

ORDINANCE NO. 2025-31

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF SEWARD, CHAPTER 410 ZONING AND SUBDIVISION, ARTICLE 9.2 SITE DEVELOPMENT REGULATIONS; TO AMEND CHAPTER 410 ZONING AND SUBDIVISION, ARTICLE 10.2 SITE DEVELOPMENT REGULATIONS; & TO AMEND CHAPTER 410 ZONING AND SUBDIVISION, ARTICLE 12.2 SITE DEVELOPMENT REGULATIONS TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD AS FOLLOWS:

That Chapter 410 of the Municipal Code of the City of Seward is hereby amended as follows:

Section 1. That §410-9.2 is amended as follows:

§ 410-9.2 Site Development regulations.

Regulator	1-Family Detached	1-Family Attached (Note 1)	Duplex	Town-house (Note 1)	Multi-family (Note 2)	Other Permitted Uses
Site area per housing unit (square feet)						
In conventional development	5,000	3,000	2,500	3,000	2,500	
In planned <u>unit</u> developments	4,000	2,500	2,000	2,500	2,000	
Minimum lot area						
In conventional development	5,000	3,000	5,000	3,000	<u>7,500</u>	5,000
In planned <u>unit</u> developments	4,000	2,500	4,000	2,500	<u>6,000</u>	5,000
Minimum lot width (feet)						
In conventional development	55	27.5	55	30	100	55
In planned <u>unit</u> developments	45	22.5	45	25	100	55
Minimum yards (feet) (Note 3)						

Front yard	25	25	25	25	25	25
Side yard	5	5	5	5	10	10
Street side yard	25	25	25	25	25	25
Rear yard*	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	25	25
Maximum height (feet)	35	35	35	35	45	35
Floor area ratio	NA	NA	NA	NA	0.50	0.50
Maximum amount of total parking located in street yard	NA	NA	NA	NA	50%	50%

* 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 to a rear lot line.

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: Multifamily Development.

No more than 12 units are permitted in any single multifamily development in the R-3 District. The minimum side yard setback increases by 1.5 feet for each one foot in height above 35 feet, up to a maximum height of 45 feet.

Note 3: Zero Lot Line and Single-Family Attached Development.

Within a common development, one interior side yard may be equal to zero for single-family detached residential use if:

1. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
2. An easement for maintenance of the zero lot line facade is prepared by the developer and filed with the Seward County Register of Deeds, the City Clerk, and the Building Official at the time of application for a building permit.

Note 4: Flexible Yard Setbacks in Planned Districts.

The Planning Commission and City Council may vary required minimum setbacks in planned districts. 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.

Section 2. That §410-10.2 is amended as follows:

§ 410-10.2 Site development regulations.

Regulator	1-Family Detached	1-Family Attached (Note 1)	Duplex	Town-house (Note 1)	Multi-family (Note 2)	Other Permitted Uses
Site area per housing unit (square feet)						
In conventional development	4,400	2,200	2,200	2,500	1,500	
In planned <u>unit</u> developments	4,000	2,000	2,000	2,000	1,000	
Minimum lot area						
In conventional development	4,400	2,200	4,400	2,500	<u>4,500</u>	5,000
In planned <u>unit</u> developments	4,000	2,000	4,000	2,000	<u>3,000</u>	5,000
Minimum lot width (feet)						
In conventional development	40	20	50	25	<u>60</u>	50
In planned <u>unit</u> developments	40	17.5	45	20	<u>100</u>	50
Minimum yards (feet) (Note 2)						
Front yard	25	25	25	25	25	25
Side yard (Note 1)	5	5	5	5	10	10
Street side yard	25	25	25	25	25	25
Rear yard*	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	25	25
Maximum height (feet)						

In conventional development	35	35	35	35	45	35
In planned unit developments	35	35	35	35	60	35
Floor area ratio	NA	NA	NA	NA	0.80	0.80
Maximum amount of total parking located in street yard	NA	NA	NA	NA	50%	50%

* 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 to a rear lot line.

Note 1: Single-Family Attached and Townhouse Development.

Regulators are shown on a per-unit basis. Side yard setbacks are indicated for detached building walls.

Note 2: Multifamily Development.

The minimum side yard setback increases by one foot for each one foot in height above 35 feet, up to a maximum height of 45 feet.

Note 3: Zero Lot Line and Single-Family Attached Development.

Within a common development, one interior side yard may be equal to zero for single-family detached residential use if:

1. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
2. An easement for maintenance of the zero lot line facade is prepared by the developer and filed with the Seward County Register of Deeds, the City Clerk, and the Building Official at the time of application for a building permit.

Note 4: Flexible Yard Setbacks in Planned Districts.

The Planning Commission and City Council may vary required minimum setbacks in planned districts. 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 5: Flexible Yard Setbacks on 80-foot Right-of-Way (or Larger), Where the Normal Minimum Setback is 25 Feet.

Front and/or side yard setback may reduced to 15 feet with specific approval by the Building Director if the setback adjustment creates no adverse conditions. [Added 9-18-2007 by Ord. No. 29-07]

Section 3. That §410-12.2 is amended as follows:

§ 410-12.2 Site development regulations.

Regulator	1-Family Detached	1-Family Attached (Note 1)	Duplex	Town-house (Note 1)	Multi-Family (Note 2)	Other Permitted Uses
Site area per housing unit (square feet)						
In conventional development	4,400	2,200	2,200	2,500	1,500	
In planned <u>unit</u> developments	4,000	2,000	2,000	2,000	1,000	
Minimum lot area						
In conventional development	4,400	4,400	4,400	2,500	<u>4,500</u>	5,000
In planned <u>unit</u> developments	4,000	4,000	4,000	2,000	<u>3,000</u>	5,000
Minimum lot width (feet)						
In conventional development	40	20	40	25	<u>60</u>	40
In planned unit developments	40	20	40	20	<u>100</u>	40
Minimum yards (feet) (Note 3)						
Front yard	25	25	25	25	25	25

Side yard (Note 1)	5	5	5	5	10	5
Street side yard	25	25	25	25	25	15
Rear yard*	20% of lot depth	20% of lot depth	20% of lot depth	20% of lot depth	25	25
Maximum height (feet)	35	35	35	35	45	35
Floor area ratio	NA	NA	NA	NA	0.80	0.50
Maximum amount of total parking located in street yard	NA	NA	NA	NA	50%	50%

* 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 to a rear lot line.

Note 1: Single-Family Attached Townhouse Development.

Regulators are shown on a per-unit basis. Side yard setbacks are indicated for detached building walls.

Note 2: Multifamily Development.

The minimum side yard setback increases by one foot for each one foot in height above 35 feet, up to a maximum height of 45 feet.

Note 3: Zero Lot Line and Single-Family Attached Development.

Within a common development, one interior side yard may be equal to zero for single-family detached residential use if:

1. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
2. An easement for maintenance of the zero lot line facade is prepared by the developer and filed with the Seward County Register of Deeds, the City Clerk, and the Building Official at the time of application for a building permit.

Note 4: Flexible Yard Setbacks in Planned Districts.

The Planning Commission and City Council may vary required minimum setbacks in planned districts. 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 5: Setbacks along Urban Corridors.

Normal minimum setback is 25 feet. Front yard setback may be reduced to 15 feet if:

1. No parking is placed within the street yard.
2. The entire street yard area is landscaped, with the exception of driveways to parking areas or pedestrian accesses to the principal building on the site.

This setback flexibility shall not be applied on any street designated as a major arterial by the City's Comprehensive Development Plan without the specific approval of the City's Public Works Director.

Section 4. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. WHEN OPERATIVE; PUBLICATION IN PAMPHLET FORM. This ordinance shall be published in pamphlet form and shall be in full force from and after its passage, approval and publication or posting as required by law.

Dated this 16th day of December, 2025

CITY OF SEWARD, NEBRASKA

Joshua Eickmeier
Joshua Eickmeier, Mayor

ATTEST:

Derek Bargmann
Derek Bargmann, City Clerk



