

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code relating to  
2 Zoning by amending Sections 27.19.030, 27.21.030, 27.23.030, 27.24.030, and 27.27.025 to clarify  
3 that group homes must comply with all applicable state and local code requirements and to add  
4 domiciliary care facility and elderly or retirement housing as a conditional permitted use in the R-5,  
5 R-6, R-7, R-8 and O-3 zoning districts, respectively; amending Section 27.67.040 to provide that  
6 a parking stall with a minimum width of twelve feet shall be required at the rate of one space for  
7 every ten stalls required for elderly or retirement housing; and repealing Sections 27.19.030,  
8 27.21.030, 27.23.030, 27.24.030, 27.27.025, and 27.67.040 of the Lincoln Municipal Code as  
9 hitherto existing.

10 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

11 Section 1. That Section 27.19.030 of the Lincoln Municipal Code be amended to  
12 read as follows:

13 **27.19.030 Permitted Conditional Uses.**

14 A building or premises may be used for the following purposes in the R-5 Residential  
15 District in conformance with the conditions prescribed herein:

16 (a) Churches:

17 (1) Parking shall be in conformance with Chapter 27.67;

18 (2) Required side and rear yards shall be fifteen feet or the same as the district,  
19 whichever is greater.

20 (b) Group homes:

21 (1) Group homes shall comply with all sign, height and area regulations of the  
22 district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated  
23 in conformance with the requirements of Chapter 27.67;

24 (2) The distance between the proposed use and any existing group home  
25 measured from lot line to lot line is not less than 1,200 feet;

1                   (3)     Such use shall ~~be permitted only so long as the facility continues to be validly~~  
2 ~~licensed by the State of Nebraska~~ comply with all applicable state and local code requirements.

3                   (c)     Early childhood care facilities in churches:

4                   (1)     The parking and loading/unloading area for such facilities shall comply with  
5 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
6 childhood care facilities;

7                   (2)     Such facilities shall comply with all applicable state and local early childhood  
8 care requirements;

9                   (3)     Such facilities shall comply with all applicable building and life safety code  
10 requirements;

11                  (4)     Such facilities shall be fenced and have play areas that comply with the design  
12 standards for early childhood care facilities;

13                  (5)     Such facilities must receive a conditional use permit from the Department of  
14 Building and Safety.

15                  (d)     Domestic shelter:

16                   (1)     Parking shall be in conformance with Chapter 27.67;

17                   (2)     The maximum number of residents occupying such a facility shall not exceed  
18 one person per 750 square feet of lot area;

19                   (3)     The distance between the proposed use and any existing domestic shelter  
20 measured from lot line to lot line shall not be less than one mile.

21                  (e)     Early childhood care facilities with a maximum of fifteen children present at any  
22 time:

23                   (1)     The parking and loading/unloading area for such facilities shall comply with  
24 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
25 childhood care facilities;

26                   (2)     Such facilities shall comply with all applicable state and local early childhood  
27 care requirements;

28                   (3)     Such facilities shall comply with all applicable building and life safety code  
29 requirements;

1           (4)     Such facilities shall be fenced and have play areas that comply with the design  
2 standards for early childhood care facilities;

3           (5)     Such facilities shall be used as the permanent residence of the licensed child  
4 care provider;

5           (6)     Such facilities with thirteen or more children must receive a conditional use  
6 permit from the Department of Building and Safety;

7           (7)     Early childhood care facilities located in mobile homes shall have a severe  
8 weather emergency action plan approved by the Health Department.

9           (f)     Domiciliary care facility:

10           (1)     Such facilities shall comply with all applicable state and local requirements.

11           (2)     The total number of client or employee residents shall not exceed one person  
12 per 750 square feet of lot area except that all facilities may have up to four individuals sixty years  
13 of age or older and one family acting as the residential caretaker.

14           (g)     Elderly or retirement housing:

15           (1)     The minimum lot area of the district, or density requirement, shall not apply;  
16 provided, however, that the maximum number of units allowed shall be the greater of those  
17 permitted in the underlying zoning district or the community unit plat with bonuses.

18           (2)     One dwelling unit in an elderly housing project may be designated as a  
19 caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise  
20 applicable to occupants of such a project.

21           (3)     Ten percent of the dwelling units in an elderly or retirement housing project  
22 may be designated as units for handicapped persons and the occupants thereof shall not be subject  
23 to the age requirements otherwise applicable to occupants of such a project. All of the units  
24 designated as units for handicapped persons shall comply with the “Design Standards for Density  
25 Bonuses” relating to housing for the handicapped as adopted by the City Council.

26           (4)     Any individual under sixty years of age who resides with an elderly person  
27 sixty years of age or more in an elderly or retirement housing project dwelling unit may continue  
28 to reside in that dwelling unit after such elderly person has died or due to health reasons has been  
29 relocated to a different residence.

1           Section 2. That Section 27.21.030 of the Lincoln Municipal Code be amended to  
2 read as follows:

3 **27.21.030     Permitted Conditional Uses.**

4           A building or premises may be used for the following purposes in the R-6 Residential  
5 District in conformance with the conditions prescribed herein:

6           (a)     Churches:

7                   (1)     Parking shall be in conformance with Chapter 27.67;

8                   (2)     Required side and rear yards shall be fifteen feet or the same as the district,  
9 whichever is greater.

10           (b)     Group homes:

11                   (1)     Group homes shall comply with all sign, height and area regulations of the  
12 district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated  
13 in conformance with the requirements of Chapter 27.67;

14                   (2)     The distance between the proposed use and any existing group home  
15 measured from lot line to lot line is not less than 1,200 feet;

16                   (3)     Such use shall ~~be permitted only so long as the facility continues to be validly~~  
17 ~~licensed by the State of Nebraska~~ comply with all applicable state and local code requirements.

18           (c)     Early childhood care facilities in churches:

19                   (1)     The parking and loading/unloading area for such facilities shall comply with  
20 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
21 childhood care facilities;

22                   (2)     Such facilities shall comply with all applicable state and local early childhood  
23 care requirements;

24                   (3)     Such facilities shall comply with all applicable building and life safety code  
25 requirements;

26                   (4)     Such facilities shall be fenced and have play areas that comply with the design  
27 standards for early childhood care facilities;

28                   (5)     Such facilities must receive a conditional use permit from the Department of  
29 Building and Safety.

30           (d)     Domestic shelter:

- 1 (1) Parking shall be in conformance with Chapter 27.67;
- 2 (2) The maximum number of residents occupying such a facility shall not exceed  
3 one person per 750 square feet of lot area;
- 4 (3) The distance between the proposed use and any existing domestic shelter  
5 measured from lot line to lot line shall not be less than one mile.
- 6 (e) Early childhood care facilities with a maximum of fifteen children present at any  
7 time:
- 8 (1) The parking and loading/unloading area for such facilities shall comply with  
9 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
10 childhood care facilities;
- 11 (2) Such facilities shall comply with all applicable state and local early childhood  
12 care requirements;
- 13 (3) Such facilities shall comply with all applicable building and life safety code  
14 requirements;
- 15 (4) Such facilities shall be fenced and have play areas that comply with the design  
16 standards for early childhood care facilities;
- 17 (5) Such facilities shall be used as the permanent residence of the licensed child  
18 care provider;
- 19 (6) Such facilities with thirteen or more children must receive a conditional use  
20 permit from the Department of Building and Safety;
- 21 (7) Early childhood care facilities located in mobile homes shall have a severe  
22 weather emergency action plan approved by the Health Department.
- 23 (f) Domiciliary care facility:
- 24 (1) Such facilities shall comply with all applicable state and local requirements.
- 25 (2) The total number of client or employee residents shall not exceed one person  
26 per 750 square feet of lot area except that all facilities may have up to four individuals sixty years  
27 of age or older and one family acting as the residential caretaker.
- 28 (g) Elderly or retirement housing:

1           (1)     The minimum lot area of the district, or density requirement, shall not apply;  
2 provided, however, that the maximum number of units allowed shall be the greater of those  
3 permitted in the underlying zoning district or the community unit plat with bonuses.

4           (2)     One dwelling unit in an elderly housing project may be designated as a  
5 caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise  
6 applicable to occupants of such a project.

7           (3)     Ten percent of the dwelling units in an elderly or retirement housing project  
8 may be designated as units for handicapped persons and the occupants thereof shall not be subject  
9 to the age requirements otherwise applicable to occupants of such a project. All of the units  
10 designated as units for handicapped persons shall comply with the “Design Standards for Density  
11 Bonuses” relating to housing for the handicapped as adopted by the City Council.

12           (4)     Any individual under sixty years of age who resides with an elderly person  
13 sixty years of age or more in an elderly or retirement housing project dwelling unit may continue  
14 to reside in that dwelling unit after such elderly person has died or due to health reasons has been  
15 relocated to a different residence.

16           Section 3. That Section 27.23.030 of the Lincoln Municipal Code be amended to  
17 read as follows:

18 **27.23.030     Permitted Conditional Uses.**

19           A building or premises may be used for the following purposes in the R-7 Residential  
20 District in conformance with the conditions prescribed herein:

21           (a)     Churches:

22                   (1)     Parking shall be in conformance with Chapter 27.67;

23                   (2)     Required side and rear yards shall be fifteen feet or the same as the district,  
24 whichever is greater.

25           (b)     Group homes:

26                   (1)     Group homes shall comply with all sign, height and area regulations of the  
27 district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated  
28 in conformance with the requirements of Chapter 27.67;

29                   (2)     The distance between the proposed use and any existing group home meas-  
30 ured from lot line to lot line is not less than 1,200 feet;

1                   (3)     Such use shall ~~be permitted only so long as the facility continues to be validly~~  
2 ~~licensed by the State of Nebraska~~ comply with all applicable state and local code requirements.

3                   (c)     Early childhood care facilities in churches:

4                   (1)     The parking and loading/unloading area for such facilities shall comply with  
5 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
6 childhood care facilities;

7                   (2)     Such facilities shall comply with all applicable state and local early childhood  
8 care requirements;

9                   (3)     Such facilities shall comply with all applicable building and life safety code  
10 requirements;

11                  (4)     Such facilities shall be fenced and have play areas that comply with the design  
12 standards for early childhood care facilities;

13                  (5)     Such facilities must receive a conditional use permit from the Department of  
14 Building and Safety.

15                  (d)     Domestic shelter:

16                   (1)     Parking shall be in conformance with Chapter 27.67;

17                   (2)     The maximum number of residents occupying such a facility shall not exceed  
18 one person per 750 square feet of lot area.

19                   (3)     The distance between the proposed use and any existing domestic shelter  
20 measured from lot line to lot line shall not be less than one mile.

21                  (e)     Early childhood care facilities with a maximum of fifteen children present at any  
22 time:

23                   (1)     The parking and loading/unloading area for such facilities shall comply with  
24 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
25 childhood care facilities;

26                   (2)     Such facilities shall comply with all applicable state and local early childhood  
27 care requirements;

28                   (3)     Such facilities shall comply with all applicable building and life safety code  
29 requirements;

1           (4)     Such facilities shall be fenced and have play areas that comply with the design  
2 standards for early childhood care facilities;

3           (5)     Such facilities shall be used as the permanent residence of the licensed child  
4 care provider;

5           (6)     Such facilities with thirteen or more children must receive a conditional use  
6 permit from the Department of Building and Safety;

7           (7)     Early childhood care facilities located in mobile homes shall have a severe  
8 weather emergency action plan approved by the Health Department.

9           (f)     Domiciliary care facility:

10           (1)     Such facilities shall comply with all applicable state and local requirements.

11           (2)     The total number of client or employee residents shall not exceed one person  
12 per 750 square feet of lot area except that all facilities may have up to four individuals sixty years  
13 of age or older and one family acting as the residential caretaker.

14           (g)     Elderly or retirement housing:

15           (1)     The minimum lot area of the district, or density requirement, shall not apply;  
16 provided, however, that the maximum number of units allowed shall be the greater of those  
17 permitted in the underlying zoning district or the community unit plat with bonuses.

18           (2)     One dwelling unit in an elderly housing project may be designated as a  
19 caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise  
20 applicable to occupants of such a project.

21           (3)     Ten percent of the dwelling units in an elderly or retirement housing project  
22 may be designated as units for handicapped persons and the occupants thereof shall not be subject  
23 to the age requirements otherwise applicable to occupants of such a project. All of the units  
24 designated as units for handicapped persons shall comply with the “Design Standards for Density  
25 Bonuses” relating to housing for the handicapped as adopted by the City Council.

26           (4)     Any individual under sixty years of age who resides with an elderly person  
27 sixty years of age or more in an elderly or retirement housing project dwelling unit may continue  
28 to reside in that dwelling unit after such elderly person has died or due to health reasons has been  
29 relocated to a different residence.

1           Section 4. That Section 27.24.030 of the Lincoln Municipal Code be amended to  
2 read as follows:

3 **27.24.030     Permitted Conditional Uses.**

4           A building or premises may be used for the following purposes in the R-8 Residential  
5 District in conformance with the conditions prescribed herein:

6           (a)     Group homes:

7                   (1)     Group homes shall comply with all sign, height, and area regulations of the  
8 district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated  
9 in conformance with the requirements of Chapter 27.67;

10                   (2)     The distance between the proposed use and any existing group home  
11 measured from lot line to lot line shall not be less than 1,200 feet;

12                   (3)     Such use shall ~~be permitted only so long as the facility continues to be validly~~  
13 ~~licensed by the State of Nebraska~~ comply with all applicable state and local code requirements.

14           (b)     Early childhood care facilities in churches:

15                   (1)     The parking and loading/unloading area for such facilities shall comply with  
16 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
17 childhood care facilities;

18                   (2)     Such facilities shall comply with all applicable state and local early childhood  
19 care requirements;

20                   (3)     Such facilities shall comply with all applicable building and life safety code  
21 requirements;

22                   (4)     Such facilities shall be fenced and have play areas that comply with the design  
23 standards for early childhood care facilities;

24                   (5)     Such facilities must receive a conditional use permit from the Department of  
25 Building and Safety.

26           (c)     Domestic shelter:

27                   (1)     Parking shall be in conformance with Chapter 27.67;

28                   (2)     The maximum number of residents occupying such a facility shall not exceed  
29 one person per 750 square feet of lot area;

1 (3) The distance between the proposed use and any existing domestic shelter  
2 measured from lot line to lot line shall not be less than one mile.

3 (d) Early childhood care facilities with a maximum of fifteen children present at any  
4 time:

5 (1) The parking and loading/unloading area for such facilities shall comply with  
6 the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early  
7 childhood care facilities;

8 (2) Such facilities shall comply with all applicable state and local early childhood  
9 care requirements;

10 (3) Such facilities shall comply with all applicable building and life safety code  
11 requirements;

12 (4) Such facilities shall be fenced and have play areas that comply with the design  
13 standards for early childhood care facilities;

14 (5) Such facilities shall be used as the permanent residence of the licensed child  
15 care provider;

16 (6) Such facilities with thirteen or more children must receive a conditional use  
17 permit from the Department of Building and Safety;

18 (7) Early childhood care facilities located in mobile homes shall have a severe  
19 weather emergency action plan approved by the Health Department.

20 (e) Domiciliary care facility:

21 (1) Such facilities shall comply with all applicable state and local requirements.

22 (2) The total number of client or employee residents shall not exceed one person  
23 per 750 square feet of lot area except that all facilities may have up to four individuals sixty years  
24 of age or older and one family acting as the residential caretaker.

25 (f) Elderly or retirement housing:

26 (1) The minimum lot area of the district, or density requirement, shall not apply;  
27 provided, however, that the maximum number of units allowed shall be the greater of those  
28 permitted in the underlying zoning district or the community unit plat with bonuses.

1           (2)    One dwelling unit in an elderly housing project may be designated as a  
2 caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise  
3 applicable to occupants of such a project.

4           (3)    Ten percent of the dwelling units in an elderly or retirement housing project  
5 may be designated as units for handicapped persons and the occupants thereof shall not be subject  
6 to the age requirements otherwise applicable to occupants of such a project. All of the units  
7 designated as units for handicapped persons shall comply with the “Design Standards for Density  
8 Bonuses” relating to housing for the handicapped as adopted by the City Council.

9           (4)    Any individual under sixty years of age who resides with an elderly person  
10 sixty years of age or more in an elderly or retirement housing project dwelling unit may continue  
11 to reside in that dwelling unit after such elderly person has died or due to health reasons has been  
12 relocated to a different residence.

13           Section 5. That Section 27.27.025 of the Lincoln Municipal Code be amended to  
14 read as follows:

15 **27.27.025    Permitted Conditional Uses.**

16           Any building or premises may be used for the following purpose in the O-3 Office Park  
17 District in conformance with the conditions prescribed herein:

18           (a)    Early childhood care facilities with a maximum of fifteen children present at any  
19 time:

20                   (1)    Such facilities shall comply with all applicable state and local early childhood  
21 care requirements;

22                   (2)    Such facilities shall comply with all applicable building and life safety code  
23 requirements;

24                   (3)    Such facilities shall be fenced and have play areas that comply with the design  
25 standards for early childhood care facilities.

26           (b)    Joint parking lots and parking garages.

27                   (1)    Such joint parking lots and garages shall be authorized by cross access  
28 easements or by written agreement between the parties to such use.

29                   (2)    The aggregate number of parking stalls provided shall be sufficient to satisfy  
30 the required parking for each use.

1 (c) Domiciliary care facility:

2 (1) Such facilities shall comply with all applicable state and local requirements.

3 (2) The total number of client or employee residents shall not exceed one person  
4 per 750 square feet of lot area except that all facilities may have up to four individuals sixty years  
5 of age or older and one family acting as the residential caretaker.

6 (d) Elderly or retirement housing:

7 (1) The minimum lot area of the district, or density requirement, shall not apply;  
8 provided, however, that the maximum number of units allowed shall be the greater of those  
9 permitted in the underlying zoning district or the community unit plat with bonuses.

10 (2) One dwelling unit in an elderly housing project may be designated as a  
11 caretaker unit and the occupants thereof shall not be subject to the age requirements otherwise  
12 applicable to occupants of such a project.

13 (3) Ten percent of the dwelling units in an elderly or retirement housing project  
14 may be designated as units for handicapped persons and the occupants thereof shall not be subject  
15 to the age requirements otherwise applicable to occupants of such a project. All of the units  
16 designated as units for handicapped persons shall comply with the “Design Standards for Density  
17 Bonuses” relating to housing for the handicapped as adopted by the City Council.

18 (4) Any individual under sixty years of age who resides with an elderly person  
19 sixty years of age or more in an elderly or retirement housing project dwelling unit may continue  
20 to reside in that dwelling unit after such elderly person has died or due to health reasons has been  
21 relocated to a different residence.

22 Section 6. That Section 27.67.040 of the Lincoln Municipal Code be amended to  
23 read as follows:

24 **27.67.040 Parking Requirements; Special Conditions.**

25 An alphabetical list of uses with special parking requirements for this title are set out in  
26 Figure 27.67.040 at the end of this chapter. The following special parking requirements shall apply  
27 to the listed uses in place of the general parking requirements found in Section 27.67.020:

28 (a) Fraternity, sorority, and rooming and boarding houses:

29 (1) In the R-6 District:

1 (i) Fraternities: One space/400 sq. ft. livable floor area, within 600 feet of the  
2 building;

3 (ii) Sorority, rooming or boarding house: One space/700 sq. ft. livable floor  
4 area within 600 feet of the building.

5 (2) In the R-7 and R-8 Districts:

6 (i) Fraternities: One space/700 sq. ft. livable floor area, within 1,200 feet of  
7 the building.

8 (ii) Sorority, rooming or boarding house: One space/1,100 sq. ft. livable floor  
9 area within 1,200 feet of the building.

10 (b) Group homes: One space per three client or employee residents, plus two spaces per  
11 three nonresident employees on the largest shift; provided, however, that no spaces shall be required  
12 for client residents who will not possess motor vehicle operator's licenses. Appropriate documenta-  
13 tion from the group home licensing agency shall be provided evidencing the non-possession of  
14 motor vehicle operator's licenses by clients.

15 (c) Adult care centers: One space/ employee on the largest shift, plus off-street  
16 loading/unloading area for one automobile per ten care receivers. Joint parking with another use is  
17 acceptable if the adult care center and the other use have nonconcurrent parking demands.

18 (d) Nursing homes: One space/3 beds.

19 (e) Elderly or retirement housing: One space/dwelling unit. A parking stall with a minimum  
20 width of twelve feet shall be required at the rate of one space for every ten stalls required.

21 (f) Mini-warehouses:

22 (1) Two spaces for manager's quarters;

23 (2) One space for every 200 storage cubicles to be located at the project office for  
24 the use of clients; provided access lanes and roads to the storage area are twenty feet in width to  
25 allow vehicles to unload and pass. If access lanes and roads are less than twenty feet in width,  
26 parking at a rate of one space per ten storage cubicles shall be provided equally throughout the  
27 storage area.

28 (g) Doctors' and dentists' offices: One space/225 sq. ft. of floor area.

29 (h) Drive-in restaurants: One space/40 sq. ft. of floor area.

30 (i) Bowling alleys: 4 spaces/lane (plus required parking for affiliated uses.)

1 (j) Auditoriums, theaters, grandstands, stadia, amphitheaters, and other places of public  
2 assembly: One space/50 sq. ft. of seating area plus parking for affiliated uses within 300 ft. of the  
3 main use.

4 (k) Recreational uses:

5 (1) Racquetball and other court games: Four spaces/court (plus required spaces for  
6 affiliated uses);

7 (2) Swimming pools: One space/100 sq. ft. of water surface (plus parking for  
8 affiliated uses) as determined by the city;

9 (3) Golf courses: Two spaces/hole of course, plus parking for affiliated uses.

10 (l) Hospitals: One space/2.5 beds, plus one space/employee on the largest shift.

11 (m) Churches, chapels, public schools, private schools having a curriculum equivalent to a  
12 public elementary or public high school, and private business or commercial schools: One space/50  
13 sq. ft. in largest assembly hall as determined by the City.

14 (n) Gymnastic, karate, judo, dance, music, and other similar academies: One space for every  
15 three students allowed per class session plus one space for every employee. In those instances where  
16 two sessions of classes occur one after another, without at least one-half hour separation between  
17 sessions, the maximum number of students allowed at both sessions shall be combined in  
18 determining the amount of required parking per class session.

19 (o) Housing for the physically handicapped: (see also Section 27.63.215) One space/  
20 dwelling unit.

21 (p) Domestic shelters: One space for every four residents based on the maximum occupancy  
22 allowed by the lot area and two spaces for every three employees on the largest shift.

23 (q) Scrap processing operation or salvage yard: Six spaces, two spaces/acre of lot area or  
24 one space/1,000 square feet of floor area, whichever is greater.

25 (r) Dwellings for members of a religious order: one space for every three residents.

26 (s) Warehouses:

27 (1) Warehouses with a floor area of 50,000 square feet or less: one space per every  
28 1,000 square feet of floor area or a minimum of one space per employee on the largest shift. The  
29 floor area shall be calculated based on the total floor area of all structures on the lot.

1 (2) Warehouses with a floor area of more than 50,000 square feet: one space per  
2 every 1,000 square feet of floor area for the first 50,000 square feet of floor area and one additional  
3 space per 2,000 square feet of floor area in excess of 50,000 square feet, or a minimum of one space  
4 per employee on the largest shift. The floor area shall be calculated based on the total floor area of  
5 all structures on the lot.

6 (3) If the number of spaces required by the building ratio is greater than required by  
7 the employee ratio in (1) or (2) above, the additional parking spaces need not be provided physically,  
8 but sufficient areas shall be reserved for to accommodate construction of the additional spaces. If  
9 the Building Official finds at any time that the character of the use of the warehouse is such as to  
10 require the full provision of parking facilities to be constructed, the Building Official shall report  
11 this fact to the City Council which may, after holding a hearing of which the owner shall be notified,  
12 require such additional parking to be installed.

13 (t) Hotels and motels: one space per room and one space per 100 square feet of  
14 accessory uses.

15 (u) Restaurants and Social Halls: one space per 100 square feet.

16 (v) Dwellings for caretakers employed and residing on the premises: one space per  
17 dwelling unit.

18 (w) Early childhood care facilities: One space/ employee on the largest shift, plus off-street  
19 loading/unloading area for one automobile per ten care receivers. Joint parking with another use is  
20 acceptable if the early childhood care facility and the other use have nonconcurrent parking  
21 demands.

22 (x) Domiciliary Care Facilities: One space for every four residents based on the  
23 maximum occupancy allowed by the lot area and two spaces for every three employees on the  
24 largest shift.

25 (y) Sale of alcoholic beverages for consumption on the premises: Provide on site one  
26 space per 100 square feet of gross floor area.

27 (z) Greenhouses located in the AG or AGR zoning districts: One parking space shall be  
28 provided for each employee on the maximum shift.

29 (aa) Heritage Centers located in the AG zoning district: One space shall be provided for  
30 every 200 square feet of floor area devoted to permanent retail and service use. In addition, an

1 overflow parking area shall be provided with three stalls for every acre included within the special  
2 permit area.

3 (bb) Community Halls located in the AG zoning district: There shall be adequate parking  
4 for vehicles compatible with the number of people using the facility.

5 (cc) Off-street Freight Loading Requirements. At the time of construction, alteration, or  
6 enlargement of any commercial or industrial building having a floor area of 10,000 square feet or  
7 more, and containing a use or uses which requires off-street freight loading, off-street freight loading  
8 areas shall be provided on the premises to serve the use and maintained as follows:

9 (1) Six hundred square feet for the first 10,000 square feet of floor area;

10 (2) An additional 600 square feet for each additional 20,000 square feet of floor area.

11 (dd) Joint Parking. Uses that have nonconcurrent parking demand may join their parking  
12 facilities so as to reduce aggregate parking requirements as follows:

13 (1) B-5 District. The uses shall be located in the B-5 District and may include  
14 adjacent churches or chapels located outside the B-5 District. Uses that have nonconcurrent parking  
15 demand may join their parking facilities; however, the use having the largest floor area shall provide  
16 4.5 parking spaces for every 1,000 square feet of floor area, and all other uses included in the joint  
17 parking arrangement shall provide two parking spaces per 1,000 square feet of their floor area;  
18 provided, however, that the number of additional spaces that would be required in the absence of  
19 this paragraph need not be provided physically, but sufficient land shall be reserved in the event that  
20 future uses may not have nonconcurrent parking demand. For the purpose of determining the  
21 adequacy of the joint parking arrangement, all such joint parking use shall be authorized by a written  
22 agreement between the city and all parties to such use.

23 (2) O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4 Zoning Districts. The uses shall be  
24 located in the following zoning districts: O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4, and may  
25 include uses in adjacent O-2 districts and adjacent churches and chapels outside the above districts.  
26 The aggregate parking requirement shall be computed on the basis of providing the parking required  
27 for that use or those uses having concurrent parking demand that have the largest parking demands  
28 as determined by the parking matrix (Section 27.67.020) and any additional conditions in this  
29 chapter; provided, however, that the number of additional spaces that would be required in the  
30 absence of this paragraph need not be provided physically, but sufficient land shall be reserved in

1 the event that future uses may not have nonconcurrent parking demand. For the purpose of  
2 determining the adequacy of the joint parking arrangement, all such joint parking use shall be  
3 authorized by a written agreement between the city and all parties to such use.

4 (3) O-1 District. The uses shall be located in the O-1 District and may include  
5 adjacent churches or chapels located outside the O-1 District. Uses that have nonconcurrent parking  
6 demand may join their parking facilities. The aggregate parking requirement shall be computed on  
7 the basis of providing the parking required for that use or those uses having concurrent parking  
8 demands that have the largest parking demands as determined by the parking matrix and any  
9 additional conditions in this chapter; provided, however, that the number of additional spaces that  
10 would be required in the absence of this paragraph need not be provided physically, but sufficient  
11 land shall be reserved in the event the future uses may not have nonconcurrent parking demand. For  
12 the purpose of determining the adequacy of the joint parking arrangement, all such joint parking use  
13 shall be authorized by a written agreement between the city and all parties to such use.

14 Section 7. That Sections 27.19.030, 27.21.030, 27.23.030, 27.24.030, 27.27.025,  
15 and 27.67.040 of the Lincoln Municipal Code as hitherto existing be and the same are hereby  
16 repealed.

17 Section 8. That this ordinance shall take effect and be in force from and after its  
18 passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2008:

\_\_\_\_\_  
Mayor