should apply which are not addressed for our area.

p.214. 4.b.iii. states “For issues in which the Anchorage School District site development and design criteria are more stringent than the standards of this section, the School District standards shall control.” This allows the School District to set its own criteria for site development, and may or may not work with the surrounding community. I would make the School District’s criteria valid but subordinate to this Code. 4.b.iv. Minimum Lot Dimensions and Setbacks for schools needs closer scrutiny. School sites need adequate parking and playground space. Maximum building coverage of the site area at 35% appears high and setbacks too narrow.

p.215. vi.(B) exempts temporary structures on school grounds (used as expansion space) from all the requirements in Section 21.05.080, Temporary Uses and Structures. Blanket exemptions of this nature may be ill advised. I would think temporary structures on school grounds should have enforceable standards. 6.b.i. Prohibits vocational or trade schools on ground level in CBD districts. This seems overly restrictive. Vocational or trade schools in CBD districts could be subject to administrative review. Blanket prohibition from first floor usage in not warranted. 6.b.ii. Seems overly restrictive. It allows business schools but only so long as they do not teach something not permitted in the district where it is being taught. A strange restriction. Again administrative review would be more appropriate on a case by case basis rather than a blanket prohibition.

p.216. H.1.b. Requires “architectural compatibility” for Police Substations in RM-2, RM-3 and RM-4 districts. This is the first mention of architectural compatibility. If this is desirable for this type of government building, one wonders where else it may apply equally well. Also why restrict architectural compatibility to RM districts ?

p.218. J.2.b. Requires visual and aesthetic compatibility of Utility Substations with the surrounding community. This is a good concept and should be retained, strengthened, and used in other areas where it might be applied equally well.

p.221. K.2.c. States “Type 1, 2, and 3 towers in residential districts shall only be located on a lot with an existing non-residential use or a lot with a multi-family residential use.” This is completely mystifying to me as to why they would be allowed in multi-family use districts without the same restrictions that apply in single family districts. In any event, towers should not be allowed in residential districts without administrative site plan review.

p.225. K.2.l. Continuing on the Tower theme, it states “Any antenna or tower structure that is not operated for a continuous period of 12 months shall be considered abandoned,” Are all towers monitored as to their operational status, and the time they are not operational ? Are towers saleable items ? Are abandoned towers a safety issue ? I agree that there should be provisions for dealing with towers that are abandoned. It also states that owners of abandoned towers are given 180 days to remove the structure or the Muni will do so at the owner’s expense. What happens to the tower if the Muni removes it ? I would think that if the Muni removes it, then it will belong to the Muni. (by definition of abandonment, I guess.) This just struck me as a curious item.

p.228. K.2.n. Refers to Amateur Radio Stations and Receive Only Antennas. I disagree with the blanket exemption to location, tower type and height limitations even if they are a federally licensed amateur radio station. It would seem to me that the towers location, height and type are all relevant for any installation. And again I question the abandonment provision contained therein.

p.232. D.5. Nightclub, Licensed. Need a prohibition against nudity in C-ER. The use specific standards listed under Unlicensed Nightclubs should be listed here as well.

p.233. D.6. Nightclub, Unlicensed. Prohibition against nudity in such establishments should be listed under the use specific standards for C-ER.

p.235.E.3.b.iii.(B)(1) Prohibits the consumption of alcoholic beverages at outdoor motorized racing events. While well intentioned, this prohibition flies in the face of recreational users at other outdoor sporting events. The consumption of beer should be permitted.

p.236.E.4.b.2. Whoa! Red flag! “The setback behind the back stops in the line of fire shall be minimum of 100 feet. Buildings located behind the line are allowed to be located to the normal setback.” Folks this is for an out-door shooting range. Bullets can travel over a mile. No building should be located behind the backstop of a firing range, period.

p.243. K.5.b.i.(A) Provides a minimum depth of 25 feet for the first floor of a parking garage. 25 feet does not seem sufficient for much. Need more information to understand what this 25 foot minimum is addressing. K.5.b.iii. Adds a bonus height provision for additional stories to the parking structure. C-ER will have a height limitation that does not permit bonus height additions.

p.244.K.7.a. Allows mobile home sales in large vehicle sales and rentals, but no heavy equipment sales. Seems like an odd inclusion/exclusion. K.7.b.i. states that “no repair work shall be done except minor incidental repair and necessary reconditioning of vehicles to be displayed and sold on the premises.” I disagree. Repair work shall be allowed on site in enclosed shops at dealerships. This is only reasonable and practical. K.7.b.ii. Limits to 5% the number of vehicles which can exceed a gross vehicle weight of 12,000 lbs. (Class A and C motorhomes excluded.) This seems arbitrary and unnecessary. I don’t understand this one.

p.245.K.8.b.i. Limits repair work on small vehicles at Sales and Rental locations. Again I disagree as in the previous section. Repair work shall be allowed on site in enclosed shops at dealerships. K.9.&10. Makes a distinction between Vehicle Service and Repair Major and Minor. While there is definitely major and minor repair work, I don't see the need for a separation between the two when it comes to zoning districts. K.10.b.i. Prohibits car wash or repair bays (in RMU districts) from facing the primary street frontage. Granted they are citing only the RMU district, but this seems overly restrictive.

p.249. B.1.b.i. States "Cottage crafts may only be produced within a wholly-enclosed permanent structure." I completely disagree with the spirit and content of this statement. Cottage crafts are typically home based. By this definition a kiln to fire pottery could not be outdoors. Any operation that was not enclosed in a **permanent structure** would be prohibited. At the least this statement needs to be struck. B.1.b.ii. Again "The outdoor storage of materials related to the production and sale of cottage crafts is prohibited." This is the kind of statement that makes people hate codes. This statement has no place in our C-ER's chapter.

p.251. B.5.b.i.(B) Placer Operations have no place in CER. Natural Resource extraction by Placer Mining should not be allowed. Period. B.5.b.i.(C) In addition to the submittals required as stated, all State of Alaska and Federal regulations shall be adhered to and complied with.

p.252. B.6. Natural Resource Extraction, Placer Mining. Shall not be allowed in C-ER.

p.255. D.3.x.(A) Pertaining to self-storage facilities "The design of the sight-obscuring structure shall be architecturally compatible with the surrounding properties and shall be approved by the department." I cite this statement to reinforce its inclusion in our Separate Chapter. D.3.x.(D) "Snow storage areas, as designated on a site plan approved by the department of building safety, shall be approved in accordance with the requirements of building safety and municipal engineering requirements." If this is being required for self storage facilities located on ½ to 10 acre sites, then it should be included in other developments as well. I quote this verbage for use here and elsewhere.

p.259 D.3.xiv.(G) Abandonment. "This section shall not apply to any self-storage and/or vehicle storage operation continuing under a planning and zoning commission-approved site plan or conditional use existing on the date of adoption of this title." This would negate the enhancement plan as stated previously in this section for the properties cited. Given the liberal terms and requirements of site enhancement, I would think we would want to keep self storage facilities up to par. I would say that this section should apply to the P&Z approved site plans and any conditional uses.

This ends my notes and comments on Chapter 5 (21.05) Part I.

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Review of Chapter 5  
Part II  
(pages 259 – 293 of T21 Draft 2)

**Note:** This review constitutes my comments on Part II of 21.05 thru the pages above. The intent is to describe what we dislike (or like) in Title 21 so that we have something for the Land Use Planner to work with in creating the separate chapter for C-ER.

p.260. 4.b.v. Drainage; Protection of Water Supply. The description that follows should be incorporated into all other developments to prevent excessive runoff and contamination. It should not just apply to junk yards or storage yards. Prevention of runoff during construction has been a particularly egregious problem in Eagle River. E. Waste and Salvage. “Accessory uses may include recycling of materials, **office equipment and furnishings** [delete offices], and repackaging and shipment of by-products.”

p.261. 2.b.i. “,or meet the supplemental requirements contained in subsection ii(B) **through (F)** below.” All the sections apply not just (B). 2.b.i.(A) Change 400 meters to 1300 feet or 440 yards. Need to keep units the same (English feet and inches, etc.) throughout the document.

p.262. Table 21.05-3. Change all metric distances to feet or yards. (Round off the nearest practical equivalent unit.)

p.264. 2.b.ii.(D)(2) Prevents migration of hazardous material from the site. Good statement – keep. . 2.b.ii.(E) Change 400 meters to 1300 feet or 440 yards. And elsewhere throughout the section.

p.266. 4.b.ii.(A)(2) Pertaining to Land Reclamation, change the requirement for 10 foot contours to 2 foot contours. Ten foot contours are too broad. 2 foot contours will adequately show the topography in most instances.

p.267. 4.b.v.(G) Pertaining to Land Reclamation, “The restoration plan for the site ensures that, after reclamation operations cease, the site will be left in a safe, stable and aesthetically acceptable condition, **or be utilized in an approved manner**.”

p.268. Snow Disposal Site. Need the requirement for adequate snow disposal in all new developments. This may take the form of sites or adequate space along roadways.

p.269. 6.b.iv. Screening Fence or Berm. This requirement for a screening structure or berm seems overly restrictive. Each site should be reviewed on its own merits. Having sufficient snow removal capacity is our main concern. Safety and aesthetics are definitely a concern, especially near residential areas.

pp.270-271. Accessory Uses and Structures. B.2. We find the statement “If the case of any conflict between the standards of this section and any other requirement of this title, the standards of this section shall control.” This statement cannot be applied to the whole title since the standards of our separate chapter shall apply to C-ER. Our chapter shall make a similar statement at the outset to ensure that the provisions of our chapter shall have force in our area. We will have our own section on Accessory Uses and Structures.

p.272. Table 21.05-4. Table of Accessory Uses – Residential Districts. For Accessory Dwelling Units (ADU’s) add “P” to RS1 (the 1 not shown) and omit P from RT, RM1, RM2, and RM3 (RM3 may not be used in C-ER as well). Add an RL5 category and match the RL3 category for accessory uses. I would tend to make the ADU’s subject to Site Plan review instead of a blanket permission in single family detached residential districts, so a P/S would better represent my thinking on this subject.

p.273. Table 21.05-4 cont’d. Omit categories RM-3 and RM-4. Add category RM-5 and match the RL-3 permitted use designations. Permit Hobby Farms in RL-4 (old R-10) and permit Paddock, Stable, and Barns in RL-4 as well. Add an additional Accessory Use category: **Outdoor Storage of Firewood for personal use**, and Permit it across all residential districts.

p.274. Table 21.05-5. Table of Accessory Uses – Commercial, Industrial, Mixed use and other Districts. Permit Adult Care and B&B’s in the NMU just like the other Mixed Use Districts ( 2 P’s and 1 S). Permit Drive-through services on an Admin. Site Plan Review Basis (S) in all CBD’s and Mixed Use Districts where they are not already permitted (P) in the table.

p.275. Table 21.05-5. Table of Accessory Uses – Commercial, Industrial, Mixed use and other Districts (cont’d). Add a P/S designation to NC for Outdoor display accessory to a commercial use, and P/S to NC for Outdoor storage accessory to a commercial use.

p.276. D.1. Accessory Dwelling Units. This section needs extensive work to allow the intensions expressed in D.1.b.i.(B) thru (G) to be fulfilled. The purpose of the ADU’s is stated adequately therein, but the requirements for the ADU’s are not properly expressed. In D.1.b.ii.(B) it imposes a deed restriction on the landowner requiring an affidavit. This deed restriction will encumber the property. It will require owner-occupancy for 6 months out of the year and conformity to all requirements of the section. [Not Good.]

p.277. iii.(A)(1) States that ADU’s must be compatible with the single family character of the neighborhood. This is good. ADU’s must not be permitted in districts zoned for multi-family. Items iii.(A)(2),(3), & (4) are all good purpose statements for the ADU’s. Item iii.(B) allows ADU’s in multi-family residential districts, but not in RS-1. RS-1 should be permitted to have ADU’s and the multi-family should not. iii.(B)(1) is a good definition allowing one ADU within a single family detached dwelling lot.

p.278. iii.(B)(2)(a). Requires the lot size to be 20,000 S.F. or greater and then requires the ADU to be attached to or above a garage ! While this may be permissible, it is not the intent of this section to require ADU's to be attached to garages. [Bad Requirement.] iii.(B)(2)(b) requires the ADU to be on a lot that abuts an alley way, and that the garage attached to the ADU be on the alley. Again, this may be a situation that could occur, but it should not be a requirement for ADU's. [Bad Requirement.] iii.(B)(3) describing lot coverage is good. The ADU and all structures on the lot shall not be greater than that allowed in the zoning district. This should be a guiding principle for all accessory buildings. iii.(B)(4)(b) Requires the landowner with an ADU to reside on the lot for at least 6 months out of the year. This should not be a requirement. Period. iii.(B)(4)(c) Requires that no more than 2 persons may reside in an ADU. While this may be reasonable given the size of an ADU, it should not be a requirement by law. This requirement should be deleted. iii.(B)(5) Requires that ADU's be built to the standards held for two-family dwellings. This is another bad requirement, and should be deleted. iii.(B)(6)(a) States the range of square footages allowed for ADU's 300 – 700 SF. This requirement is too restrictive. The lot size and size of the principal dwelling and the allowable lot coverage should dictate the allowable size of an ADU. iii.(B)(6)(b) states that the ADU shall not be greater than 35% of the size of the principal dwelling. This seems arbitrary since garages are allowed to be 50% in this rendition of the code.

p.279. iii.(B)(7) Allows ADU's (and their associated garages I assume) to encroach into rear setbacks abutting alley ways. But it doesn't say how far. Alley ways need to be negotiated by traffic and have snow removal problems as well. This encroachment sounds like a bad idea to me. iii.(B)(9)(a) Requires matching architectural styles, materials, and even window heights and widths to match the principal dwelling. This is Way Too Restrictive and Unreasonable. iii.(B)(9)(b) Doesn't make sense since ADU's are not attached to the Primary Residence. The intent maybe to keep ADU's out of the front yard.

p.280. (E) Expiration of Approval of an ADU. Item (3) causes expiration of ADU approval because the landowner does not reside in either the ADU or the principal dwelling. Item (5) causes expiration of the ADU approval if the property changes hands. Both of these are inappropriate as discussed previously. Part (G) requires conformity of all ADU's with this section and the filing of permit applications for ADU's. This does not allow for Grandfather rights. And as noted previously this section needs to be rewritten to be both usable and reasonable. Land Use Permits should be required for ADU's and other reasonable requirements, but not those in this section.

p.281. (G)(2)(3) Requires conformance to this section, requirement to legalize, or civil penalties and/or removal of the ADU. Item (4) exempts legal nonconforming structures. If the requirements of this section become reasonable then requirements to conform become reasonable. Civil penalties need to be reviewed for reasonableness as well. Unjust penalties would place an undo burden on property owners with ADU's. Item (H) states that "No variances shall be granted from the standards and provisions of this section." Again, this is another unreasonable statement. Variances should be allowed, depending on the circumstances, for structures already in existence.



p.282. 3.b.ii. (C) “A bed and breakfast shall not be permitted on any lot with an accessory dwelling unit.” Why couldn’t an ADU function as a B&B ? Again we find regulations contrary to acceptable uses. Item 3.b.ii. requires a health inspection for 25 occupants or more. If a B&B has 5 or fewer guestrooms why make the requirement for 25 occupants or more ? 4. Beekeeping. 4.b.i.(A) The requirement for a 25 foot setback is too far. A noted beekeeper says 10 feet is adequate. 4.b.i.(C) Placing hives behind a six foot fence extending at least 10 feet in all directions is too restrictive. A noted beekeeper says “what are they trying to do, eliminate all the beekeeper ?”

p284. 10.b.i.(A) Pertaining to Family Self-Sufficiency Service. “The structure used to house the facility shall maintain at least twenty residential units and devote 85 per cent of the buildings maximum gross floor area to residential use.” This will defeat and Family Self-Sufficiency Services in C-ER. This requirement should be deleted for C-ER. (D) Clients. Restricts facility users to tenants of the operating agency or beneficiaries of assisted housing form the operating agency. Why shouldn’t the operating agency (public or non-profit) decide who is eligible ? Restriction of the client base should not be part of this Code.

p.285. 10.b.ii.(A)(B) Places restrictions (conditional use) on computer aided learning centers by size (maximum of 1,000 SF) and district (only in RM-3, RM-4 and NMU). Both the maximum size and District limitations are in appropriate. Item (B) allows conditional use of Family Self-Sufficiency services to have a maximum of 1,500 SF in the districts above. Again a strange requirement. We hope to have no RM-3 or RM-4 in C-ER. I would allow the need to dictate the size of Family Self-Sufficiency services. 11. Farm, Hobby. The production of crops for sale **or personal use** on the premises. This may include a temporary stand for sales. Include “or personal use”. Good inclusion of the temporary stand for sales. 12.b.i. Pertaining to garages and carports, allows garages to encroach into the side and rear setbacks when they abut an alley. How much encroachment is not stated. Alleys need to have sufficient wide. This is not a good allowance since side and rear setbacks are not large. 12.b.iii. Limits garage and carport size to no more than 50% of the total gross area of the principal dwelling. Why have this limitation at all ? 50% is an arbitrary number. Dwellings and accessory uses should have a maximum lot coverage to limit size. 13.b.i. Prohibits greenhouses from commercial use in residential districts. Why wouldn’t greenhouses fit under Hobby Farms ? They should be allowed. 13.b.ii. All “spas” (which I assume would include saunas) and hot tubs are not included in calculating lot coverage. They should be since they are permanent structures and often have decks.

p.286. 14.b.ii. Pertaining to Home Occupations, “Only one non-resident may be engaged in the home occupation on the premises.” Does this mean full-time? Perhaps more than one non-resident might be useful at times. Why restrict it to one. The situation will dictate. This regulation is overly restrictive. 14.b.vii. Restricts the types of vehicles allowed in home occupations including boats, motorcycles, all terrain vehicles and snow-machines or any not used for typical personal un-commercial transportation. This is again overly restrictive and prohibitive. It should be removed.

p.287. 14.b.x. Prohibits home occupations on lots with an ADU, B&B, adult or child care facility, or residential care facility. This is again too restrictive and should be removed. 15. Outdoor Keeping of Animals. 15.b.ii. Applies to the keeping of all animals except for dogs, domestic cats, and large domestic animals. Those are the categories that we need regulations for, yet the code is mute on this topic.

p.288. 17.b.iii. Pertaining to Outdoor Storage accessory to a commercial use. Requires an opaque fence 6 to 8 feet high that incorporates at least one of the predominant materials used in the principal structure. We're talking about fencing here. Incorporating materials used in the principal structure is a strange and unusual requirement and should be omitted. Likewise in 17.b.iv. it requires the covering of an outdoor storage area to include at least one of the predominant building materials and exposed roofing colors found in the principal building. Again a strange and unusual requirement that should be deleted. 18. Paddock, Stable, and Barn. Needs to be written for C-ER. There is nothing here.

p.289. 19. Private Outdoor Storage of Non-commercial Equipment Accessory to Residential Use. 19.b. states that the aforementioned equipment is "permitted in the front setback only in the driveway, but not within five feet of any property line, and is prohibited in any side or rear setback." If side and rear setbacks were of sufficient size then they could be used for the temporary storage of equipment. Setbacks are allowed to have dog houses. This requirement is too restrictive. 21.b.iii. Pertaining to the Outdoor Hobby Repair of Vehicles, not only requires the work to take place to the rear of the principal building, but also requires an opaque fence or opaque landscaping. The latter is an excessive requirement for one vehicle. E. Prohibited Accessory Uses and Structures. E.1. Prohibits connexes or similar structures except in Industrial and PLI Districts or on a temporary basis. This may not be an acceptable requirement for some uses both commercial and residential in C-ER. E.3. Prohibits mobile homes, RV's and travel trailers from use as permanent or temporary homes, except that RV's and travel trailers may be used for up to 90 days. Applies to all zoning Districts. RL-1 (Old R-5 and R-5a) specifically allows mobile homes, so this prohibition is in error. Mobile homes are designed for permanent residence and should be permitted.

p.291. 3.e.i. Pertaining to Temporary Uses, allows 7 one-day garage/yard sale events per unit per year. This should be changed to read 7 two-day garage/yard sale events per year. Events are typically held for two days and should not be restricted to one. C.1. Prohibits "Cloth Garages" as defined therein, and should be permitted, not prohibited.

This ends Part II of Chapter 5 of my review of Public Review Draft #2 of Title 21.

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