

§ 1405-05. - Land Use Regulations.

Schedule 1405-05 below prescribes the land use regulations for RM Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1405-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1405-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

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

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
<b>Residential Uses</b>					
Bed and breakfast home	P	P	P	P	See § <u>1419-09</u>
Day care home - Adult	C	C	P	P	
Day care home - Type A	L4	L4	L4	L4	
Day care home - Type B	L4	L4	L4	L4	
<b>Group residential</b>					
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	
Attached single-family dwelling	P	P	P	P	
Rowhouse, single-family dwelling	P	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	—	—	—	—	

**Public and Semipublic Uses**

Clubs and lodges	C	C	C	C	
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	

**Commercial Uses**

Bed and breakfast inns	C	C	C	P	See <u>§ 1419-09</u>
Business services	—	—	—	L6,7	
Convenience markets	—	L15	L15	L7	
Food markets	—	L15	L15	L7	
Funeral and interment	—	—	—	L6	

services					
Loft dwelling units	—	L14	L14	L14	See <a href="#">§ 1419-23</a>
Medical services and clinics	—	—	—	L6,7	
Offices	—	—	—	L6,7	
Parking facilities	—	C	C	C	See <a href="#">Chapter 1425</a>
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 <a href="#">§ 1419-33</a>
Wireless communication tower	C	C	C	C	See <a href="#">§ 1419-33</a>

## Agriculture and Extractive Uses

Animal keeping	P	P	P	P	See <a href="#">Chapter 1422</a>
Farms	P	P	P	P	See <a href="#">Chapter 1422</a>
Gardens	P	P	P	p	See <a href="#">Chapter 1422</a>

## Accessory Uses

Any accessory use not listed below	L8	L8	L8	L8	
Accessory dwelling unit	L17	L17	L17	L17	See <a href="#">§ 1421-06</a>
Home occupations	P	P	P	P	See <a href="#">§ 1419-17</a>
Commercial vehicle parking	L11	L11	L11	L11	
Day care center	L4, L16	L4, L16	L4, L16	L4, L16	
Rooming unit	L10	L10	L10	L10	
Transitional housing	L13	L13	L13	L13	
Commercial services	—	P	P	P	See <a href="#">§ 1419-</a>

					<a href="#">35, 1419-37</a>
Refuse storage areas	P	P	P	P	See <a href="#">§ 1421-35</a>
Drive box	L12	L12	L12	L12	
Fences and walls	P	P	P	P	See <a href="#">§ 1421-33</a>
Exterior lighting	P	P	P	P	See <a href="#">§ 1421-39</a>
Portable storage containers	P	P	P	P	See <a href="#">§ 1419-24</a>
Nonconforming Uses					See <a href="#">Chapter 1447</a>

### *Specific Limitations*

- L1 The minimum lot area for every resident is 500 square feet and the minimum living area for every resident is 250 square feet.
- L2 Only rooming houses licensed pursuant to [Chapter 855](#). Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See [§ 1421-43](#).
- L3 Multi-family dwellings of four or more units must be legally established prior to the effective date of this Zoning Code. The use has the rights of [Chapter 1447](#), Nonconforming Uses and Structures except for the provisions of [§1447-09](#) Expansion of Nonconforming Use and [§1447-11](#) Substitution of a Nonconforming Use.
- L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L5 Not to exceed 3,000 square feet in gross floor area.

- L6 Permitted only on arterial streets.
- L7 Permitted on the ground floor occupying less than 2,500 sq. ft.; more space requires a conditional use approval.
- L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L9 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public or public utility building or structure.
- L10 No more than two rooming units may be rented or leased in any dwelling.
- L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:
  - a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.
  - b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.
  - c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L12 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes.
- L13 Limited to transitional housing conforming to Paragraph 1401-03-T(c)(5) as an accessory use to public and semi-public uses. The use requires conditional use approval.
- L14 Limited to City Council designated Live/Work Districts.
- L15 Permitted on the ground floor in multi-family buildings with a minimum of fifty dwelling units, occupying 1,200 square feet or less of gross floor area and having a separate exterior entrance: structures with less than fifty dwelling units require conditional use approval; food markets occupying more than 1,200 square feet of gross floor area require conditional use approval.
- L16 Permitted only if accessory to a public or semi-public use.
- L17 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004; a. Ord. No. 260-2005, eff. July 21, 2005; a. Ord. No. 0346-2007, § 4, eff. Oct. 13, 2007; a. Ord. No. 156-2008, § 1, eff. June 7, 2008; a. Ord. No. 414-2008, § 6, eff. Jan. 4, 2009; Ord. No. 409-2008, § 1, eff. Jan. 4, 2009; a. Ord. No. 302-2009, § 1, eff. Dec. 12, 2009; a. Ord. No. 038-

2010, § 1, eff. March 18, 2010; Emer. Ord. No. 141-2015, § 9, eff. July 1, 2015; a. Ord. No. 112-2016, § 1, eff. June 4, 2016; a. Ord. No. 0281-2017, § 6, eff. Nov. 4, 2017; a. Ord. No. 251-2019, § 14, eff. July 26, 2019; a. Ord. No. 266-2023, §§ 6, 15, eff. Oct. 2, 2023; a. Emer. Ord. No. 199-2024, § 2, eff. 7-1-2024)

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

**Schedule 1405-07 Development Regulations - Residential Multi-family Districts**

Building Form and Location	Lot Area (sq. ft.)	Lot Area/Unit (sq. ft.)	Lot width (ft.)	Setbacks (ft.)			Maximum Height (ft.)
				Front Yard	Side Yard Min./Total	Rear Yard	
RMX single-family	2,500	—	25	20	0/5	20	35
RMX rowhouse exterior	1,500	—	—	20	0/5	20	35
RMX rowhouse interior	1,500	—	—	20	0/0	20	35
RMX two-family	5,000	2,500	25	20	3/6	20	35
RMX three-family	7,500	2,500	25	20	3/6	20	35
RMX other			25	20	3/6	20	35
RM 2.0 single-family	2,000	—	25	20	0/5	20	35

RM 2.0 rowhouse exterior	1,500	—	—	20	0/5	20	35
RM 2.0 rowhouse interior	1,500	—	—	20	0/0	20	35
RM 2.0 two-family	4,000	2,000	25	20	3/6	20	35
RM 2.0 multi-family	—	2,000	—	20 <sup>1</sup>	5/17 <sup>3</sup>	35	45
RM 2.0 other			25	20 <sup>1</sup>	5/17 <sup>3</sup>	35	45
RM <u>1.2</u> single-family	2,000	—	25	20	0/5	20	35
RM <u>1.2</u> rowhouse exterior	1,500	—	—	20	0/5	20	35
RM <u>1.2</u> rowhouse interior	1,500	—	—	20	0/0	20	35
RM <u>1.2</u> two-family	2,400	1,200	25	20	3/6	20	35
RM <u>1.2</u> multi-family	—	1,200	—	20 <sup>2</sup>	5/17 <sup>3</sup>	30 <sup>2</sup>	-
RM <u>1.2</u> other				20 <sup>2</sup>	5/17 <sup>3</sup>	30 <sup>2</sup>	—

RM 0.7 single-family	2,000	—	25	5	0/5	20	35
RM 0.7 rowhouse exterior	1,500	—	—	5	0/5	20	35
RM 0.7 rowhouse interior	1,500	—	—	5	0/0	20	35
RM 0.7 two-family	2,000	700	25	5	0/5	20	35
RM 0.7 multi-family	—	700	—	5	0/5 <sup>4</sup>	25 <sup>2</sup>	—
RM 0.7 other				5	0/5 <sup>4</sup>	25 <sup>2</sup>	—

"Yes" means additional regulations apply.

Regulations	RMX	RM 2.0	RM <u>1.2</u>	RM 0.7	Additional Regulations
<b>Vehicle Accommodation Driveways and Parking</b>					
Location of parking	Yes	Yes	Yes	Yes	See § <u>1425-17</u>
Parking lot landscaping	Yes	Yes	Yes	Yes	See § <u>1425-31</u>
Parking lot screening	Yes	Yes	Yes	Yes	See § <u>1425-</u>

					<u>29</u>
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	See <u>§ 1405-09</u>
<b>Other Regulations</b>					
Buffering along district boundaries	Yes	Yes	Yes	Yes	See <u>§ 1423-13</u>
Accessory structures	See <u>Chapter 1421</u>				
General site standards	See <u>Chapter 1421</u>				
Landscaping and buffer yards	See <u>Chapter 1423</u>				
Nonconforming uses and structures	See <u>Chapter 1447</u>				
Off-street parking and loading	See <u>Chapter 1425</u>				
Signs	See <u>Chapter 1427</u>				
Additional development regulations	See <u>Chapter 1419</u>				

<sup>1</sup> Additional 1-foot of setback for each 1-foot of building height above 35 feet.

<sup>2</sup> Additional 1-foot of setback for each five feet of building height above 35 feet.

<sup>3</sup> Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

<sup>4</sup> Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

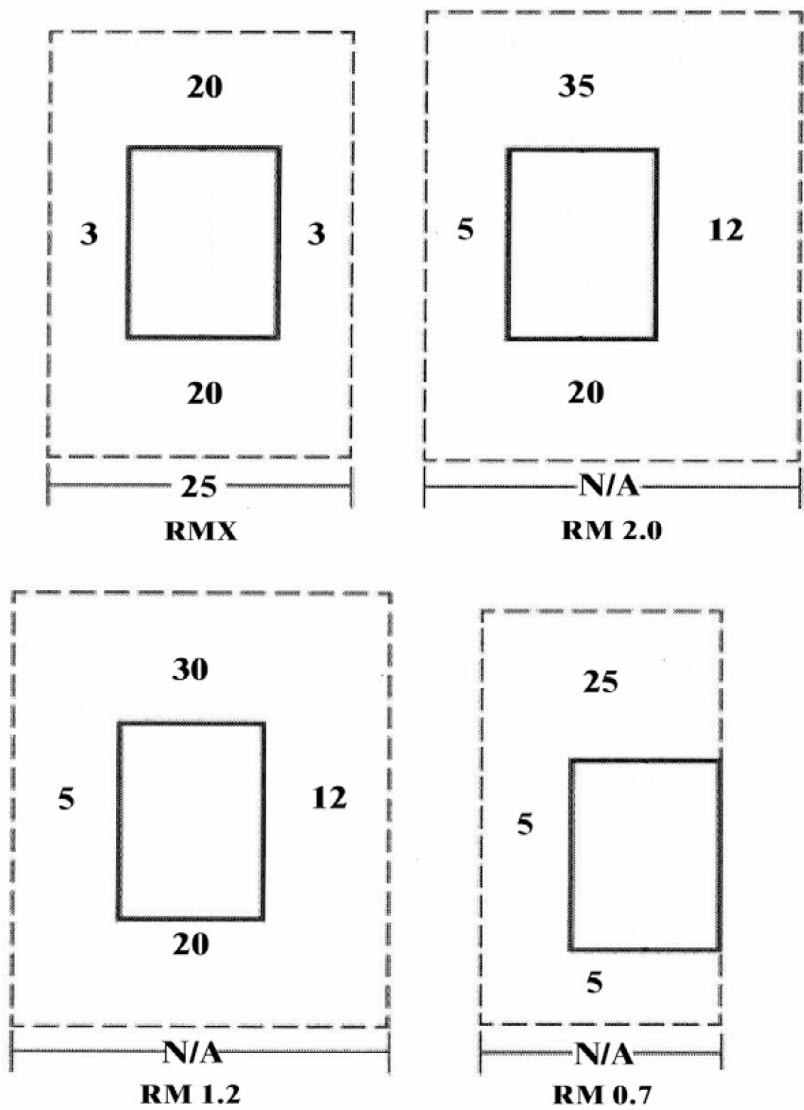


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

(Ordained by Ord. No. 15-2004, eff. Feb. 13, 2004; a. Ord. No. 260-2005, eff. July 21, 2005; a. Emer. Ord. No. 199-2024, § 2, eff. 7-1-2024)