

**SUBJECT: Proposed text amendments for Schedule 1405-05 Use Regulations – Residential- Multi-family Districts.**

**PURPOSE:**

To obtain approval from the City Planning Commission (CPC) on text amendments related to the RMX Residential Mixed district.

**PROPOSED TEXT AMENDMENT:**

**Schedule 1405-05: Use Regulations - Residential Multi-family Districts**

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
<b><i>Residential Uses</i></b>					
Bed and breakfast home	P	P	P	P	See § 1419-09
Child day care home	L4	L4	L4	L4	
Group residential					
Congregate housing	--	--	P	P	
Convents and monasteries	P	P	P	P	
Fraternities, sororities, dormitories	--	--	C	P	
Patient family homes	--	--	P	P	
Rooming houses	--	--	--	L2	
Shared housing for the elderly	L1	L1	L1	L1	
Permanent residential					
Single-family dwelling	P	P	P	P	See § 1403-11
Attached single-family dwelling	L15	P	P	P	See § 1403-11
Rowhouse, single-family dwelling	L15	P	P	P	
Two-family dwelling	P	P	P	P	
Three-family dwelling	P	P	P	P	
Multi-family dwelling	L3	P	P	P	
Residential care facilities					
Assisted living	C	C	P	P	
Developmental disability dwelling	P	P	P	P	
Nursing home	C	C	P	P	
Special assistance shelter	--	--	--	C	
Transitional housing					
Programs 1-4	--	P	P	P	
Programs 5-6	--	--	--	--	
<b><i>Public and Semipublic Uses</i></b>					
Clubs and lodges	L5	L5	L5	L5	
Community service facilities	C	C	C	P	
Cultural institutions	C	C	C	P	
Parks and recreation facilities	P	P	P	P	
Public safety facilities	C	C	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	
<b><i>Commercial Uses</i></b>					
Bed and breakfast inns	C	C	C	P	See § 1419-09
Business services	--	--	--	L6,7	
Food markets	--	L16	L16	L7	
Funeral and interment services	--	--	--	L6	
Loft dwelling units	--	L14	L14	L14	See § 1419-23

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
Medical services and clinics	--	--	--	L6,7	
Offices	--	--	--	L6,7	
Parking facilities	--	C	C	C	See Chapter 1425
Personal instructional services	--	--	--	L6,7	
Personal services	--	--	--	L6,7	
Recreation and entertainment Indoor or small-scale	--	--	--	L6,7	
<b>Transportation, Communication and Utilities</b>					
Public utility distribution system	C	C	C	C	
Transportation facilities					
Railroad right-of-way	P	P	P	P	
Wireless communication antenna	L9	L9	L9	L9	See § 1419-33
Wireless communication tower	C	C	C	C	See § 1419-33
<b>Accessory Uses</b>					
Any accessory use not listed below	L8	L8	L8	L8	
Home occupations	P	P	P	P	See § 1419-17
Commercial vehicle parking	L11	L11	L11	L11	
Rooming unit	L10	L10	L10	L10	
Transitional housing	L13	L13	L13	L13	
Commercial services	<del>P</del> --	P	P	P	See § 1419-35, 1419-37
Refuse storage areas	P	P	P	P	See § 1421-35
Drive box	L12	L12	L12	L12	
Fences and walls	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	See § 1421-39
<b>Nonconforming Uses</b>					See Chapter 1447

(\*revised 7/22/05 by Ordinance #260-2005)

**JUSTIFICATION:**

The RMX zoning district allows 1 to 3 family residential structures. Commercial services are not appropriate in this district. This amendment corrects an error in the Zoning code.

**PUBLIC STAFF CONFERENCE:**

A Public Staff Conference was held on February 13, 2008. There were concerns about commercial services being permitted in the RM zones. It was strongly recommended that all of them be changed to Conditional Use to allow owners of condos of the building or development the right to be heard, before permitting potentially disruptive uses, such as eating and drinking establishments.

**RECOMMENDATION:**

The City Planning Department staff recommends that the City Planning Commission approve the text amendment as written.

**RESPECTFULLY SUBMITTED BY:**

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Alex Peppers, Intern, City Planning Department

**REVIEWED BY:**

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Margaret A. Wuerstle, AICP, Chief Planner  
City Planning Department

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12/13/07  
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**APPROVED:**

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Charles C. Graves, III  
Director, City Planning Department