

Residential Accessory Buildings Proposed Text Amendment

Proposed changes are highlighted

Definition

27.02.020 A.

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

27.02.080 G.

Garage, Private. Private garage shall mean an accessory building designed or used for storage by the occupants of the building to which it is accessory **and consisting of no more than four bays.**

Height and Lot Regulations

27.72.120 Accessory Buildings.

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

- (a) Accessory buildings which are attached to or not located more than (1) six feet from the main building in the R-1 through R-8, O-1*, B-1*, B-3* zoning districts and (2) 10 feet from the main building in the AG, AGR, O-2, O-3, B-4, B-5 all H, I-2 zoning districts shall be considered a part of the main building and shall comply with the height, front, side, and rear yard requirements of the main building.
- (b) In all commercial and industrial zoning districts accessory buildings shall not extend into any required yard, except as otherwise stated in this chapter.
- (c) Accessory buildings not a part of the main building:
 - (1) May, if located not less than sixty feet from the front lot line, extend into the required side yard though not closer than two feet to the side lot line in the R-1 through R-8, O-1*, O-2, O-3, B-1*, B-3* B-4, all H, and the I-2 zoning districts, **provided that such accessory buildings shall not be more than fifteen feet in height.**
 - (2) May be located in the required rear yard, provided that such accessory buildings:
 - (i) Shall not be nearer than two feet to the side or rear lot line in the AG, AGR, R-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 districts.
 - (ii) Shall not occupy more than the following percent of the required rear yard:
 - Forty percent in the R-1 through R-6, O-1*, B-1* and B-3* zoning districts.
 - Thirty percent in the AG, AGR, R-7, R-8, O2, O3, B-4, B-5, all H, and the I-2 zoning districts.
 - (iii) Shall not be more than fifteen feet in height in the R-1 through R-8, O-1*, O-2, O-3, B-1*, B-3* B-4, B5, all H, and the I-2 zoning districts;
 - (iv) Notwithstanding the above, an accessory building used as a garage and taking access from an alley shall not be located closer than ten feet to the alley line in the R-1 through R-8, O-1*, O-2, O3, B-1*, B-3*, B-4, B5, all H, and the I-2 zoning districts.
 - (v) Shall not abut a residential district in the O-2, O-3, B-5, H-4, and I-2 zoning districts.
 - (vi) Shall not be nearer than a distance equal to ten percent of the average lot width from the side lot line in the AG zoning district on lots 20 acres or more.
 - (3) May be located in the required front yard on double-frontage lots where at least one frontage is along a major street in the R-1, R-2 and R-3, provided such accessory buildings:
 - (i) Shall not occupy any portion of any required front yard along the local street.
 - (ii) Shall not be closer than two feet to the side lot line, closer than two feet to the front lot line along the major street, or closer than two feet to an area specified as a building line district.
 - (iii) Shall not occupy any portion of the required front yard along any major street except when a landscape screen is located along all front lot lines of such lot adjacent to any major street in conformance with the "Design Standards for Screening and Landscaping" adopted by the City of Lincoln.

- (iv) Shall not have direct vehicular access from any major street along any major street frontage in the block.
- (v) Shall not occupy more than 100 square feet for buildings and 600 square feet for structures of the required front yard along the major street.
- (vi) Shall not exceed fifteen feet in height and any accessory building or portion thereof within twenty feet of the front lot line along the major street shall not exceed eight feet in height.

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

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

(1) The maximum and the expanded maximum cumulative allowable area for all accessory buildings are as set out in Table 27.72.120(d) below. The applicable maximum cumulative allowable area may be increased up to the expanded maximum 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 Building sq. ft.	Maximum	2,000	2,000	2,000	2,000	No maximum
	Expanded Maximum	3,000* ²	6,000* ⁴	8,000* ⁴	20,000* ⁴	
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:						
(1) Total square footage for all accessory buildings does not exceed the total square footage, excluding basement, of the main building.						
(2) 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:						

(1) The total square footage for all accessory buildings shall not exceed the total square footage, excluding basement, of the main building.

(2) The total square footage for all accessory buildings does not exceed a cumulative 250 square feet in the side, rear, and front yard setbacks.

(3) 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.