

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.81.010 of the Lincoln Municipal Code
 2 to revise the land size threshold at which approved erosion and sediment control plans are
 3 required from two acres to one acre; and repealing Section 27.81.010 of the Lincoln Municipal
 4 Code as hitherto existing.

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

6 Section 1. That Section 27.81.010 of the Lincoln Municipal Code be amended
 7 to read as follows:

8 **27.81.010 General Regulations.**

9 The following general regulations shall apply to all zoning districts:

10 (a) Except as otherwise provided in this title, no building shall be erected, converted,
 11 enlarged, reconstructed, or structurally altered, nor shall any structure or land be used:

12 (1) Except for a purpose permitted in the district in which the structure or land is
 13 located;

14 (2) Except in conformance with the height and minimum lot requirements, and
 15 the parking and sign regulations, and any other applicable requirements of the district in which
 16 the structure or land is located.

17 (b) The minimum yards and other open spaces, including lot area per family, required
 18 by this title for each and every building at the time of passage of this title or for any building
 19 hereafter erected shall not be encroached upon or considered as yard or open space
 20 requirements for any other buildings, nor shall any lot area be reduced beyond the district re-
 21 quirements of this title.

22 (c) There shall be no grading or disturbance of any land one acre or greater ~~than two~~
 23 ~~acres~~ in size, except for tilling, cultivation, or agriculturally related conservation practices
 24 without first submitting a drainage and grading plan to the Director of Public Works and Utilities

1 setting forth the requirements of the design standards applicable to stormwater management,
2 erosion, sedimentation control, and flood corridors, and obtaining approval of said plan;
3 provided, however, that the requirement to preserve a minimum flood corridor will not apply
4 to property within a subdivision approved prior to the effective date of this ordinance. The
5 required grading and drainage plan may be waived by the Director of Public Works and Utilities
6 upon submittal of a written request for such waiver stating that the grading or land disturbance
7 is conducted as part of agricultural operations, that the land will remain in agricultural use for
8 a period not less than three years, and that grading or land disturbance for any other purposes
9 shall not be conducted prior to submitting and obtaining approval of a grading and drainage
10 plan as required by this section.

11 (d) Every building hereafter erected or structurally altered shall be located on a lot as
12 herein defined and in no case shall there be more than one main building on one lot except as
13 otherwise provided in Chapters 27.65 and 27.71.

14 (e) All inhabited or occupied mobile homes shall conform to one of the following:

15 (1) Used as a dwelling and located in a mobile home court or mobile home
16 subdivision operating under a valid special permit in conformance with Chapter 27.63;

17 (2) Used as a dwelling associated with a farm;

18 (3) Used as a temporary office or shelter incidental to construction or
19 development on the premises on which the mobile home is located; or

20 (4) One mobile home may be used as an office in any mobile home court or
21 mobile home subdivision operating under a valid special permit in conformance with Chapter
22 27.63; provided, the mobile home used as an office is located on an approved mobile home
23 space or lot and such office is used only for conducting the business of the mobile home court
24 or subdivision in which the office is located. Said mobile home may also be used as a dwelling.

25 (5) One mobile home may be used as an office in any campground operating
26 under a valid special permit in conformance with Chapter 27.63; provided, the mobile home
27 is used only for conducting the business of the campground. Said mobile home may also be
28 used as a dwelling for the campground manager.

1 A mobile home not in conformance with one of the above shall not be occupied or
2 inhabited; nor shall it be connected to utilities, except when being displayed for sale by a dealer
3 or manufacturer.

4 (f) If a single building or lot is located in two or more zoning districts, each part of the
5 building or lot shall comply with the regulations of the district in which it is located, except as
6 provided in Chapter 27.05 or Chapter 27.75.

7 Section 2. That Section 27.81.010 of the Lincoln Municipal Code as hitherto
8 existing be and the same is hereby repealed.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor