

## ARTICLE VII. - OFFICE DISTRICTS

Sec. 55-301. - LO, GO.

Sec. 55-302. - General purpose.

The office districts are included for this chapter to achieve the following objectives:

- (a) To reserve appropriately located areas for offices and commercial services of similar intensity with the metropolitan area.
- (b) To distinguish land in office uses as separate from other more intensive commercial uses and to recognize different effects of different kinds of office facilities.
- (c) To promote flexibility in the design and development of office service areas, while maintaining high standards of design and ensuring neighborhood compatibility.
- (d) To allow for a mixture of compatible urban uses that reinforce primary office development.
- (e) To facilitate planning for urban services appropriate to anticipated traffic generation, service requirements, and office needs generated by nearby neighborhoods and the city as a whole.

(Code 1980, § 55-302)

Sec. 55-303. - LO limited office district.

Sec. 55-304. - Purpose.

The LO limited office district is intended to provide office locations generally serving neighborhood or community needs. The LO district may be located adjacent to or within residential areas and is designed to be compatible in scale and land use intensity with residential settings. The district allows for the integration of limited supporting commercial uses into office developments. Combined with the MD major development overlay district, it is also appropriate for larger office developments, characterized by small buildings, low site coverage, and extensive landscaping. The LO district is most appropriate along collector and arterial streets, in areas of transition between residential and higher intensity uses, and in areas of existing and new office development.

(Code 1980, § 55-304)

Sec. 55-305. - Permitted uses.

The following use types are permitted:

- (a) *Office uses.*  
General offices
- (b) *Commercial uses.*  
Consumer convenience services
- (c) *Civic uses.*  
Administrative services

Convalescent services  
Cultural services  
Day care (limited)  
Day care (general)  
Emergency residential care  
Guidance services  
Local utility services  
Park and recreation services  
Primary educational facilities  
Religious assembly  
Social clubs

(Code 1980, § 55-305; Ord. No. 33545, § 4, 5-2-95)

Sec. 55-306. - Conditional uses.

The following use types are allowed, subject to approval of a conditional use permit, as provided by section 55-883:

- (a) *Residential uses.*
- Single-family (detached)
  - Single-family (attached)
  - Duplex residential
  - Two-family residential
  - Townhouse residential
  - Multiple-family residential
  - Small group living (disabled)
  - Small group living (nondisabled)
- (b) *Civic uses.*
- College and university facilities
  - Community recreation
  - Hospital services (limited)
  - Postal facilities
  - Recreational clubs
  - Safety services

Secondary educational facilities

(c) *Office uses.*

Financial services

Medical offices

(d) *Commercial uses.*

Business support services

Communications services

Food sales (limited)

General retail sales

Personal services

Restaurant (limited)

(Code 1980, § 55-306; Ord. No. 33545, § 5, 5-2-95; Ord. No. 38198, § 16, 7-29-08)

Sec. 55-307. - Special permit uses.

The following use types are allowed, subject to approval of a special use permit by the city council, as provided by section 55-884:

(a) *Residential uses.*

Large group living

(b) *Civic uses.*

Hospital services (general)

Transitional living

(c) *Commercial uses.*

Research services

(d) *Miscellaneous uses.*

Broadcasting tower

Wind energy conservation system

(Code 1980, § 55-307; Ord. No. 38198, § 16, 7-29-08)

Sec. 55-308. - Site development regulations.

Each site in the LO limited office district shall be subject to the following site development regulations:

Regulator	Requirement
-----------	-------------

Lot area	5,000 square feet minimum
Lot width	50 feet minimum
Floor area ratio	0.50 maximum
Front yard	25 feet minimum
Street side yard	15 feet minimum
Interior side yard	5 feet minimum
Rear yard	15 feet minimum
Height	40 feet maximum
Building coverage	50 percent maximum
Impervious coverage	65 percent maximum

(Code 1980, § 55-308)

Sec. 55-309. - Additional regulations.

- (a) *Residential uses.* Residential uses are allowed as a special or conditional use, and are subject to the site development regulations for residential uses in the R6 low-density multiple-family district . Other conditions may be required as part of approval of a special or conditional use permit.
- (b) *Commercial uses.* Certain commercial uses are allowed as permitted or conditional uses only within office projects which are common developments in the LO district, subject to the following additional regulations:
  - (1) Commercial uses may be located within the same building as other uses or in separate buildings

incorporated into a mixed use common development.

- (2) Commercial uses shall not comprise over 25 percent of the gross floor area within any single common development.
- (3) Each square foot of commercial area shall be considered the equivalent of two square feet of office or other uses for the purpose of calculating the floor area ratio of a given site.

(c) *Large projects.*

- (1) Any project proposed in the LO district for a site of two acres and over or including a building floor area of 20,000 square feet and over is subject to site plan approval, as provided by section 55-882. Site plan approval is further required for projects involving phasing or expansion when the total project meets or exceeds these limits.
- (2) All projects encompassing an area of ten acres or over within an LO district shall require a special permit as set forth in section 55-884. A special permit is further required for projects involving phasing or expansion when the total project is equal to or greater than ten acres.

(Code 1980, § 55-309; Ord. No. 38198, § 16, 7-29-08)

Secs. 55-310—55-320. - Reserved.

Sec. 55-321. - GO general office district.

Sec. 55-322. - Purpose.

The GO general office district is intended to provide office locations serving community and city-wide needs. The GO district allows for relatively intense office development, together with selected complementary commercial uses integrated into such developments. Site development regulations are designed to ensure compatibility with adjacent or neighboring residential development.

GO districts are most appropriately found along or near minor and major arterial streets, on the edge of residential areas, in areas of existing office development, and in areas appropriate for new development. The GO district, through conditional use permits, also provides for large office developments and projects which in appropriate urban settings exceed allowed use intensities and regulations provided.

(Code 1980, § 55-322)

Sec. 55-323. - Permitted uses.

The following use types are permitted:

(a) *Office uses.*

Financial services

General offices

Medical offices

(b) *Commercial uses.*

Communications services

Consumer convenience services

- Restaurant (limited)
- (c) *Civic uses.*
  - Administrative services
  - College and university facilities
  - Convalescent services
  - Cultural services
  - Day care (limited)
  - Day care (general)
  - Emergency residential care
  - Guidance services
  - Hospital services (limited)
  - Local utility services
  - Park and recreation services
  - Postal facilities
  - Recreational clubs
  - Religious assembly
  - Secondary educational facilities
  - Social clubs

(Code 1980, § 55-323; Ord. No. 33545, § 6, 5-2-95)

Sec. 55-324. - Conditional uses.

The following use types are allowed, subject to approval of a conditional use permit, as provided by section 55-883:

- (a) *Residential uses.*
  - Single-family (detached)
  - Single-family (attached)
  - Duplex residential
  - Two-family residential
  - Townhouse residential
  - Multiple-family residential
  - Large group living
  - Small group living (disabled)

Small group living (nondisabled)

(b) *Civic uses.*

Community recreation

Hospital services (general)

Primary educational facilities

Safety services

(c) *Commercial uses.*

Building maintenance services

Business support services

Business or trade school

Food sales (limited)

General retail sales

Personal services

Research services

Restaurant (general)

(Code 1980, § 55-324; Ord. No. 33545, § 7, 5-2-95; Ord. No. 38198, § 17, 7-29-08)

Sec. 55-325. - Special permit uses.

The following use types are allowed, subject to approval of a special use permit by the city council, as provided by section 55-884:

(a) *Civic uses.*

Transitional living

(b) *Commercial uses.*

Bed and breakfast inns

Hotel/motel

(c) *Parking uses.*

Parking structure

Surface parking

(d) *Miscellaneous uses.*

Broadcasting tower

Wind energy conservation system

(Code 1980, § 55-325; Ord. No. 38198, § 17, 7-29-08)

Sec. 55-326. - Site development regulations.

Each site in the GO general office district shall be subject to the following site development regulations:

Regulator	Requirement
Lot area	5,000 square feet minimum
Lot width	50 feet minimum
Floor area ratio	1.5 maximum
Front yard	25 feet minimum
Street side yard	15 feet minimum
Interior side yard	5 feet minimum to 40 feet height of building; 2 additional feet for each additional 10 feet in height
Rear yard	15 feet



Height	120 feet maximum; 45 feet maximum where building is within 100 feet of any lot zoned R5 or below
Building coverage	60 percent maximum
Impervious coverage	80 percent maximum

(Code 1980, § 55-326)

Sec. 55-327. - Additional regulations.

- (a) *Residential uses.* Residential uses are allowed as a conditional use, and are subject to the site development regulations for residential uses in the R7 medium-density multiple-family district . Other conditions may be required as part of approval of a conditional use permit.
- (b) *Commercial uses.* Certain commercial uses are allowed as permitted or conditional uses only within office projects which are common developments in the GO district, subject to the following additional regulations:
  - (1) Commercial uses may be located within the same building as other uses or in separate buildings incorporated into a mixed use common development.
  - (2) Commercial uses shall not comprise over 25 percent of the gross floor area within any single common development.
  - (3) Each square foot of commercial area shall be considered the equivalent of two square feet of office or other uses for the purpose of calculating the permitted floor area ratio of a given site.
- (c) *Large projects.*
  - (1) Any project proposed in the GO district for a site of four acres and over or including a building floor area of 40,000 square feet and over is subject to site plan approval, as provided by section 55-882. Site plan approval is further required for projects involving phasing or expansion when the total project meets or exceeds these limits.
  - (2) Any project encompassing an area of ten acres or over within the GO district shall require a special permit as set forth in section 55-884. A special permit is further required for projects involving phasing or expansion when the total project is equal to or greater than ten acres.

- (3) A project may be constructed in the GO district in excess of the permitted floor area ratio or height, subject conditional use permit, as set forth in section 55-883.

(Code 1980, § 55-327; Ord. No. 38198, § 17, 7-29-08)

Sec. 55-328. - Floor area bonus for parking structures.

- (a) *Purpose.* This section is intended to encourage projects to incorporate some or all of their off-street parking within the exterior walls of the project or in parking structures adjacent to and connected with the project.
- (b) *Eligible methods for providing off-street parking.* Off-street parking may be incorporated into a project as follows to qualify for the floor area bonus:
- (1) Inclusion of one or more off-street parking levels within the exterior walls of one or more primary structures of the project.
  - (2) Construction of a parking structure on the same or an adjacent site to the project or, if not adjacent, connected to the project by a specifically designated pedestrian path.
- (c) *Floor area bonus.* Any project providing all or part of its off-street parking requirement in accordance with section 55-734 shall receive an increase in its permitted floor area ratio, as set forth in table 55-328.

TABLE 55-328. FLOOR AREA BONUS FOR PARKING STRUCTURES

Percentage of Required Off-Street Parking Within Project or in an Eligible Parking Structure	Bonus as a Percentage Increase in Permitted Floor Area Ratio
10—30%	20%
31—50%	40%
50—75%	80%
76—100%	100%

(Code 1980, § 55-328)

Secs. 55-329—55-340. - Reserved.

Sec. 55-581. - PUD, NCE, ACI, MD, CP, ED, FP/FW, IG, PK, MCC.

Sec. 55-582. - General purpose and interpretation.

- (a) *General purpose.* Overlay districts are used in combination with base districts to modify or expand base district regulations. Overlay districts are adapted to special needs of areas of the city. They provide additional flexibility to this chapter, giving this chapter the ability to evolve as planning for specific areas continues.

The overlay districts are included in this chapter to achieve the following objectives:

- (1) To recognize special conditions requiring regulation in specific parts of the city.
  - (2) To provide for the protection of special features in the natural and built environment of the city.
  - (3) To allow for change and adaptability in this chapter.
  - (4) To encourage comprehensive neighborhood and environmental planning in the city.
  - (5) To provide development flexibility and to encourage innovative design through comprehensively planned projects.
  - (6) To provide an array of regulating alternatives, combining maximum adaptability to projects with satisfactory control in the public interest.
  - (7) To implement the goals and policies of the urban design element of the city's comprehensive plan.
- (b) *Interpretation.* Provisions governing projects within overlay districts shall apply in addition to the regulations and standards applicable pursuant to the underlying zoning district(s). Where the regulations and standards of an underlying zoning district conflict with those of an overlay district, the standards governing the overlay district shall control.

(Code 1980, § 55-582; Ord. No. 37810, § 25, 8-14-07)

Sec. 55-583. - PUD planned unit development district.

Sec. 55-584. - Purpose.

The PUD planned unit development overlay district is intended to provide flexibility in the design of planned urban projects, to encourage comprehensive planning of major developments, to permit innovation in project design that includes incorporation of open space and other amenities, and to insure compatibility of developments with the surrounding urban environment. The PUD district may be used in combination with any base district specified in this chapter. The PUD district, which is adopted by the city council, assures specific development standards for each designated project.

(Code 1980, § 55-584)

Sec. 55-585. - Permitted uses.

- (a) Uses permitted in a PUD overlay district are those permitted in the underlying base district.
- (b) Townhouse structures containing no more than four single-family dwelling units each are permitted in PUD districts combined with the R4 base district, provided that the maximum permitted density for the base district is not exceeded.

(Code 1980, § 55-585)

Sec. 55-586. - Site development regulations.

Site development regulations are developed individually for each PUD district, but must comply with minimum or maximum standards established for the base district, with the following exceptions:

- (a) Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded.
- (b) Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or

60 percent.

(Code 1980, § 55-586)

Sec. 55-587. - Minimum site area.

The minimum area of any PUD district is one acre. This minimum may be waived by the planning board or city council if it determines that development of a site is impossible without PUD designation and that such designation is consistent with the comprehensive plan of the city.

(Code 1980, § 55-587)

Sec. 55-588. - Access to public streets.

Each PUD district must abut a public street for at least 50 feet and derive its access from that street. Exceptions to the requirement that individual lots abut a street may be allowed if adequate and permanent access by easement or internal street system from a public street is provided to each lot.

(Code 1980, § 55-588)

Sec. 55-589. - Application for creation of district.

(a) *Concept review.*

(1) Prior to application for a PUD district, the prospective applicant shall submit a concept plan to the planning department and consult with the planning director regarding the proposed development. The concept plan shall include:

- a. A general land use plan showing site design, proposed uses, and related planning and development data.
- b. A general plan for public facilities, showing approximate location of public and private streets, pedestrian ways, other circulation features, utilities, and community facilities.

(2) The planning director shall advise the applicant of the project's conformance with the master plan and shall provide other comments on land use, transportation, environmental and other issues within ten days of the concept discussion.

(b) *Development plan.* The application for a PUD district shall include a development plan containing the following information:

- (1) A tract map, showing site boundaries, street lines, lot lines, easements and proposed dedications or vacations.
- (2) A land use plan designating specific uses for the site and establishing site development regulations, including setback height, building coverage, impervious coverage, density and floor area ratio requirements.
- (3) A site development and landscaping plan, showing building locations or building envelopes, site improvements, public or common open spaces, community facilities, signs and other significant visual features, and typical landscape plans.
  - a. The landscape plan shall specify landscaping in buffer areas, and public or community open spaces.
  - b. The plan shall identify plants by their common and scientific names and shall include quantities, size and spacing.

- (4) A circulation plan, including location of existing and proposed vehicular, pedestrian, bicycle and other circulation facilities, and location and general design of parking and loading facilities.
- (5) A public services and utilities plan providing requirements for and provision of all utilities, sewers, and other facilities needed to serve the site.
- (6) A topographic map and site grading plan, showing existing and proposed contours in no greater than five-foot intervals.
- (7) Schematic architectural plans and elevations sufficient to indicate building height, bulk, materials and general architectural design.
- (8) A proposed development schedule.
- (9) Limits of flexibility or variance of the development plan, specifying changes which may be made without being considered a substantial amendment.
- (10) A traffic impact analysis, if required by the public works director, completed according to standards and requirements on file with the city clerk.

(Code 1980, § 55-589)

Sec. 55-590. - Adoption of district.

- (a) The planning director, planning board and city council shall review and evaluate each PUD application using the criteria established in section 55-885 and other applicable sections of this Code. The city may impose reasonable conditions as deemed necessary to ensure that a PUD shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.
- (b) The planning director and public works director shall review each application and shall transmit their recommendations to the planning board and the applicant before the date of the public hearing.
- (c) The planning board, after proper notice, shall hold a public hearing and act upon each application.
- (d) The planning board may recommend amendments to PUD district applications.
- (e) The recommendation of the planning board, together with that of the planning director and public works director, shall be transmitted to the city council for final action.
- (f) The city council, after proper notice, shall hold a public hearing and act upon any ordinance establishing a PUD planned unit development overlay district.
- (g) An ordinance adopting a PUD planned unit development overlay zoning district shall require a favorable vote of five members of the city council for approval if the planning board recommends denial of the ordinance. The city council may amend such ordinances, provided at least five councilmembers vote to do so.
- (h) Upon approval by the city council, the development plan shall become a part of the ordinance creating or amending the PUD district. All approved plans shall be filed with the city clerk.
- (i) Any protest against a PUD planned unit development overlay district shall be made and filed as provided by R.R.S. 1943, § 14-405, and amendments thereto.
- (j) No application for approval of the same or substantially the same application for a PUD may be filed within one year of a denial of that application by the city council.

(Code 1980, § 55-590)

Sec. 55-591. - Amendments to development plan.

- (a) Major amendments to the development plan must be submitted to the planning board for a recommendation and by the city council. Major amendments include:
- (1) An increase in the density of the development;
  - (2) Substantial changes in circulation or access;
  - (3) Substantial changes in the mix of dwelling unit types included in the project;
  - (4) Substantial changes in grading or utility provision;
  - (5) Substantial changes in the mixture of land uses, or an increase in the amount of land used for nonresidential purposes;
  - (6) Reduction in approved open space, landscaping or buffering;
  - (7) Substantial changes in architectural or site design features of the development;
  - (8) Any other change that the planning director finds is a major divergence from the development plan.
- (b) All other changes in the development plan shall be considered minor amendments. The planning director, upon receipt of an application, may approve minor amendments in the development plan.
- (1) If the director does not act on an application for a minor amendment of a development plan within 15 days, it shall be considered approved.
  - (2) An application that is disapproved by the planning director shall be considered a major amendment and shall be subject to the approval process for such amendments.

(Code 1980, § 55-591)

Sec. 55-592. - Building permits, certificates of occupancy and other permits.

The permits and inspections division shall not issue a building permit, certificate of occupancy, or other permit for a building, structure or use within a PUD district unless it is in compliance with the approved development plan or any approved amendments.

(Code 1980, § 55-592)

Sec. 55-593. - Existing planned unit developments.

Any PUDs approved under procedures in force before the effective date of this chapter [March 4, 1987] shall be designated as PUD districts and shall be governed by requirements or restrictions applicable at time of their approval.

(Code 1980, § 55-593)

Sec. 55-594. - Termination of district.

If no substantial development has taken place in a PUD district for three years following approval of the district, the planning board shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

(Code 1980, § 55-594)