

PARKING

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Comment [CJE1]: Stating "Special Conditions" is redundant. If they are not in the "General Conditions" then they must be special.

27.67.010 Scope of Regulations.

Parking regulations for this title are as shown on the parking matrix and also as required in the additional conditions of this chapter. Any additional conditions imposed by any other ordinances or regulations also apply. If there is a conflict, the most restrictive ordinance, regulation, or other requirement shall apply. (Ord. 12571 §353; May 8, 1979).

27.67.020 Parking Matrix.

General parking requirements for this title are set out in Figure 27.67.020 at the end of this chapter. *[See amended Figure 27.67.020 attached to this ordinance as Attachment A]* (Ord. 18998 §1; September 24, 2007; prior Ord. 18903 §13; March 26, 2007; Ord. 18826 §1; October 9, 2006; Ord. 17418 § 2; October 5, 1998; Ord. 17232 §17; August 18, 1997; Ord. 16958 §1; March 25, 1996; Ord. 16837 §1; July 31, 1995; Ord. 15784 §1; November 26, 1990; Ord. 15317 §10; October 16, 1989; Ord. 15165 §4; May 1, 1989; Ord. 15010 §1; October 10, 1988; Ord. 14696 §2; July 6, 1987; Ord. 13481, as amended by Ord. 13555 §1; March 7, 1983; Ord. 13234 §1; October 19, 1981; Ord. 13150 §1; June 15, 1981; Ord. 12657 §14; August 6, 1979; Ord. 12571 §354; May 8, 1979).

27.67.030 General Conditions.

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

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

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

Comment [CJE2]: B-1, B-3 and H-2 zoning districts will no longer have required front yards. They will have Build-to lines that will be regulated by the proposed new Commercial Corridor Design Standards. The H-1 zoning district is being eliminated.

- (2) Parking in the front yard is permitted in the R-1, R-2, R-3, and R-4 zoning districts for passenger cars, pickup trucks, or vans outside of an enclosed structure on a concrete driveway or its equivalent under the following conditions:
 - (i) The width of such parking area shall not exceed thirty-five percent of the width of the front yard;
 - (ii) The parking area shall be not less than two feet from and parallel to the side lot line and not less than two feet from the front property line;
 - (iii) The property shall be used for one- and two-family dwellings.
- (3) Parking in the front yard is permitted as otherwise provided in Section 27.63.170.

(b) No parking space is permitted in the required side yard in any district except in the B-1, B-3 and H-2 zoning districts or as otherwise provided in this chapter and in Section 27.63.170.

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

(d) All required parking spaces shall be provided on the same lot as the use for which they are required, except as otherwise provided for in this chapter: Where two or more uses are located on the same lot, the minimum aggregate number of parking stalls on the lot shall be equal to the sum of the required parking for each use, unless modified per 27.67.045.

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

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

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

(h) No parking space is required for the area of outdoor dining. (Ord. 19189 §1; December 15, 2008: prior Ord. 19092 §2; June 9, 2008: Ord. 18898 §2; September 24, 2007: Ord. 18770 §3; July 24, 2006: Ord. 18687 §28; March 20, 2006: Ord. 16958 §2; March 25, 1996: Ord. 15910 §1; June 24, 1991: Ord. 14215 §2; September 9, 1985: Ord. 12571 §355; May 8, 1979).

27.67.040 Parking Requirements; Special Conditions.

An alphabetical list of uses with special parking requirements for this title are set out in Figure 27.67.040 at the end of this chapter. [See amended Figure 27.67.040 attached to this ordinance as Attachment B]. The following special parking requirements shall apply to the listed uses in place of the general parking requirements found in Section 27.67.020:

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

(b) Group homes: One space per three client or employee residents, plus two spaces per three nonresident employees on the largest shift; provided, however, that no spaces shall be required for client residents who will not possess motor vehicle operator's licenses.

Comment [CJE3]: Parking is being added as a permitted use in the side yard for these 3 districts, while required screening is being increased in the design standards in side and rear yards between commercial and residential zoning districts to mitigate any negative impact of parking in the side yard area.

Comment [CJE4]: This language is added to the General Conditions to provide clarification that is found later in the chapter.

Appropriate documentation from the group home licensing agency shall be provided evidencing the non-possession of motor vehicle operator's licenses by clients.

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

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

(e) Mini-warehouses:

(1) Two spaces for manager's quarters;

(2) One space for every 200 storage cubicles to be located at the project office for the use of clients; provided access lanes and roads to the storage area are twenty feet in width to allow vehicles to unload and pass. If access lanes and roads are less than twenty feet in width, parking at a rate of one space per ten storage cubicles shall be provided equally throughout the storage area.

~~(f) Doctors' and dentists' offices: One space/225 sq. ft. of floor area.~~

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

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

~~(hi)~~ Auditoriums, theaters, grandstands, stadia, amphitheaters, and other places of public assembly: One space/50 sq. ft. of seating area plus parking for affiliated uses within 300 ft. of the main use.

~~(ij)~~ Recreational uses:

(1) Racquetball and other court games: Four spaces/court (plus required spaces for affiliated uses);

(2) Swimming pools: One space/100 sq. ft. of water surface (plus parking for affiliated uses) as determined by the city;

(3) Golf courses: Two spaces/hole of course, plus parking for affiliated uses.

~~(jk)~~ Hospitals: One space/2.5 beds, plus one space/employee on the largest shift.

~~(kl)~~ Churches, chapels, public schools, private schools having a curriculum equivalent to a public elementary or public high school, and private business or commercial schools: One space/50 sq. ft. in largest assembly hall as determined by the City.

~~(ml)~~ Academies, such as gymnastic, karate, judo, dance, or music academies: One space for every three students allowed per class session plus one space for every employee. In those instances where two sessions of classes occur one after another, without at least one-half hour separation between sessions, the maximum number of students allowed at both sessions shall be combined in determining the amount of required parking per class session.

~~(nm)~~ Housing for the physically handicapped: (see also Section 27.63.215) One space/dwelling unit.

~~(on)~~ Domestic shelters: One space for every four residents based on the maximum occupancy allowed by the lot area and two spaces for every three employees on the largest shift.

~~(po)~~ Salvage yard: Six spaces, two spaces/acre of lot area or one space/1,000 square feet of floor area, whichever is greater.

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

~~(rq)~~ Warehouses:

Comment [CJE5]: Medical offices are proposed to have the same parking requirement as all other offices.

- (1) Warehouses with a floor area of 50,000 square feet or less: one space per every 1,000 square feet of floor area or a minimum of one space per employee on the largest shift. The floor area shall be calculated based on the total floor area of all structures on the lot.
- (2) Warehouses with a floor area of more than 50,000 square feet: one space per every 1,000 square feet of floor area for the first 50,000 square feet of floor area and one additional space per 2,000 square feet of floor area in excess of 50,000 square feet, or a minimum of one space per employee on the largest shift. The floor area shall be calculated based on the total floor area of all structures on the lot.
- (3) If the number of spaces required by the building ratio is greater than required by the employee ratio in (1) or (2) above, the additional parking spaces need not be provided physically, but sufficient areas shall be reserved for to accommodate construction of the additional spaces. If the Building Official finds at any time that the character of the use of the warehouse is such as to require the full provision of parking facilities to be constructed, the Building Official shall report this fact to the City Council which may, after holding a hearing of which the owner shall be notified, require such additional parking to be installed.

(~~st~~) Hotels and motels: one space per room and one space per 100 square feet of accessory uses.

(~~ts~~) Restaurants and Social Halls: one space per 100 square feet.

(~~tt~~) Dwellings for caretakers employed and residing on the premises: one space per dwelling unit.

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

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

(~~w~~) Sale of alcoholic beverages for consumption on the premises: One space per 100 square feet of floor area.

(~~x~~) Greenhouses located in the AG or AGR zoning districts: One parking space shall be provided for each employee on the maximum shift.

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

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

(~~baa~~) Off-street Freight Loading Requirements. At the time of construction, alteration, or enlargement of any commercial or industrial building having a floor area of 10,000 square feet or more, and containing a use or uses which requires off-street freight

loading, off-street freight loading areas shall be provided on the premises to serve the use and maintained as follows:

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

~~(eebb) Commercial Centers: The minimum aggregate number of parking stalls in a Commercial Center shall be equal to the sum of the required parking for each use; provided, however, shared parking of common parking facilities between various uses within the Commercial Center which operate during different hours of the day and night may be approved so as to reduce the minimum aggregate number of parking stalls required for each use pursuant to Section 27.67.045.~~

~~Joint Parking: Uses that have none concurrent parking demand may join their parking facilities so as to reduce aggregate parking requirements as follows:~~

~~(1) B-5 District. The uses shall be located in the B-5 District and may include adjacent churches or chapels located outside the B-5 District. Uses that have none concurrent parking demand may join their parking facilities; however, the use having the largest floor area shall provide 4.5 parking spaces for every 1,000 square feet of floor area, and all other uses included in the joint parking arrangement shall provide two parking spaces per 1,000 square feet of their floor area; provided, however, that the number of additional spaces that would be required in the absence of this paragraph need not be provided physically, but sufficient land shall be reserved in the event that future uses may not have none concurrent parking demand. For the purpose of determining the adequacy of the joint parking arrangement, all such joint parking use shall be authorized by a written agreement between the city and all parties to such use.~~

~~(2) O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4 Zoning Districts. The uses shall be located in the following zoning districts: O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4, and may include uses in adjacent O-2 districts and adjacent churches and chapels outside the above districts. The aggregate parking requirement shall be computed on the basis of providing the parking required for that use or those uses having concurrent parking demand that have the largest parking demands as determined by the parking matrix (Section 27.67.020) and any additional conditions in this chapter; provided, however, that the number of additional spaces that would be required in the absence of this paragraph need not be provided physically, but sufficient land shall be reserved in the event that future uses may not have none concurrent parking demand. For the purpose of determining the adequacy of the joint parking arrangement, all such joint parking use shall be authorized by a written agreement between the city and all parties to such use.~~

~~(3) O-1 District. The uses shall be located in the O-1 District and may include adjacent churches or chapels located outside the O-1 District. Uses that have none concurrent parking demand may join their parking facilities. The aggregate parking requirement shall be computed on the basis of providing the parking required for that use or those uses having concurrent parking demands that have the largest parking demands as determined by the parking matrix and any additional conditions in this chapter; provided, however, that the number of additional spaces that would be required in the absence of this paragraph need not be provided physically, but sufficient land shall be reserved in the event the future uses may not have none concurrent parking demand. For the purpose of determining the adequacy of the~~

Comment [CJE6]: This is a briefer description of how shared parking can work in commercial centers. Commercial Centers are defined in 27.02. This new section replaces the confusing "Joint Parking" section below.

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~~joint parking arrangement, all such joint parking use shall be authorized by a written agreement between the city and all parties to such use.~~

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

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

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

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

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

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

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

(Ord. 19733 §33; June 25, 2012: prior Ord. 19710 §1; April 30, 2012: Ord. 19702 §5; April 16, 2012: Ord. 19547 §3; June 6, 2011: Ord. 19406 §2; June 28, 2010: Ord. 18977 §9; August 20, 2007: Ord. 18903 §14; March 26, 2007: Ord. 18680 §1; March 13, 2006: Ord. 17418 §3; October 5, 1998: Ord. 16854 §45; August 14, 1995: Ord. 16253 §3; October 26, 1992: Ord. 15861 §1; April 15, 1991: Ord. 14185, as amended by Ord. 14276, November 25, 1985: Ord. 13610 §1; June 6, 1983: Ord. 13546 §11; February 28, 1983: Ord. 13302 §9; February 1, 1982: Ord. 13291 §1; January 4, 1982: Ord. 12751 §24; November 5, 1979: Ord. 12679 §5; September 4, 1979: Ord. 12571 §356; May 8, 1979).

27.67.045 Modifications to Parking Requirements.

(a) Off Premises Parking. Parking may be provided off the premises in all B, H, I and the O-2 and O-3 zoning districts as long as the off premises parking area is provided within 600 feet of the premises. Parking may be provided off the premises in the O-1 zoning district as long as the off premises parking area is provided within 900 feet of the premises.

(b) Joint Parking. The Planning Director, may upon receipt of a request supported by satisfactory documentation, modify the general parking requirements to allow two or more uses which have parking demands which occur at different times (“non-concurrent parking demand”) to join their parking facilities so as to reduce the minimum aggregate number of parking stalls required for each use as follows:

(1) The joint parking spaces must be located upon abutting lots or within the boundaries of a Planned Unit Development, Community Unit Plan or Use Permit or within the applicable distance requirement allowed if required parking is allowed offsite.

(2) The times demanded for these joint parking spaces will not conflict substantially between the use offering the spaces and the use to be served.

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Comment [CJE7]: The joint parking provisions are not intended to be limited to Commercial Zoning districts, churches, schools, special permits for parking in a residential district may all use the joint parking provision requirement.

Comment [CJE8]:
•Changes the “within 300” to “within 600.”.
•Allows for off premises parking in all commercial zoning districts.
•Takes the “within” language out of the table.

Comment [CJE9]: This section describes how joint parking can be approved.

- (3) The minimum aggregate number of joint parking stalls shall be computed on the basis of providing the parking required for the non-concurrent use that has the largest parking demand as determined under Section 27.67.020.
- (4) The joint parking arrangement shall be memorialized by a written agreement between the City and all parties to such use ("Joint Use Parking Agreement").
- (5) The Joint Use Parking Agreement shall be submitted to and approved by the City.
- (6) The Joint Use Parking Agreement shall be filed of record with the Register of Deeds.

In the event the Joint Use Parking Agreement is terminated or additional parking is required by a change of use and provision for such additional parking is not provided, an approval shall be required by the City Council

(c) Minor Modifications. The Planning Director is authorized to approve minor modifications to the parking requirements, provided that a request for modification is filed with the Planning Director which includes satisfactory supporting documentation. The documentation should demonstrate why the required parking is not needed, why the modification should be granted, how the public welfare will be preserved, and why the modification will not adversely affect existing or reasonably anticipated future uses of the property. Supporting documentation could address but would not be limited to addressing the mix of uses and non concurrent peak parking requirements, the amount and availability of on-street parking during the peak hour parking demand; whether the use requiring the parking is within walking/biking distance for employees and/or customers; how local conditions such as lower customer frequency or in-house employee shower/locker facilities and secure bicycle parking spaces reduce typical vehicle parking demand and justify parking minimums less than those required in this chapter. The request for minor modification shall be approved by the Planning Director only upon a finding that:

- (1) The modification (including any previously approved modifications) does not reduce the required parking by more than 25%;
- (2) The modification (including any previously approved modifications) does not expand the distance requirement for the required parking by more than 25%; and
- (3) The modification will have no significant adverse effect on existing or reasonably anticipated future uses of the premises.

(c) Approval or Denial. Within thirty (30) days from the date of filing of the request for modification, the Planning Director shall approve, conditionally approve, or deny the request and shall notify the applicant in writing of the director's approval, conditional approval, or denial. Any council member or aggrieved person may appeal any approval or denial of the request for modification by the Planning Director in accordance with Section 27.81.021.

27.67.050 ~~Special Conditions~~; B-4 Zoning District.

The following special parking requirements shall apply to the B-4 zoning district:

Comment [CJE10]: This section describes justifications for minor parking reductions approved by the Planning Director (joint parking as described above might be one justification, but there are others such as on street parking, different peak parking demand hours, bike/ car share programs)

(a) In the area located from 150 feet east of 17th Street to the western boundary of the B-4 District, there will be no parking requirements. There will also be no parking requirements in the area located between the centerline of "N" Street and the centerline of "P" Street from 150 feet east of 17th Street to the eastern boundary of B-4 District.

(b) In the area located from 150 feet east of 17th Street to the eastern boundary of the B-4 District, not specifically excepted in section (a) above, the following shall be provided on site or within 300 feet of the premises:

- (1) Industrial and manufacturing uses: Two spaces per three employees on the largest shift, or one space per 1,000 square feet of floor area; provided, however, that if the number of spaces required by the building ratio is greater than that required by the employee ratio, the additional parking spaces need not be provided physically, but sufficient space shall be reserved for future physical development.
- (2) Other commercial business and office uses: One parking space per 600 square feet;
- (3) Residential uses: One parking space per dwelling unit.

(Ord. 19132 §8; September 8, 2008: prior Ord. 13442 §1; September 7, 1982: Ord. 12571 §357; May 8, 1979).

27.67.065 ~~Special Conditions;~~ Community Unit Plan and O-3 Zoning District.

- (a) In a community unit plan, the following parking regulations shall apply:
 - (1) Two parking spaces per dwelling unit, except that dwellings for nonrelated persons shall have one space for each resident. The City Council may reduce the community unit plan parking requirement to no less than one and one-half parking spaces per dwelling unit, except for dwellings for nonrelated persons, when the application includes information justifying the reduction;
 - (2) The location of required parking as set forth elsewhere in this chapter may be adjusted by the City Council;
 - (3) All other parking requirements in the district or districts in which a community unit plan is located shall apply.
- (b) In the O-3 zoning district, the following parking regulations shall apply:
 - (1) Two parking spaces per dwelling unit, however, the City Council may reduce the parking requirement to no less than one and one-half parking spaces per dwelling unit when the application includes information justifying the reduction;
 - (2) The location of required parking as set forth elsewhere in this chapter may be adjusted by the City Council;
 - (3) All other parking requirements in the O-3 zoning district shall apply.

(Ord. 17949 §2; December 17, 2001: prior Ord. 16958 §3; March 25, 1996: Ord. 13526 §1; January 3, 1983: Ord. 12878 §3; March 31, 1980).

27.67.066 Special Conditions: H-3 Zoning District

The following special parking requirements shall apply to permitted conditional uses in the H-3 zoning district.

(a) Vehicle body repair shops, truck and heavy equipment sales, farm machinery sales establishments, motor truck terminals, mobile home sales, places of business of plumbing and heating and air conditioning contractors and cabinet shops, automobile sales and repair, but not including vehicle repair shops, and assembly facilities: One space per 500 square feet of floor area, or one space per employee on the largest shift; however, if the number of spaces required by the building ratio is greater than that required by the employee ratio, the additional parking spaces need not be provided physically, but sufficient space shall be reserved for future physical development.

(b) All other parking requirements in the H-3 zoning district shall apply. (Ord. 17311 §3; March 23, 1998).

27.67.067 B-5 Planned Regional Business District

All uses in the B-5 Planned Regional Business District will shall have the following parking requirement: One space per 300 square feet of floor area.

Comment [CJE11]: Changing the parking requirement in the B-5 from 4.5/ 1,00 to 1/300 square feet for all uses permitted in the district.

27.67.070 Special Conditions; R-6, R-7, and R-8 Zoning Districts.

In the R-6, R-7, and R-8 zoning districts, parking is permitted in the required side yard, provided that there shall be no parking within seven feet of any side lot line and parking is permitted in the area behind all buildings within the required side yard up to any side lot line. (Ord. 12657 §15; August 6, 1979; prior Ord. 12571 §359; May 8, 1979).

27.67.075 Special Conditions; Capitol Environs District.

In the Capitol Environs District, two parking spaces per dwelling unit are required; however, upon application, the City Council may reduce the parking requirement to no less than one parking space per dwelling unit when the application includes information justifying the reduction. (Ord. 16958 §4; March 25, 1996).

27.67.080 Special Conditions; Personal Vehicles.

In the R-1, R-2, R-3 or R-4 residential districts, parking, in addition to, not in lieu of, the required parking space(s) in the zoning district shall be permitted under the following conditions:

(a) A personal vehicle, including a passenger car, recreational vehicle, trailer, boat, van, or pickup truck, may be parked inside of an enclosed structure when the structure conforms to the zoning requirements of the particular district in which it is located;

(b) A personal vehicle, including a passenger car, recreational vehicle, trailer, boat, van, or pickup truck, may be parked outside of an enclosed structure in the side yard or rear yard but not within two feet of a property line;

(c) A recreational vehicle, trailer, or boat may be parked outside of an enclosed structure in the required front yard on a concrete driveway or its equivalent under the following conditions:

- (1) Space is unavailable in the rear yard or outside the side yard and there is no reasonable access to either the rear yard or side yards. A corner lot is always deemed to have reasonable access to the rear yard; a fence is not deemed to prevent reasonable access.

- (2) Enclosed parking is not possible in conformance with the requirements of the district; such enclosure is not a requirement for parking a recreational vehicle, trailer, or boat;
- (3) The recreational vehicle, trailer, or boat is parked perpendicular to the front curb;
- (4) The recreational vehicle, trailer, or boat may be parked not less than two feet from the front property line, and not less than two feet from the side lot line.
- (5) No part of the recreational vehicle, trailer, or boat may extend over the public sidewalk or the public right-of-way.
- (6) Parking is permitted only for storage and any recreational vehicle, trailer, or boat shall not be:
 - (i) used for dwelling purposes for more than fourteen days in any calendar year; cooking is not permitted at any time;
 - (ii) permanently connected to sewer lines, water lines, or electricity. A recreational vehicle may be connected to electricity temporarily for charging batteries;
 - (iii) used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its immediate use.
- (7) Notwithstanding the provisions of this section, the recreational vehicle, trailer, or boat may be parked anywhere on the premises during loading or unloading, and the use of electricity or water is permitted when necessary to prepare a recreational vehicle for use.
- (8) The recreational vehicle, trailer, or boat shall be owned by the resident on the property where the recreational vehicle, trailer, or boat is parked for storage.

(Ord. 14215 §2; September 9, 1985; prior Ord. 12571 §360; May 8, 1979).

27.67.085 ~~Special Conditions~~; Unregistered, Wrecked, or Junked Vehicles.

No unregistered motor vehicle or trailer and no non-operating, wrecked, junked, or partially dismantled vehicle may be stored or parked in any zoning district for more than thirty days except under the following conditions:

(a) In all zoning districts, any unregistered motor vehicle and any non-operating, wrecked, junked, or partially dismantled vehicle may be stored or parked inside an enclosed structure when the structure conforms to the zoning requirements of the particular district in which it is located.

(b) In the AG, AGR, R-1, R-2, R-3, R-4, R-5, R-6, R-7, and R-8 zoning districts, the City Clerk may grant an administrative permit to permit the storage or parking of up to two unregistered motor vehicles and/or non-operating, wrecked, junked, or partially dismantled vehicles on any premises used for residential purposes as follows:

- (1) Application for the administrative permit shall be filed in writing with the City Clerk on a form provided by the City and shall contain the name and address of the applicant and the make, model, year, and vehicle identification number of each vehicle to be restored or repaired.
- (2) The vehicle(s) to be restored or repaired shall be owned by the applicant.

- (3) The fee for such administrative permit shall be \$50.00 per vehicle.
- (4) The permit shall cover the vehicle(s) only and does not authorize the storage of any miscellaneous vehicle parts or junk contained in, on or near the vehicle(s).
- (5) All such permits shall expire 180 days following the date of issuance thereof.
- (6) Administrative permits for said vehicles shall be renewable one time only upon payment of the \$50.00 fee per vehicle.

(c) This section shall not apply to a vehicle on the premises of a business enterprise operating in a lawful place and manner, when necessary to the lawful operation of such business enterprise, a vehicle on the premises of a farmstead as defined in Neb. Rev. Stat. §15-905 (Reissue 1997) when necessary for the operation of the farmstead, or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner.

(d) **Hobbyist Permits.** An unregistered motor vehicle or non-operating, wrecked, junked, or partially dismantled vehicle lawfully stored or parked in the AG, AGR, R-1, R-2, R-3, R-4, R-5, R-6, R-7, or R-8 zoning district under a hobbyist permit issued in accordance with Lincoln Municipal Code Section 10.42.115 shall be deemed to have received an administrative permit as herein required.

(e) For the purposes of this section, the terms “motor vehicle,” “trailer,” and “vehicle” shall have the same definition as provided for those respective terms in Chapter 10.02 of the Lincoln Municipal Code. (Ord. 17753 §1; October 30, 2000).

27.67.090 ~~Special Conditions;~~ Nonconforming Uses.

If a nonconforming use is changed to a more restrictive nonconforming use or to a conforming use, it shall comply with all of the parking requirements of this chapter for such use.

A residential use which is nonstandard as to parking as of March 27, 1996 shall be allowed to continue.

A residential use which is nonstandard as to parking may not be converted to a use which would make it more nonstandard as to parking.

A residential use which is nonstandard as to parking may be converted to a use that would make it less nonstandard as to parking. (Ord. 16958 §5; March 25, 1996; prior Ord. 12571 §361; May 8, 1979).

27.67.100 ~~Special Conditions;~~ Parking Lots.

(a) Parking lots consisting of six or more parking spaces located in any zoning district except for nonpermanent lots that are allowed for no more than a period of two years, and lots for the purpose of sale, resale, or servicing of vehicles shall be constructed in accordance with the following requirements:

- (1) **Design standards:** The City of Lincoln shall adopt design standards to be approved by resolution of the City Council for surfacing, drainage, barriers, screening, lighting, landscaping, and layout of the parking lots and place the same on file with the City Clerk. All parking lots authorized by this chapter shall be constructed pursuant to and in conformance with the design standards adopted by the city and on file with the City Clerk.

- (2) Barriers: An adequate barrier shall be provided along the outer edge of the parking lot as required by Section 10.32.240 and Section 10.32.250 of the Lincoln Municipal Code. Barriers shall be located to prevent the parking of vehicles in the required front yard when prohibited by this title, and to provide protection to any landscaping or screen planting. Barriers shall be in conformance with Chapter 14.44 of the Lincoln Municipal Code and any applicable standards adopted by resolution of the City Council.
- (3) Entrances and exits: The location and design of all entrances and exits shall be subject to the approval of the city.
- (4) Lighting: Lighting in parking lots shall be in conformance with the Design Standards for Outdoor Lighting.
- (5) Signs: Only one sign, not to exceed three square feet in area and not located on public right-of-way, is permitted at each entrance and/or exit designating that entrance or exit and may state conditions of use of the parking lot. No other signs except as otherwise permitted in the zoning district shall be permitted except (i) one-way driveway signs which shall be the same size and located in the same manner as entrance or exit signs; and (ii) signs for parking spaces for the handicapped conforming to adopted design standards.

(b) Nonconforming parking lots: All parking lots lawfully existing on the effective date of this ordinance may be continued, although such parking lots do not conform to the provisions hereof. Such lots shall be maintained in conformance with Title 8 of the Lincoln Municipal Code. Such nonconforming parking lot may not be enlarged or extended, except as provided herein. In the event that such parking lots are discontinued or the normal operation thereof is stopped for a period of two years, any resumption of the use of said parking lot shall thereafter conform to all of the requirements of this ordinance.

(c) Waiver of surfacing requirement: Upon application to the City Council, the owner of a parking lot may be relieved of the surfacing requirement of this section if the council finds that:

- (1) The parking lot is (i) to be used in conjunction with a nonprofit, religious, educational, or philanthropic institution; (ii) in excess of the parking required by the provisions of this title and not pay parking; or (iii) used for employee parking and located wholly within an industrial district; and
- (2) Alternate materials or techniques shall be utilized which provide reasonable control of dust, runoffs, and safe circulation; and
- (3) (i) The location of the parking lot is a sufficient distance from surrounding uses that it will not adversely affect the surrounding uses; or
(ii) The frequency of use of the parking lot is so low that compliance with the surfacing requirement of this section would cause undue economic hardship upon the owner as compared with minimal impact upon surrounding land uses.

Notwithstanding that a waiver is granted, if it is later found that dust or noise, created by the use of a parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal Code, then such waiver may, after notice and hearing by the City Council, be

revoked. Thereafter, the use of such parking lot shall cease unless surfaced in accordance with the adopted design standards.

(d) The following provisions shall apply to extension and enlargement of nonconforming parking lots:

- (1) If an existing nonconforming parking lot having less than twenty spaces is expanded fifty percent or more in area, the extension shall be surfaced in conformance with the appropriate design standards.
- (2) If an existing nonconforming parking lot with twenty spaces or more is expanded twenty-five percent or more in area, the extension shall be surfaced in conformance with the appropriate design standards.

(e) In the event that the main use of a lot for a nonstandard or nonconforming parking lot is changed in whole or in part to another use, any continued use or resumption of the use of said lot for parking shall thereafter conform to all the requirements of this ordinance. (Ord. 19139 §5; September 15, 2008: prior Ord. 14254 §1; October 21, 1985: Ord. 14084 §1; April 15, 1985: Ord. 14007 §1; December 10, 1984: Ord. 12848 §1; February 19, 1980: Ord. 12571 §362; May 8, 1979).

Figure 27.67.020
PARKING MATRIX

Parking Spaces Required												
Zoning Districts	Dwellings				Office/Retail/Commercial Uses						Industrial Uses	
	0.5 per dwelling unit	1 per dwelling unit	1.75 per dwelling unit	2 per dwelling unit	1 per 1,200 sq. ft.	2 per 3 persons on max. shift or 1 per 1,000 sq. ft. *	1 per 600 sq. ft.	1 per 500 sq. ft.	1 per 300 sq. ft.	4.5 per 1,000 sq. ft.	1 per 150 sq. ft.	2 per 3 persons on maximum shift or 1 per 1,000 sq. ft. *
AG	AG District: None except uses with special parking requirements listed under Section 27.67.040 of the Lincoln Municipal Code.											
AGR				•								
R-1				•								
R-2				•								
R-3				•								
R-4				•								
R-5			•									
R-6			•									
R-7		•										
R-8		•						•				
R-T		•						•				
O-1	•				• within 900'							
O-2		•							•			
O-3				•					•			
B-1		•						within 300'				
B-2		•						within 300'				
B-3		within 300'						within 300'				
B-4	B-4 District: Refer to special parking requirements under Section 27.67.050 of the Lincoln Municipal Code											
B-5				•					•		•	
H-1											•	

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Comment [CJE12]: Changing the parking requirement in the B-5 from 4.5/ 1,00 to 1/300 square feet. This change eliminates this column in the table.

Comment [CJE13]: Moved to 27.67.045 (a) this applies to all the "within 300'" language below.

Comment [CJE14]:
•Changes the "within 300'" to "within 600".
•Allows for off premises parking in all commercial zoning districts.
Takes the "within" language out of the table.

Comment [CJE15]: The Parking requirement is being changed in the B-1 zoning district from 1/300 to 1/600.

Comment [CJE16]: Changing the parking requirement in the B-5 from 4.5/ 1,00 to 1/300 square feet. This change eliminates this column in the table.

Comment [CJE17]: The H-1 zoning district is being eliminated so the parking requirement goes away.

H-2		•					•		within 300'			
H-3									within 300'			
H-4		•							within 600'			
I-1									within 300'			within 300'
I-2									within 300'			within 300'
I-3									•			•

* If the number of spaces required by the building ratio is greater than required by the employee ratio, an additional parking area shall be reserved to accommodate the construction of the additional spaces.
Refer to Figure 27.67.040 of the Lincoln Municipal Code for a list of uses with special parking requirements.

** Parking may be provided off the premises in all B, H, I and the O-2 and O-3 zoning districts as long as the off premises parking area is provided within 600 feet of the premises. Parking may be provided off the premises in the O-1 zoning district as long as the off premises parking area is provided within 900 feet of the premises.

Refer to Section 27.67.040 of the Lincoln Municipal Code for uses with special parking requirements.
Refer to Section 27.67.066 of the Lincoln Municipal Code for uses in the H-3 district with special parking requirements.
Any parking requirement resulting in a partial parking space shall be rounded up to the next whole number as per Section 27.67.030(e) of the Lincoln Municipal Code.

Comment [CJE18]: Allowed offsite parking is being added the H-4 to allow parking within 600' from the premises and parking for dwellings is being added (reForm proposes a special permit for residential in the H-2 and H-4)

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Comment [CJE19]: Unnecessary Language

Figure 27.67.040
Uses with Special Parking Requirements

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

Academies	27.67.040(ml)
Adult day services facility	27.67.040(c)
Agricultural attractions (located in the AG zoning district)	27.67.040(xy)
Amphitheaters.....	27.67.040(ih)
Auditoriums.....	27.67.040(ih)
Bowling alleys.....	27.67.040(hg)
Chapels	27.67.040(hk)
Churches.....	27.67.040(hk)
<u>Commercial centers.....</u>	<u>27.67.040(bb)</u>
Community halls (located in the AG zoning district).....	27.67.040(aa z)
Court games.....	27.67.040(ji)
Data center.....	27.67.040(ddcc)
Dentists' offices.....	27.67.040(f)
Doctors' offices.....	27.67.040(f)
Domestic shelters.....	27.67.040(en)
Drive-in restaurants	27.67.040(ef)
Dwellings for members of a religious order.....	27.67.040(ep)
Dwellings for caretakers employed and residing on premises	27.67.040(et)
Early childhood care facilities	27.67.040(vu)
Elderly housing.....	27.67.040(d)
Farm wineries	27.67.040(aa z)
Fraternities.....	27.67.040(a)
Grandstands.....	27.67.040(ih)
Greenhouses (located in the AG or AGR zoning districts)	27.67.040(xw)
Group homes	27.67.040(b)
Golf courses.....	27.67.040(ji)
Healthcare residential.....	27.67.040(wy)
Heritage centers (located in the AG zoning district)	27.67.040(xy)
Hospitals.....	27.67.040(kj)
Hotels.....	27.67.040(sr)
Housing for the physically handicapped	27.67.040(nm)
Joint parking.....	27.67.040(cc)(ff)
Market Garden.....	27.67.040(aa z)
Mini-warehouses	27.67.040(e)
Motels.....	27.67.040(sr)
Off-street freight loading requirements	27.67.040(bb aa)
Places of public assembly.....	27.67.040(ih)
Private business or commercial schools	27.67.040(hk)
Private schools having a curriculum equivalent to a public school.....	27.67.040(hk)
Public schools.....	27.67.040(hk)
Recreational uses	27.67.040(kj)

Restaurants (also see Drive-in restaurants).....	27.67.040(ts)
Retirement housing.....	27.67.040(d)
Salvage yards.....	27.67.040(po)
Sale of alcoholic beverages for consumption on the premises	27.67.040(sw)
Social halls.....	27.67.040(ts)
Sororities.....	27.67.040(a)
Stadia.....	27.67.040(ih)
Swimming pools.....	27.67.040(ji)
Theaters	27.67.040(ih)
Warehouses.....	27.67.040(qj)
Urban gardens.....	27.67.040(eedd)