

City Council Introduction: **Monday**, November 29, 2004
Public Hearing: **Monday**, December 6, 2004, at **1:30** p.m.

Bill No. 04-212

FACTSHEET

TITLE: CHANGE OF ZONE NO. 04071, a text amendment to Title 27 of the Lincoln Municipal Code, requested by the Director of Planning, to delete the sections dealing with lot coverage for churches.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 11/10/04
Administrative Action: 11/10/04

RECOMMENDATION: Approval (7-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson and Bills-Strand voting 'yes'; Sunderman and Taylor absent).

FINDINGS OF FACT:

1. This amendment proposes to delete the following sections from Title 27 of the Lincoln Municipal Code dealing with lot coverage for churches: Sections 27.11.030(a)(4), 27.11.040(s), 27.13.030(a)(4), 27.13.040(s), 27.15.030(a)(4), 27.15.040(v), 27.16.030(a)(4), 27.16.040(v), 27.17.030(a)(4), 27.17.040(t), 27.19.030(a)(3), 27.19.040®), 27.21.030(a)(3), 27.21.040(q), 27.23.030(a)(3), 27.23.040(p), 27.63.520 "Permitted Special Use: Churches; Increased Lot Coverage".
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2, concluding that this proposal removes the maximum lot coverage for churches, allowing any church locating in a residential district to build yard line to yard line. However, parking requirements will act as a limitation to the building coverage for church lots.
3. On November 10, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On November 10, 2004, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 19, 2004

REVIEWED BY: _____

DATE: November 19, 2004

REFERENCE NUMBER: FS\CC\2004\CZ.04071

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for November 10, 2004 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #04071 - Church building Coverage in Residential Districts.

PROPOSAL: Text amendments to :
Zoning, Title 27 LMC;
To strike the following sections: 27.11.030 (a) 4, 27.11.040 (s), 27.13.030 (a) 4, 27.13.040 (s), 27.15.030 (a) 4, 27.15.040 (v), 27.16.030 (a) 4, 27.16.040 (v), 27.17.030 (a) 4, 27.17.040 (t), 27.19.030 (a) 3, 27.19.040 (r), 27.21.030 (a) 3, 27.21.040 (q), 27.23.030 (a) 3, 27.23.040 (p), Special permit 27.63.520 Permitted Special Use: Churches; increased lot coverage of the Lincoln Municipal Code, to strike sections dealing with lot coverage for churches.

CONCLUSION: This proposed amendment removes the condition that the church building shall not cover more than 15 percent of the lot area and the special permit section that allows an increase coverage.

RECOMMENDATION:

Approval

HISTORY: This portion of the zoning regulations for the city of Lincoln have been in place since 1979 with minor changes.

ANALYSIS:

1. The intent to restrict the maximum lot coverage of churches in residential districts was to provide additional open space on the lot for the relatively larger buildings.
2. The current regulations restrict churches in R-1 to R-7 residential zoning districts to a maximum lot coverage of 15 percent. A church can apply for a special permit to increase the lot coverage by 5 percent over a ten year time period. In doing this, the church must demonstrate that there are not available lands that are adjacent for expansion. Finally, an expansion cannot reduce the number of required parking spaces.
3. This proposal to amend the zoning ordinance would remove this maximum lot coverage for churches allowing any church locating in a residential district to build yard line to yard line. However, parking requirements will act as a limitation to building coverage on church lots.

Prepared by:
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Planner
October 27, 2004

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CHANGE OF ZONE NO. 04071

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 10, 2004

Members present: Carlson, Carroll, Krieser, Larson, Marvin, Pearson and Bills-Strand; Sunderman and Taylor absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04071, CHANGE OF ZONE NO. 04072, CHANGE OF ZONE NO. 04073 and USE PERMIT NO. 04005.**

Item No. 1.4, Use Permit No. 04005, was removed from the Consent Agenda and scheduled for separate public hearing.

Larson moved to approve the remaining Consent Agenda, seconded by Marvin and carried 7-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson and Bills-Strand voting 'yes'; Sunderman and Taylor absent.