

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code (the
2 “Zoning Ordinance”) by amending Section 27.02.020 to add a definition for Accessory
3 Dwelling; by amending Section 27.02.040 to add a definition for Conditioned Area; by
4 amending Section 27.06.020 to provide that in the R-1 through R-4 zoning districts a detached
5 accessory building may be used for an accessory dwelling in conformance with the requirements
6 of Section 27.62.040; by amending Section 27.06.070 to add a single-family dwelling and a
7 detached accessory dwelling on the same premises as a conditional permitted use in the R-1
8 through R-4 zoning districts; by amending Section 27.62.040 to provide that a building or
9 premises may be used for a single-family dwelling and a detached accessory dwelling as a
10 permitted conditional use in the R-1 through R-4 zoning district in compliance with the
11 conditions of approval for that use type; by amending Sections 27.67.030, 27.67.040, and Figure
12 27.67.040 to include general conditions and special condition parking requirements for accessory
13 dwelling units; by amending Section 27.72.120 to provide that accessory buildings having a
14 conditioned area shall comply with the height and yard requirements for the main building
15 provided that such accessory building shall not exceed the height of the main building; and
16 repealing Sections 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040,
17 Figure 27.67.040, and 27.72.120 as hitherto existing.

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

19 Section 1. That Section 27.02.020 of the Lincoln Municipal Code be amended to
20 read as follows:

21 **27.02.020 A.**

22 **Abutting.** Abutting shall mean adjacent or contiguous and shall include property

1 separated by an alley.

2 | **Academies.** Academies shall mean education and instruction facilities, including but not
3 | limited to, dance or music academies and gymnastic or martial arts schools. Academies shall not
4 | include early childhood care facilities, public schools, or private schools that meet the State of
5 | Nebraska requirements for elementary or secondary education, or industrial trade schools.

6 | **Accessory Buildings and Uses.** An accessory building is a subordinate building or a
7 | portion of the main building, the use of which is incidental to that of the main building or to the
8 | main use of the premises. An accessory use is one which is incidental to the main use of the
9 | premises.

10 | Accessory Dwelling. An accessory dwelling is a subordinate building or portion of the
11 | main building for use as a secondary single-family dwelling which is incidental to use of the
12 | main building for a primary single-family dwelling.

13 | **Adult Day Service Facility.** Adult day service facility shall mean a facility where care
14 | and an array of social, medical, or other support services are provided for a period of less than
15 | twenty four consecutive hours to four or more persons who require or request such services due
16 | to age or functional impairment outside of the person's home or facility the person resides in.
17 | Adult day service does not include a group home.

18 | **Agriculture.** Agriculture shall mean the use of land for the purpose of raising and
19 | harvesting crops; or for the raising, breeding, or management of livestock, poultry, fish, or
20 | honeybees; or for dairying, truck gardening, forestry, nurseries, or orchards; for the non-
21 | commercial on-farm storage or processing of agricultural products; or for any other similar
22 | agricultural, horticultural, silvacultural, or aquacultural use.

23 | **Agricultural Attraction.** Agricultural attraction shall mean a premises used primarily
24 | for agriculture for the purpose of raising and harvesting crops for sale, but that also includes a

1 limited amount of area devoted to the provision of entertainment for a period of no more than
2 four months per year. Examples of agricultural attractions include, but are not limited to,
3 pumpkin patch, apple orchard, or corn maze where, in addition to agricultural production, there
4 are areas for sale of other goods and entertainment. Attractions shall not include mechanical
5 rides other than hayrack and sightseeing vehicles.

6 **Alley.** Alley shall mean a public or private thoroughfare which affords only a secondary
7 means of access to property abutting thereon.

8 **Alternative to Imprisonment Facility.** Alternative to imprisonment facility shall mean
9 a facility in which more than three but less than sixteen persons who are unrelated by blood,
10 marriage, or adoption reside under a supervised program of alternatives to imprisonment
11 including, but not limited to, pre-release, work-release, and probationary programs. Such
12 facilities shall be licensed or approved by the State of Nebraska or other appropriate agency if so
13 required.

14 **Amateur Radio Antenna Installation.** Amateur radio antenna installation shall mean
15 the installation of the tower, antenna, mast, rotor, and other necessary apparatus by an amateur
16 radio operator at a particular location licensed by the Federal Communications Commission as
17 an amateur radio station for amateur radio communications.

18 For the purposes of this definition:

19 **Amateur radio operator** shall mean an individual who has passed a Federal
20 Communications Commission authorized examination and holds a current F.C.C.
21 amateur radio license.

22 **Antenna** shall mean the device which receives and/or transmits radio waves and
23 is connected to a radio by means of some type of conducting media.

1 **Antenna installation** shall mean the complete system including tower,
2 antenna(s), mast, and rotor.

3 **Mast** shall mean a pole or pipe-like device which separates an antenna from a
4 tower.

5 **Rotor** shall mean a machine which turns the antenna about its axis.

6 **Tower** shall mean the supporting structure which holds the antenna above the
7 ground.

8 **Animal Hospital.** See Veterinary Facility

9 **Apartment.** See multiple dwelling unit.

10 **Apartment Hotel.** Apartment hotel shall mean a multiple dwelling under resident
11 supervision which maintains an inner lobby through which all tenants must pass to gain access to
12 the apartments and which may furnish services ordinarily furnished by hotels, such as drug store,
13 barber shop, beauty parlor, shoeshine shop, cosmetologists shop, cigar stand, or newsstand, when
14 such uses are located entirely within the building with no entrance from the street nor visible
15 from any public sidewalk, and having no sign or display visible from the outside of the building
16 indicating the existence of such use.

17 **Apartment House.** See Dwelling, multiple.

18 **Assisted-living Facility.** Assisted-living facility shall mean a facility where shelter,
19 food, and care are provided for remuneration for a period of more than twenty-four consecutive
20 hours to four or more persons residing at such facility who require or request such services due
21 to age, illness, or physical disability.

22 **Average Lot Width.** Average lot width shall mean the width determined by dividing the
23 total lot area by the depth of the lot from the right-of-way line to the furthest rear lot line. If the
24 rear lot line and right-of-way line are not parallel, an average depth dimension shall be used.

1 Section 2. That Section 27.02.040 of the Lincoln Municipal Code be amended to
2 read as follows:

3 **27.02.040 C.**

4 **Campground.** Campground shall mean a parcel of land intended for temporary
5 occupancy by any of the following: tent, tent trailer, or recreational vehicle.

6 **Care.** Care shall mean the exercise of concern or responsibility for the comfort, welfare,
7 and habilitation of persons, including a minimum amount of supervision and assistance with or
8 the provision of personal care, activities of daily living, health maintenance activities, or other
9 supportive services.

10 For purposes of this definition:

11 **Activities of daily living** shall mean transfer, ambulation, exercise, toileting,
12 eating, self-administered medication, and similar activities;

13 **Health maintenance activities** shall mean noncomplex interventions which can
14 safely be performed according to exact directions, which do not require alteration of the
15 standard procedure, and for which the results and resident responses are predictable; and

16 **Personal care** shall mean bathing, hair care, nail care, shaving, dressing, oral
17 care, and similar activities.

18 **Center for the Developmentally Disabled.** Center for the developmentally disabled
19 shall mean a facility where shelter, food, and care, advice, counseling, diagnosis, treatment, or
20 related services are provided for a period of more than twenty four consecutive hours to sixteen
21 or more persons residing at such facility who have developmental disabilities.

22 **Change of Use.** Change of use shall mean the replacement of an existing use by a new
23 use, or a change in the nature of an existing use, but not including a change of ownership,

1 tenancy, or management where the previous nature of the use, line of business, or other function
2 is substantially unchanged.

3 **Childhood Care Facility.** See Early Childhood Care Facility.

4 **Children's Home.** Children's home shall mean a facility engaged in the service of
5 exercising 24-hour daily care, supervision, custody, or control over sixteen or more children for
6 compensation or hire in lieu of the care or supervision normally exercised by parents in their own
7 home.

8 **Church.** See definition for Place of Religious Assembly.

9 **Club.** Club shall mean a building or facility owned or operated by persons associated for
10 a social, educational, civic, cultural, labor, or professional or recreational purpose, not operated
11 primarily for profit nor to render a service which is customarily carried on as a business, and
12 which is generally restricted to members and their guests using the facility for the purpose for
13 which they have associated; this shall not include a building of religious assembly, social hall, or
14 the occasional accessory use of a private residence as a meeting place.

15 **Commercial Feed Lot.** See Confined Feeding Facility.

16 **Commercial Wind Energy Conversion System/ Turbine (CWECS).** Commercial
17 Wind Energy Conversion System/Turbine shall mean a commercial grade wind energy
18 conversion system (WECS) of over 100 Kilowatt (kW) plate rated capacity and intended to be
19 used primarily to provide off-site power.

20 Conditioned Area. That area within a building provided with heating and/or cooling
21 systems or appliances capable of maintaining, through design or heat lost/gain, 68°F (20°C)
22 during the heating season and/or 80°F (27°C) during the cooling season, or has a fixed opening
23 directly adjacent to a conditioned area.

1 **Confined Feeding Facility.** Confined feeding facility shall mean a facility where the
2 principal business is the feeding of livestock or poultry, also called a commercial feedlot.

3 **Contractor Services.** Contractor services shall mean a business which provides a service
4 which is primarily performed off-site. Few customers visit the site. Common examples of
5 contractor services include plumbing, heating, electrical, and air conditioning service,
6 exterminator service, lawn and garden service, and construction services. Contractor services
7 shall not include garbage or recycling hauling services or tree service. Outdoor storage,
8 machinery, trucks, and service vehicle fleets are common accessory uses.

9 Section 3. That Section 27.06.020 of the Lincoln Municipal Code be amended to
10 read as follows:

11 **27.06.020 Classification of Use Types.**

12 (a) Considerations.

13 (1) Main uses of a building or premises (sometimes referred to in this Title as “use
14 types”) are assigned to the Use Group whose description most closely describes the nature of the
15 main use. The main use may have one or more accessory uses. The use of a building or premises
16 for more than one main use is addressed in subsection (b) below. Accessory uses are addressed
17 in subsection (c) below.

18 (2) The Building Official shall prepare and maintain an up-to-date list of common uses
19 included within each use group (“List of Use Group Types”). When any proposed use is not
20 listed on the List of Use Group Types, the Building Official shall make a determination as to
21 what Use Group the proposed use will be assigned to. If a building or premises is used for two
22 or more main uses, each use shall be classified in the Use Group whose description most closely
23 portrays the nature of such uses. The Building Official’s classification of a use is subject to the
24 right of appeal to the Board of Zoning Appeals pursuant to Section 27.75.030. The following

1 items shall be considered when determining what Use Group a main use is classified in, and
2 whether the activities associated with the main use constitute an accessory use:

3 (i) The description of the activity in relationship to the characteristics of each
4 use group;

5 (ii) The relative amount of site or floor space and equipment devoted to the
6 activity;

7 (iii) Relative amounts of sales from each activity;

8 (iv) The customer type for each activity;

9 (v) The relative number of employees in each activity;

10 (vi) Hours of operation;

11 (vii) Building and site arrangement;

12 (viii) Vehicles and/or machinery used with the activity;

13 (ix) The relative number of vehicle trips generated by the activity;

14 (x) Whether the activity would be likely to be found independent of the other
15 activities on the site.

16 (xi) Off-site impacts

17 (b) More Than One Main Use.

18 (1) When a building or premises has more than one main use, each main use shall
19 comply with the regulations of the zoning district in which the use is located.

20 (2) More Than One Main Building or Use on a Lot or Tract in R-5, R-6, R-7, R-8, O-
21 1, O-2, O-3, R-T, B-1, B-2, B-3, B-4, B-5, H-1, H-2, H-3, H-4, I-1, I-2, or I-3 District. A lot or
22 tract located in the R-5, R-6, R-7, R-8, O-1, O-2, O-3, R-T, B-1, B-2, B-3, B-4, B-5, H-1, H-2,
23 H-3, H-4, I-1, I-2, or I-3 district may have more than one main building or use, but only when
24 such buildings or uses conform to all open space requirements for the district in which the lot or

1 tract is located. The exception is that no more than two single-family dwellings may be on a lot
2 or tract. ~~In addition, in the R-5, R-6, R-7, and R-8 districts, the lot or tract must meet the~~
3 ~~minimum lot requirements and conditions in said district for each main building or use.~~

4 (3) Two or More Buildings for Two-family Dwellings, Multiple-family, or
5 Institutional Purposes. In the event that a lot or tract located in the R-1 through R-4 zoning
6 district is to be occupied under a special permit or planned unit development by a group of two
7 or more buildings to be used as a unit for any combination of two-family dwellings, multiple-
8 family dwelling, or institutional purposes, there may be more than one main building on the lot;
9 provided, however, that the open space between buildings shall have a minimum dimension of
10 twenty feet, unless modified by the approval of a special permit or planned unit development. In
11 addition, the lot or tract must meet the height and area regulations in said district for each main
12 building or use except yards, average lot width, and height may be modified by approval for such
13 use under the special permit or planned unit development.

14 (4) Multiple Dwelling Considered as One Building. For the purpose of the side yard
15 regulations, a two-family dwelling or a multiple dwelling shall be considered as one building
16 occupying one lot.

17 (c) Accessory Uses.

18 (1) Accessory uses permitted in each district are accessory buildings and uses
19 customarily incident to any of the permitted uses, permitted conditional uses, or permitted
20 special uses in the district unless stated otherwise in the regulations.

21 (2) Construction and Use of Accessory Buildings. No accessory buildings shall be
22 constructed upon a lot until the construction of the main building has been commenced, and no
23 accessory buildings shall be used for dwelling purposes, except as otherwise provided herein.

1 | (3) In R-1 through R-4 zoning districts, an accessory building may be used as an
2 | accessory dwelling in conformance with the requirements of Section 27.62.040, and ~~that in the~~
3 | AG, ~~and~~ AGR, ~~and R-1~~ zoning districts, an accessory building may be used for dwelling
4 | purposes by not more than two domestic employees employed entirely on the premises if a
5 | special permit for such use has been obtained in conformance with the requirements of Chapter
6 | 27.63.

7 | (43) Unless otherwise stated, accessory uses are subject to all applicable regulations
8 | of the main use.

9 | (54) Production, manufacture, distribution, and storage of toxic, radioactive,
10 | flammable, or explosive materials, including chemicals and gases, fireworks, and explosives,
11 | except fireworks, shall be allowed in connection with a permitted commercial, business, or
12 | industrial purpose as incidental to the referenced permitted use without the requirement of
13 | obtaining a special permit.

14 | (65) Early childhood care facilities and schools are not a permitted accessory use to
15 | a place of religious assembly in the I-1 Industrial District.

16 | (d) Occupancy of Basements and Cellars. No basement or cellar shall be occupied for
17 | residential purposes until the remainder of the building has been substantially completed.

(e) Access for Uses. The means of access to any use may pass through land
which is in a different zoning district as long as that land has been approved for access via a
public access easement to and from a public street or private roadway.

18 | Section 4. That the Household Living Use Group Table in Section 27.06.070 be
19 | amended to read as follows:

20 | **27.06.070 Household Living Use Group.**

21 | Characteristics: The Household Living Use Group is characterized by the residential

1 occupancy of a dwelling unit by a household living independently. Tenancy is generally arranged
 2 on a month-to-month basis, or for a longer period. Such uses include, but are not limited to,
 3 single and two family dwellings, townhouses, and multifamily dwellings units. Housing with
 4 paid supervision or care for residents is included under the Group Living Use Group.

5 Use Group Table:

Uses	AG	AGR	R1	R2	R3	R4	R5	R6	R7	R8	O1	O2	O3	RT	B1	B2	B3	B4	B5	H1	H2	H3	H4	I1	I2	I3
Apartment hotels	S	S	S	S	S	S	S	S	P	P	P	C			C	C	C	P	P							
Connection of a single family dwelling	S	S	S	S	S	S	S	S	S	S																
Dwellings for caretakers, resident watchmen, and supervisory personnel employed and residing on premises															P	P	P	P	P	P	P	P	P	P	P	P
<u>Accessory Dwellings for domestic employees</u> in accessory buildings	S	S	S															P								
Elderly and Retirement Housing			S	S	S	S	S	S	S	S	S	S	P	S	S	S	S	P	S							
Housing for the Handicapped			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S							
Mobile home courts			S	S	S	S																				
Mobile home subdivisions			S	S	S	S																				
Multiple family dwellings	S*	S*	S*	S*	S*	S*	P	P	P	P	P	C	P		C	C	C	P	P							
Single-family dwellings	P	P	P	P	P	P	P	P	P	P	P	C	P	P	C	C	C	C	P							
<u>Single-family dwelling with detached accessory dwelling</u>			C	C	C	C																				
Townhouses	S	S	S	S	S	S	P	P	P	P	P	C	P		C	C	C	P	P							
Two-family dwellings	S	S	P	P	P	P	P	P	P	P	P	C	P	P	C	C	C	C	P							
All other uses in this Use Group	P	P	P	P	P	P	P	P	P	P	P		P	P				P	P							

* Multiple dwellings (not including those approved as a permitted special use under a community unit plan) lawfully existing in this district on the effective date of this title or on the effective date of a change of district boundaries from another zoning district to this district shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61. Notwithstanding any provision to the contrary, any enlargement, extension or reconstruction of such multiple dwellings shall be limited to no more than the number of dwelling units licensed with Building and Safety on the effective date of this title or on the effective date of the change in district boundaries.

6 Section 5. That Section 27.62.040 of the Lincoln Municipal Code be amended to
 7 read as follows:
 8 **27.62.040 Household Living Use Group.**

1 A building or premises may be used for the following use types as a permitted
2 conditional use in the designated zoning districts and in compliance with the conditions of
3 approval applicable for that use type.

4 (a) Dwellings ~~units~~ are allowed in the O-2, B-1, B-2, and B-3 zoning districts under the
5 following conditions:

6 (1) Dwellings shall only be permitted above or below the first story of a building;

7 (2) The first story of the building shall be used for a nondwelling use allowed in
8 the district, except that first floor dwellings shall be permitted in buildings that
9 were originally constructed for a residential use prior to November 1, 1997.

10 The first floor nondwelling use shall not:

11 A. be an accessory use to the residential use;

12 B. be a parking lot or garage;

13 (3) The first story of the building shall not have more than twenty percent of its
14 height below grade.

15 (b) The main use of a lot for a single-family dwelling and an accessory dwelling is allowed
16 in the R-1 through R-4 zoning districts under the following conditions:

17 (1) The area of the lot must meet the required minimum lot area per family for
18 two-family dwellings as set forth in Table 27.72.020(a) for the zoning district
19 the lot is located in.

20 (2) The accessory dwelling shall comply with the following requirements:

21 (i) The total square footage of the accessory dwelling shall not exceed the
22 lesser of 40% of the total square footage of the main building or 800
23 square feet.

1 (ii) The cumulative area of a detached accessory dwelling and any other
2 accessory buildings on the lot shall not exceed the R-1 through R-8
3 maximum allowable area for accessory buildings on single-family
4 residential lots or tracts in Table 27.72.120(d).

5 (iii) The accessory dwelling shall have no more than one bedroom.

6 (3) The owner of the lot is required to live on the property but may reside in either
7 the main building or in the accessory dwelling.

8 (4) The accessory dwelling shall share utility connections with the main building.

9 (5) The accessory dwelling shall comply with the height regulations of the district
10 the dwelling is located in, provided that such accessory dwelling shall be no
11 taller than the main building.

12 (6) The accessory dwelling shall meet the required setbacks for the main building,
13 provided that any detached accessory dwelling shall be set back at least 60
14 feet beyond the front lot line, except for corner lots.

15 (7) One parking stall is required for the accessory dwelling in addition to the
16 required parking for the single-family dwelling use of the main building.

17 (8) The property shall be subject to a deed restriction stating that the accessory
18 dwelling shall not be sold separate from the main building.

19 Section 6. That Section 27.67.030 of the Lincoln Municipal Code be amended to
20 read as follows:

21 **27.67.030 General Conditions.**

22 The following general conditions shall apply, except as otherwise modified in this title:

23 (a) No parking space is permitted in the required front yard in any district except as
24 follows:

1 (1) Parking lots, parking areas, and driving aisles in the front yard are
2 permitted in the B-1, B-3, H-1, H-2, and H-3 zoning district in accordance
3 with parking lot design standards; and

4 (2) Parking in the front yard is permitted in the R-1, R-2, R-3, R-4, R-5, R-6,
5 and R-7 zoning districts for passenger cars, pickup trucks, or vans outside
6 of an enclosed structure on a concrete driveway or its equivalent under the
7 following conditions:

8 (i) The width of such parking area shall not exceed thirty-five percent
9 of the width of the front yard, except in the case of townhouses,
10 where the width shall not exceed fifty percent of the width of the
11 front yard, provided the width of such parking area shall not
12 exceed sixteen feet;

13 (ii) The parking area shall be not less than two feet from and parallel
14 to the side lot line and not less than two feet from the front
15 property line;

16 (iii) The property shall be used for single-family dwellings, two-family
17 dwellings, ~~and~~ townhouses, and single-family dwellings with an
18 accessory dwelling unit.

19 (3) Parking in the front yard is permitted as otherwise provided in Section
20 27.63.170.

21 (b) No parking space is permitted in the required side yard in any district except as
22 otherwise provided in this chapter and in Section 27.63.170.

23 (c) Parking spaces are permitted in any required rear yard.

1 (d) All required parking spaces shall be provided on the same lot as the use for which
2 they are required.

3 (e) Any parking requirement resulting in a partial parking space shall be rounded up
4 to the next whole number.

5 (f) Where additional parking is required by this chapter due to a change in use and
6 provision for such additional parking is not made, a special review and approval shall be required
7 by the City Council.

8 (g) For single-family dwellings, two-family dwellings, and townhouses in the R-1, R-
9 2, R-3, R-4, R-5, R-6, and R-7 zoning districts, the required parking spaces may be stacked front-
10 to-back, one vehicle deep.

11 (h) No parking space is required for the area of outdoor dining, open use areas
12 including but not limited to outdoor sales and display areas, and patios with and without
13 restaurant seating.

14 Section 7. That Section 27.67.040 of the Lincoln Municipal Code be amended to
15 read as follows:

16 **27.67.040 Parking Requirements; Special Conditions.**

17 An alphabetical list of uses with special parking requirements for this title are set out in
18 Figure 27.67.040 at the end of this chapter. The following special parking requirements shall
19 apply to the listed uses in place of the general parking requirements found in Section 27.67.020:

20 (a) A fraternity or sorority shall provide 0.75 spaces per resident. Parking shall be
21 provided either onsite or within 600 feet of the premises. Notwithstanding the above, no parking
22 shall be required for a fraternity or sorority located within the boundaries of 14th Street to 17th
23 Street and Q Street to W Street.

1 (b) Group homes: One space per three client or employee residents, plus two spaces per
2 three nonresident employees on the largest shift; provided, however, that no spaces shall be
3 required for client residents who will not possess motor vehicle operator's licenses. Appropriate
4 documentation from the group home licensing agency shall be provided evidencing the non-
5 possession of motor vehicle operator's licenses by clients.

6 (c) Adult day service facilities: One space/employee on the largest shift, plus off-street
7 loading/unloading area for one automobile per ten care receivers. Joint parking with another use
8 is acceptable if the adult care center and the other use have nonconcurrent parking demands.

9 (d) Elderly or retirement housing: One space/dwelling unit.

10 (e) Mini-warehouses:

11 (1) Two spaces for manager's quarters or office; and

12 (2) One space for every 60 storage cubicles; however, if access lanes and roads to
13 the storage area are twenty feet or greater in width, to allow vehicles to unload
14 and pass, no additional parking for the storage cubicles is required.

15 (f) Two-family or attached single-family dwellings, approved as part of a Special
16 Permit for a Community Unit Plan pursuant to Chapter 27.65 Community Unit Plan, a
17 development plan for a planned unit development pursuant to Chapter 27.60 Planned Unit
18 Development District, or a use permit pursuant to Chapter 27.64 Use Permits on lots having a
19 width of less than 35 feet and where garages take direct access from a public street or private
20 roadway are required to provide 1 off-premises guest parking stall per 2 dwelling units. On-
21 street parking may be counted if there is at least 22 contiguous feet of uninterrupted curb space
22 abutting each lot along the face of curb from the edge of the curb return to the lot line.

23 (g) Drive-in restaurants: One space/40 sq. ft. of floor area.

24 (h) Bowling alleys: 4 spaces/lane (plus required parking for affiliated uses.)

- 1 (i) Auditoriums, theaters, grandstands, stadia, amphitheaters, and other places of public
2 assembly: One space/50 sq. ft. of seating area plus parking for affiliated uses within 300 ft. of the
3 main use.
- 4 (j) Recreational uses:
- 5 (1) Racquetball and other court games: Four spaces/court (plus required spaces
6 for affiliated uses);
- 7 (2) Swimming pools: One space/100 sq. ft. of water surface (plus parking for
8 affiliated uses) as determined by the city;
- 9 (3) Golf courses: Two spaces/hole on **anf** course, plus parking for affiliated uses.
- 10 (k) Hospitals: One space/2.5 beds, plus one space/employee on the largest shift.
- 11 (l) Places of religious assembly, chapels, public schools, private schools having a
12 curriculum equivalent to a public elementary or public high school, and private business or
13 commercial schools: One space/50 sq. ft. in largest assembly hall as determined by the City.
- 14 (m) Academies, such as gymnastic, karate, judo, dance, or music academies: One space
15 for every three students allowed per class session plus one space for every employee. In those
16 instances where two sessions of classes occur one after another, without at least one-half hour
17 separation between sessions, the maximum number of students allowed at both sessions shall be
18 combined in determining the amount of required parking per class session.
- 19 (n) Housing for the physically handicapped: (see also Section 27.63.215) One space/
20 dwelling unit.
- 21 (o) Domestic shelters: One space for every four residents and two spaces for every
22 three employees on the largest shift.
- 23 (p) Salvage yard: Six spaces, two spaces/acre of lot area, or one space/1,000 square feet
24 of floor area, whichever is greater.

1 (q) Dwellings for members of a religious order: one space for every three residents.

2 (r) Warehouses:

3 (1) Warehouses with a floor area of 50,000 square feet or less: one space per
4 every 1,000 square feet of floor area or a minimum of one space per employee
5 on the largest shift. The floor area shall be calculated based on the total floor
6 area of all structures on the lot.

7 (2) Warehouses with a floor area of more than 50,000 square feet: one space per
8 every 1,000 square feet of floor area for the first 50,000 square feet of floor
9 area and one additional space per 2,000 square feet of floor area in excess of
10 50,000 square feet, or a minimum of one space per employee on the largest
11 shift. The floor area shall be calculated based on the total floor area of all
12 structures on the lot.

13 (3) If the number of spaces required by the building ratio is greater than required
14 by the employee ratio in (1) or (2) above, the additional parking spaces need
15 not be provided physically, but sufficient areas shall be reserved to
16 accommodate construction of the additional spaces. If the Building Official
17 finds at any time that the character of the use of the warehouse is such as to
18 require the full provision of parking facilities to be constructed, the Building
19 Official shall report this fact to the City Council which may, after holding a
20 hearing of which the owner shall be notified, require such additional parking
21 to be installed.

22 (s) Hotels and motels: one space per room and one space per 100 square feet of
23 accessory uses.

1 (t) Restaurants and Social Halls: one space per 100 square feet; one space per 200
2 square feet for restaurants located in the B-1 and B-3 zoning districts.

3 (u) Dwellings for caretakers employed and residing on the premises and/or accessory
4 dwelling units: one space per dwelling unit in addition to the number required for the main use.

5 (v) Early childhood care facilities: One space/-employee on the largest shift, plus off-
6 street loading/unloading area for one automobile per ten care receivers. Joint parking with
7 another use is acceptable if the early childhood care facility and the other use have
8 nonconcurrent parking demands.

9 (w) Residential Healthcare Facilities: One space for every four residents and two spaces
10 for every three employees on the largest shift.

11 (x) Sale of alcoholic beverages for consumption on the premises: One space per 100
12 square feet of floor area; one space per 200 square feet for premises for on-site alcohol
13 consumption located in the B-1 and B-3 zoning districts.

14 (y) Greenhouses and garden centers located in the AG or AGR zoning districts: For
15 greenhouses, one parking space shall be provided for each employee on the maximum shift.
16 Parking for greenhouses and garden centers in the AG zoning district may be provided on
17 unpaved areas, except for ADA accessible stalls.

18 (z) Heritage Centers and Agricultural Attractions located in the AG zoning district:
19 One space shall be provided for every 200 square feet of floor area devoted to permanent retail
20 and service use. In addition, an overflow parking area shall be provided with three stalls for
21 every acre included within the special permit area. Parking may be provided on unpaved areas,
22 except for ADA accessible stalls.

1 (aa) Community Halls, Farm Wineries, and Market Gardens located in the AG and AGR
2 zoning districts: There shall be adequate parking for vehicles compatible with the number of
3 people using the facility.

4 (bb) Off-street Freight Loading Requirements. At the time of construction, alteration, or
5 enlargement of any commercial or industrial building having a floor area of 10,000 square feet or
6 more, and containing a use or uses which requires off-street freight loading, off-street freight
7 loading areas shall be provided on the premises to serve the use and maintained as follows:

- 8 (1) Six hundred square feet for the first 10,000 square feet of floor area;
- 9 (2) An additional 600 square feet for each additional 20,000 square feet of floor
10 area.

11 (cc) Joint Parking. Uses that have nonconcurrent parking demand may join their parking
12 facilities so as to reduce aggregate parking requirements as follows:

- 13 (1) B-5 District. The uses shall be located in the B-5 District and may include
14 adjacent places of religious assembly or chapels located outside the B-5
15 District. Uses that have nonconcurrent parking demand may join their parking
16 facilities; however, the use having the largest floor area shall provide 1
17 parking space for every 300 square feet of floor area, provided, however, that
18 the number of additional spaces that would be required in the absence of this
19 paragraph need not be provided physically, but sufficient land shall be
20 reserved in the event that future uses may not have nonconcurrent parking
21 demand. For the purpose of determining the adequacy of the joint parking
22 arrangement, all such joint parking use shall be authorized by a written
23 agreement between the city and all parties to such use.

1 (2) O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4 Zoning Districts. The uses shall
2 be located in the following zoning districts: O-3, B-1, B-2, B-3, B-4, H-2, H-
3 3, and H-4, and may include uses in adjacent O-2 districts and adjacent places
4 of religious assembly and chapels outside the above districts. The aggregate
5 parking requirement shall be computed on the basis of providing the parking
6 required for that use or those uses having concurrent parking demand that
7 have the largest parking demands as determined by the parking matrix
8 (Section 27.67.020) and any additional conditions in this chapter; provided,
9 however, that the number of additional spaces that would be required in the
10 absence of this paragraph need not be provided physically, but sufficient land
11 shall be reserved in the event that future uses may not have nonconcurrent
12 parking demand. For the purpose of determining the adequacy of the joint
13 parking arrangement, all such joint parking use shall be authorized by a
14 written agreement between the city and all parties to such use.

15 (3) O-1 District. The uses shall be located in the O-1 District and may include
16 adjacent places of religious assembly or chapels located outside the O-1
17 District. Uses that have nonconcurrent parking demand may join their parking
18 facilities. The aggregate parking requirement shall be computed on the basis
19 of providing the parking required for that use or those uses having concurrent
20 parking demands that have the largest parking demands as determined by the
21 parking matrix and any additional conditions in this chapter; provided,
22 however, that the number of additional spaces that would be required in the
23 absence of this paragraph need not be provided physically, but sufficient land
24 shall be reserved in the event the future uses may not have nonconcurrent

1 parking demand. For the purpose of determining the adequacy of the joint
2 parking arrangement, all such joint parking use shall be authorized by a
3 written agreement between the city and all parties to such use.

4 (dd) Data Center: Two (2) spaces per three (3) employees on largest shift, plus land
5 shall be reserved to provide required parking for office uses in the underlying zoning districts in
6 the event the Data Center is changed to another office use.

7 (ee) Urban Gardens greater than two acres in size shall provide three off-street parking
8 stalls per every acre or part thereof over two acres.

9 (ff) Joint parking is a permitted use in the O-3, R-T, B-2, B-5, and I-3 zoning districts
10 under the following conditions:

11 (1) The joint use of parking lots and garages shall be authorized by a cross access
12 easement or by other written agreement between the parties to such joint
13 parking (“Joint Use Agreement”).

14 (2) The minimum aggregate number of parking stalls provided under the Joint
15 Use Agreement shall be equal to the sum of the required parking for each use.

16 (3) The Joint Use Agreement shall be submitted to and approved by the City Law
17 Department.

18 (4) The Joint Use Agreement shall be filed of record with the Register of Deeds
19 for Lancaster County, Nebraska and indexed against the affected properties.

20 (gg) Dwellings for Nonrelated Persons, for four to six persons living as a single
21 housekeeping unit permitted under a community unit plan: One space per resident.

22 (hh) Parking for accessory buildings for retail sales, such as lumber storage areas, is
23 not required to be provided, when they are not fully enclosed or are left open during business
24 hours.

1 (ii) Three parking stalls shall be provided on premises used for motorized vehicle
2 sales if the premises is less than two (2) acres in size. If the premises is two (2) or more acres in
3 size, parking shall be as shown on the parking matrix for the district the motorized vehicles sales
4 is located in.

5 Section 8. That Figure 27.67.040 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **Figure 27.67.040**

8 **Uses with Special Parking Requirements**

9 The following uses have special parking requirements that shall apply in place of the general
10 parking requirements found in Section 27.67.020:

11 Academies..... 27.67.040(m)
12 Accessory buildings for retail sales27.67.040(hh)
13 | [Accessory Dwelling Units](#)[27.67.040 \(u\)](#)
14 Adult day services facility27.67.040(c)
15 Agricultural attractions (located in the AG zoning district).....27.67.040(z)
16 Amphitheaters 27.67.040(i)
17 Auditoriums 27.67.040(i)
18 Bowling alleys27.67.040(h)
19 Chapels..... 27.67.040(l)
20 Community halls (located in the AG zoning district) 27.67.040(aa)
21 Court games 27.67.040(j)
22 Data center27.67.040(dd)
23 Domestic shelters27.67.040(o)
24 Drive-in restaurants.....27.67.040(g)
25 Dwellings for members of a religious order27.67.040(q)
26 Dwellings for caretakers employed and residing on premises.....27.67.040(u)

1 Early childhood care facilities27.67.040(v)

2 Elderly housing27.67.040(d)

3 Farm wineries..... 27.67.040(aa)

4 Fraternities 27.67.040(a)

5 Grandstands..... 27.67.040(i)

6 Greenhouses (located in the AG or AGR zoning districts).....27.67.040(y)

7 Group homes.....27.67.040(b)

8 Golf courses 27.67.040(j)

9 Guest parking for small lot two-family and single family dwellings..... 27.67.040(f)

10 Healthcare residential.....27.67.040(w)

11 Heritage centers (located in the AG zoning district).....27.67.040(z)

12 Hospitals27.67.040(k)

13 Hotels 27.67.040(s)

14 Housing for the physically handicapped27.67.040(n)

15 Joint parking.....27.67.040(cc)(ff)

16 Market Garden 27.67.040(aa)

17 Mini-warehouses..... 27.67.040(e)

18 Motels 27.67.040(s)

19 Motorized Vehicle Sales 27.67.040(ii)

20 Off-street freight loading requirements.....27.67.040(bb)

21 Places of public assembly 27.67.040(i)

22 Places of religious assembly 27.67.040(l)

23 Private business or commercial schools..... 27.67.040(l)

24 Private schools having a curriculum equivalent to a public school 27.67.040(l)

25 Public schools 27.67.040(l)

26 Recreational uses27.67.040(k)

27 Restaurants (also see Drive-in restaurants) 27.67.040(t)

1 Retirement housing27.67.040(d)
2 Salvage yards27.67.040(p)
3 Sale of alcoholic beverages for consumption on the premises27.67.040(x)
4 Social halls 27.67.040(t)
5 Sororities27.67.040(a)
6 Stadia 27.67.040(i)
7 Swimming pools 27.67.040(j)
8 Theaters..... 27.67.040(i)
9 Warehouses 27.67.040(r)
10 Urban gardens 27.67.040(ee)

11 Section 9. That Section 27.72.020 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **27.72.020 Height and Lot Regulations R-1 through R-8 Zoning Districts.**

14 The maximum height and minimum lot requirements within the R-1 through R-8 Districts
15 shall be as follows:

16 | (a) **R-1, R-2, R-3, and R-4 General Requirements.** See Table 27.72.020(a) below:

Table 27.72.020 (a)					
Maximum Height and Minimum Lot Requirements for the R-1 through R-4 Districts					
		R-1	R-2	R-3	R-4
Single-family Dwelling	Lot Area (sq. ft.)	9,000	6,000	6,000	5,000
	Avg. Lot Width	60'	50'	50'	50'
	Front Yard	30'	25'	20'	25'
	Side Yard	10'	5'	5'	5'
	Rear Yard	Smaller of 20' or 20% of the lot depth			
	Height	35'	35'	35'	35'
Two-family Dwelling	Lot Area per Family (sq. ft.)	7,200	5,000	5,000	2,500
	Avg. Lot Width per Family	48'	40'	40'	25'
	Front Yard	30'	25'	20'	25'
	Side Yard (0' if party wall)	20'	10'	5'	5'
	Rear Yard	Smaller of 20' or 20% of the lot depth			
	Height	35'	35'	35'	35'
Other Allowed Uses	Lot Area (sq. ft.)	9,000	6,000	6,000	5,000
	Avg. Lot Width	60'	50'	50'	50'
	Front Yard	30'	25'	20'	25'
	Side Yard	10'	5'	5'	5'
	Rear Yard	Smaller of 30' or 20% of the lot depth			
	Height	35'	35'	35'	35'

1 (b) **R-5, R-6, R-7, and R-8 General Requirements.** See Table 27.72.020(b) below:

Table 27.72.020(b)					
Maximum Height and Minimum Lot Requirements for the R-5 through R-8 Districts					
		R-5	R-6	R-7	R-8
Single-family Dwelling	Lot Area (sq. ft.)	5,000	4,000	4,000	4,000
	Avg. Lot Width	50'	50'	50'	50'
	Front Yard	20'	20'	20'	10'
	Side Yard	5'	5'	5'	10'
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'
Two-family Dwelling	Lot Area per Family (sq. ft.)	2,500	2,500	2,000	2,000
	Avg. Lot Width per Family	25'	25'	25'	25'
	Front Yard	20'	20'	20'	10'
	Side Yard (0' if party wall)	5'	5'	5'	10'
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'
Townhouses	Lot Area per Family (sq. ft.)	2,500	2,500	2,000	2,000
	Avg. Lot Width per Family	20'	20'	20'	20'
	Front Yard	20'	20'	20'	10'
	Side Yard (0' if party wall)	10'	5'	5'	10'
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'

		R-5	R-6	R-7	R-8
Multiple-Family Dwellings and Apartment Hotels	Lot Area per Unit (sq. ft.)	1,500	1,100	700	550
	Avg. Lot Width	50'	50'	50'	50'
	Front Yard	20'	20'	20'	10'
	Side Yard (0' if party wall)	7' or 10' if over 20' in ht.		Total 15'; minimum 7' per side	10'
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	45'	75'
Other Allowed Uses	Lot Area (sq. ft.)	5,000	4,000	4,000	4,000
	Avg. Lot Width	50'	50'	50'	50'
	Front Yard	20'	20'	20'	10'
	Side Yard	5'	5'	5'	10'
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'

1 (c) **Exceptions to the Minimum Lot Requirements Residential.**

2 (1) In the R-1 through R-4 zoning districts if a vacant lot or tract of land has less area or
3 width or both less area and width than herein required and its boundary lines along
4 their entire length abutted lands under other ownership on November 2, 1953, and
5 have not since been changed, such lot or tract of land may be used for a single-family
6 dwelling provided that:

7 (i) A side yard of at least five feet shall be provided when located in the R-1 district.

8 (ii) If the vacant lot or tract of land has less width than herein required and its
9 boundary lines along their entire length abutted lands under other ownership on
10 November 2, 1953, and have not since been changed, such lot or tract of land
11 may be used for a two-family dwelling in the R-4 district.

- 1 (2) In the R-5 through R-8 where a vacant lot or tract of land has less area or width or
2 both less area and width than herein required and its boundary lines along their entire
3 length abutted lands under other ownership on November 2, 1953, and have not since
4 been changed, the lot or tract of land may be used for a single-family dwelling, two-
5 family dwelling, or for any nondwelling use permitted in this chapter.
- 6 (3) If a vacant lot or tract of land under (c)(1) or (c)(2) above comes under common
7 ownership with an abutting lot or tract of land, such vacant lot or tract of land may be
8 used for a single-family dwelling provided said abutting lot or tract of land was
9 occupied by a dwelling on the date such contiguous properties came under common
10 ownership.
- 11 (4) If a vacant lot or tract of land under (c)(1) or (c)(2) above comes under common
12 ownership with an abutting vacant lot or tract of land which has less area or width or
13 both less area and width than herein required, such lots and tracts of land shall be
14 merged together and constitute a single premises.
- 15 (5) If an existing lot or tract of land in a residential zoning district lawfully occupied by a
16 single-family or two-family dwelling on the effective date of this title or on the
17 effective date of a change in district boundaries from another zoning district to the
18 existing residential district has less area or width or both less area and width than
19 herein required, such lot or tract of land shall not be considered nonstandard due to
20 this condition.
- 21 (6) In those locations in the R-1 and R-2 zoning districts where, on November 2, 1953,
22 and continuing thereafter, forty percent or more of the frontage on the same side of a
23 street between two street intersections is lawfully occupied by two or more buildings
24 consisting of two-family dwellings or two-family and multiple-family dwellings, two-

1 family dwellings may be erected in conformance with the height, minimum lot
2 requirements, and parking regulations of the R-4 zoning district.

3 (7) In those locations in R-4 zoning district where, on November 2, 1953, and continuing
4 thereafter, forty percent or more of the frontage on the same side of a street between
5 two street intersections is lawfully occupied by two or more buildings consisting of
6 multiple-family dwellings, three- and four-family dwellings may be erected in
7 conformance with the height, minimum lot requirements, and parking regulations of
8 the R-5 zoning district.

9 (8) If an existing lot or tract of land in the R-1 or R-2 zoning district is lawfully occupied
10 by a two-family dwelling which has a side yard setback of less than twenty feet in the
11 R-1 zoning district or ten feet in the R-2 zoning district and said use becomes
12 nonstandard through a change in district boundaries from another zoning district to
13 this district, the two-family dwelling may be enlarged, extended, or reconstructed as
14 long as the greater of the existing side yard or a ten-foot side yard for the R-1 and
15 five foot side yard for the R-2, is provided.

16 (9) If two or more abutting lots in the R-2 zoning district existing on or before November
17 2, 1953, have an aggregate width of at least 75 feet, such lots may be used for a two-
18 family dwelling, notwithstanding the R-2 district average lot width requirements per
19 family in Table 27.72.020(a).

20 (10) In the R-5 through R-8 zoning districts, if two single-family dwellings are located on
21 one lot, said dwellings are subject to the applicable height and area restrictions for a
22 two-family dwelling.

23 Section 10. That Section 27.72.120 of the Lincoln Municipal Code be amended
24 to read as follows:

1 **27.72.120 Accessory Buildings.**

2 (*Only applies to accessory structures associated with a main dwelling)

3 (a) Accessory buildings which are attached to or not located more than (1) six feet from the
4 main building in the R-1 through R-8, O-1*, B-1*, and B-3* zoning districts and (2) 10 feet
5 from the main building in the AG, AGR, O-2, O-3, B-4, B-5, all H, and I-2 zoning districts
6 shall be considered a part of the main building and shall comply with the height, front, side,
7 and rear yard requirements of the main building.

8 (b) In all commercial and industrial zoning districts, accessory buildings shall not extend into
9 any required yard, except as otherwise stated in this chapter.

10 (c) Accessory buildings which are not a part of the main building:

11 (1) May, if located not less than sixty feet from the front lot line, extend into the required
12 side yard though not closer than two feet to the side lot line in the R-1 through R-8,
13 O-1*, O-2, O-3, B-1*, B-3*, B-4, all H, and the I-2 zoning districts, provided that
14 such accessory buildings shall not be more than fifteen feet in height.

15 (2) May be located in the required rear yard, provided that such accessory buildings:

16 (i) Shall not be nearer than two feet to the side or rear lot line in the AG, AGR, R-
17 1 through R-8, O-1*, O-2, O-3, B-1*, B-3*, B-4, B-5, all H, and the I-2 zoning
18 districts.

19 (ii) Shall not occupy more than the following percent of the required rear yard:

20 - Forty percent in the R-1 through R-6, O-1*, B-1*, and B-3* zoning
21 districts.

22 - Thirty percent in the AG, AGR, R-7, R-8, O2, O3, B-4, B-5, all H, and the
23 I-2 zoning districts.

- 1 (iii) Shall not be more than fifteen feet in height in the R-1 through R-8, O-1*, O-2,
2 O-3, B-1*, B-3*, B-4, B-5, all H, and the I-2 zoning districts;
- 3 (iv) Notwithstanding the above, an accessory building used as a garage and taking
4 access from an alley shall not be located closer than ten feet to the alley line in
5 the R-1 through R-8, O-1*, O-2, O3, B-1*, B-3*, B-4, B-5, all H, and the I-2
6 zoning districts.
- 7 (v) Shall not abut a residential district in the O-2, O-3, B-5, H-4, and I-2 zoning
8 districts.
- 9 (vi) Shall not be nearer than a distance equal to ten percent of the average lot width
10 from the side lot line in the AG zoning district on lots 20 acres or more.
- 11 (3) May be located in the required front yard on double-frontage lots where at least one
12 frontage is along a major street in ~~the~~ R-1, R-2, and R-3, provided such accessory
13 buildings:
- 14 (i) Shall not occupy any portion of any required front yard along the local street.
- 15 (ii) Shall not be closer than two feet to the side lot line, closer than two feet to the
16 front lot line along the major street, or closer than two feet to an area specified
17 as a building line district.
- 18 (iii) Shall not occupy any portion of the required front yard along any major street
19 except when a landscape screen is located along all front lot lines of such lot
20 adjacent to any major street in conformance with the "Design Standards for
21 Screening and Landscaping" adopted by the City of Lincoln.
- 22 (iv) Shall not have direct vehicular access from any major street along any major
23 street frontage in the block.

1 (v) Shall not occupy more than 100 square feet for buildings and 600 square feet
 2 for structures of the required front yard along the major street.

3 (vi) Shall not exceed fifteen feet in height and any accessory building or portion
 4 thereof within twenty feet of the front lot line along the major street shall not
 5 exceed eight feet in height.

6 (4) Accessory buildings in the AG and AGR districts are not permitted in the side yard
 7 unless also located in the rear yard.

8 (d) Maximum and expanded maximum cumulative allowable area for all accessory buildings
 9 on single family or two family residential lots or tracts in AG, AGR, and R-1 to R-8 zoning
 10 districts:

11 (1) The maximum and the expanded maximum cumulative allowable area for all
 12 accessory buildings are as set out in Table 27.72.120(d) below. The applicable
 13 maximum cumulative allowable area may be increased up to the expanded maximum
 14 allowable area as provided in Table 27.72.120(d) Notes *1-4 below:

Table 27.72.120(d)						
Maximum and Expanded Maximum* Cumulative Allowable Area for Accessory Buildings on Single Family or Two Family Residential Lots or Tracts						
*#Expanded Maximum only applies in accordance with the applicable Note *# below (e.g. *1)						
		Lot or Tract Size				
		less than 7,500 sq. ft.	7,500 sq. ft. to less than 20,000 sq. ft.	20,000 sq. ft. to less than 1 acre	1 acre or more	
R1- R-8 Accessory Building sq. ft.	Maximum	1,000	1,500	2,000	2,000	
	Expanded Maximum	1,500* ¹	3,000* ²	3,000* ²	5,000* ³	
		less than 1 acre	1 acre to less than 2 acres	2 acres to less than 4 acres	4 acres to less than 10 acres	10 acres or more
AGR Accessory Building sq. ft.	Maximum	2,000	2,000	2,000	2,000	2,000
	Expanded Maximum	3,000* ²	6,000* ⁴	8,000* ⁴	20,000* ⁴	No maximum* ⁴
AG Accessory	Maximum	2,000	2,000	2,000	2,000	No maximum

Building sq. ft.	Expanded Maximum	3,000*2	6,000*4	8,000*4	20,000*4	
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Notes:

*1. In the R-1 to R-8 zoning districts, for lots or tracts less than 7,500 square feet in size, the maximum cumulative square footage of all accessory buildings may be increased up to the above expanded maximum square feet provided:

- i. Total square footage for all accessory buildings does not exceed the total square footage, excluding basement, of the main building.
- ii. The total square footage for all accessory buildings does not exceed a cumulative total of 500 square feet in the side, rear, and front yard setbacks.

*2. In the R-1 to R-8 zoning districts for lots or tracts 7,500 square feet to less than 1 acre in size, and in AG and AGR zoning districts for lots or tracts less than 1 acre in size, the maximum cumulative square footage for all accessory buildings may be increased up to the above expanded maximum square feet provided:

- i. The total square footage for all accessory buildings shall not exceed the total square footage, excluding basement, of the main building.
- ii. The total square footage for all accessory buildings does not exceed a cumulative 250 square feet in the side, rear, and front yard setbacks.
- iii. Any individual accessory building over 250 square feet in area must be located outside of the side, rear, and front yard setbacks.

*3. In the R-1 to R-8 zoning districts, for lots or tracts of 1 acre or larger in size, the maximum cumulative square footage for all accessory buildings may be increased up to the above expanded maximum square feet provided:

- i. The total square footage for all accessory buildings does not exceed a cumulative total of 250 square feet in the side, rear, and front yard setbacks.
- ii. Any individual accessory building over 250 square feet in area must be located outside of the side, rear, and front yard setbacks.

*4. In the AG zoning district for lots and tracts 1 acre to less than 10 acres, and in the AGR zoning district for lots or tracts 1 acre or greater, the maximum cumulative square footage for all accessory buildings may be increased to the above expanded maximum square feet provided that the total square footage of all accessory buildings does not exceed a cumulative total of 2,000 square feet in the side and rear setbacks.

1 (e) Accessory buildings having a conditioned area shall:

2 (1) Comply with the height regulations of the district the accessory building is located in,

3 but shall be no taller than the main building on the same lot, and

4 (2) Meet the required setbacks of the main building.

5 Section 11. That Sections 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040,
6 27.67.030, 27.67.040, Figure 27.67.040, and 27.72.120 of the Lincoln Municipal Code as
7 hitherto existing be and the same are hereby repealed.

1 Section 12. This ordinance shall be published, within fifteen days after the
2 passage hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or
3 posted on the official bulletin board of the City, located on the wall across from the City Clerk's
4 office at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with
5 notice of passage and such posting to be given by publication one time in the official newspaper
6 by the City Clerk. This ordinance shall take effect and be in force from and after its passage and
7 publication or after its posting and notice of such posting given by publication as herein and in
8 the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2017: _____ Mayor
