

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 26.23.140 of the Lincoln Municipal Code
2 relating to Development Standards for Lots to provide that residential lots in the R-3 district which
3 do not meet the required minimum lot area, average lot width, or yard requirements shall have a
4 maximum depth of four times its width; and repealing Section 26.23.140 of the Lincoln Municipal
5 Code as hitherto existing.

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

7 Section 1. That Section 26.23.140 of the Lincoln Municipal Code be amended to
8 read as follows:

9 **26.23.140 Lot.**

10 (a) Minimum lot width and area requirements shall conform to the zoning ordinance,
11 Title 27 of this code. Double frontage residential lots permitted under subparagraph (e) below which
12 abut a major street with at least 60 feet of right-of-way from the centerline of the street shall have
13 a minimum depth of 110 feet. Double frontage residential lots permitted under subparagraph (e)
14 below which abut a major street with less than 60 feet of right-of-way from the centerline of the
15 street shall have a minimum lot depth of 120 feet. The minimum depth of all other residential lots
16 shall be ninety feet, except where the existing lot does not meet this requirement and the lot depth
17 is not further reduced. Any lot in the O-1, O-2, O-3, B-1, B-2, B-3, B-4, B-5, H-1, H-2, H-3, H-4,
18 I-1, I-2, or I-3 districts which has a minimum width of at least 100 feet shall have a maximum depth
19 of five times its width. Any residential lot in the R-3 district which does not meet the required
20 minimum lot area, average lot width, or yard requirements in Table 27.15.080(a) shall have a

1 maximum depth of four times its width. Any other lot shall have a maximum depth of three times
2 its width. However, the Planning Director may modify this requirement where the lot is occupied
3 or intended to be occupied by a portion of a duplex or townhouse structure. An existing lot which
4 does not comply with said lot width-to-depth ratios may be subdivided so as to increase such lot's
5 width, decrease such lot's depth, or both, even though such lot does not thereafter fully comply with
6 the lot width-to-depth ratio as set forth above.

7 (b) The lot arrangement and design of the subdivision shall be such that all lots shall
8 provide satisfactory and desirable building sites, properly related to topography and the character
9 of the surrounding development.

10 (c) The side lines of any lot shall be at right angles to the street or radial, if the street is
11 curved, except where a variation will provide a better street and lot layout.

12 (d) Residential corner lots shall be wider than other residential lots to the extent
13 necessary to permit the establishment of front yards along both of the abutting streets. Corner lots
14 fronting on major street intersections and other acute angle intersections which are likely to be
15 dangerous to traffic movement shall have a curved line radius of twenty (20) feet at the street corner.

16 (e) The residential lot arrangement of a subdivision shall be accomplished in such a
17 manner that there will be no lots with a double frontage; i.e., a lot fronting on two non-intersecting
18 public streets. However, in circumstances where the subdivision abuts a major street, double
19 frontage lots may be permitted when no frontage road exists adjacent to or abutting on the major
20 street and access from the lot is only to the local street. Where double frontage lots are allowed, the
21 subdivider, the subdivider's successors and assigns shall relinquish the right of access from the lot
22 to the major street and place covenants and restrictions upon the land to run with the land
23 relinquishing said access as approved by the City Attorney's office.

24 (f) A lot used for commercial, industrial, business, or nonresidential purposes with at
25 least 660 linear feet of frontage on a major street may have access to the major street only if a safe
26 access point is available and approved by the city. If a safe access point is not available, or if said
27 lot does not have the required linear feet of frontage, an access road abutting the major street
28 constructed to a width approved by the city shall be dedicated to provide access to said lot.

29 An exception to the foregoing front foot requirements shall be permitted in the case of
30 a replat or resubdivision of a lot where either the lot does not have 660 linear feet of frontage, or the
31 distance between cross-streets is less than 660 linear feet. In such event, if safe access to the major
32 street can be provided, the access road requirement may be waived.

33 (g) Every lot shall front upon and have access to a public street, except:

34 (1) Lots located in any zoning district may front upon and take access to a private
35 roadway if said private roadway has been approved either in connection with a use permit under the

1 provisions of Title 27 or with a subdivision of property in conformance with all the requirements
2 of this title;

3 (2) Lots shown within the boundaries of an approved community unit plan under
4 Chapter 27.65, an approved planned unit development under Chapter 27.60, an approved special
5 permit for Planned Service Commercial under Chapter 27.63, or an approved use permit under any
6 chapter of the Lincoln Municipal Code that requires a use permit may front upon and take access
7 to a private road or take access via a permanent access to and from a public street or private
8 roadway, provided such access is dedicated in the final plat creating said lots. Residential lots shall
9 be required to have a dedicated public access easement. Nonresidential lots may have either a
10 dedicated public or private access easement.

11 (3) Lots which front upon a major street may be required to take access to said major
12 street through an access road to be dedicated in the final plat creating said lots. In such event, direct
13 access to the major street shall be relinquished.

14 (h) Residential lots proposed to be made servient to pedestrian way easements and adjacent
15 residential lots shall be of sufficient width to provide the additional required setback between the
16 residence and the pedestrian way, plus the five foot wide pedestrian way easement.

17 (i) A corner lot abutting a temporary dead-end street may be required to relinquish direct
18 vehicular access to the temporary dead-end street when the lot is the only lot fronting on the
19 temporary dead-end street within the same block.

20 Section 4. That Section 26.23.140 of the Lincoln Municipal Code as hitherto existing
21 be and the same is hereby repealed.

22 Section 5. That this ordinance shall take effect and be in force from and after its passage
23 and publication in one issue of a daily or weekly newspaper of general circulation in the City
24 according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor