

Chapter 20.39

USE PROVISIONS

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Accessory Uses

20.39.600 Accessory Dwelling Units (1) Defined: An accessory dwelling unit (ADU) is a separate, complete dwelling unit attached to or contained within the structure of the primary home or use. An ADU may be either an accessory apartment (attached dwelling) or a backyard cottage dwelling.
(2) Requirements: Refer to Section 20.68 of this Title.

20.39.610 Drive-Thru Facility. Defined: A facility at which the customer is served while sitting in a vehicle, typically associated with drive-thru restaurants, banks and pharmacies.
(1) No drive-thru window, lane or order box is permitted within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the drive-thru lane).
(2) In all drive-thru areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-thru, must be located to the side or rear of the building. Drive-thru windows and lanes may not be placed between a public street (not including an alley) and the associated building.
(3) Queuing, landscaping and screening requirements are specified in Section 20.124.060 and Chapter 20.128.

20.39.615 Home Occupation. Defined: A home occupation provides a service or product that is conducted wholly within a dwelling unit. Customers and employees coming to the dwelling to conduct business are not allowed. A home occupation does not include a bed and breakfast or day care facility.
(1) The use of the dwelling unit for a home occupation must be clearly incidental and subordinate to its use for residential purposes, and under no circumstances change the residential character of the building.

- (2) No business, storage or warehousing of materials, supplies or equipment is allowed outside.
- (3) No equipment or process may be used that creates excessive noise, vibration, glare, fumes, odors, or electrical interference.
- (4) No display of products may be visible from the street.
- (1) No persons other than members of the family residing on the premises may be engaged in the home occupation.
- (2) No more than one vehicle may be used in the conduct of the home occupation, and it must be parked on-site.
- (3) Storage space and the operation of the business cannot exceed twenty-five percent of the total floor area of the dwelling (including any accessory structures on the lot).
- (4) Customers and employees are not allowed.
- (5) The delivery of materials may not exceed more than two (2) deliveries of per day. No delivery may be by a vehicle larger than typical delivery van.
- (6) No signs advertising the home occupation are allowed.

20.39.620 Home Business. Defined: A home business provides a service or product that is conducted wholly within a dwelling that requires employees, customers, clients or patrons to visit the dwelling. A home business does not include a bed and breakfast or day care facility.

- (1) The use of the dwelling unit for a home business must be clearly incidental and subordinate to its use for residential purposes, and under no circumstances change the residential character of the building.
- (2) No business, storage or warehousing of materials, supplies or equipment is allowed outside.
- (3) No equipment or process may be used that creates excessive noise, vibration, glare, fumes, odors, or electrical interference.
- (4) No display of products may be visible from the street.
- (5) The home business must be conducted by a person residing on the premises.
- (6) No employees of the business shall work on the premises.
- (7) No more than one vehicle may be used in the conduct of the home business, and the vehicle must be parked on-site.
- (8) Storage space and the operation of the business inside the dwelling cannot exceed twenty-five percent of the total floor area of the building (including any accessory structures on the lot).
- (9) Not more than six (6) clients a day are permitted to visit the home business.
- (10) The delivery of materials may not exceed more than two (2) deliveries of per day. No delivery may be by a vehicle larger than typical delivery van.
- (7) Retail sales of goods must be entirely accessory to any service provided on the site (such as hair care products sold as an accessory to hair cutting).
- (8) No mechanical equipment is installed or used except such that is normally used for domestic or professional purposes.

Livestock Keeping. Defined: Livestock includes any animals of the equine, swine or bovine class, including goats, sheep, mules, cattle, hogs, pigs and other grazing animals, and all ratites, including, but not limited to, ostriches, emus and rheas.

- (1) Prohibited:
 - (a) The keeping of any animal other than dogs, cats and other household domestic animals and those specifically allowed below is prohibited.
 - (b) Roosters are not allowed.
- (2) Rabbits, Turkeys, Ducks and Chickens:

- (a) One rabbit, turkey, duck or chicken is allowed per 1,500 square feet of lot area, provided that no more than five (5) rabbits, ducks or chickens, and no more than three (3) turkeys are located on a single parcel.
 - (b) An area of at least twenty (20) square feet or at least four (4) square feet for each rabbit, turkey, duck or chicken, whichever is larger, must be provided. The area must be adequately fenced, cannot be located in a front yard, be at least twenty-five (25) feet from any dwelling on an abutting lot and be at least fifteen (15) feet from any side or rear lot line.
 - (c) Coops or cages may not exceed 8 feet in height.
- (3) Alpacas, Llamas, Goats and Sheep:
- (a) A lot least one half (1/2) acre in size is allowed one (1) alpaca, llama, goat or sheep per 10,000 square feet of lot area.
 - (b) An area of at least five hundred (500) square feet or at least two hundred fifty (250) square feet for each alpaca, llama, goat or sheep, whichever is larger, must be provided.
 - (c) The containment area must be adequately fenced, cannot be located in a front yard and must be at least fifteen (15) feet from any side or rear lot line.

20.39.630 Outdoor Display. Defined: The outdoor display of products actively available for sale. The outdoor placement of propane gas storage racks, ice storage bins, soft drink or similar vending machines is considered outdoor display. Outdoor display does not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers (see limited outdoor storage). Where allowed, the outdoor sale or rental of vehicles or equipment as part of a properly permitted use is not considered outdoor display.

- (1) Outdoor display is only allowed with a permitted nonresidential use.
- (2) Outdoor display must abut the primary façade with the principal customer entrance, and may not extend more than six (6) feet from the facade or occupy more than twenty-five percent of the horizontal length of the façade.
- (3) Outdoor display may not exceed six (6) feet in height.
- (4) Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day, except propane gas storage racks, ice storage bins, soft drink or similar vending machines may remain outside overnight.
- (5) Outdoor display may not encroach upon any public right-of-way or sidewalk. Outdoor display may not impair the ability of pedestrians to use the sidewalk. There must be a minimum of six (6) feet of clear distance of sidewalk at all times.

20.39.635 Outdoor Storage.

Defined:

- (1) Low-Impact:
 - (a) Low-impact outdoor storage includes, but is not limited to:
 - i. The overnight outdoor storage of vehicles awaiting repair;
 - ii. The outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
 - iii. Outdoor sale areas for sheds, building supplies, garden supplies, plants, lawn movers, barbecue's and other similar items; and
 - iv. The outdoor storage of vehicles, boats, recreational vehicles or other similar vehicles at a self-service storage, mini warehouse facility.
 - (b) Use Standards:

- i. All material stored outdoors cannot be located in a required setback;
- ii. All material stored outdoors may not be more than twelve (12) feet in height;
- iii. All material stored outdoors must be fully screened from view from the public right-of-way and abutting properties using a Type A or B buffer (see Chapter 20.128.060); and
- iv. Vehicles awaiting repair may only be stored up to fourteen (14) days within the screened storage area.

(2) High-Impact:

(a) High-impact outdoor storage includes, but is not limited to:

- i. The outdoor storage of contractors equipment, lumber, pipe, steel or wood;
- ii. The outdoor storage of salvage, recycled materials or scrap metal;
- iii. The outdoor storage of impounded or inoperable vehicles;
- iv. The outdoor storage or loading yard for vehicles, trailers or equipment;
- v. The outdoor storage of construction material; and
- vi. The outdoor storage of domestic or construction waste or debris.

(b) Use Standards:

- i. All material stored outdoors cannot be located in a required setback and must be located at least fifteen (15) feet from the public right-of-way; and
- ii. All material stored outdoors must be fully screened from view from the public right-of-way and abutting properties using a Type C or D buffer (see Chapter 20.128.060).

20.39.640 Indoor Self Storage as Accessory Use to Apartment Buildings. Indoor self-storage may be permitted as an accessory use to a site containing one or more apartment buildings as defined in POMC 20.32, provided that the gross floor area of self-storage does not exceed twenty percent of the gross floor area of the residential living space located within apartment buildings on the site.

20.39.645 Vehicle Service and Repair Accessory to Residential Uses. Vehicle service and repair, as an accessory use to an existing residential use, is allowed pursuant to the requirements of Chapter 20.66 and the land use table in Chapter 20.39.

20.39.650 Medical Marijuana Cooperatives. Medical marijuana cooperatives, as an accessory use to an existing residential use, are allowed pursuant to the requirements of Chapter 20.64 and the land use table in Chapter 20.39.

20.39.660 Residential Yard, Garage, & Estate Sales. Periodic, non-commercial sales of personal and household goods at residential dwellings shall be allowed as an accessory use, provided such sale events conform to the following conditions:

(1) A maximum of four events per residential address per calendar year.

(2) A maximum of four consecutive days per event.

(3) Limited to the hours of 8:00 am to 6:00 (or 8:00) pm.

(4) It shall be the responsibility of the resident and/or operator of the sale to ensure traffic is not obstructed.

(5) Goods shall not be placed in the public right-of-way.

(6) All goods, tables, canopies, and associated paraphernalia shall be removed from public view between sale events.

(7) Goods shall be limited to the personal or household property of the estate, the residents of the sale location, and/or the participants in the sale. There shall be no sale of goods or products purchased or produced for resale or otherwise sold by the sale participants in a commercial enterprise.

(8) Professional estate sale operators shall be properly licensed in accordance with POMC Chapter 5.12.

20.39.670 Charitable Auctions, Rummage & Jumble Sales in Residential Zones. Periodic, non-commercial outdoor sales of donated goods for the benefit of charitable, non-profit organizations or non-commercial educational institutions shall be allowed as an accessory use according to the following conditions:

(1) Shall be limited to a maximum of four events per location per year.

(2) Limited hours?

(3) It shall be the responsibility of the resident and/or operator of the sale to ensure traffic is not obstructed.

(4) All goods, tables, canopies, and associated paraphernalia shall be removed from public view between sale events.

(5) Shall be conducted on the premises of a charitable, non-profit organization or non-commercial educational institution.

(6) Variance from these conditions, or events held at other locations, may be permitted subject to a Temporary Use Permit in accordance with POMC Chapter 20.58.