Sec. 55-421. - CBD central business district.

Sec. 55-422. - Purpose.

The CBD central business district is designed to provide appropriate development regulations for downtown Omaha. Uses are permitted in downtown Omaha which are consistent with the future development and revitalization of the city's core. Mixed uses are allowed and encouraged within the CBD district. Additional provision is made for future combining districts, which provide more specific development controls for parts of downtown with distinctive physical characteristics.

(Code 1980, § 55-422)

Sec. 55-423. - Permitted uses.

The following use types are permitted:

(a) Residential uses.

Single-family residential (detached)

Single-family residential (attached)

Duplex recreational

Two-family residential

Townhouse residential

Multiple-family residential

Small group living (disabled)

Small group living (nondisabled)

(b) Civic uses.

Administrative services

College and university facilities

Community recreation

Cultural services

Day care (limited)

Day care (general)

Emergency residential care

Guidance services

Hospital services (limited)

Hospital services (general)

Local utility services

Park and recreation services

Postal facilities

Public assembly

Recreational clubs

Religious assembly

Secondary educational facilities

Social clubs

(c) Office uses.

Financial services

General offices

Medical offices

(d) Commercial uses.

Building maintenance services

Business support services

Business or trade school

Cocktail lounge

Communications services

Consumer convenience services

Consumer repair services

Exterminating services

Food sales (limited)

Food sales (general)

Food sales (convenience)

Funeral services

General retail sales

Hotel/motel

Indoor entertainment

Indoor sports and recreation

Laundry services

Liquor sales

Pawnshop services

Personal improvement services

Personal services

Pet services

Research services

Restaurant (limited)

Restaurant (general)

Service station

Veterinary services

(e) Transportation uses.

Transportation terminal

(f) Industrial uses.

Custom manufacturing

Warehousing and distribution (limited)

(g) Parking uses.

Parking structure

(Code 1980, § 55-423; Ord. No. 33545, § 16, 5-2-95; Ord. No. 38198, § 22, 7-29-08)

Sec. 55-424. - 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.

Large group living

(b) Civic uses.

Convalescent services

Noncommercial day shelters

Primary educational facilities

Safety services

(c) Commercial uses.

Auto rentals

Auto sales

Automotive washing

Construction sales and services

Outdoor entertainment

Outdoor sports and recreation

(d) Parking uses.

Surface parking

(Code 1980, § 55-424; Ord. No. 33545, § 17, 5-2-95; Ord. No. 38198, § 22, 7-29-08)

Sec. 55-425. - 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.

Detention facility

Transitional living

(b) Commercial uses.

Restaurant (drive-in)

(c) Industrial uses.

Light industry

Warehousing and distribution (general)

(d) Miscellaneous uses.

Broadcasting tower

(Code 1980, § 55-425; Ord. No. 38198, § 22, 7-29-08)

Sec. 55-426. - Site development regulations.

Each site in the CBD central business district shall be subject to the following site development regulations:

Regulator Requirement

Lot area No requirement

Lot width No requirement

Site area/dwelling unit 100 square feet minimum

Floor area ratio 10.0 maximum

Front yard No requirement

Street side yard No requirement

Interior side yard No requirement

Rear yard No requirement

Height No requirement

Building coverage 100 percent permitted

Impervious coverage 100 percent permitted

(Code 1980, § 55-426)

Sec. 55-427. - Additional regulations.

(a) Residential uses. Residential uses allowed in the CBD district are subject to compliance with all applicable International Building Code regulations. (b) Parking regulations. Uses in the CBD district are exempt from requirements for off-street parking provided by section 55-734. (c) CBD overlay districts. (1) Within the CBD district, overlay districts may be established with approval of the city council for areas with special physical or land use characteristics. (2) Overlay districts within the CBD district may modify, restrict or augment allowed uses and site development regulations of the basic CBD district. (d) Large projects. Projects proposed in the CBD district for sites over 0.8 acre are subject to site plan review, as set forth in section 55-882. Site plan approval is further required for projects involving phasing or expansion when the total project meets or exceeds this limit.

(Code 1980, § 55-427; Ord. No. 38347, § 2, 2-3-09)

Sec. 55-428. - Floor area bonuses.

Floor area bonuses shall be granted in the CBD district which encourage certain development features that produce public benefits and further planning objectives for the central business district.

(a) Street level commercial uses. (1) Purpose. This subsection is intended to provide an incentive for the location of commercial uses on the street level of buildings. Such uses encourage pedestrian traffic and contribute to street activity. (2) Qualifying commercial uses. a. Location of the following commercial use types on the street level shall qualify for the floor area bonus specified in this subsection:

Food sales

General retail sales

Restaurants

b. All qualifying commercial uses must be visible from and accessible to the sidewalk adjacent to the use. (3) Calculation of floor area bonus. Calculation of the floor area bonus shall be based upon the percentage of the linear street level frontage of a building that is devoted to qualifying commercial use types, as set forth in table 55-428(1).

TABLE 55-428(1). FLOOR AREA

BONUS FOR STREET LEVEL

COMMERCIAL USE

Percentage of Street

Level Frontage Devoted

to Qualifying

Commercial Use Bonus as Percentage

Increase in

Permitted Floor

Area Ratio

10—29% 10%

30—50% 15%

Over 50% 20%

(b) Skywalks. (1) Purpose. This subsection is intended to encourage the development of a continuous network of downtown skywalks, in accordance with the downtown development plan approved by the city council. (2) Eligible improvements. A project must meet the following requirements in order to be eligible for the floor area bonus specified in this subsection: a. Construction of one or more skywalks connected to the project consistent with skywalk construction and design standards adopted by the city council and in accordance with the downtown development plan. b. Dedication of easements, acceptable to the city, through the project connecting the skywalk to the street and to other skywalks in the overall network proposed by the downtown development plan. c. Provision of uniform directional graphics within skywalks and easements, according to skywalk design and construction standards adopted by the city council and acceptable to the city. (3) Calculation of floor area bonus. Calculation of the floor area bonus shall be as set forth in table 55-428(2).

TABLE 55-428(2). FLOOR AREA

BONUS FOR SKYWALK

DEVELOPMENT

Improvement Bonus as Percentage

Increase in

Permitted Floor

Area Ratio

Dedication of easements without construction of skywalks 10%

Construction of skywalk or skywalks along with dedication of easements 30%

(c) Residential development. (1) Purpose. The purpose of this subsection is to encourage the inclusion of housing within projects in downtown Omaha. The subsection further encourages the development of mixed use projects which incorporate housing into principally commercial or office projects. (2) Qualifying residential uses. The provision of any residential use permitted in the CBD district shall qualify for the floor area bonus specified in this subsection. (3) Calculation of floor area bonus. Calculation of the floor area bonus shall be as set forth in table 55-428(3).

TABLE 55-428(3). FLOOR AREA

BONUS FOR RESIDENTIAL

DEVELOPMENT

Percentage of Gross

Floor Area of Project

Devoted to

Residential Use Bonus as Percentage

Increase in

Permitted Floor

Area Ratio

10—29% 10%

30—50% 20%

Over 50% 30%

(d) Incorporation of off-street parking. (1) Purpose. This subsection is intended to encourage projects to incorporate off-street parking within the exterior walls of the project or in parking structures adjacent to and connected with the project. (2) Required off-street parking for bonus eligibility. At least one parking space for each two housing units, or one parking space for each 1,000 square feet of gross floor area for any nonresidential use, must be provided for a project to be eligible for the floor area bonus. (3) 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: a. Inclusion of one or more off-street parking levels within the exterior walls of the project. b. Construction of a parking structure adjacent to the project or, if not adjacent, connected to the project by an enclosed pedestrian path. c. Provision of surface parking shall not qualify a project for the floor area bonus. (4) Any project meeting items (2) and (3) of this subsection shall receive a 30 percent increase in the permitted floor area ratio within the CBD district. (e) Street landscaping. (1) Purpose. This subsection is intended to encourage installation of street landscaping on public sidewalks adjacent to downtown development projects, in accordance with the downtown development plan and design and construction standards adopted by the city council. (2) Qualifying improvements. A project must meet the following requirements in order to qualify for the floor area bonus set forth in this subsection: a. Installation of street trees along all sidewalks adjacent to the project of an approved size and species, as set forth in design and construction standards adopted by the city council. Street trees shall be spaced at no greater than 25 feet on center, unless specifically permitted by the planning director. b. Installation of new sidewalks adjacent to the project, incorporating a paving pattern approved by the planning director and consistent with adopted design and construction standards. c. Installation of granite curbs on all adjacent street frontages, consistent with design and construction standards. (3) Calculation of the floor area bonus. Calculation of the floor area bonus shall be as set forth in table 55-428(4).

TABLE 55-428(4). FLOOR AREA

BONUS FOR STREET

LANDSCAPING

Improvement Bonus as Percentage

Increase in Permitted

Floor Area Ratio

Installation of street trees only 10%

Installation of street trees with sidewalks and granite curb construction 20%

(f) Administration of floor area bonus provisions. (1) The floor area bonus provisions shall be administered by the planning director. The planning director shall act on all applications for floor area bonuses within ten days of submittal of an application. (2) An applicant may appeal a denial of a floor area bonus application to the city council.

(Code 1980, § 55-428)

Secs. 55-429—55-440. - Reserved.

Sec. 55-441. - DS downtown service district.

Sec. 55-442. - Purpose.

The DS downtown service district applies to area on the periphery of the central business district. These areas characteristically display a mixture of residential, commercial, office and light industrial uses. These uses require close proximity to downtown Omaha and occasionally have operating characteristics that are not appropriate in other commercial zoning districts. The DS district also is intended to respond to the continued growth of downtown Omaha and accommodate development which supports this growth.

(Code 1980, § 55-442)

Sec. 55-443. - Qualifications for designation.

(a) Minimum area. Each DS district must include a contiguous area of at least ten acres, including intervening streets, alleys and private ways. (b) Location. Each DS district must be adjacent to the CBD district or within 1,000 feet of the CBD district. (c) Land use. A DS district must have a minimum of 20 percent of its land area in industrial or transportation uses, and a minimum of 20 percent of its land area in commercial, office, civic or residential uses at the time of application of the district.

(Code 1980, § 55-443)

Sec. 55-444. - Permitted uses.

The following use types are permitted:

(a) Residential uses.

Single-family residential (detached)

Single-family residential (attached)

Duplex residential

Two-family residential

Townhouse residential

Multiple-family residential

Small group living (disabled)

Small group living (nondisabled)

(b) Civic uses.

Administrative services

College and university facilities

Community recreation

Cultural services

Day care (limited)

Day care (general)

Emergency residential care

Guidance services

Hospital services (limited)

Hospital services (general)

Local utility services

Park and recreation services

Postal facilities

Public assembly

Recreational clubs

Religious assembly

Secondary educational facilities

Social clubs

(c) Office uses.

Financial services

General office

Medical offices

(d) Commercial uses.

Agricultural sales and service

Auto rentals

Auto repair services

Auto sales

Automotive washing

Building maintenance services

Business support services

Business or trade school

Cocktail lounge

Communications services

Consumer convenience services

Consumer repair services

Equipment rental and sales

Equipment repair services

Exterminating services

Food sales (limited)

Food sales (general)

Food sales (convenience)

Funeral services

General retail sales

Hotel/motel

Indoor entertainment

Indoor sports and recreation

Laundry services

Liquor sales

Pawnshop services

Personal improvement services

Personal services

Pet services

Research services

Restaurant (drive-in)

Restaurant (limited)

Restaurant (general)

Service station

Veterinary services

(e) Industrial uses.

Custom manufacturing

Light industry

Warehousing and distribution (limited)

(f) Transportation uses.

Railroad facilities

Dock facilities

Transportation terminal

(g) Parking uses.

Parking structure

Surface parking

(Code 1980, § 55-444; Ord. No. 33545, § 18, 5-2-95; Ord. No. 38198, § 23, 7-29-08; Ord. No. 38848, § 1, 10-26-10)

Sec. 55-445. - Conditional uses.

The following uses are permitted, subject to approval of a conditional use permit, as set forth in section 55-883:

(a) Residential uses.

Large group living

(b) Civic uses.

Convalescent services

Maintenance and service facilities

Noncommercial day shelters

Primary educational facilities

Safety services

(c) Commercial uses.

Body and fender repair services

Construction sales and services

Outdoor entertainment

Outdoor sports and recreation

Surplus sales

Vehicle storage

(d) Industrial uses.

Warehousing and distribution (general)

(e) Transportation uses.

Truck terminal

(Code 1980, § 55-445; Ord. No. 33545, § 19, 5-2-95; Ord. No. 38198, § 23, 7-29-08)

Sec. 55-446. - Special permit uses.

The following uses are permitted subject to approval of a special use permit by the city council, as set forth in section 55-884:

(a) Civic uses.

Detention facility

Transitional living

(b) Commercial uses.

Convenience storage

(c) Industrial uses.

Construction yards

General industry

Scrap and salvage services

(d) Miscellaneous uses.

Broadcasting tower

(Code 1980, § 55-446; Ord. No. 38198, § 23, 7-29-08)

Sec. 55-447. - Site development regulations.

Each site in the DS downtown service district shall be subject to the following site development regulations:

Regulator   Requirement

Lot area No requirement

Lot width No requirement

Site area/dwelling unit 200 square feet minimum

Floor area ratio 5.0 maximum

Front yard No requirement

Street side yard No requirement

Interior side yard No requirement

Height No requirement

Building coverage 100 percent permitted

Impervious coverage 100 percent permitted

(Code 1980, § 55-447)

Secs. 55-448—55-460. - Reserved.

Sec. 55-461. - CH highway commercial services district.

Sec. 55-462. - Purpose.

The CH highway commercial services district is intended to accommodate commercial and limited industrial facilities with access needs which demand location along major arterials and highways. Uses allowed in the CH district are frequently automobile oriented. These uses have traffic generating, operating, lighting and other characteristics which may make them incompatible with adjacent residential or other limited intensity uses. The CH district is most appropriate along or at intersections of major arterials, at highway interchanges, and in other areas of heavy automobile traffic which are well insulated from residential districts.

(Code 1980, § 55-462)

Sec. 55-463. - Permitted uses.

The following use types are permitted:

(a) Office uses.

Financial services

General offices

Medical offices

(b) Commercial uses.

Agricultural sales and service

Auto rentals

Auto repair services

Auto sales

Automotive washing

Building maintenance services

Business support services

Business or trade school

Campground

Cocktail lounge

Communications services

Construction sales and services

Consumer convenience services

Consumer repair services

Equipment rental and sales

Equipment repair services

Exterminating services

Food sales (limited)

Food sales (general)

Food sales (convenience)

Funeral services

General retail sales

Hotel/motel

Indoor entertainment

Indoor sports and recreation

Laundry services

Liquor sales

Outdoor entertainment

Outdoor sports and recreation

Pawnshop services

Personal improvement services

Personal services

Pet services

Research services

Restaurant (drive-in)

Restaurant (limited)

Restaurant (general)

Service stations

Surplus sales

Vehicle storage

Veterinary services

(c) Civic uses.

Administrative services

Emergency residential care

Guidance services

Hospital services (limited)

Hospital services (general)

Local utility services

Park and recreation services

Postal facilities

Public assembly

Recreational clubs

Religious assembly

Social clubs

(d) Parking uses.

Surface parking

(e) Transportation uses.

Transportation terminal

Truck terminal

(f) Industrial uses.

Custom manufacturing

Warehousing and distribution (limited)

(Code 1980, § 55-463; Ord. No. 33545, § 20, 5-2-95)

Sec. 55-464. - 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.

Large group living

(b) Civic uses.

College and university facilities

Cultural services

Day care (limited)

Day care (general)

Safety services

Secondary educational facilities

(c) Commercial uses.

Body and fender repair services

Convenience storage

Kennels

(d) Parking uses.

Parking structure

(Code 1980, § 55-464; Ord. No. 33545, § 21, 5-2-95; Ord. No. 38198, § 24, 7-29-08)

Sec. 55-465. - 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

Maintenance and service facilities

(b) Transportation uses.

Railroad facilities

(c) Industrial uses.

Construction yards

Light industry

Scrap and salvage services

Warehousing and distribution (general)

(d) Miscellaneous uses.

Broadcasting tower

Nonputrescible landfill

Wind energy conservation system

(Code 1980, § 55-465; Ord. No. 38198, § 24, 7-29-08)

Sec. 55-466. - Site development regulations.

Each site in the CH highway commercial services district shall be subject to the following site development regulations:

Regulator   Requirement

Lot area 10,000 square feet minimum

Lot width 100 feet minimum

Floor area ratio 1.0 maximum

Front yard 35 feet minimum

Street side yard 20 feet minimum

Interior side yard 5 feet minimum

Rear yard 15 feet minimum

Height 40 feet maximum

Building coverage 50 percent maximum

Impervious coverage 90 percent maximum

(Code 1980, § 55-466)

Sec. 55-467. - Additional regulations.

Large projects. Projects proposed in the CH district for sites of six acres and over or including a building floor area of 40,000 square feet and over are subject to site plan approval, as set forth in section 55-882. Site plan approval is further required for projects involving phasing or expansion when the total project meets or exceeds these limits.

(Code 1980, § 55-467)

Secs. 55-468—55-480. - Reserved.

Secs. 55-329—55-340. - Reserved.