

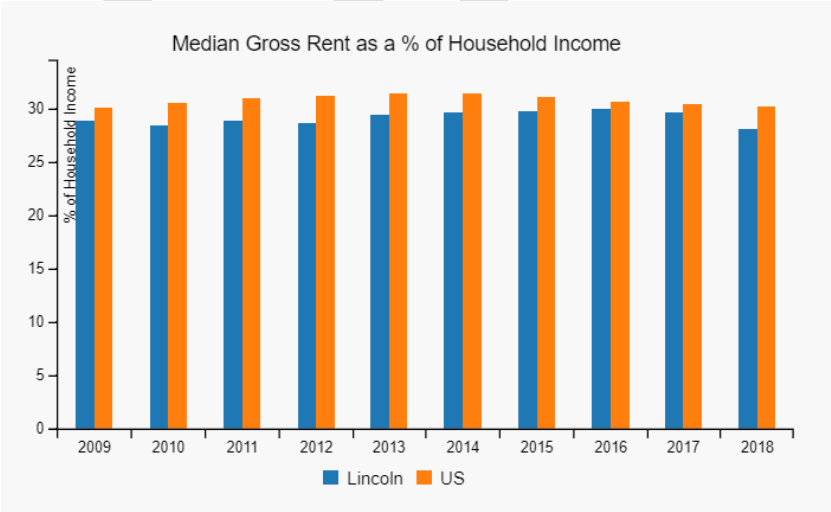
# Lincoln Affordable Housing Text Amendments

## Overall Need

In December 2021 the City Council adopted the Lincoln Affordable Housing Coordinated Action Plan to support the development of a housing market in Lincoln that is reflective of the diverse community of residents that makes up the city. One of the many recommendations from the plan was to “ensure policies and codes support affordable housing.” To accomplish this goal, the Planning Department worked with various agencies on amendments to the zoning ordinance that will remove barriers to housing production.

These changes, discussed in the following pages, include increasing flexibility through administrative amendments, bringing parking requirements in line with demonstrated demand, increasing maximum height limits, redefining front yard setback requirements, and addressing the ability to rebuild nonconforming and nonstandard dwellings. These changes were proposed based on the following data and projections, along with analysis of patterns in land use approvals at Planning Commission and City Council over the past five to ten years.

- Based on population projections through 2040, an average of **1,500 new dwelling units per year is needed**. The ten-year average is currently 1,483 dwelling units per year.<sup>1</sup>
- **Increasing affordable housing options in Lincoln will reduce the level of cost burdened households**. The median gross rent in Lincoln has been steadily climbing from \$656 in 2009 to \$822 in 2018. In Lincoln significantly more renters are cost burdened (40%) when compared to owners with a mortgage (20%).<sup>2</sup>
- **Median Family Incomes** in Lancaster County have been **shrinking** over the past decade (in 2019 dollars) while existing home prices have been slowly rising.<sup>3</sup> **Reduced buying power combined with increasing housing costs** highlights the need for additional affordable housing.



<sup>1</sup> Community Indicators Report. <https://beta-lincolnne.opendata.arcgis.com/pages/community-indicators#ember1012>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

## Administrative Amendments (27.60/27.63)

### Issue Summary

An administrative amendment, approved by the Planning Director, has a ten-day review period, compared to a full amendment which can take several months. In addition to the extra review time, a full amendment has an increased fee as well. In the current market, the need for commercial and retail space is declining while housing demand is increasing. As demonstrated in the research below, several Planned Unit Developments have been amended through the full amendment process to convert former commercial space to residential units.

The proposed changes below will allow greater flexibility and a quicker approval process for previously approved PUDs, Use Permits, and Special Permits to add dwelling units at the Planning Director's discretion. Two types of administrative amendment changes are proposed—modifying the PUD and Use Permit sections to allow the Planning Director to approve conversion of commercial square footage to residential units and to modify the Special Permit section to allow the Planning Director to approve increase the previously approved dwelling unit count by up to 15 percent. The ladder change would impact the following special permits—27.63.410 Dwellings above first story in B-1, B-3, B-4; 27.63.530 Healthcare Facilities, Residential; and 27.63.210 Retirement or elderly housing

### Research

In the last five years, four PUD's have been amended to convert commercial floor area to residential units. In addition, the Wilderness Commons PUD subtracted 20 acres that was absorbed by the Wilderness Creek PUD in essence transferring the commercial square footage from one PUD to another and allowing additional residential units in the Wilderness Commons PUD. Conversions included:

- (CZ05061D) Southwest Village PUD: 320,000 square feet commercial to 290 dwelling units (2021); about 0.9 DU/1,000 SF
- (CZ07060C) Wilderness Heights PUD: 120,000 square feet commercial to 442 multi-family units (2021); about 3.6 DU/1,000 SF
- (CZ06063B) North 40 Plaza PUD: 10,000 square feet commercial/office to 28 attached single-family dwellings (2020); about 2.8 DU/1,000 SF
- (CZ08010A) Woodside Village PUD: 58,000 commercial square feet to 275 dwelling units (2016); about 4.75 DU/1,000 SF

### Proposed Amendment

#### 27.60 PUD Changes

- a. 27.60.060 (b) Minor increases in the number of dwelling units or total floor area originally authorized by the City Council may be approved if such increases will not cause a significant adverse impact on the public infrastructure, existing development within the planned unit development, and adjoining properties. Minor increases shall not exceed more than fifteen percent (15%) cumulative additional dwelling units or total floor area; Minor increases in the number of dwelling units or total floor area originally authorized by the City Council may be approved if such increases will not cause a significant adverse impact on the public infrastructure, existing development within the planned unit development, and adjoining properties. Minor increases shall not exceed more than fifteen percent (15%) cumulative additional total floor area; If only floor area was approved, the Planning Director may approve the conversion of floor area to dwelling units so long as the number of dwelling units is no

greater than the density allowed in the City of Lincoln Design Standards for Community Unit Plans or the lot area requirements of the underlying zoning district.

#### 27.64.010 Use Permit Change

27.64.010 (j) (2) Minor increases in the number of dwelling units or total floor area originally authorized by the Planning Commission or City Council may be approved if such increases will not cause a significant adverse impact on the public infrastructure, existing development within the use permit, and adjoining properties. Minor increases shall not exceed more than fifteen percent (15%) cumulative additional dwelling units or total floor area; if only floor area was approved, the Planning Director may approve the conversion of floor area to dwelling units so long as the number of dwelling units is no greater than the density allowed in the lot area requirements of the underlying zoning district.

#### 27.63.030 Special Permit Change

27.63.030 (d) There is no increase in the number of dwelling units; Any increase in number of dwelling units that does not exceed fifteen percent (15%) of previously approved units and will not cause a significant adverse impact on the public infrastructure, existing development, and adjoining properties. Any increase may not exceed the maximum density requirements of the applicable special permit section.

#### 27.65.060 CUP Change

27.65.060b In community unit plans ~~containing more than five acres,~~ minor increases in the number of dwelling units originally authorized may be approved if such increases do not exceed the maximum density allowed and such increases will not cause a significant adverse impact on existing development within the community unit plan and adjoining properties. Minor increases shall not exceed more than fifteen percent (15%) cumulative additional dwelling units;

# Parking

## Issue Summary

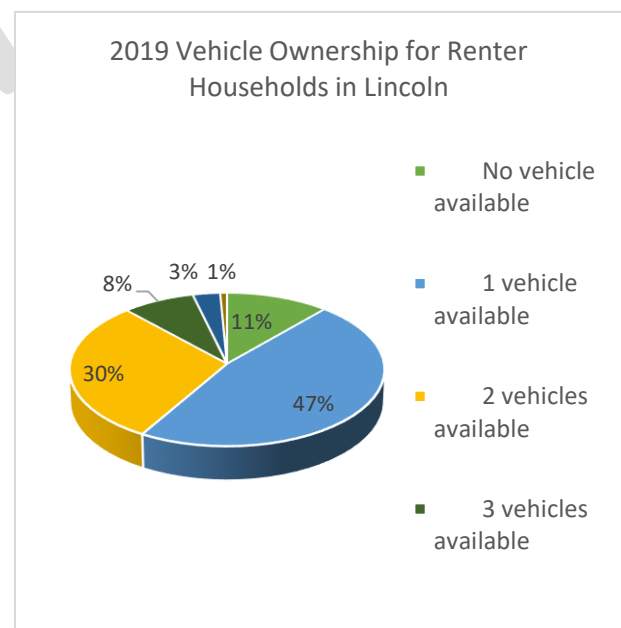
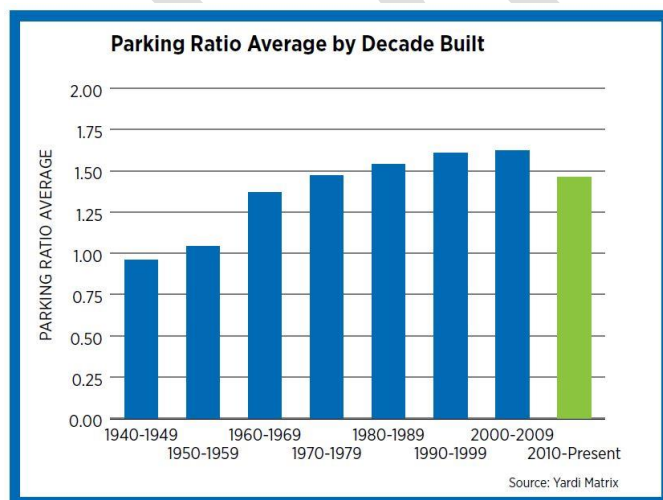
Required parking is a complex issue. Finding the right balance between requiring enough parking to avoid straining neighborhoods with congested on-street parking situations, but not so much that it increases the cost building an affordable housing project is important. The cost of parking is passed onto the renter or buyer in a housing project and when more stalls are required than the demand necessitates, it makes it difficult to produce affordable housing.<sup>4</sup> Estimates for the cost of a parking stall range between \$5,000 and \$10,000 for surface parking and upwards of \$25,000 for a garage space.

Local and national trends show renter households own fewer cars. It has also been shown that required parking drives up costs, making affordable housing more difficult to produce. As a result, the following text amendments are proposed to reduce the parking requirement in R-1 through R-4 and R5 through R-6 from 2.0 and 1.75 respectively down to 1.5 per dwelling unit for multi-family dwellings. R-7 and R-8 would remain at 1.0 per unit. In the commercial districts, the new parking ratio for multi-family in the O-3 and B-5 districts would be 1.0 per unit and in O-1, consistent with the B-4 district, parking would not be required.

## Research

In Lincoln, only 27% of owner-occupied households have 1 car or less, while 58% of renter-occupied households have 1 car or less according to 2019 American Community Survey data.<sup>5</sup> Lower median incomes also have a direct correlation to lower car ownership rates. According to the Bureau of Transportation Statistics households with incomes less than \$25,000 are 9 times as likely to be zero-vehicle households than households with incomes greater than \$25,000.

In a study published by the American Planning Association in 2018, a direct correlation was found between lower parking supplied in a multi-family development and the lower than average rents. In Minneapolis, projects providing less parking saw a drop



Source: 2019 American Community Survey

<sup>4</sup> Jeffrey Spivak, "People over Parking," Planning Magazine, October 2018.

<sup>5</sup> American Community Survey, 2019, data.census.gov.

of \$200 per month per studio apartment. Another study from 2020 indicated, as a rule of thumb, parking costs to renters is about \$1,200 a year as the developer passes along the costs of providing required parking.

The National Apartment Association found the average parking ratio per unit dropped to 1.46, the lowest it has been since the 1960s. This shift is reflective of the decline of car ownership among renters 15 to 34 years of age from 33.7% in 2009 to 30.7% in 2016.<sup>6</sup>

## Code

### 27.67.020 Parking Matrix

1. Summary of Changes:
  - a. No changes are proposed for single and two-family households
    - i. R-1 through R-4: Reduce from 2.0 to 1.5 stall per dwelling unit for **multi-family housing**. Multi-family is a special permitted use in R-1 through R-4 and not allowed by right, therefore any proposed development would go through a public hearing
    - ii. R-5 through R-6: Reduce from 1.75 to 1.5 for **multi-family housing**
  - b. O-3 & B-5: Reduce from 2.0 to 1.0 stall per unit for all housing types consistent with other commercial districts.
  - c. O-1: Reduce from 0.5 to 0 stalls per unit for all housing types consistent with the B-4 Downtown district.

**Figure 27.67.020 PARKING MATRIX**

#### Parking Spaces Required

Zoning Districts	Single- and Two-Family Dwellings				Multiple Family Dwellings (c)		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 dwelling unit	1.5 per dwelling unit	<del>1 per 1,200 sq. ft.</del>	2 per 3 persons on max. shift or 1 per 1,000 sq. ft. a	1 per 600 sq. ft.	1 per 500 sq. ft.	1 per 300 sq. ft.	1 per 150 sq. ft.	2 per 3 persons on maximum shift or 1 per 1,000 sq. ft. a
AG					AG District: None except uses with special parking requirements listed under Section <a href="#">27.67.040</a> of the <a href="#">Lincoln Municipal Code</a> .								
AGR				•									
R-1				•		•							
R-2				•		•							

<sup>6</sup> National Apartment Association. The Transformation of Parking, (July 20, 2018). <https://www.naaahq.org/news-publications/transformation-parking>

Figure 27.67.020 PARKING MATRIX

Parking Spaces Required

Zoning Districts	Single- and Two-Family Dwellings				Multiple Family Dwellings (c)		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 dwelling unit	1.5 per dwelling unit	1 per 1,200 sq. ft.	2 per 3 persons on max. shift or 1 per 1,000 sq. ft. a	1 per 600 sq. ft.	1 per 500 sq. ft.	1 per 300 sq. ft.	1 per 150 sq. ft.	2 per 3 persons on maximum shift or 1 per 1,000 sq. ft. a
R-3				•		•							
R-4				•		•							
R-5			•			•							
R-6			•			•							
R-7		•			•								
R-8		•			•				•				
R-T		•			•					•			
O-1	•						with # 900'	<u>O-1 District: There is no required parking in the O-1 District.</u>					
O-2		•			•						•		
O-3		•		•	•						•		
B-1		•			•						within 300'		
B-2		•			•						within 300'		
B-3		within 300'							within 300'				
B-4	B-4 District: There is no required parking in the B-4 District.												
B-5		•		•	•						•		
H-1												•	
H-2									within 300'				

Figure 27.67.020 PARKING MATRIX

Parking Spaces Required

Zoning Districts	Single- and Two-Family Dwellings				Multiple Family Dwellings (c)		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 dwelling unit	1.5 per dwelling unit	1 per 1,200 sq. ft.	2 per 3 persons on max. shift or 1 per 1,000 sq. ft. a	1 per 600 sq. ft.	1 per 500 sq. ft.	1 per 300 sq. ft.	1 per 150 sq. ft.	2 per 3 persons on maximum shift or 1 per 1,000 sq. ft. a
H-3											within 300'		
H-4											within 300'		
I-1								within 300'					within 300'
I-2								within 300'					within 300'
I-3											•		•

- a. 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.  
 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](#).
- b. In zoning districts that allow parking within a certain separation distance, the separation distance shall be measured from the nearest point of the parking lot that contains the required parking stalls.
- c. Multiple Family Dwellings does not include any use already addressed in 27.67.040 Parking Requirements; Special Conditions.

# Height

## Issue Summary

The current ordinance limits the height for all residential units, including multi-family dwellings, to 35 feet, except for the R-7 and R-8 districts which are primarily downtown adjacent residential districts. Additionally, residential projects are treated differently than commercial buildings in the O-3, B-2, and B-5 districts by restricting the height to 35 and 40 feet. These lower height limits limit the number of new units that could be built, leading to increases in rental rates. An increase in height would not equal an increase in density, as most projects would still be limited by existing density maximums in the zoning ordinance. Additionally, many high-density neighborhoods, such as the South of Downtown, are primarily 2-3 story buildings, showing there is not a direct correlation between height and density.

Lower height regulations limit the number of new units that can be built, leading to increases in rental rates.<sup>7</sup> Higher land costs are typically offset by building more housing units on a single parcel of land, however low maximum height regulations restrict this ability, causing a rise in rents to offset costs. Increasing the maximum height in some districts will allow more by-right construction and limit the number of waivers necessary for new housing projects. As the following data demonstrates, many waivers have been approved in recent years to allow an increase in height for new multi-family projects. In the office and commercial districts, it will have little to no impact as the height is already allowed for non-residential uses.

## Research

Since 2016 a total of 15 projects outside downtown were approved with height waivers, all within a PUD or CUP. Of those, seven projects were zoned B-2 or B-5, the remainder were either R-3 or R-5. Nearly all the projects were approved with a maximum height of 55 feet, however one project was limited the height to 50 feet (Wilderness Hills Commercial PUD) and two up to 65 feet (Iron Ridge PUD and Chateau at Yankee Hill PUD). Three projects approved with height waivers are illustrated in Exhibits 1 through 3.

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<sup>7</sup> Hannah Hoyt and Jenny Schuetz, "Making apartments more affordable starts with understanding the costs of building them," Brookings.edu (May 5, 2020).



**Exhibit 1:** 33<sup>rd</sup> and Yankee Hill approved with waiver up to 50-foot height (R-5 CUP)



**Exhibit 2:** 48<sup>th</sup> and Holdrege approved with waiver up to 70-foot height (B-3 PUD)



**Exhibit 3:** 90<sup>th</sup> and O Street approved with waiver up to 50 feet (R-3 PUD)



## Code

The tables in 27.72.020 would be amended as follows (see the Lot Development section for the table with proposed code changes):

1. In O-3 increase the height limit from 35 to 55 feet for all uses in this district with an increase in setback of 1 foot for each foot in height above 35 feet for side and rear yards.
  - a. The O-3 Districts are primarily located on arterial streets and major thoroughfares
2. In B-2 and B-5 increase the height limit from 40 to 55 feet for residential and commercial uses.
  - a. The B-5 District has a 100-foot setback to residential uses
3. In the R-5 through R-8 districts, increase the height for multiple-family dwellings to 55 feet.
4. As a clean up to make the table more legible, the asterisks are replaced with letters.

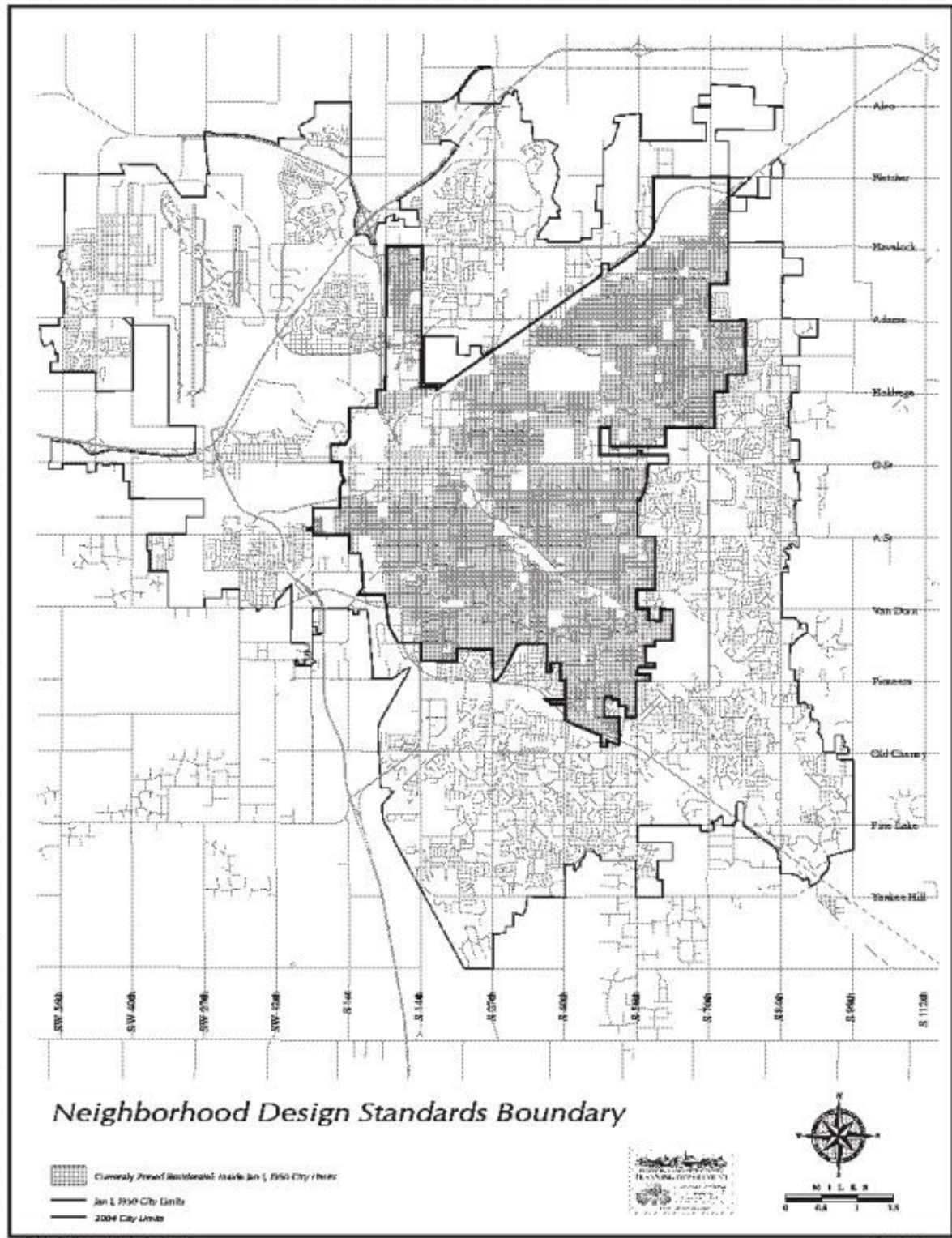
Additionally, the PUD and CUP sections will be amended to increase the maximum height for multiple-family dwellings in the R-1 through R-4 districts to 45 feet within the boundaries of the Neighborhood Design Standards (Exhibit 4) and 55 feet within the remainder of the city. A PUD or CUP requires a public hearing; therefore, any proposed multifamily project would go through a public process.

The table below shows current and proposed height by district, while Exhibit 5 on the following pages shows the areas where the proposed 55 foot height limit would be applicable.

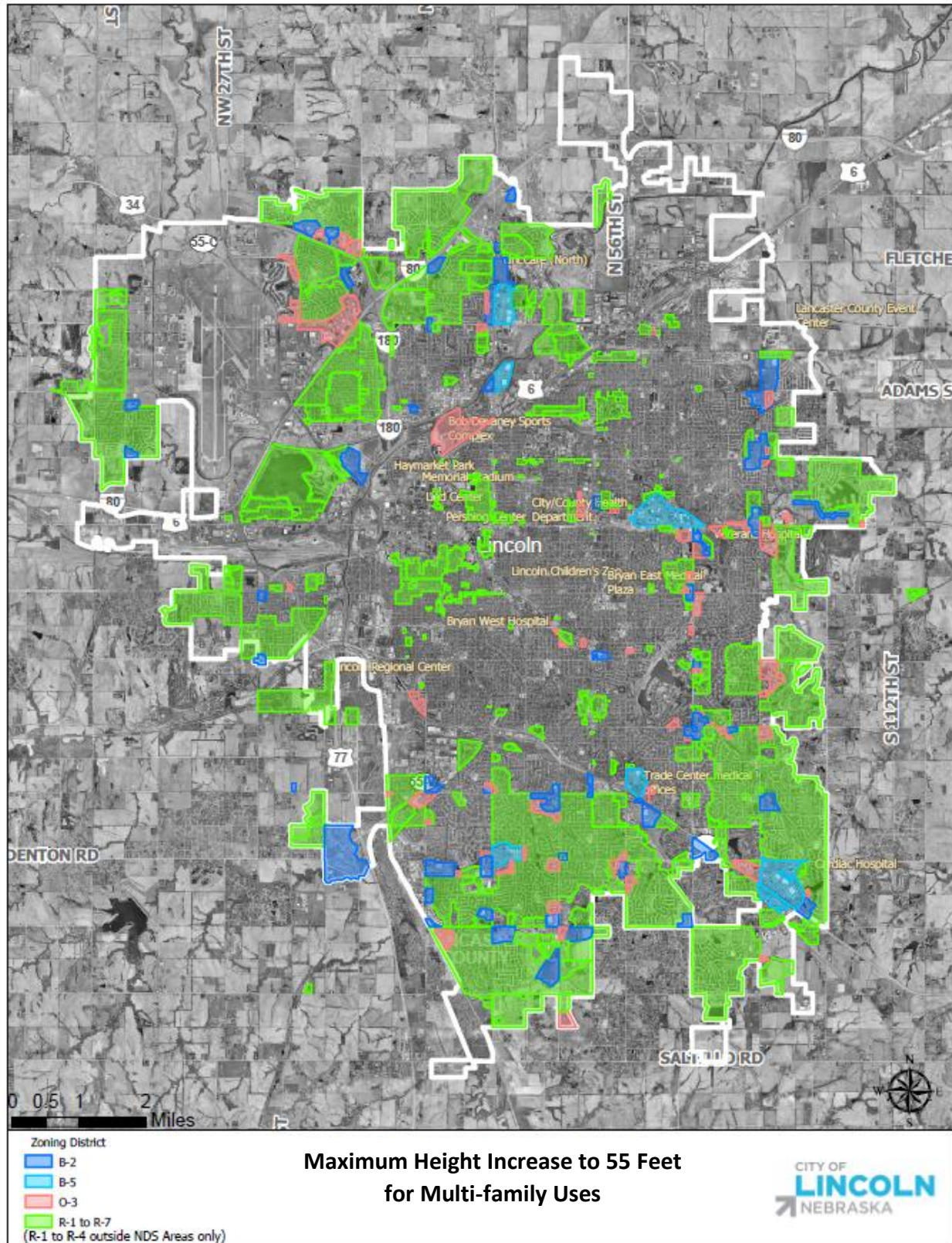
District	Multi-Family		Commercial	
	Current	Proposed	Current	Proposed
O-3 Office Park	35 Feet	55 Feet*	45 Feet	55 Feet
B-2 Planned Neighborhood Business	40 Feet		40 Feet	
B-5 Planned Regional Business				
R-1 to R-4 Residential	35 Feet	55 Feet**	NA	
R-5 to R-7 Residential	35 Feet/45 Feet	55 Feet	NA	

\*In the O-3 Office Park District the setbacks on the side and rear yards would be increased 1 foot for every foot above 35 feet in height, up to 55 feet.  
 \*\*The height is limited to 45 feet for all R-1 through R-4 Districts within the boundaries of the Neighborhood Design Standards

**Exhibit 4: Neighborhood Design Standards Boundary**



**Exhibit 5:** Areas where a 55-foot height limit would apply for multi-family projects



## Planned Unit Developments

### 27.60.020 Requirements.

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#### a. General Requirements.

1. The City or owners of any tract of land, at least three acres in size, may apply for a planned unit development designation in any district except the AG Agriculture and AGR Agricultural Residential districts.
2. All regulations of the underlying zoning district shall apply, except as provided herein and/or specifically modified by the City Council through the adoption of a development plan.
3. The maximum residential density of a planned unit development shall be determined **by the City Council in order to permit flexibility in private and public development or redevelopment. In those instances where no maximum is established, the maximum residential density shall be** in accordance with the **City of Lincoln Design Standards for community unit plans, or the lot area requirements of the underlying zoning district.** Planned unit developments which comply with the **City of Lincoln Design Standards for Density Bonuses** may receive dwelling bonuses per those standards.
- ~~3-4.~~ Signs shall conform to Section **27.69.340**, unless modified by the City Council.
5. All development must meet the intent and spirit of the comprehensive plan.
6. In the R-1 through R-4 districts where **Neighborhood Design Standards govern, the maximum height of multifamily structures shall not exceed a height of 45 feet. In the R-1 through R-4 districts where Neighborhood Design Standards do not govern, maximum height of multi-family structures shall not exceed 55 feet.**

## Community Unit Plans

### 27.65.020 Requirements.

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#### b. Specific Requirements.

4. In the R-1 through R-4 districts where **Neighborhood Design Standards govern, the maximum height of multi-family structures shall not exceed 45 feet. In the R-1 through R-4 districts where Neighborhood Design Standards do not govern, maximum height of multi-family dwellings shall not exceed 55 feet.**

## Lot Development

### Issue Summary

Many parcels in older parts of Lincoln are nonstandard, meaning they do not meet the minimum lot width or square footage required to build a new dwelling unit. In the South of Downtown area thirty-six percent (36%) of the residentially zoned properties are nonstandard. Many of these types of lots could be built on today using provisions contained in 27.72.020 which provide exceptions to the minimum lot requirements if certain conditions on neighboring properties exist, however more often they require a special permit approved by the Planning Commission which adds time and expense to the project.

The proposed ordinance changes would make it easier to construct or rehabilitate a single or two-family dwelling on a nonstandard lot without requiring a special permit. This helps support affordable housing construction as existing lots are already connected to city services, removing a large expense associated with new lot development. These changes include:

- Making it easier to repair or reconstruct dwellings after damage
- Creating a new definition for corner lot yards which treats on front yard as a corner front yard with a reduced setback
- In the B-2 making all conditional residential uses permitted
- Amending the definition of required yard to allow landings for stairs as a projection into required yards, removing the need for a special permit to rebuild nonconforming landings

### Research

#### Special Permit Data

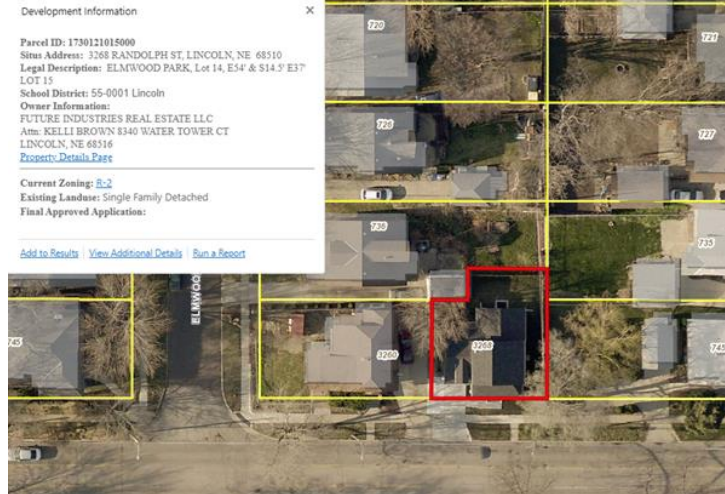
61 special permits were processed (excluding withdrawals) since 2011:

- 15 for rebuilding residential garages, carports, or sheds
- 8 related to residential dwellings
  - 2 were approved for complete reconstruction (SP19003 for a 4 plex and [SP18050](#) for a SFD and garage), the remaining were approved for expansions
  - Both reconstructions included waivers as did all the expansions except for the three oldest (2014 and 2011)
  - Applications:
    - Reconstruct a portion of the house with a nonconforming front yard setback [SP14020](#), [SP11008](#)
    - Expand into front and/or rear setback in line with existing house [SP17041](#), [SP18005](#); Front reduced to 6-8'

#### Non-Standard Lot Example

To the right is an example of what can be done by right using today's ordinance on a non-standard lot. The home was built in 2018 after the City purchased and demolished the previous home on the lot. The property is zoned R-2 and is 3,050 square feet. It is non-standard because the lot size exceeds the 6,000 square feet minimum. The lot does meet the 50-foot minimum lot width.

Section 27.72.020 (c) allows a single family home to be built on a lot that does not have enough area and/or width in all residential districts if the lot is at least 40 feet wide and was existed legally before November 2, 1953 (in R4 through R8 a similar provision allows for two-family construction as well), but the lot still must meet all other regulations. The owner used Section 27.72.080(e) to reduce the front yard setback from 25 feet to match the adjacent houses. The home meets the 5-foot side yard setbacks and 20% of the lot depth for rear yard setback.



If this lot had been only 40-foot-wide, it would have been challenging to fit the dwelling on the site while complying with the 5-foot side setback requirements.

### Corner Lot Issues

Below are two common lot configurations in both new and older neighborhoods. On the left is the most common lot configuration for newer developments where the corner lots have two front yards. In this scenario, Section 27.72.080 reduces the required yard on the shared street side yard to 10 feet if the properties are zoned R-3, R-5, R-6, or R-7. At first the solution seemed to be amending this section to include R-1, R-2, and R-4, however upon closer review, many older neighborhoods with these zoning classifications have a proliferation of the lot types on the block to the right in the image below where a toothpick lot has been slipped between the two corner lots, making this provision non-applicable to a large number of corner lots in existing neighborhoods. Instead, the solution is to create a new definition of corner front yard and apply the 10 foot setback to that yard, preserving the intended setback from the street for safety and clearance, while making it easier to develop or rehabilitate properties on corner lots. These proposed changes appear on the amended tables above.



## Code

### 27.61.50 Restoration after damage or Reconstruction

When the use of a building is nonconforming as defined in this chapter and such a building is damaged by a fire, explosion, act of God, or the public enemy to the extent of **more than sixty percent of its fair market value**, it shall **not be restored except in conformity** with the regulations of the district in which the building is located, or in conformance with the provisions of Chapter 27.75 (BZA), Section 27.63.280 (Special Permit), or this chapter. Notwithstanding this section, dwellings in the R1, R2, R3, R4, R5, R6, R7, or R8 districts damaged by fire, explosion, act of God, the public enemy, or intentionally demolished, in whole or in part, may be restored using the original setbacks. If, however the proposed repair or replacement would increase any preexisting nonconformity or nonstandard setback or parking it shall only be rebuilt in conformance with the provisions of Chapter 27.75 (BZA), Section 27.63.280 (Special Permit), or this chapter.

### 27.02.260 Y (Definitions)

**Yard, Required Front** The required front yard shall extend across the front of a lot between the side lot lines abutting a street. There shall be a one required front yard on each street side of a corner lot. On a corner lot, there shall be only one required front yard and it shall be adjacent to the lot line that is in line with the platting orientation of most of the structures on the block. If there is not a predominant platting orientation, the required front yard can may be on either street frontage. All other street frontages on a corner lot shall be required corner front yards. On a double frontage lot where the street frontages run parallel both lot lines are considered required front yards.

**Yard, Required Corner Front** On a corner lot there shall be one required front yard abutting the street frontage with the predominant platting orientation. All other street frontages shall be a required corner front yard. For the purposes of interpreting this chapter, any instance where front yard is addressed it is understood that corner front yard also applies unless otherwise stated.

**Yard, Required** Required yard shall mean the required minimum open space between the property line and the yard line. The required yard shall contain no building or structure other than the projection of the usual steps and landing, unenclosed balconies, or open porches, or as otherwise provided in this title.

### 27.72.060 Uses Permitted or Prohibited Within Required Yards.

**d. Porches.** An open, unenclosed porch may project into a required front yard for a distance not exceeding ten feet, however may not project into the required corner front yard under any situation;

### 27.72.070 Additional Front Yard Requirements.

b. In all zoning districts, there shall be a required front yard, in those lots requiring a front yard, on the street side of a corner lot that is in line with the platting orientation of most of the structures on the block. All remaining street frontages become required corner front yards;

### 27.72.080 Exceptions to the Front Yard Requirements.

(a) In the R-3, R-5, R-6, and R-7 where corner lots are separated by a common rear lot line, the minimum required front yard shall be ten feet on the side along the street adjacent to both corner lots.



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

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

- 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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	Rear Yard	Smaller of 30' or 20% of the lot depth			
	Height	35'	35'	35'	35'

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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'
<u>Townhouses</u>	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'
	<u>Corner Front Yard (a)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'
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'
	<u>Corner Front Yard (a)</u>	<u>20'</u>		<u>20'</u>	<u>10'</u>
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	<del>35'</del> 55'	<del>35'</del> 55'	<del>45'</del> 55'	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'
	<u>Corner Front Yard (a)</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>10'</u>
	Rear Yard	Smaller of 30' or 20% of the lot depth			20'
	Height	35'	35'	35'	35'

(a) Facades on a corner front yard must have a minimum of two openings measuring a minimum of 6 square feet each.

27.72.030 Height and Lot Regulations Commercial Zoning Districts.

The maximum height and minimum lot requirements within the O-1 through O-3, R-T, and B-1 through B-5 Zoning Districts shall be as follows:

a. **General Requirements.** See Table 27.72.030(a) below:

Table 27.72.030(a)										
Maximum Height and Minimum Lot Requirements for the O, R-T and B Zoning Districts										
		O-1	O-2	O-3	R-T	B-1	B-2	B-3	B-4	B-5
Dwellings	Lot Area (sq. ft.)	220 (per unit)	4,000	(a)	4,000	2,000 (per unit)	2,000 (per unit)	1,000 (per unit)	0	0
	Frontage	50'	50'	50'	50'	50'	0'	0'	0'	0'
	Front Yard	0'	20'	30'	10' (f)	20'	20'	0' (g)	0'	20'
	Side Yard / Side Yard Abutting Residential	0'	10'	15' / (f)	0' / 10'	0' / 10'	20'	0' / 5'	0' / (f)	0' / 100'
	<u>Corner Front Yard (h)</u>	<u>0'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>0'</u>	<u>0'</u>	<u>10'</u>
	Rear Yard / Rear Yard Abutting Residential	0'	40'	40'	0' / 10'	Smaller of 30' or 20% of depth	50'	0' / 30'	0' / (f)	0' / 100'
	Height	75' (d)	25' or 28' (b)	<del>35'</del> 55' (i)	28'	40'	<del>40'</del> 55'	45' or 35' (c)	See Figure 27.72.030(a)	<del>40'</del> 55'
Other Allowed Uses	Lot Area (sq. ft.)	0'	0'	4,000	4,000	0'	0'	0'	0'	0'
	Frontage	0'	(e)	50'	50'	0'	0'	0'	0'	0'
	Front Yard	0'	20'	20'	10' (f)	20'	20'	0' (g)	0'	20'
	Side Yard/ Side Yard Abutting Residential	0'	0' / 10' / 0' / 20' (e)	15' / (f)	0' / 10'	0' / 10'	0' / 20'	0' / 5'	0' / (f)	0' / 100'
	<u>Corner Front Yard (h)</u>	<u>0'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>0'</u>	<u>0'</u>	<u>10'</u>
	Rear Yard/ Rear Yard Abutting Residential	0'	40'	40'	0' / 10'	Smaller of 30' or 20% of depth	0' / 50'	0' / 30'	0' / (f)	0' / 100'
	Height	75' (d)	25' or 28' (b)	<del>45'</del> 55' (i)	28'	40'	<del>40'</del> 55'	45' or 35' (c)	See Figure 27.72.030(a)	<del>40'</del> 55'

(a) In the O-3 zoning district the Minimum Lot Area shall be 1,500 square feet per multifamily dwelling unit; 2,500 square feet per Townhouse unit; and 4,000 square feet for single and two family dwellings.

Table 27.72.030(a)

Maximum Height and Minimum Lot Requirements for the O, R-T and B Zoning Districts

	O-1	O-2	O-3	R-T	B-1	B-2	B-3	B-4	B-5
(b) The maximum height of the buildings in the O-2 zoning district shall be 25 feet if the roof pitch is less than 2.5:12; and 28 feet for all other roofs.									
(c) In the B-3 zoning district the maximum height shall be 45 feet except that it shall be 35 feet if abutting the R-1, R-2 or R-3 zoning district.									
(d) The maximum height of O-1 zoning district shall be the least of 75' or the height limitation imposed by <a href="#">Chapter 27.56</a> , the Capitol Environs District.									
(e) In the O-2 zoning district if the Lot Area is less than 15,000 square feet the frontage requirement shall be 50' and the side yard shall be 10' if abutting a residential district and 0' if abutting a commercial or industrial district. If the Lot Area is 15,000 or more the frontage requirement shall be 100' and the side yard shall be 20' if abutting a residential district and 0' if abutting a commercial or industrial district.									
(f) In the O-3, R-T and B-4 zoning district required yards are as in 27.72.030(a) or the same as the abutting zoning district whichever is greater. Townhouses in the O-3 zoning district shall have a required side yard of 0' or 10' on the nonparty wall side.									
(g) In the B-3 zoning district if block face is partially in a residential zoning district then the front yard setback shall be the same as the residential district.									
(h) <u>Facades on a corner front yard must have a minimum of two openings measuring a minimum of 6 square feet each.</u>									
(i) <u>For each foot above 35 feet, the building must be set back an additional 1 foot, beyond the minimum setbacks, from the side and rear lot lines.</u>									

27.62.040 Household Living Use Group.

~~b. Dwellings are permitted in the B-2 zoning district when stated as an allowed use as part of a use permit.~~

27.06.070 Household Living 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
<u>Apartment hotels</u>	S	S	S	S	S	S	S	S	P	P	P	C		C	C	<del>C</del> P	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 <u>premises</u>															P	P	P	P	P	P	P	P	P	P	P	P
<u>Accessory Dwellings for domestic employees</u>	S	S																P								
Elderly and <u>Retirement Housing</u>			S	S	S	S	S	S	S	S	S	S	P	S	S	<del>C</del> P	S	P	<del>C</del> P							

**27.06.070 Household Living 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
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-P	C	P	P							
Single-family dwellings	P	P	P	P	P	P	P	P	P	P	P	C	P	P	C	C-P	C	P	P							
Single-family dwelling with detached accessory dwelling			C	C	C	C																				
Townhouses	S	S	S	S	S	S	P	P	P	P	P	C	P		C	C-P	C	P	P							
Two-family dwellings	S	S	P	P	P	P	P	P	P	P	P	C	P	P	C	C-P	C	P	P							
All other uses in this Use Group	P	P	P	P	P	P	P	P	P	P	P		P	P				P	P							

