

ORDINANCE 3586

A City of Missoula initiated ordinance generally amending Title 20, Missoula Municipal Code, the City Zoning Ordinance, to incorporate maintenance revisions in the following chapters: 20.05 Residential Districts, 20.10 Business and Commercial Districts, 20.15 Industrial and Manufacturing Districts, 20.40 Use- and Building-Specific Standards, 20.45 Accessory Uses and Structures, 20.50 Natural Resource Protection, 20.65 Landscaping, 20.80 Nonconformities, 20.100 Terminology, 20.105 Use Classifications, and 20.110 Measurements and Exceptions.

Be it ordained that the following sections and tables are hereby amended as follows: Section 20.05.010A.1; Section 20.05.020 and Table 20.05-1; Section 20.05.030 and Table 20.05-2; Section 20.05.050 and Table 20.05-3; Section 20.10.010A.1; Section 20.10.020 and Table 20.10-1; Section 20.10.030 and Table 20.10-2; Section 20.15.020 and Table 20.15-1; Section 20.40.120; Section 20.45.020B.; Section 20.45.030B.; Section 20.50.030B; Section 20.65.070; Section 20.80.030C.2.b; Section 20.80.030E; Section 20.100.010; Section 20.105.040V; 20.105.050C.1; Section 20.110.060B.1.i; and Section 20.110.060.B.4.

- 20.05.010 General Districts
 - A. Districts
 - 1. List

Map Symbol	District Name
R215	Residential 215
R80	Residential 80
R40	Residential 40
R20	Residential 20
RT10	Residential 10 (two-unit/townhouse)
R8	Residential 8
R5.4	Residential 5.4
RT5.4	Residential 5.4 (two-unit/townhouse)
R3	Residential 3
RT2.7	Residential 2.7 (two-unit/townhouse)
RM2.7	Residential 2.7 (multi-dwelling)
RM2	Residential 2 (multi-dwelling)
RM1.5	Residential 1.5 (multi-dwelling)
RM1[1]	Residential 1 (multi-dwelling)
RM0.5	Residential 0.5 (multi-dwelling)
RMH	Residential Manufactured Housing Park

[1] There are two versions of the RM1 district: RM1-35 and RM1-45. Whenever this ordinance refers to the “RM1” district, the reference is referring to both the RM1-35 and RM1-45 districts.

Section 20.05.020 Allowed Uses
Table 20.05-1
Uses Allowed in Residential Districts

Use Category ↳specific use type	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1	RM0.5	RMH	Standards
RESIDENTIAL																	
Household Living (except as noted below)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20.05.030
↳Manufactured Housing Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	Title 16
Group Living (except as noted below)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	20.40.070
↳Community Res. Facility (8 or fewer)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
↳Community Residential Facility (9+)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	20.40.070
↳Fraternity/Sorority	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	20.40.070
PUBLIC/CIVIC																	
College/University	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	C	
Day Care																	
↳Residential Day Care (1-12)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
↳Day Care Center (13+)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Library/Cultural Exhibit	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	
Park/Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Preschool																	
↳Preschool (1-12)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
↳Preschool Center (13+)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Religious Assembly	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
School	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Utilities and Services																	
↳Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
↳Major	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
COMMERCIAL																	
Lodging																	
↳Bed and Breakfast	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	20.40.030
↳Tourist Home (Currently under consideration through a different process.)												P					
Office	-	-	-	-	-	-	-	-	-	-	-	C	C	C[1]	-	-	
Parking, Non-accessory	-	-	-	-	-	-	-	-	-	-	-	C	C	C[1]	-	-	
Personal Improvement Service	-	-	-	-	-	-	-	-	-	-	-	C	C	C[1]	-	-	
Residential Support Services	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	-	20.40.120
INDUSTRIAL																	
Residential Storage Warehouse	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	20.40.110

Use Category ↳specific use type																Standards	
	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1	RM0.5		RMH
OTHER																	
Agriculture, Animal	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	
Agriculture, Crop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Water Testing Laboratory	-	-	-	-	-	-	-	-	-	-	-	-	C	C [1]	-	-	
Wireless Communication Facility																	
↳Ground mounted support structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	20.40.160
↳ Roof-mounted & structure mounted support structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20.40.160
[1]	Allowed (as conditional use) in RM1-35 district only.																

20.05.030 Building Types

A. Allowed

Residential uses allowed in R districts must be located in residential or mixed used buildings. The following building types are allowed in R districts. All buildings are subject to the parcel and building standards of 20.05.050 (Table 20.05-3) except as modified or supplemented by the building type-specific standards referenced in the final column of Table 20.05-2.

**Table 20.05-2
Building Types Allowed in Residential Districts**

Building Type	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1	RM0.5	RMH	Additional Standards
Residential																	
Detached house	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Lot line house	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	20.40.080
Townhouse																	
↳2-unit townhouse	P/C	P/C	P/C	P/C	P	-	-	P	-	P	P	P	P	P	P	P	20.40.140
↳3+-unit townhouse	P/C	P/C	P/C	P/C	P/C	-	-	-	-	-	P	P	P	P	P	P	20.40.140
Two-unit house	-	-	-	-	P	-	-	P	-	P	P	P	P	P	P	P	
Multi-dwelling house	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	20.40.100
Multi-dwelling building	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	20.40.090
Mixed Use																	
Mixed Use Building*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	
Vertical Mixed Use Building	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

P = permitted; P/C = permitted in cluster/conservation development (see 20.05.040B); and
- = prohibited

* Subject to the permitted residential building types of the zoning districts

20.05.050 Parcel and Building Standards

Table 20.05-3

Parcel and Building Standards (Residential Districts)

Standards	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1-35	RM1-45 RMH [1]	RM0.5
CONVENTIONAL DEV'T																
Min. District Area (sq. ft.)	None	None	None	None	None	None	None	None	30,000	None	None	None	None	None	None	None
Minimum Parcel Size																
^L Area (square feet)	215,000	80,000	40,000	20,000	10,000	8,000	5,400	5,400	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
^L Area per unit (sq. ft.)	215,000	80,000	40,000	20,000	10,000	8,000	5,400	5,400	3,000	2,700	2,700	2,000	1,500	1,000	1,000	500
Minimum Setbacks (feet)																
^L Front	25	25	25	25	20	20	20	20	10[3]	20	20	20	20	20	20	20
^L Side (interior)	25	25	15	15	7.5 [4]	7.5 [4]	7.5 [4]	7.5 [4]	3	5	5	5	5	5	5	7.5
^L Side (street)	12.5	12.5	12.5	12.5	10	10	10	10	10	10	10	10	10	10	10	10
^L Rear	25	25	25	25	20	20	20	20	10[3]	20	20	20	20	20	20	20
Max. Building Height (feet) [5]	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	45	45	35	45	125
CLUSTER DEV'T																
Overall Site																
^L Min. open space (% site)	30	30	30	30	30	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Min. area per unit (sq. ft.)	215,000	80,000	40,000	20,000	10,000	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Minimum Parcel Area (sq. ft.)	None	None	None	None	None	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Minimum Setbacks (feet)																
^L Front [2]	25	25	25	25	20	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Side (interior)	20	15	10	10	7.5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Side (street)	12.5	12.5	12.5	12.5	10	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Rear	25	25	25	25	20	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Max. Building Height (feet) [5]	30/35	30/35	30/35	30/35	30/35	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
CONSERVATION DEV'T																
Overall Site																
^L Min. area (acres, gross)	100	40	20	10	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Min. open space (% site)	60	60	60	60	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
^L Min. area per unit (sq. ft.)	177,000	66,000	33,000	16,500	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Minimum Parcel Area (sq. ft.)	None	None	None	None	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Minimum Setbacks (feet)																

Standards	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1-35	RM1-45 RMH [1]	RM0.5
↳Front [2]	25	25	25	25	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
↳Side (interior)	20	15	10	10	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
↳Side (street)	12.5	12.5	12.5	12.5	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
↳Rear	25	25	25	25	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Max. Building Height (feet) [5]	30/35	30/35	30/35	30/35	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
PERMANENTLY AFFORDABLE DEV'T [6]																
Minimum Parcel Size																
↳Area (sq. ft.)											None	None	None	None	None	None
↳Area per unit (sq. ft.)[7]											2,160	1,600	1,200	800	800	400
Minimum Setbacks (feet)																
↳Front											20	20	20	20	20	20
↳Side (interior)											3	3	3	3	3	3
↳Side (street)											10	10	10	10	10	10
↳Rear											20	20	20	20	20	20
Max. Building Height (feet) [5]											30/35	45	45	35	45	125
Townhouse Exemption Development (TED)	<p>Minimum parcel area, minimum area per unit, and building standards will be based on the zoning designation of the TED parcel found under Conventional Development in Table 20.05-3 above.</p> <p>Minimum setbacks for Townhome Exemption Development dwellings are measured to the nearest property line or public circulation system such as a street, roadway, sidewalk, or trail in the case of <u>front</u> or <u>street side</u> setbacks, whichever is closer. <u>Rear</u> and <u>side</u> setbacks are measured to the nearest dwelling or parcel line, whichever is closer. When measuring to the nearest dwelling multiply the minimum setback number in the table by two. For B, C, and M1R districts refer to standards in Chapters 20.10.030 and 20.15.040.</p>															

- [1] RMH standards do not apply to manufactured housing parks. Manufactured housing parks are subject to Title 16.
- [2] In a cluster or conservation development, when a contiguous set of parcels is served by a rear alley and no building line has been established by existing buildings on the subject block face, the minimum front setback requirement is 10 feet.
- [3] Combined total front and rear setback depths must equal at least 30 feet (e.g., 10' front and 20' rear or 15' each.)
- [4] Minimum interior side setbacks for principal buildings must equal at least 33% of the height of the subject building.
- [5] Maximum height limit is 30 feet for buildings with primary roof pitch of less than 8 in 12 and 35 feet for buildings with primary roof pitch of 8 in 12 or greater.
- [6] Only applies per Section 20.05.040C.
- [7] Area per unit calculation may include a density bonus up to 20% when a project meets the criteria in Section 20.05.040C.

20.10.010 General

A. Districts
1. List

Map Symbol	District Name
B1	Neighborhood Business
B2	Community Business
B3	Business Mixed Use
C1	Neighborhood Commercial
C2	Community Commercial
CBD	Central Business District

Section 20.10.020 Allowed Uses

Table 20.10-1

Uses Allowed in Business and Commercial Districts

Use Category ↳specific use type	B1	B2	B3	C1	C2	CBD	Standards
	RESIDENTIAL						
Household Living							
↳In Vertical Mixed-use Building	P	P	P	P	P	P	
↳In Single-purpose Residential Building	P	P	P	P	P	P	
↳In Mixed-use Building	P	P	P	P	P	P	
Group Living (except as noted below)	C	C	C	C	C	C	20.40.070
↳Community Residential Facility (8 or fewer)	P	P	P	P	P	P	
↳Community Residential Facility (9+)	P	P	P	P	P	P	20.40.070
↳Health Care Facility	P	P	P	P	P	P	
PUBLIC/CIVIC							
Fraternal Organization	–	C	C	C	P	P	
College/University	P	P	P	P	P	P	
Day Care (except as noted below)	P	P	P	P	P	P	
↳Day Care Center (13+)	C	P	P	P	P	P	
Emergency Homeless Shelter	C	C	C	C	C	C	20.40.045
Hospital	–	C	C	P	P	P	
Library/Cultural Exhibit	P	P	P	P	P	P	
Meal Center	C	C	C	C	C	C	20.40.085
Park/Recreation	P	P	P	P	P	P	
Preschool (except as noted below)	P	P	P	P	P	P	
↳Preschool Center (13+)	C	P	P	P	P	P	
Religious Assembly	P	P	P	P	P	P	
Safety Services	P	P	P	P	P	P	

Use Category ↳specific use type	B1	B2	B3	C1	C2	CBD	Standards
School	P	P	P	P	P	P	
Utilities and Services							
↳Minor	P	P	P	P	P	P	
↳Major	C	C	C	C	C	C	
COMMERCIAL							
Animal Services							
↳Sales and Grooming	C	C	P	P	P	C	20.40.020
↳Shelter or Boarding Kennel	-	-	-	C	C	C	
↳Veterinary	C	C	P	P	P	C	
Artist Work or Sales Space	P	P	P	P	P	P	
Building Maintenance Service	-	C	C	P	P	C	
Business Equipment Sales and Service	P	P	P	P	P	P	
Business Support Service	-	P	P	P	P	P	
Communication Service Establishments	-	P	P	P	P	P	
Construction Sales and Service	-	-	-	P	P	-	
Day Labor Employment Agency	-	-	-	C	C	C	
Eating and Drinking Establishments							
↳Restaurant	P	P	P	P	P	P	
↳Tavern or Nightclub	-	C	C	C	C	P	20.40.040
Enterprise Commercial Use	-	-	-	C	C	P	20.40.050
Entertainment and Spectator Sports							
↳Small Venue	-	P	P	P	P	P	
↳Medium Venue	-	-	-	P	P	P	
↳Large Venue	-	-	-	P	P	P	
Financial Services (except as noted below)	-	P	P	P	P	P	
↳Check cashing/loan service	-	-	-	C	C	-	
↳Pawn Shop	-	-	-	-	P	P	
Food and Beverage Retail Sales	P	P	P	P	P	P	
Funeral and Interment Services							
↳Cemetery/Columbarium/Mausoleum	-	-	-	-	-	-	
↳Cremating	-	-	-	-	-	-	
↳Undertaking	-	P	P	P	P	-	
Gasoline and Fuel Sales (except as noted below)	-	-	-	C	C	C	20.40.060
↳Truck Stop/Travel Plaza	-	-	-	C	C	-	20.40.150
Lodging							
↳Bed and Breakfast	P	P	P	P	P	P	20.40.030
↳Hostel	-	-	P	P	P	P	
↳Hotel/Motel	-	-	-	P	P	P	
↳Recreational Vehicle Park	-	-	-	-	-	-	
↳Tourist Homes	-	P	P	P	P	P	
Office							
↳Administrative, Professional or General Office	P	P	P	P	P	P	
↳Medical Office	P	P	P	P	P	P	

Use Category ↳specific use type	B1	B2	B3	C1	C2	CBD	Standards
Parking, Non-Accessory	-	C	C	P	P	P	
Personal Improvement Service	P	P	P	P	P	P	
Repair or Laundry Service, Consumer	P	P	P	P	P	P	
Research Service	-	P	P	P	P	P	
Retail Sales	P	P	P	P	P	P	
Sports and Recreation, Participant (except as noted below)	-	-	-	P	P	P	
↳Casino	-	-	-	C	C	C	20.40.040
Vehicle Sales and Service							
↳Car Wash/Cleaning Service	-	-	-	C	P	-	
↳Heavy Equipment Sales/Rentals	-	-	-	C	C	-	
↳Light Equipment Sales/Rentals	-	-	-	P	P	P	
↳Motor Vehicle Repair, Limited	-	-	-	P	P	P	
↳Motor Vehicle Repair, General	-	-	-	-	P	-	
↳Vehicle Storage and Towing	-	-	-	-	C	-	
INDUSTRIAL							
Manufacturing, Production and Industrial Service							
↳Artisan	C	C	P	P	P	P	
↳Limited	-	-	C	P	P	P	
Microbrewery/Microdistillery	-	C	P	P	P	P	
Recycling Service							
↳Limited	-	-	-	-	P	-	
↳General	-	-	-	-	-	-	
Residential Storage Warehouse	-	-	C	C	C	-	20.40.110
Warehousing, Wholesaling and Freight Movement							
↳Limited	-	-	-	P	P	P	
↳General	-	-	-	P	P	-	
Winery	-	C	C	C	C	C	
OTHER							
Agriculture, Crop	P	P	P	P	P	P	
Community Garden	P	P	P	P	P	P	
Transportation Terminals	-	-	-	-	-	P	
Wireless Communication Facility							
↳Ground mounted support structure	P	P	P	P	P	P	20.40.160
↳Roof-mounted & structure mounted support structures	P	P	P	P	P	P	20.40.160

20.10.030 Parcel and Building Standards
B. Basic Standards

Table 20.10—2 Parcel and Building Standards (B and C Districts)

Standard	-1	-2	-3	-4
Parcel Size				
↳ Minimum parcel area (sq. feet)	None	None	None	None
↳ Single-Purpose Residential Building/Mixed Use Building in B1, B2, B3, C1, C2 districts	3,000	3,000	3,000	3,000
↳ Minimum parcel area per unit (sq. ft.)				
↳ Vertical Mixed-use Building	None	None	None	None
↳ Single-Purpose Residential Building/Mixed Use Building in B1, B2, C1, C2 districts	1,000	1,000	1,000	1,000
↳ B3[4]	2,000	2,000	2,000	2,000
↳ Single-Purpose Residential Building/Mixed Use Building in CBD	None	None	None	None
Minimum Front Setback [2]				
↳ Abutting residential district	[1]	[1]	[1]	[1]
↳ Not abutting R district	None	None	None	None
Minimum Rear Setback				
↳ Abutting R district				
↳ % of parcel depth	25	25	25	25
↳ Maximum required (feet)	20	20	20	20
↳ Not abutting R district	None	None	None	None
Minimum Interior Side Setback				
↳ Abutting residential district	[2]	[2]	[2]	[2]
↳ Not abutting R district	None	None	None	None
Minimum Street Side Setback				
↳ Abutting residential district	[1]	[1]	[1]	[1]
↳ Not abutting R district	None	None	None	None
Maximum Building Height (feet)	40 [3]	50 [3]	65 [3]	125 [3]

Notes to Table 20.10-2

- [1] Front and street side setbacks are required only when a B- or C-zoned parcel abuts an R-zoned parcel with frontage on the same street. In such cases, the B- or C-zoned parcel must match the actual front or street side setback of the building that exists on the abutting R-zoned parcel, but no greater than the required setback for the abutting R-zoned parcel, or if no building exists on the abutting R-zoned parcel, the B- or C-zoned parcel must provide at least 50% of the front setback that applies to the abutting R-zoned parcel.
- [2] Interior side setbacks are required only when a B- or C-zoned parcel abuts an R-zoned parcel. In such cases, the B- or C-zoned parcel must provide the same interior side setback as required for the abutting R-zoned parcel.

- [3] For parcels abutting R districts that have a maximum allowed building height of 35 feet or less, the maximum building height at the point of the required minimum setback line is 35 feet. Height may be increased above 35 feet by up to one foot (vertical) for each 6 inches of building setback or upper floor step-back.
- [4] Minimum District Size is 40,000 square feet.

Section 20.15.020
Table 20.15-1 (Excerpt)
Uses Allowed in Industrial Districts

Use Category ↳specific use type	M1R	M1	M2	Standards
COMMERCIAL				
↳Table continues				
↳Truck Stop/Travel Plaza	-	P	P	20.40.150
Lodging	P	P	P	
↳Bed and Breakfast	P	-	-	20.40.030
Office	P	P	P	20.40.170
↳Table continues				

20.40.120 Residential Support Services

A. Where Allowed

Residential sup

Support services are allowed in RM2, RM1.5, RM1 and RM0.5 zoning districts in conjunction with nursing homes, health care facilities, and multi-dwelling buildings.

B. Standards

1. Residential support services must be located in the same building as the principal residential use, and occupy, in aggregate, no more than 3,000 square feet per parcel and be located at street level.
2. Residential support services uses are limited to a maximum of one wall sign per business or one ground sign per building. Wall signs may not exceed 8 square feet in area. Ground signs may not exceed 24 square feet in area or 6 feet in height.
3. Hours of operation for service to the public shall be limited to between 7:00 A.M. and 8:00 P.M. weekdays and 7:00 A.M. and 10:00 P.M. weekends.
4. Outside storage is prohibited.
5. Residential support services must be located on a collector or greater functional classification route, and be within ¼ mile of an established public transit route.

20.45.020 Parcel and building Standards in Residential Districts

B. Setbacks

1. Accessory buildings and structures are prohibited in front and street side yards (i.e., they may not be closer to the street than the principal building), except for structures that are customarily found in front or street yards, such as flag poles and minor landscape structures.
2. Detached accessory structures may be placed in the front yard of a through lot, subject to the zoning district's front yard setback requirements.
3. Minimum side and rear setbacks for accessory buildings and structures are as follows:

20.45.030 Parcel and Building Standards in Nonresidential Districts

B. Setbacks

1. Accessory buildings and structures are prohibited in front yards (i.e., they may not be closer to the street than the principal building), except for structures that are customarily found in front yards, such as flag poles and minor landscape structures.
2. Detached accessory structures may be placed in the front yard of a through lot, subject to the zoning district's front yard setback requirements.
3. Accessory buildings and structures on parcels abutting R districts must be set back in accordance with the accessory structure setback standards that apply in residential districts (see 20.45.020)

20.50.030 Riparian Resource Protection

B. Areas of Riparian resource, Generally

The riparian resource protection regulations of this section are intended to promote resource conservation and to ensure that no development is approved that is unsuitable by reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, damaging to areas of riparian resource or any other feature likely to be harmful to the public health, safety and welfare of the future residents of the city. More specifically, it is the intent of these regulations to ensure that:

1. areas of riparian resource remain available to support diverse and productive aquatic and terrestrial riparian systems and habitats and to protect water quality;
2. stream channels and banks are protected;
3. areas of riparian resource are preserved to act as an effective sediment filter to maintain water quality;
4. areas of riparian resource are protected to preserve large, woody debris that is eventually recruited into a stream to maintain riffles, pools and other elements of channel structure and provide shade to regulate stream temperature;

5. areas of riparian resource are protected to preserve connectivity corridors for wildlife;
6. areas of riparian resource are preserved to promote floodplain stability;
7. the public interest in the quality and quantity of surface and ground waters is protected;
8. standards for land disturbance in riparian resource areas are site-specific, allowing flexibility for reasonable and economically beneficial use of property, while maintaining the integrity of riparian resource areas;
9. any allowed disturbance within the riparian buffer area protects and maintains the integrity and function of riparian resource areas; and
10. the area of riparian resource is preserved to promote the high quality of life in the city, which depends in part on water quality, a healthy and visually attractive natural environment, and ample recreational opportunities.

0.65.070 Screening

Screening is intended to minimize the visual impacts of mechanical equipment, utilities, and service spaces, such as trash and outdoor storage, from the public right-of-way and abutting residential zoning districts and uses. This does not apply to solar energy conversion systems which must comply with standards in 20.45.090.

B. Features to be Screened

The following features must be screened:

3. **Ground-mounted Mechanical Equipment**
4. **Roof-mounted Mechanical Equipment**

Illustrations

5. Structure-mounted Mechanical Equipment

When exterior equipment must be located on a building elevation it must be screened from view of streets and abutting residential uses and zoning districts.

6. **Trash Receptacles**
7. **Utility Cabinets**
8. **Materials, Supplies and Equipment**

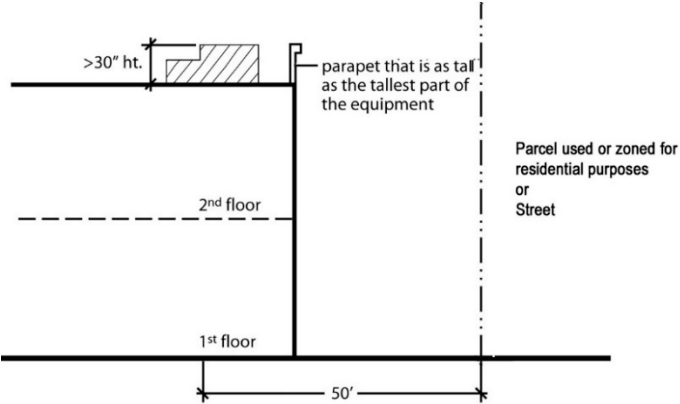
20.65.070 Screening

B. Features to be Screened

2. **Roof-mounted Mechanical Equipment**

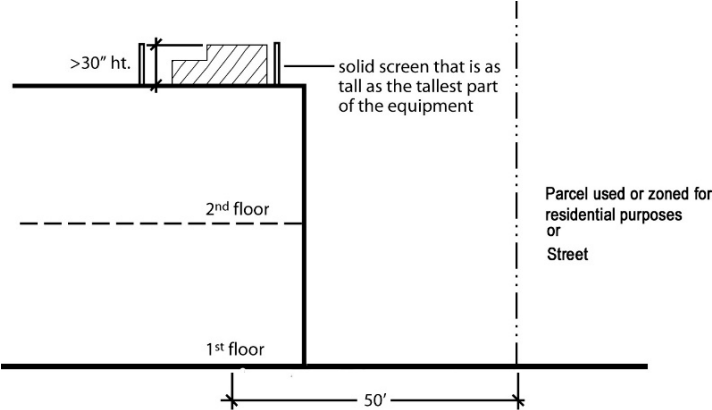
Roof-mounted mechanical equipment that is over 30 inches in height and located at 50 feet or less from a parcel used or zoned for residential purposes or a street must be screened from the parcel used or zoned for residential purposes or the street in one of the following ways:

- a. a parapet along the façades that is as tall as the tallest part of the equipment;



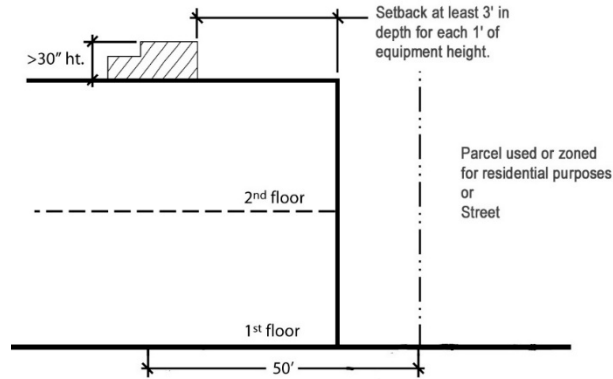
20.65.070 B-2a

- b. a solid screen around the equipment that is as tall as the tallest part of the equipment, with the screen an integral part of the building's architectural design; or



20.65.070 B-2b

- c. an equipment setback from roof edges that is at least 3 feet in depth for each one foot of equipment height.



20.65.070 B-2c

20.80.030 Nonconforming Structures

C. Alterations and Expansions

2. One and Two-Unit Nonconforming Residential Dwelling Unit Expansion

- a. A one or two-unit residential structure that is nonconforming because it encroaches into front, side, rear, or street side setbacks and is not closer than 3 feet (5 feet in zones R5.4, RT5.4, R8, and RT10) to the subject property line may be expanded vertically 3 feet above the current structure and up to 16 feet horizontally along the existing nonconforming building line (see illustration). The following standards apply.
 - (1) In new construction, when building height or length is increased within a side setback, doors and windows on the wall facing the subject side setback are prohibited closer than 10 feet from the adjacent building or required setback for the adjacent building, whichever is closer.
 - (2) All other development standards of the subject zoning district must be met.
- b. Proposed expansions not subject to 20.80.030C.2.a., must receive approval from the Design Review Board.

20.80.030 Nonconforming Structures

A. Description

B. General

C. Alterations and Expansions

D. Use

E. Conversion of an Accessory Structure to a Dwelling Unit in Residential Districts

Legally established existing accessory structures built prior to XXXX may be converted to a dwelling unit, in whole or in part, and must comply with the following:

- 1. The parcel must contain the necessary square footage for the additional unit in accordance with the principal use requirements of the subject zoning district.
- 2. The building height is limited to 22' or the existing height of the accessory structure, whichever is greater.
- 3. Displaced parking must be replaced and additional parking must be provided subject to Chapter 20.60.

4. Modifications of the dwelling unit (other than height) are subject to 20.80.030.C.1. and 20.80.030.C.2 does not apply.

- F. **Moving**
- G. **Replacement of Nonconforming Structures**
- H. **Loss of Nonconforming Status**

20.100 Terminology

Development

Any man-made change to real estate or property, including buildings, fences, or other structures, mining, dredging, filling, grading, paving, excavating, or drilling.

20.105.040 Commercial Use Group

V. Residential Support Services

Commercial uses provided primarily to serve the needs of residents in, multi-dwelling residential buildings or residents within the immediate area. See standards under 20.40.120. The following are considered residential support services:

1. Restaurants, except drive-through facilities;
2. Financial services, except pawnshops, consumer loan agencies and payday loan stores;
3. Food and beverage retail sales;
4. Medical office (other than blood/plasma center);
5. Administrative, professional or general offices;
6. Personal improvement service; and
7. Retail sales establishments, except adult entertainment.

20.105.050 Industrial Use Group

C. Manufacturing, Production and Industrial Services

1. Artisan

On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations or storage, and occupying no more than 3,500 square feet of gross floor area. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing, food manufacturing, and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.

20.110.060 Building Height

B. Exceptions

1. General

The following features are not counted in the measurement of building height:

- a. chimneys and antennas;

- b. vents and ventilation stacks;
- c. wireless communication facility antenna arrays;
- d. steeples;
- e. belfries;
- f. grain elevators;
- g. skylights;
- h. solar panels;
- i. clock towers;
- j. water towers;
- k. flag poles;
- l. stair and elevator penthouses; (applicable to non-residential and multi-dwelling)
- m. egress window wells;
- n. basement stairwells not exceeding 5 feet in width;
- o. open guard rails and mechanical equipment, including any required

20.110.060 Building Height

B. Exceptions

4. New Structures in the Floodplain

The lowest point for measuring the height of any new structure built in the floodplain, designated by any "A" zone or "X protected by levy", is two feet above base flood elevation, or existing grade, whichever is higher.

Effective date. The provisions of this ordinance shall be effective in 30 days after adoption.

Severability. If any selection, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

First reading and preliminary adoption on the 17th day of October, 2016 by a vote of 9 Ayes: Julie Armstrong, Emily Bentley, Michelle Cares, Jordan Hess, Gwen Jones, Marilyn Marler, Bryan von Lossberg, Heidi West, Jon Wilkins; 0 Nays; 0 Abstain; and 3 Absent: John DiBari, Annelise Hedahl, Harlan Wells.

Second and final reading and adoption on the 7th day of November, 2016 by a vote of 12 Ayes: Julie Armstrong, Emily Bentley, Michelle Cares, John DiBari, Annelise Hedahl, Jordan Hess, Gwen Jones, Marilyn Marler, Bryan von Lossberg, Harlan Wells, Heidi West, Jon Wilkins; 0 Nays; 0 Abstain; and 0 Absent.

ATTEST:

APPROVED:

/s/ Martha L. Rehbein

/s/ John Engen

Martha L. Rehbein
Directory of Legislative Services/City Clerk

John Engen
Mayor

(SEAL)