

**ARTICLE 4
ZONING DISTRICTS**

4.01 Purpose

For the purposes of this regulation Douglas County, Nebraska, except within the limits of any incorporated city or village or within the area over which zoning jurisdiction has been granted to any city or village, is hereby divided into the following districts:

AG	AGRICULTURAL/OPEN SPACE -
RR-1	RURAL RESIDENTIAL 1 -
RR-2	RURAL RESIDENTIAL 2 -
R-1	URBAN RESIDENTIAL 1 -
R-2	URBAN RESIDENTIAL 2 -
R-3	URBAN RESIDENTIAL 3 -
MH	MOBILE HOME RESIDENTIAL DISTRICT -
MU-1	MIXED USE 1 -
MU-2	MIXED USE 2 -
MU-3	MIXED USE 3 -
LI	LIMITED INDUSTRIAL -
GI	GENERAL INDUSTRIAL -
HC	HIGHWAY CORRIDOR DESIGN OVERLAY DISTRICT -
PUD	PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT -
FP/FW	FLOODPLAIN/ FLOODWAY OVERLAY DISTRICT -
BTA	BUILD THROUGH ACREAGE OVERLAY DISTRICT -

4.02 Application of Districts

A base district designation shall apply to each lot or site within the county's planning jurisdiction. A site must be in one base district.

The Flood Plain/Floodway, Planned Unit Development, Build Through Acreage, and Highway Corridor Design Overlay Districts may be applied to any lot or site or any portion thereof, in addition to a base district designation.

4.03 Hierarchy

References in the Zoning Regulation to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, mixed use, and industrial base zoning districts established in Section 4.01, 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 Overlay Districts shall not be included in this reference.

4.04 Development Regulations

For each Zoning District, permitted uses are set forth in Table 4.1. Permitted Uses By Zoning District. 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 4-1.

4.05 Zoning Map

The boundaries of these districts are hereby established as shown on the Official Zoning Map which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of these regulations.

If, in accordance with the provisions of this regulation, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map promptly after the amendment has been approved and adopted by the Board of County Commissioners.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, in electronic format and which shall be located in the office of the Zoning Coordinator shall be the final authority as the current zoning status of land, water areas, buildings and other structures. The Official Zoning Map will also be placed on the Environmental Services Department's web page to facilitate access and use by the general public.

4.06 Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- A. - Boundaries indicated as approximately following the center lines or right of way of streets, highways or alleys shall be construed to follow such center or right of way lines unless otherwise noted.
- B. - Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. - Boundaries indicated as approximately following city limits shall be construed as following city limits.
- D. - Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. - Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the

actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.

- F. - Boundaries indicated as parallel to or extensions of features indicated in subsection A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- G. - When physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through F above, the Board of Adjustment shall interpret the district boundaries.

4.07 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 centerline.

4.08 Required Conformance

Except as specified in this chapter, 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.

4.09 Required Frontage

No lot or parcel of land shall contain any building unless such lot or parcel of complies with the minimum lot width in the applicable zoning district where the parcel abuts and has access to a public road. All dedicated public roads must meet Douglas County's minimum design standards for similar types of improvements and be approved by the County Engineer. The intent is to address the concern of the County Engineer regarding multiple driveway accesses onto public roads. (amended March 18, 2008)

4.10 Use Matrix: Levels of Permitted Uses

Within zoning districts in Douglas County, different uses are permitted with different conditions. These are displayed in Table 4.1. Permitted Use by Zoning District. Levels of permission include:

- A. - Uses that are permitted by right. These uses are permitted subject to issuance of a building permit by the Zoning Coordinator, subject only to compliance with all provisions of this Regulation. Uses permitted by right might be subject to supplemental regulations contained in this Regulation. Uses permitted by right are indicated in Table 4.1 by a "P" in the applicable cell.

- B. - Special Uses. These uses are subject to approval of a Special Use Permit by the Board of County Commissioners, following the procedure set forth in Article 13 (13.04). These uses are indicated in Table 4.1 by a “S” in the applicable cell.
- C. - Site plan approval. Some use types require an additional site plan approval by the Zoning Coordinator. The site plan approval procedure is set forth in Article 13 (13.03). These uses are indicated in Table 4.1 by an asterisk (*) following the citing of a specific use type.

4.11 Guide to Site Development Regulators

The regulators set forth in the tables in Sections 4.12 through 4.23 establish the limits and requirements for most development within Douglas County’s planning jurisdiction. This section is intended to provide guidance for applying the regulators contained in these tables.

Conservation Design is mandatory for new development in Douglas County and because building lot clustering is a component of conservation design the Site Development Regulators, as defined in the respective zoning districts, may need to be altered to accommodate such lot clustering.

- A. - Minimum or Maximum 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 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. The Regulation also provides for other exceptions including:
 - 1. - Planned unit developments. Front yard setbacks may be varied within Planned Unit Developments, which are reviewed and approved by the Board of County Commissioners after a recommendation from the Planning Commission.
 - 2. - Major streets. The County may require greater than normal setbacks along segments of the county's arterial street system, as defined in the comprehensive development plan.
 - 3. - Flexibility provided by Supplemental Development Regulations. Article 5 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, can improve water quality by allowing water to infiltrate rather than runoff, and can provide for groundwater recharge.
- I. - 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.
- J. - Minimum bufferyard requirements. This establishes the depth of a bufferyard that must be provided by intensive land uses adjacent to primarily residential land uses in

residential zoning districts. All landscaping must be done in accordance with Article 9 establishing landscaping standards.

- K. - 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 5. These requirements are cross-referenced in the “Supplemental Regulations” column of Table 4.1.

4.12 AG Agricultural District

A. Purpose

The AG Agricultural District applies primarily to areas that are unlikely to experience urban development. The likely long-term use of these areas is agriculture, open space, or very low density development. In addition, areas currently in agricultural or open space uses but designated for future development in the Comprehensive Plan should be retained in the AG District to prevent premature or inappropriate development.

The AG Agricultural District applies primarily to areas that are unlikely to experience urban development. The likely long-term use of these areas is agriculture, open space, or very low density development. In addition, areas currently in agricultural or open space uses but designated for future development in the Comprehensive Plan should be retained in the AG District to prevent premature or inappropriate development.

TABLE 4.2 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Units	Other Permitted Uses
Site Area per Housing Unit	20 Acres	NA
Minimum Lot Area	20 Acres	20 Acres
Minimum Parcel Width (feet)*	300	300
Minimum Yards (feet)		
Front Yard	50 (Note 1)	50
Side Yard	15	25
Street Side Yard	25	25
Rear Yard	35	35
Maximum Height (feet)	35	35; 50 for Farm Buildings, 100 for Grain Storage Structures
Maximum Building Coverage	Note 2	Note 2
Maximum Impervious Coverage	NA	NA
Maximum Amount of Total Parking Located in Street Yard	NA	NA

*amended March 18, 2008

Note 1: Front yard setback is measured from property line of platted lots. For unplatted parcels along roads, residential structures shall be set back sufficiently to allow for future right-of-way dedications. This setback is typically 75 feet from the center line of the adjacent road. The Zoning Coordinator may establish a different set-back requirement based on the specific context of a parcel. The reason for any such variation shall be documented in writing by the Zoning Coordinator.

Note 2: Farm building coverage up to 5% of total parcel area. Residential accessory building coverage up to 20% of the rear yard.

Note 3. Parcel Width shall mean the average horizontal distance between the side parcel boundary lines, measured at right angles to the parcel depth at a point midway between the front and rear parcel boundary lines. (amended March 18, 2008)

B. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development Regulations in Article 7.

C. - Exception for Farmstead Lots.

The intent of this exception is to allow a one time split of a farmstead lot out of any qualifying parcel as of the effective date of these regulations.

1. - Farmstead Lots must meet the following requirements:

- a. - The parcel of land before subdivision must be greater than 23 acres and the remaining parcel after subdivision must be greater than 20 acres; and,
- b. - The minimum lot area shall be three (3) acres in size; and,
- c. - The lot created shall meet the requirements as defined in the subdivision regulations.
- d. - A given parcel is restricted to one (1) farmstead lot split as of the effective date of the amendment. The remaining (20+ acres) parcel of land cannot have another farmstead lot split. The intent is to prevent creation of more than one farmstead lot out of any qualifying parcel existing as of the effective date of these regulations. At the discretion of the Zoning Coordinator, additional farmstead lot splits may be considered if structures related to the uses in part "e" exist, an individual well and septic already exist on the proposed lot (i.e. are in existence as of the effective date of these regulations), and the additional farmstead lot split(s) is/are done at the same time.
- e. - The primary use of the original parcel must be associated with crop production, animal production, or a commercial feedlot.

4.13 RR-1 Rural Residential District with municipal services

A. Purpose

The RR-1 district provides for the rural residential use of land, accommodating low density residential environments on municipal water and sewer. It applies primarily to environmentally constrained areas that are not suited for higher urban densities. The likely long-term uses of these areas are low density residential, agriculture, or open space.

TABLE 4.3 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Units	Other Permitted Uses
Site Area per Housing Unit	2 Acres (Note 1)	NA
Minimum Lot Area	NA (Note 1)	2 Acres
Minimum Lot Width (feet)	100	100
Minimum Yards (feet)		
Front Yard	50	50
Side Yard	25	25
Street Side Yard	25	20
Rear Yard	35	35
Maximum Height (feet)	35	36
Maximum Building Coverage	Note 2	Note 2
Maximum Impervious Coverage	NA	NA
Maximum Amount of Total Parking Located in Street Yard	NA	NA
Project Size Requiring Planned Development District (PD)	NA	NA

Note 1: Site area per housing unit may be lowered to 1 acre when 50% or more of a subdivision is left in open space.

Note 2: Residential accessory building coverage up to 20% of the rear yard.

Note 3. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

* Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

B. Additional Requirements

All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.

4.14 RR-2 District. Rural Residential with individual services

A. - Purpose

Provides for the rural residential use of land, accommodating low density developments on individual wells and septic systems. The district also provides for previously platted acreage lots in (formerly) agricultural zone districts of between 3 and 20 acres in size that would be non-conforming as of the effective date of this regulation.

TABLE 4.4 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Units	Other Permitted Uses
Site Area per Housing Unit	3 Acres	NA
Minimum Lot Area	3 Acres	3 Acres
Minimum Lot Width (feet)	100	100
Minimum Yards (feet)		
Front Yard	50	50
Side Yard	25	25
Street Side Yard	25	20
Rear Yard	35	35
Maximum Height (feet)	35	36
Maximum Building Coverage	Note 1	Note 1
Maximum Impervious Coverage	NA	NA
Maximum Amount of Total Parking Located in Street Yard	NA	NA
Project Size Requiring Planned Development District (PD)	NA	NA

Note 1: -Residential accessory building coverage up to 20% of the rear yard.

Note 2. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. - Additional Requirements.

1. - All new subdivisions and lots must comply with the Conservation Development Regulations in Article 7.
2. - Currently platted lots, in existence as of the effective date of this regulation, are encouraged to use elements of Conservation Development if possible.
3. - Open space requirements for new subdivisions (percentage of the development that must be dedicated open space and protected from future development).

For gross densities:

- (i) 1 unit per 3 to 5 acres inclusive – 50%
- (ii) Greater than 1 unit per 5 acres to 1 unit per 10 acres inclusive – 70%
- (iii) Greater than 1 unit per 10 acres to 20 acres inclusive – 90%

4.15 R-1 Urban Residential Low-Density District

A. Purpose

The R-1 district is intended to provide for urban residential development, with gross densities generally below 4 units per acre. These areas generally include single-family detached and attached dwellings on relatively large lots with supporting community facilities and urban services, including municipal water and sanitary sewer service. The R-1 district will typically be used for single-family development that is provided with municipal water and sewer service.

TABLE 4.5 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Detached	1-Family Attached	Other Permitted Uses
Maximum Site Area per Housing Unit	10,000	6,000	
Minimum Lot Area	7,500 square feet	5,000 per unit	7,500
Minimum Lot Width (feet)	75	45 per unit	75
Minimum Yards (feet)			
Front Yard	25	25	25
Side Yard (Note 1)	15	15	15
Street Side Yard	20	20	20
Rear Yard Area	20	20	20
Maximum Height (feet)	35	35	35
Maximum Building Coverage	40%	40%	40%
Maximum Impervious Coverage	50%	50%	50%
Maximum Amount of Total Parking Located in Street Yard	NA	NA	NA

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1 - Single-Family Attached Development: Single-family attached development requires site plan approval.

Note 2. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. Additional Requirements

All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.

4.16 R-2 Urban Residential Density District

A. Purpose

The R-2 district is intended to provide for moderate density residential development, with gross densities generally between 6 and 12 units per acre. These developments are characterized by single-family dwellings on moderately-sized lots along with low-density multi-unit residential structures such as duplexes and townhouses approved by Special Use Permit. It adapts to both established and developing neighborhoods, as well as transitions between single-family and multi-family areas.

TABLE 4.6 – DEVELOPMENT REGULATIONS

Regulator	1-Family Detached	1-Family Attached	Duplex	Town-house (Note 1)	Other Permitted Uses
Maximum Site Area per Housing Unit (sq. ft)					
In Conventional Development*	7,500	7,500	4,000	3,000	
In Conservation Development and Planned Unit Developments	5,000	4,000	3,000	2,500	
Minimum Lot Area					
In Conventional Development*	5,000	5,000	8,000	3,000	6,000
In Conservation Development and Planned Unit Developments	4,000	4,000	6,000	2,500	6,000
Minimum Lot Area					
In Conventional Development*	75	45 per unit	75	30	60
In Conservation Development and Planned Unit Developments	45	40 per unit	60	25	60
Minimum Yards (feet) (Note 2)					
Front Yard	25	25	25	25	25
Side Yard	15	15	15	15	15
Street Side Yard	20	20	20	20	20
Rear Yard	20	20	20	20	25
Maximum Height (feet)	35	35	35	35	35
Maximum Building Coverage	40%	40%	40%	50%	50%
Maximum Impervious Coverage	50%	50%	50%	60%	60%
Maximum Amount of Total Parking Located in Street Yard	NA	NA	NA	NA	50%

*Conventional developments refer to those in existence as of the effective date of this regulation.

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1 - Townhouse Development: No more than four units may be attached in a single townhouse structure within an R-2 District. Regulators are shown on a per unit basis.

Note 2 - Flexible Yard Setbacks in Planned Unit Developments: The required minimum setbacks in planned districts may vary. However, the setback from the front facade of a garage to any public or private street right-of-way including the boundary of sidewalk(s) must be at least 20 feet.

Note 3. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. Additional Requirements

All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.

4.17 R-3 URBAN RESIDENTIAL HIGH-DENSITY DISTRICT

A. Purpose

The R-3 district is intended to provide for low and medium density multi-family residential development, with gross densities above 12 units per acre. These developments often are characterized by low-rise buildings in multiple structure configurations, with an emphasis on open space, convenient parking, and, in many cases, common community facilities such as clubhouses and swimming pools. This district is also appropriate for larger townhouse complexes, while still accommodating lower density forms of development.

TABLE 4.7 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Detached	1-Family Attached (Note 1)	Duplex	Town-house (Note 1)	Multi-Family	Other Permitted Uses
Maximum Site Area per Housing Unit (sq ft)						
In Conventional Development*	5,000	4,000	3,000	3,000	2,500	
In Conservation Development and Planned Unit Developments	4,000	3,000	2,500	2,500	2,000	
Minimum Lot Area						
In Conventional Development*	4,000	4,000	6,000	3,000	10,000	5,000
In Conservation Development and Planned Unit Developments	4,000	3,000	5,000	2,500	10,000	5,000
Minimum Lot Width (feet)						
In Conventional Development*	50	40	50	25	100	50
In Conservation Development and Planned Unit Developments	45	30	45	20	100	50
Minimum Yards (feet) (Note 2,3,4)						
Front Yard	25	25	25	25	25	25
Side Yard	5	5	5	5	Note 6	Note 6
Street Side Yard	15	15	15	15	15	15
Rear Yard (Note 2)	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	20	35
Maximum Height (feet)	35	35	35	35	48	48
Maximum Building Coverage	50%	50%	50%	60%	60%	60%
Maximum Impervious Coverage	60%	60%	60%	70%	70%	70%
Maximum Amount of Total Parking Located in Street Yard	NA	NA	NA	NA	50%	50%

* Conventional developments refer to those in existence as of the effective date of this regulation.

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1 - One-Family Attached and Townhouse Development: Regulators are shown on a per unit basis. Side yard setbacks are indicated for detached building walls.

Note 2: The required rear yard area is calculated as the lesser of 20 feet or 20% of the lot depth to a minimum of 15 feet.

Note 3 - Flexible Yard Setbacks in Planned Unit Developments: The required minimum setbacks in planned districts may vary. However, the setback from the front facade of a garage to any public or private street right-of-way including the boundary of sidewalks) must be at least 20 feet.

Note 4 - Side Yard Set Back: Interior side yard is equal to five feet for each story of height.

Note 5. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.
2. - Parking areas, accessory buildings, and garages must be at least 5 feet from a side or rear lot line. A greater separation from residential zoning districts may be required by Article 9.

4.18 MH Mobile Home Park Planned District

A. Purpose

The MH district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.

TABLE 4.8 – SITE DEVELOPMENT REGULATIONS

Regulator	1-Family Detached and Mobile Home Units on Subdivided Lots	Duplex	1-Family Attached and Townhouse (Note 1)	Mobile Home Park (Note 2)	Other Permitted Used
Site Area per Housing Unit (square feet)					
In Conventional Development*	5,000	4,000	4,000	NA	
In Conservation Development and Planned Developments	5,000	3,000	3,000	5,000	
Minimum Lot Area					
In Conventional Development*	5,000	8,000	4,000	NA	6,000
In Conservation Development and Planned Developments	4,000	6,000	3,000	10 acres	6,000
Minimum Lot Width (feet)					
In Conventional Development*	50	50	40	NA	60
In Conservation Development and Planned Developments	40	45	30	100	60
Minimum Yards (feet)					
Front Yard	25	25	25	35	25
Side Yard (Note 3)	5	5	10	35	10
Street Side Yard	25	25	25	35	25
Rear Yard (Note 4)	20% of lot depth	20% of lot depth	20% of lot depth	35	25
Maximum Height (feet)	35	35	35	35	35
Maximum Building Coverage	40%	40%	40%	NA	NA
Maximum Impervious Coverage	50%	50%	50%	50%	50%
Floor Area Ratio	NA	NA	NA	NA	0.50
Maximum Amount of Total Parking Located in Street Yard	NA	NA	NA	NA	50%

* Conventional developments refer to those in existence as of the effective date of this regulation.

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

* The required rear yard area is calculated as 20% of the lot depth times the lot width. Provided that this minimum area is maintained, a portion of a residential structure may come as close as 10 feet from a rear lot line.

Note 1 - Single-Family Attached Townhouse Development: No more than four units may be attached in a single townhouse structure within an MH District. Regulators are shown on a per unit basis. Side yard setbacks are indicated for detached building walls.

Note 2 - Mobile Home Parks and Subdivisions: Complete development standards for Mobile Home Parks and Subdivisions are set forth in Article 5.

Note 3 - Flexible Yard Setbacks in Planned Districts: The Planning Commission and County Board may vary required minimum setbacks in planned districts other than mobile home parks. However, the setback from the front facade of a garage to any public or private street right-of-way including the boundary of sidewalks) must be at least 20 feet.

Note 4: The required rear yard area is calculated as the lesser of 20 feet or 20% of the lot depth to a minimum of 15 feet.

Note 5. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.
2. - Not less than 8% of the gross area of every mobile home park shall be developed as recreational areas easily accessible to all park residents. Recreation areas may include but are not limited to such facilities as recreational buildings, adult recreation areas, child play areas, and swimming pools.

4.19 MU-1 Limited Mixed Use District

A. Purpose

The MU-1 district provides for high-density residential, office, and low-impact commercial uses. The district permits a combination of medium and high-density residential uses with compatible office and commercial uses, designed to serve the needs of residents in a local geographic area. Development in the MU-1 District should be served by balanced transportation systems that promote safe movement of motor vehicles, bicycles, and pedestrians, and should provide good access for all users from surrounding residential areas. Development within the MU-1 District requires supporting community facilities and urban services, including municipal water and sanitary sewer service.

TABLE 4.9 – SITE DEVELOPMENT REGULATIONS

Regulator	Multi-family	All other Permitted Uses
Site Area per Housing Unit	3,000	
Minimum Lot Area	10,000 square feet	10,000 sq ft.
Minimum Lot Width (feet)	100	100
Minimum Yards (feet)		
Front Yard	25	25Note 1
Side Yard	10	5
Street Side Yard	25	15
Rear Yard Area	25	Lesser of 20% of the lot depth or 20 feet
Maximum Height (feet)	35	35
Maximum Building Coverage	60%	
Maximum Impervious Coverage	70%	
Maximum Amount of Total Parking Located in Street Yard	50%	80%

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1: Front yard setbacks may be reduced within Planned Developments, with specific setbacks established as part of the Planned Development district regulators. On streets designated as arterials by the County Comprehensive Plan and with a right-of-way less than 100 feet, the Zoning Coordinator may require a greater setback from the arterial to accommodate future roadway widening. The maximum setback is established by the following formula:

$$\text{Arterial street setback} = 25 + (50 - \frac{1}{2} \text{ current ROW width})$$

Note 2. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development regulations in Article 7
2. - Site Development Plan

All applications for rezoning, subdivisions, or building permits in the MU-1 District shall require submission of a detailed Site Development Plan and such other drawings, data, calculations, sketches, or diagrams that provide reasonable and adequate information on the location, size, and use of the buildings; and the location, size, arrangement, and capacity of highway frontage roads, parking, loading, and unloading areas. Vehicular access to existing streets shall be clearly indicated. Vehicular and pedestrian traffic generated to and from the proposed development shall not create undue hazards to the normal traffic movement on the existing streets and highways. These plans and documents shall become a part of the application and shall form the basis for the issuance of building permits and/or the approval of the re-zoning. Plan changes that alter the vehicular access between the public street and the development, or impact public health and/or safety, are subject to re-submission of the Plan. Minor plan changes may be evaluated and acted upon by the Zoning Coordinator.

4.20 MU-2 Community Mixed Use District

A. Purpose

The MU-2 district provides for a mix of high-density residential, office, and major retail and service commercial uses. The district permits a combination of uses designed to serve the needs of residents and visitors to a relatively large service area. Development in the MU-2 District should be served by balanced transportation systems that promote safe movement of motor vehicles, bicycles, and pedestrians, and should provide good access for all users from surrounding residential areas.

TABLE 4.10 – SITE DEVELOPMENT REGULATIONS

Regulator	Multi-family	All other Permitted Uses
Site Area per Housing Unit	2,000	
Minimum Lot Area	10,000 square feet	10,000 sq ft.
Minimum Lot Width (feet)	100	100
Minimum Yards (feet)		
Front Yard	25	25 (Note 1)
Side Yard	10	0 (Note 2)
Street Side Yard	25	15
Rear Yard Area(Note 3)	25	Lesser of 20% of the lot depth or 20 feet
Maximum Height (feet)	35	35
Maximum Building Coverage	60%	
Maximum Impervious Coverage	70%	
Maximum Amount of Total Parking Located in Street Yard	50%	80%

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1: Front yard setbacks may be reduced within Planned Developments, with specific setbacks established as part of the Planned Development district regulators. On streets designated as arterials by the County Comprehensive Plan and with a right-of-way less than 100 feet, the Zoning Coordinator may require a greater setback from the arterial to accommodate future roadway widening. The maximum setback is established by the following formula:

$$\text{Arterial street setback} = 25 + (50 - \frac{1}{2} \text{ current ROW width})$$

Note 2: 10 feet when abutting a zone requiring a side yard.

Note 3: Rear yard setback required only when a residential zoning district abuts the rear lot line.

Note 4. Subdivision of property for residential use is not allowed in the one half mile buffer zone around the active industrial waste monofill operation at the Douglas County RDF Landfill site, the industrial waste monofill site located south of the Douglas County

RDF Landfill site permitted by Conditional Use Permit issued to Waste Management, and the Pheasant Point Landfill. (amended March 18, 2008)

B. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.

2. - Site Development Plan

All applications for rezoning, subdivisions, or building permits in the MU-2 District shall require submission of a detailed Site Development Plan and such other drawings, data, calculations, sketches, or diagrams that provide reasonable and adequate information on the location, size, and use of the buildings; and the location, size, arrangement, and capacity of highway frontage roads, parking, loading, and unloading areas. Vehicular access to existing streets shall be clearly indicated. Vehicular and pedestrian traffic generated to and from the proposed development shall not create undue hazards to the normal traffic movement of the existing streets and highways. These plans and documents shall become a part of the application and shall form the basis for the issuance of building permits and/or the approval of the re-zoning. Plan changes that alter the vehicular access between the public street and the development, or impact public health and/or safety, are subject to re-submission of the Plan. Minor plan changes may be evaluated and acted upon by the Zoning Coordinator.

4.21 MU-3 General Mixed Use District

C. - Purpose

The MU-3 General Mixed Use District provides for a wide range of commercial activities, including some with industrial operating characteristics, and some industrial uses with low operating or environmental impacts. Development in the MU-3 District requires a balanced transportation system that promotes safe movement of motor vehicles, non-motorized vehicles, and pedestrians.

TABLE 4.11 – SITE DEVELOPMENT REGULATIONS

Regulator	Permitted Uses
Minimum Lot Area	10,000 sq ft.
Minimum Lot Width (feet)	100
Minimum Yards (feet)	
Front Yard	25 (Note 1)
Side Yard	0 (Note 2)
Street Side Yard	20
Rear Yard Area(Note 3)	25(Note 3)
Maximum Height (feet)	35
Maximum Building Coverage	
Maximum Impervious Coverage	
Maximum Amount of Total Parking Located in Street Yard	80%

Setbacks may be adjusted to allow for lot clustering and in order to comply with the overall intent of the Conservation Development regulations.

Note 1: Front yard setbacks may be reduced within Planned Developments, with specific setbacks established as part of the Planned Development district regulators. On streets designated as arterials by the County Comprehensive Plan and with a right-of-way less than 100 feet, the Zoning Coordinator may require a greater setback from the arterial to accommodate future roadway widening. The maximum setback is established by the following formula:

$$\text{Arterial street setback} = 25 + (50 - \frac{1}{2} \text{ current ROW width})$$

Note 2: -Side yard setback of 10 feet when abutting a zone requiring a side yard.

Note 3: Rear yard setback required only when a residential zoning district abuts the rear lot line.

D. - Additional Requirements

1. - All new subdivisions and lots must comply with the Conservation Development regulations in Article 7.

2. Site Development Plan

All applications for rezoning, subdivisions, or building permits in the MU-3 District shall require submission of a detailed Site Development Plan and such other drawings, data, calculations, sketches, or diagrams that provide reasonable and adequate information on the location, size, and use of the buildings; and the location, size, arrangement, and capacity of highway frontage roads, parking, loading, and unloading areas. Vehicular access to existing streets shall be clearly indicated. Vehicular and pedestrian traffic generated to and from the proposed development shall not create undue hazards to the normal traffic movement on the existing streets and highways. These plans and documents shall become a part of the application and shall form the basis for the issuance of building permits and/or the approval of the re-zoning. alter the vehicular access between the public street and the development, or impact public health and/or safety, are subject to re-submission of the Plan. Minor plan changes may be evaluated and acted upon by the Zoning Coordinator.

4.22 LI Limited Industrial District

E. Purpose

The LI Limited Industrial District is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental and visual effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities.

TABLE 4.12 – SITE DEVELOPMENT REGULATIONS

Regulator	Permitted Uses
Minimum Lot Area	10,000 sq ft.
Minimum Lot Width (feet)	100
Minimum Yards (feet)	
Front Yard	25 (Note 1)
Side Yard	0 (Note 2)
Street Side Yard	20
Rear Yard Area	25 (Note 3)
Maximum Height (feet)	45
Maximum Building Coverage	75%
Maximum Impervious Coverage	90%
Maximum Amount of Total Parking Located in Street Yard	80%

Note 1: Front yard setbacks may be reduced within Planned Developments, with specific setbacks established as part of the Planned Development district regulators. On streets designated as arterials by the County Comprehensive Plan and with a right-of-way less than 100 feet, the Zoning Coordinator may require a greater setback from the arterial to accommodate future roadway widening. The maximum setback is established by the following formula:

$$\text{Arterial street setback} = 25 + (50 - \frac{1}{2} \text{ current ROW width})$$

Note 2: Side yard setback of 15 feet when abutting a zone requiring a side yard.

Note 3: Rear yard setback required only when a residential zoning district abuts the rear lot line.

4.23 General Industrial District

F. Purpose

The GI District provides for a wide range of industrial and manufacturing uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower-intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements in Section 9.8 to reduce incompatibility.

TABLE 4.13 – SITE DEVELOPMENT REGULATIONS

Regulator	Permitted Uses
Minimum Lot Area	10,000 sq ft.
Minimum Lot Width (feet)	100
Minimum Yards (feet)	
Front Yard	25 (Note 1)
Side Yard	15 (Note 2)
Street Side Yard	20
Rear Yard Area (Note 3)	25
Maximum Height (feet) (Note 4)	45
Maximum Building Coverage	75%
Maximum Impervious Coverage	90%
Maximum Amount of Total Parking Located in Street Yard	100%

Note 1: Front yard setbacks may be reduced within Planned Developments, with specific setbacks established as part of the Planned Development district regulators. On streets designated as arterials by the County Comprehensive Plan and with a right-of-way less than 100 feet, the Zoning Coordinator may require a greater setback from the arterial to accommodate future roadway widening. The maximum setback is established by the following formula:

$$\text{Arterial street setback} = 25 + (50 - \frac{1}{2} \text{ current ROW width})$$

Note 2: A side yard setback of 30 feet is required when abutting a zone requiring a side yard.

Note 3: Rear yard setback required only when a residential zoning district abuts the rear lot line.

Note 4: Construction Batch Plants may be permitted up to a height of 95 feet.