

FACTSHEET

TITLE: TEXT AMENDMENT NO. 17003 -
Amend Lincoln Municipal Code Section 27.67.030
and Design Standards chapter 3.75 relating to
front yard parking requirements in R-5, R-6 and R-7
Zoning Districts and align Neighborhood Design
Standards with zoning code.

BOARD/COMMITTEE: Planning Commission

APPLICANT: James Christo

RECOMMENDATION: Approval (8-0: Beckius, Corr,
Edgerton, Finnegan, Harris, Washington, Scheer and Hove
voting 'yes'; Weber absent)

STAFF RECOMMENDATION: Approval.

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:

To allow one required parking stall for single-family, two-family, or townhouse uses to be on a driveway in the front yard in front of a garage in the R-5, R-6, and R-7 Zoning Districts, as currently allowed in the R-1 through R-4 Districts; and to align the Neighborhood Design Standards with this allowance of a required parking stall in the front yard.

DISCUSSION/FINDINGS OF FACT:

1. This text amendment request appeared on the Consent Agenda of the Planning Commission on April 12, 2017.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on pp.1-2, concluding that these proposed amendments would make consistent the location of required parking stalls for single-family, two-family, and townhouse uses in the R-1 through R-7 residential districts, removing an obstacle to those otherwise permitted uses in the R-5 through R-7 districts. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.
3. On April 12, 2017, the Planning Commission voted 8-0 (Weber absent) to recommend approval of this text amendment.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: April 18, 2017

REVIEWED BY: David R. Cary, Planning Director

DATE: April 18, 2017

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 12, 2017 PLANNING COMMISSION MEETING

PROJECT #: Text Amendment No. 17003

PROPOSAL: In the R-5, R-6, and R-7 zoning districts, to permit one required parking stall for single-family, two-family, or townhouse uses to be on a driveway in the front yard in front of a garage, as currently allowed in the R-1 through R-4 districts; and to align the Neighborhood Design Standards with this allowance of a required parking stall in the front yard.

CONCLUSION: These proposed amendments would make consistent the location of required parking stalls for single-family, two-family, and townhouse uses in the R-1 through R-7 residential districts, removing an obstacle to those otherwise permitted uses in the R-5 through R-7 districts. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

HISTORY:

Sept. 1985 Ordinance No. 14215 permitted parking in the front yard in the R-1 through R-4 districts for personal vehicles on a driveway outside a garage, for one- and two-family dwellings.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 7.2 Continue policies such as landmark districts and down-zonings that maintain a mix of single-family and multi-family housing and support home ownership and the preservation and enhancement of historic properties.

Provide a wide variety of housing types and choices for an increasingly diverse and aging population.

ANALYSIS:

1. This application seeks to remove an impediment to single-family, two-family, and townhouse construction in the R-5 through R-7 districts by permitting the same parking arrangement for those lower-density housing types as are currently allowed in the R-1 through R-4 districts.
2. Since 1985, single-family and two-family dwellings in the R-1 through R-4 districts have been allowed to count a required parking stall in a driveway outside a garage.
3. By our zoning code's definition, a townhouse is described "one of a group or row of not less than three nor more than twelve attached, single-family dwellings design and built as a single structure...and each unit is on its own lot." (Emphasis added.) Townhouses are included in this proposal to clarify that the zoning provisions allowing one required parking stall in a front yard, on a driveway leading to a garage, apply to them as single-family dwellings.

4. The applicant proposes to build a pair of two-family dwellings on property he owns in the R-6 zoning district. He proposes to provide a single-stall garage attached to each unit. Each dwelling is required to have 1.75 parking stalls, which rounds up to 2 stalls. In the R-1 through R-4 districts, the driveway to the garage would count as that second stall. The current language of the Zoning Code would not allow the same arrangement in the higher-density R-5 through R-7 districts.
5. The Comprehensive Plan encourages a mix of housing types in the various districts and encourages homeownership. The zoning code allows (by right) single-family, two-family, and townhouses in the R-5 through R-7 districts.
6. There is not an apparent benefit to imposing a stricter requirement on lower-density housing types in the R-5 through R-7 residential districts than in the R-1 through R-4 districts.
7. The Neighborhood Design Standards currently prohibit any required parking “between the building and the front property line,” in contradiction to the Zoning Code’s allowance of counting one stall in a driveway in the front yard, leading to a garage. The adjustment to the Neighborhood Design Standards would correct this contradiction and would apply the provision uniformly from R-1 through R-7 districts.

Prepared by:

Ed Zimmer, Planner, 441-6360, ezimmer@lincoln.ne.gov

March 30, 2017

**APPLICANT/
CONTACT:** James Christo
6945 N. 7th Street
Lincoln, NE 68521

TEXT AMENDMENT NO. 17003

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

April 12, 2017

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington, and Hove present; Weber absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 17005, TEXT AMENDMENT NO. 17003, SPECIAL PERMIT NO. 494F, and STREET AND ALLEY VACATION NO. 17003.**

Exparte Communications: Corr disclosed that Text Amendment No. 17003 was presented during a Mayor's Neighborhood Roundtable meeting that she attended.

Beckius moved approval of the Consent Agenda, seconded by Corr and carried, 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Washington, Scheer and Hove voting 'yes'; Weber absent. This is ****FINAL ACTION**** on **COMPREHENSIVE PLAN CONFORMANCE NO. 17005** and **SPECIAL PERMIT NO. 494F** unless appealed to the City Clerk within 14 days. This is a recommendation to the City Council on all remaining items.