

## *Zoning and Uses*

The use of the Harbeck-Bergheim House currently as a museum is considered, by code, a nonconforming use. This nonconforming use status will expire if discontinued for a year without first receiving approval to extend the nonconforming status prior to the one-year period. Nonconforming uses can continue and may be substituted with other nonconforming uses subject to the provisions of 9-10-2 B.R.C. 1981. Changes or expansions to existing nonconforming uses may be possible through the Nonconforming Use Review process of 9-2-15 B.R.C. 1981.

The Harbeck-Bergheim property is currently zoned Residential – Low 1(RL-1), the current designation of the former Low Density Residential-Established (LR-E) zoning district. This zoning designation is primarily used for established detached residential development at low residential densities. As such, permitted uses in RL-1 zoning districts include:

- Detached dwelling units;
- Daycare, home;
- Public elementary, junior, and senior high schools;
- Public colleges and universities;
- Religious assemblies;
- Parks and recreation uses;
- Crop production; and
- Accessory buildings and uses.

Other uses (including, potentially, continued nonconforming use) could be considered through the appropriate administrative review procedures as outlined in the City's Land Use Code in Title 9 Chapter 6.

Conditional uses in RL-1 districts include:

- Detached dwelling unit with two kitchens;
- Cooperative housing units;
- Accessory dwelling units;
- Limited accessory units;
- Group homes;
- Home occupation;
- Transitional housing; and
- Community gardens.

Use Review approval is required for the following uses:

- Daycare center with  $\leq 50$  children;
- Daycare center with  $> 50$  children;
- Emergency shelter;
- Essential municipal and public utility services;

- Governmental facilities;
- Private elementary, junior, and senior high schools;
- Adult education facility with < 20,000 square feet of floor area;
- Adult education facilities with  $\geq$  20,000 square feet or more of floor area; and
- Automobile parking lots, garages, or car pool lots as a principal use.

Regardless of any City determined action as it relates to the property, it will remain a landmarked and subject to the historic preservation provisions within the code.