

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.35.070 of the Lincoln Municipal Code
2 relating to the Height and Area Regulations within the B-4 Lincoln Center Business District to
3 adjust the yard requirements for buildings adjacent to walls with windows for residential uses; and
4 repealing Section 27.35.070 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 27.35.070 of the Lincoln Municipal Code be amended to
7 read as follows:

8 **27.35.070 Height and Area Regulations.**

9 The maximum height and minimum lot requirements within the B-4 Lincoln Center Business
10 District shall be as follows:

11 (a) For the area of the B-4 Lincoln Center Business District located from 150 feet east
12 of 17th Street to the eastern boundary of the B-4 Lincoln Center Business District, the following
13 maximum height and minimum lot requirements shall apply:

14 *(See Table 27.35.070(a) at the end of this section)*

15 (b) For the area of the B-4 Lincoln Center Business District not included in section (a)
16 above, the following maximum height and minimum lot requirements shall apply:

17 **Table 27.35.070(b)**

	Lot Area (Sq.ft.)	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwellings	0	0*	0* (Except as req'd in §27.35.070(e))	0* (Except as req'd in §27.35.070(e))	275'***
Other Permitted Uses	0	0*	0*	0*	275'***

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22 * When any yard is abutting a residential district, the yard requirement shall be that of the
23 abutting residential district.

24 ** West of 9th Street, the maximum height shall be seventy-five feet.

1 (c) Where any front yard is required in this district, there shall be a required front yard
2 along each street side of a double frontage lot.

3 (d) Where any front yard is required in this district, there shall be a required front yard
4 on each street side of a corner lot; provided, however, that the buildable width of a lot of record on
5 November 2, 1953, need not be reduced to less than twenty-eight feet except where necessary to
6 provide a required side yard of not less than five feet in place of one of the required front yards.

7 (e) Where a yard is not otherwise required, a yard shall be required adjacent to any wall
8 of a building which contains windows for dwelling units. The yard requirement shall be five feet
9 for structures under thirty-five feet in height, ten feet for structures thirty-five to fifty feet in height,
10 and ~~twenty~~ sixteen feet for those structures over fifty feet in height. Depending upon the location
11 of said windows, this yard may be a side yard, a rear yard, or located in or on an interior courtyard.
12 If the required yard abuts an alley, ~~one-half~~ the width of the alley may be counted as part or all of
13 the required yard. This yard need not start at the ground level but may begin on the top surface of
14 a ~~nonresidential~~ building.

15 (f) Accessory buildings which are attached to or located not more than ten feet from the
16 main structure shall be considered a part of the main structure and shall comply with the height and
17 front, side, and rear yard requirements of the main structure. Accessory buildings not a part of the
18 main structure may be located in any required rear yard, but such accessory buildings may not
19 occupy more than thirty percent of the required rear yard, and shall not be nearer than two feet to
20 any side or rear lot line, nor more than fifteen feet in height. Accessory buildings not a part of the
21 main structure, if located not less than sixty feet from the front lot line, may extend into the required
22 side yard though not nearer than two feet to the side lot line. A garage which is entered from an
23 alley shall not be located closer than ten feet to the alley line.

Table 27.35.070(a)

		Lot Area (Sq.ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
2	Dwelling, single-family	4,000	50'	20*	5*	Smaller	75***
3						of	
4	Dwelling, two-family	2,000 per family	50'	20*	5*	30'	75***
5							
6	Townhouses	2,000 per family	20'	20*	0' or 5'* on nonparty wall side.	or	75***
7	Dwelling, Multiple:					20%	
8						of	
9	Lots containing 14,000 or less	700 per unit	50'	20*	Total* 15', min. 5'	depth*	75***
10							
11	Lots containing more than 14,000 but less than 21,000 sq. ft.	600 per unit	100'	20*	Total* 25', min. 8'		75***
12							
13							
14							
15							
16	Lots containing 21,000 sq. ft. or more	550 per unit	150'	20*	Total* 30', min. 10'		75***
17							
18							
19							
20	Other Permitted Uses	0	50'	20*	5*		75***
21							

* In the area located between 142 feet south of the south right-of-way line of "N" Street and 142 feet north of the north right-of-way line of "P" Street, no yards shall be required.

** Over thirty-five feet in height, add one foot to the required side and rear yards for each additional two feet of height.

1 Section 2. That Section 27.35.070 of the Lincoln Municipal Code as hitherto existing
2 be and the same is hereby repealed.

3 Section 3. That this ordinance shall take effect and be in force from and after its
4 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2005: _____ Mayor
