

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.71.210 of the Lincoln Municipal Code
2 relating to Enlargement and Alteration of Lots to clarify language that conflicts with other
3 provisions of the zoning regulations; and repealing Section 27.71.210 of the Lincoln Municipal Code
4 as hitherto existing.

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

6 Section 1. That Section 27.71.210 of the Lincoln Municipal Code be amended to
7 read as follows:

8 **27.71.210 Enlargement and Alteration of Lots.**

9 (a) Any lot or premises which does not meet the area, width, or frontage requirements,
10 or any combination thereof, of the district in which it is situated, may be enlarged without affecting
11 the purposes for which it may be used; provided, that such enlargement does not result in the
12 creation of an additional lot which does not conform to the applicable requirements of this code.

13 (b) In the AG or AGR zoning district, the common lot lines of two or more adjoining
14 lots, both or all of which do not meet the area, width, or frontage requirements, or any combination
15 thereof, of the district in which such lots are situated, may be altered without affecting the purposes
16 for which such lots may be used, provided:

17 (1) That such alteration does not result in the creation of a lot which does not
18 meet the minimum standards for water and sanitary sewage disposal systems as required by
19 applicable state, county, and city regulations; and

1 (2) That such alteration meets all requirements of the city land subdivision
2 ordinance.

3 (3) That the newly created lots in the AG zoning district shall have a required
4 front yard, side yard and rear yard that conforms to Section 27.07.080(h)(3)(i); except that the
5 required side yard shall not be less than ten percent of the lot width or fifteen feet, whichever is
6 greater.

7 (4) That the newly created lots in the AGR zoning district shall have a required
8 front yard, side yard and rear yard that conforms to Section 27.09.080(a); except that the required
9 side yard may be adjusted for corner lots or lots with a width of 100 feet or less as provided in
10 subsections 27.09.080(c) or (d), respectively.

11 (c) In those instances where a governmental agency acquires land for the purposes of
12 road right-of-way from lots which were legally existing on the effective date of this title, or lots
13 which were lawfully created after the effective date of this section, the acquisition of said right-of-
14 way shall not affect the status of said lot as a buildable lot with respect to minimum lot area, width,
15 or frontage requirements of this title provided:

16 (1) That all new construction, enlargements, extensions, or conversions of any
17 buildings, structures, or uses including open land uses shall comply with all applicable provisions
18 of this title.

19 (2) That such lots located in AG and AGR districts contain a minimum of one
20 acre and have an average lot width of not less than 150 feet.

21 (3) That such lots located in an “R” residential district contain a lot area of not
22 less than 4,000 square feet and an average lot width of not less than forty feet.

1 Section 2. That Section 27.71.210 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 _____, 2007: _____ Mayor
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