

20.03.020 Allowed Use Table

Table 03-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an * = use-specific standards apply
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	C	C*	C*	C*	C*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex		*	*	*	C*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex					C*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)
Group Living																			
Assisted living facility					C	P	P			C	P	P		P	P	P			
Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
Fraternity or sorority house									P*					P*					20.03.030(b)(10)
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(12)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(13)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			
PUBLIC, INSTITUTIONAL, AND CIVIC USES																			
Community and Cultural Facilities																			
Art gallery, museum, or library					C*	C	C			P	P	P		P	P				20.03.030(c)(1)
Cemetery or mausoleum														P					

- (2) Any of the uses listed as Household Living uses in Table 03-1: *Allowed Use Table*, may be organized as cooperative housing, but shall be a permitted use or a conditional use only in those zoning districts where another Household Living use with the same layout and number of units would be allowed as a permitted use or conditional use, and shall be subject to those use-specific standards applicable to such Household Living use with the same layout and number of units. For example, a cooperative housing facility that meets the definition of “dwelling, multifamily” in terms of layout and number of units is a permitted use available only in those zoning districts where a “dwelling, multifamily” is a permitted use in Table 03-1: *Allowed Use Table*, and is a conditional use available only in those zoning districts where a “Dwelling, multifamily,” is listed as a conditional use in Table 03-1: *Allowed Use Table*, and is subject to those Use-specific standards applicable to a “dwelling, multifamily” in Section 20.03.030(b)(5).

(b) Residential Uses

(1) Dwelling, Single-Family (Detached)

- (A) In the RM, RH, MN, MM, MC, ME, and MH zoning districts, single-family detached dwelling units shall be permitted only on lots of record lawfully established before February 12, 2007.
- (B) Any legally established single-family dwelling that was established prior to the effective date of this UDO shall not be made non-conforming by adoption of this UDO.
- (C) Occupancy of a single-family detached dwelling unit is subject to the definition of “family” in Chapter 20.07: (Definitions).

(2) Dwelling, Single-Family (Attached)

(A) Access

- i. Each individual dwelling unit shall have a separate entrance facing the street frontage to which the building address is assigned. Buildings on corner lots may have entrances facing either street frontage.
- ii. Each dwelling shall have direct access to a street or alley.

(B) Design

In the R2 and R3 zoning districts, the maximum number of dwelling units allowed in one single-family attached structure shall be two, and each individual dwelling unit shall be located on a separate lot.

(C) Occupancy

Occupancy of single-family attached dwelling units is subject to the definition of “Family” in Chapter 20.07: (Definitions).

(3) Dwelling, Duplex

(A) Generally

- i. ~~The property owner (or HAND registered agent) shall have no Notices of Violation on file in the Planning and Transportation Department for the prior three years at application. For any property that has been rezoned to R1, R2, or R3 after 04/18/2020 that was not previously designated in the R1, R2, or R3 zoning districts, duplex dwelling uses shall be permitted by right and shall not require conditional use permit approval.~~

~~iii.~~

- ~~ii. For any property zoned R1, R2, or R3 on 04/18/2020, duplex dwelling uses may be established on a lot or parcel where a demolition permit has been issued when:
 - ~~1. No more than 35 percent of the gross square footage of the existing principal dwelling structure has been demolished or removed within the previous three calendar years;~~
~~and~~
 - ~~2. The proposed duplex structure does not exceed the total gross square footage of the original structure that was demolished or removed by more than 25 percent.~~~~

(B) Occupancy

Occupancy of each dwelling unit in a duplex dwelling is subject to the definition of "Family" in Chapter 20.07: (Definitions).

(C) Design

In the R1, R2, R3, and R4 zoning districts the following shall apply:

- ~~i. Each unit in a newly constructed duplex dwelling shall have a separate exterior entrance facing a public or private street. Duplex dwellings created through renovation or expansion of existing structures shall have at least one exterior entrance facing a public or private street. Each individual dwelling unit shall have a separate exterior entrance facing a public or private street.~~
- ~~ii. The front elevation building width of the duplex dwelling structure shall not exceed 40 feet.~~
- iii. The following design elements of the duplex dwelling shall be similar in general shape, size, and design with the majority of existing single-family or duplex structures on the same block face on which it is located:
 - 1. Roof pitch;
 - 2. Front porch width and depth;
 - 3. Front building setback; and
 - 4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
- iv. No duplex dwelling structure shall contain more than six bedrooms total.
- v. Each individual dwelling unit shall have separate utility meters.

(D) Approval

In the R1, R2, and R3 zoning districts, upon Conditional Use approval, a 150 foot buffer shall be created around the approved duplex dwelling. No newly created or expanded (through addition or habitable space) duplex dwellings shall be allowed in said buffer in the R1, R2, and R3 zoning districts for a period of 2 years after the date of the Conditional Use approval. For purposes of this section, the 150 feet shall be measured from the property lines of the parcel receiving approval.

(4) **Dwelling, Triplex and Fourplex**

(A) **Generally**

- ~~i. The property owner (or HAND registered agent) shall have no Notices of Violation on file in the Planning and Transportation Department for the prior three years at the time of Conditional Use application. For any property that has been rezoned to R1, R2, or R3 after 04/18/2020 that was not previously designated in the R1, R2, or R3 zoning districts, triplex dwelling uses shall be permitted by right and shall not require conditional use permit approval.~~
- ~~ii. For any property that has been rezoned to R4 after 04/18/2020 that was previously designated in the R1, R2 or R3 zoning districts, fourplex dwelling uses shall require conditional use permit approval.~~
- ~~iii. For any property zoned R1, R2, or R3 on 04/18/2020, triplex dwelling uses may be established on a lot or parcel where a demolition permit has been issued when:
 - ~~1. No more than 35 percent of the gross square footage of the existing principal dwelling structure has been demolished or removed within the previous three calendar years; and~~
 - ~~2. The proposed triplex structure does not exceed the total gross square footage of the original structure that was demolished or removed by more than 25 percent.~~~~

(B) **Occupancy**

Occupancy of each unit in a triplex and fourplex dwelling is subject to the definition of "Family" in Chapter 20.07: (Definitions).

(C) **Design**

- ~~i. The front elevation building width of the triplex or fourplex dwelling structure shall not exceed 40 feet.~~
- ~~i. Triplex and fourplex dwellings shall have a minimum of one exterior entrance and no more than two exterior entrances facing a public or private street.~~
- ii. The following design elements of the triplex or fourplex dwelling shall be similar in general size, shape, and design with the majority of existing structures on the same block face on which it is located:
 1. Roof pitch;
 2. Front porch width and depth;
 3. Front building setback; and
 4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
- iii. In the ~~R1, R2, R3, and~~R4 zoning districts, no triplex dwelling structure shall contain more than nine bedrooms total, and no fourplex dwelling structure shall contain more than 12 bedrooms total.
- iv. Each individual dwelling unit shall have separate utility meters.

(5) **Dwelling, Multifamily**

(A) **Size**

In the MN and R4 zoning districts, no more than eight multifamily dwelling units shall be constructed on one single lot or parcel.

(5) Affordable Housing Incentives**(A) Reduced Bulk Requirements**

The following dimensional standards shall apply to single-family ~~and~~ duplex, ~~triplex, and fourplex~~ residential lots in the R1, R2, and R3 zoning districts that meet either of the two criteria in subsection (2) above:

- i. The minimum lot area for subdivision may be reduced up to 30 percent.
- ii. The minimum lot width for subdivision may be reduced up to 20 percent.
- iii. The side building setbacks may be reduced to five feet regardless of the number of stories.
- iv. The rear building setback may be reduced to 15 feet.
- v. Where these standards conflict with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards), the neighborhood transition standards shall govern.

(B) Primary Structure Height**i. Eligibility**

In addition to the eligibility criteria in 20.04.110(c)(2), affordable housing projects seeking increased maximum primary structure height shall comply with the following criteria:

1. The building shall contain six or more dwelling units; and
2. Unit size and bedroom mix for deed-restricted units shall be comparable to those for market-rate units.

ii. Tier 1 Projects

Projects that meet the Tier 1 affordability standards may increase the primary structure height by one floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iii. Tier 2 Projects

Projects that meet the Tier 2 affordability standards may increase the primary structure height by two floors of building height, not to exceed 24 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iv. Sustainable Development Bonus

1. Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet.
2. The additional floor of building height granted under this subsection (iv) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.

(6) Other Standards

The following standards shall apply to all affordable housing projects seeking incentives under this section 20.04.110(c).

- i. Silver Certification by the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system;
- ii. Silver Certification by the Home Innovation National Green Building Standard (NGBS) Green Certified rating system;
- iii. Petal Certification by the International Living Future Institute Living Building Challenge (LBC) rating system; or
- iv. Three Green Globes Certification by the Green Building Initiative (GBI) Green Globes Certification rating system;
- v. Another verified third-party sustainability program producing equal or greater sustainability benefits to at least one of the programs listed in subsections (i.) through (iv.) above, as determined by the Planning and Transportation Director.

(3) Sustainable Development Incentives

(A) Single-Family, Duplex, Triplex, and Fourplex Uses

- i. Single-family ~~and~~, duplex, ~~triplex, and fourplex~~ residential projects in the R1, R2, and R3 zoning districts that satisfy the sustainable development criteria in Option 1 or Option 2 above shall be eligible for the reduced bulk requirements established in Section 20.04.110(c)(5)(A) (Reduced Bulk Requirements).
- ii. Single-family, duplex, triplex, and fourplex residential uses that satisfy the sustainable development criteria in Option 1 or Option 2 above shall not be eligible for additional primary structure height.

(B) All Other Uses

Projects that satisfy the sustainable development criteria in Option 1 or Option 2 above shall be eligible for additional primary structure height as established below:

- i. One floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).
- ii. Projects that qualify for the affordable housing incentives in Section 20.04.110(c) (Affordable Housing) in addition to the sustainable development incentive in 20.04.110(d)(2) shall be eligible for the additional incentive height described in Section 20.04.110(c)(5)(B)iv.

20.04.120 Operation and Maintenance

(a) Siltation and Erosion

- (1) Sedimentation basins and other control measures necessary to meet the requirements of Section 20.04.030(d) (Siltation and Erosion Prevention) shall be maintained by the property owner during construction.
- (2) Any site stabilization measures shall be maintained by the property owner in perpetuity.
- (3) Sediment shall be removed to maintain a depth of three feet.