

## **ARTICLE IV. Zoning District Regulations**

### **§ 205-27. Purpose.**

This article presents the zoning district regulations. Zoning districts are established in this chapter to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

### **§ 205-28. Establishment of districts.**

The following base districts and overlay districts are hereby established.

<b>Base Zoning Districts</b>	<b>District Names</b>
AG	Agricultural District
RE	Rural Residential Estates District
R-1	Single-Family Residential (Low-Density)
R-2	Single-Family Residential (Medium-Density)
R-3	Urban Family Residential District
R-4	Multiple-Family Residential District
MH	Mobile Home Residential District
O	Office District
LC	Limited Commercial District
CC	Community Commercial District
GC	General Commercial District
CBD	Central Business District
LI	Limited Industrial District
GI	General Industrial District
<b>Special and Overlay Districts</b>	
MU	Mixed Use District
PUD	Planned Unit Development District

ED	Environmental Resources District
HD	Historic District
HOD	Highway Overlay District
FP/FW	Floodplain/Floodway District
P	Public Use District

**§ 205-29. Application of districts.**

- A. A base district designation shall apply to each lot or site within the city and its planning jurisdiction. A site must be in one base district.
- B. The Floodplain/Floodway, Planned Unit Development and Environmental Resources Overlay Districts may be applied to any lot or site or any portion thereof, in addition to a base district designation. The Mixed Use and Public Use Districts may stand alone as a base district.

**§ 205-30. Hierarchy.**

References in this chapter to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial and industrial base zoning districts established in the order of § 205-28 and shall represent a progression from the AG Agricultural District as the least intensive to the GI General Industrial District as the most intensive. The special and overlay districts shall not be included in this reference.

**§ 205-31. Development regulations.**

For each Zoning District, permitted uses are set forth in Table 205-38. Individual sections describe the purpose and specific development regulations for each zoning district. Supplemental Regulations may affect specific land uses or development regulations in each zoning district. The applicable Supplemental Regulations are noted in Table 205-38.

**§ 205-32. Zoning Map.**

- A. Adoption of Zoning Map. Boundaries of zoning districts established by this chapter shall be shown on the Zoning Map. This map, together with all legends, references, symbols, boundaries and other information, shall be adopted as a part of and concurrent with this chapter. Said Zoning Map shall be prominently displayed in the Council chambers and/or an area accessible to the public at Papillion City Hall.
- B. Changes to the Zoning Map. The Zoning Map may be changed from time to time by ordinance, following the procedure set forth by Article XL. Such changes shall be reflected on an official Zoning Map. The City Clerk shall keep a complete record of all ordinances that make changes to the Zoning Map.

**§ 205-33. Interpretation of district boundaries.**

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

- A. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.
- B. Where district boundaries are indicated as within street or alley, railroad or other identifiable rights-of-way, the center line of such rights-of-way shall be deemed the district boundary.
- C. Where a district boundary divides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map.
- D. The City Council shall determine any other uncertainty regarding district boundaries not covered in this section.

**§ 205-34. Vacation of streets and alleys.**

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former center line. When a vacated street or alley abutting a zoning district on one side, but no zoned property on the other side (such as in the case of frontage roads where one side of the vacated right-of-way is adjacent to a major roadway), the zoning district of the abutting zoned property shall be extended to the entirety of the vacated street or alley.

**§ 205-35. Zoning on additions to the extraterritorial jurisdiction.**

All unimproved or agricultural territory that may hereafter be added to the city extra-territorial jurisdiction through annexation shall be considered as lying in the AG Agricultural District until such classification shall be changed as provided by this ordinance. Any property under a different governmental jurisdiction's zoning that is added to the extraterritorial jurisdiction of Papillion shall be zoned according to the zoning district that most nearly resembles either the designated zoning of the previous jurisdiction or the current use of the property. This zoning conversion shall be established by the Planning Director.

**§ 205-36. Required Conformance.**

Except as specified in this chapter or provided by the regulations governing nonconforming development or uses, no building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used that does not comply with all of the district regulations established by this title for the district in which the building or land is located.

### **§ 205-37. Required Frontage.**

No lot shall contain any building used in whole or in part for residential purposes unless such lot abuts at least one public street. A minimum of twenty feet of street frontage is required for a single-family dwelling. A minimum of fifty feet of street frontage is required for two-family or multiple-family dwellings. For all other uses, a minimum of twenty feet of street frontage is required per lot.

### **§ 205-38. Use Matrix: Levels of Permitted Uses.**

Within zoning districts in Papillion, different uses are permitted with different conditions. These are displayed in Table 205-38: Use Matrix. Levels of permission include:

- A. Uses that are permitted by right. These uses are permitted subject to issuance of a building permit by the Building Official, subject only to compliance with all regulations of this Ordinance. Uses permitted by right might be subject to supplemental regulations contained in this Ordinance. These uses are indicated in the Use Matrix by a “P” in the applicable cell.
- B. Special Uses. These uses are subject to approval of a Special Use Permit by the City Council, following the procedure set forth in § 205-302. These uses are indicated in the Use Matrix by an “S” in the applicable cell.
- C. Site plan approval. Site plan approval is required for all use types, except single family residential. The site plan review is conducted by the Planning Department prior to or at the time of the building permit application.

### **§ 205-39. Guide to Site Development Regulators.**

The regulators set forth in the tables in Articles V through XXVIII establish the limits and requirements for most development in the City of Papillion and its extra-territorial jurisdiction. This section is intended to provide guidance for applying the regulators contained in these tables.

- A. *Site area per housing unit.* This indicates the gross land area per unit within a residential development. For example, a 40-lot subdivision on a 10-acre (435,600 square foot tract) will have a site area per unit of 10,890 square feet. Site area per unit, which measures gross density, may differ from minimum lot size. In conservation development, the site area per unit will be larger than minimum lot size, permitting the clustering of lots in exchange for common open space. In multi-family development, the site area per unit will usually be smaller than minimum lot size, because the lot is the legal parcel on which a multiple-unit building is built.
- B. *Minimum lot area.* This indicates the minimum size of a legally described and recorded parcel upon which development can take place. As noted above, minimum lot area and site area per unit may not be the same.
- C. *Minimum lot width.* This is the required minimum distance connecting at points along opposite side lot lines, measured at the required front yard setback. For example, the lot width of an irregular lot in a district requiring a 25-foot front yard setback is determined by:

- (1) Locating the points along each side lot line at a distance of 25 feet back from the front property line.
  - (2) Drawing a line connecting these two points.
  - (3) Measuring the length of this line. The length is the lot width.
- D. *Minimum yards.* These define the required setbacks of buildings from front, side, and rear property lines. While the yard requirements apply to a majority of development, the Ordinance provides for a number of exceptions. Some of these include:
- (1) Planned unit developments. Front yard setbacks can be varied within Planned Unit Developments, which are reviewed and approved by the City Council after a recommendation from the Planning Commission.
  - (2) Major streets. The city may require greater than normal setbacks along segments of the city's arterial street system, as defined in the comprehensive development plan.
  - (3) Flexibility provided by Supplemental Development Regulations. Article XXXIV establishes supplemental regulations, many of which provide flexibility or variations in setback regulations for specific contexts.
- E. *Maximum setbacks.* Some specific zoning districts provide maximum as well as minimum setbacks. These setbacks establish "build-to" lines that may be necessary to protect the appearance and character of special urban districts.
- F. *Maximum height.* Height normally measures the vertical distance from the established grade to the highest point of a building. However, as established by the definition of height, the point of measurement may vary for different types of buildings and roof slopes.
- G. *Maximum building coverage.* This measures the percentage of a site that may be covered by the footprint of buildings. Thus, a 20,000 square foot building on a 40,000 square foot site has a building coverage of 50%. This is a method of regulating the scale of buildings in an area.
- H. *Maximum Impervious Coverage.* This measures the percentage of a site that may be covered by buildings and other surfaces and development features which prevent the penetration of water into the ground (such as driveways, porches, parking lots, and other features). Limits on impervious coverage help control the velocity and quantity of stormwater runoff and provide for groundwater recharge.
- J. *Maximum amount of total parking in street yard.* This controls the maximum amount of parking that can be located in the area between a building facade and the street. When applied in certain zoning districts, it is intended to reduce the number of cars seen from the street, encourage site planning which locates parking in rear and side yards, and produce a stronger relationship between buildings and streets. For example, a project with 100 parking stalls and a 50% limit on the amount of parking located in street yards must locate 50 of its stalls in rear or side yards without street exposure.

- K. *Minimum Depth of Landscaping Adjacent to Street Right-of-Ways.* This establishes the depth of landscaping that must be provided on private property adjacent and in from the right-of-way line. Thus, if the required minimum depth is fifteen feet, a project must landscape the first fifteen feet of its site back from the right-of-way line. All landscaping must be done in accordance with Article XXXV, establishing landscaping standards.
- L. *Minimum bufferyard requirements.* This establishes the depth of a bufferyard that must be provided by intensive land uses that are adjacent less intensive land uses. Less intensive land uses typically consist of residential uses zoning districts. All landscaping must be done in accordance with Article XXXV, establishing landscaping and screening standards.
- M. *Supplemental use regulations.* Certain permitted uses require satisfaction of specific requirements in order to function successfully in their urban or rural contexts. These supplemental requirements are set forth in Article XXXIII. These requirements are cross-referenced in the “Supplementary Regulations” column of the Use Matrix.

**§ 205-40. (Reserved)**

**§ 205-41. (Reserved)**