

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.63.470 of the Lincoln Municipal Code to
2 add motels and hotels and the sale of alcohol for uses that meet the conditions of Sections 27.63.680
3 and 27.63.685 as uses approved by special permit within a planned service commercial
4 development; and repealing Section 27.63.470 of the Lincoln Municipal Code as hitherto existing.

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

6 Section 1. That Section 27.63.470 of the Lincoln Municipal Code be amended to
7 read as follows:

8 **27.63.470 Permitted Special Use: Planned Service Commercial.**

9 Planned service commercial development may be allowed by special permit in the H-4
10 General Commercial District under the following conditions:

11 (a) The uses approved within a planned service commercial development shall be limited
12 to:

13 (1) Automobile, motorcycle, and four-wheel truck sales;
14 (2) Warehouses;
15 (3) Mini-warehouses;
16 (4) Wholesale and distribution centers not exceeding 30,000 square feet in floor area
17 per building, provided outside storage is permitted only when the storage area is enclosed with a
18 solid fence, wall, and gates eight feet in height and the stored material and equipment is less than
19 the height of the fence, wall, and gates enclosing the storage area. The fence, wall, and gates shall
20 be located where buildings are permitted;

21 (5) Service centers for the repair of household appliances and lawn and garden
22 equipment, provided outdoor storage of items to be repaired are permitted only when the storage
23 area is enclosed with a solid fence, wall, and gates eight feet in height and the items to be repaired
24 are less than the height of the fence, wall, and gates enclosing the storage area and no salvage or

1 scrap processing operation shall be permitted. The fence, wall, and gates shall be located where
2 buildings are permitted;

3 (6) Dwellings for caretakers employed and required to reside on the premises;

4 (7) Ambulance services;

5 (8) Hospitals and clinics for animals but not open kennels;

6 (9) Contractors' office and storage, including electrical, plumbing, heating, and air-
7 conditioning contractors, provided outdoor storage of equipment and materials shall be permitted
8 only when the storage area is enclosed with a solid fence, wall, and gates eight feet in height and the
9 stored equipment and material are less than the height of the fence, wall, and gates enclosing the
10 storage area. The fence, wall, and gates shall be located where buildings are permitted;

11 (10) Restaurants;

12 (11) Service stations;

13 (12) Stores or shops for retail sales and services not exceeding 30,000 square feet in
14 floor area per building; provided, there is at least four and one-half square feet of land area
15 excluding other uses and their accessory uses within the approved special permit area per one square
16 foot of floor area;

17 (13) Food storage lockers;

18 (14) Clubs, provided the activities are located no less than 150 feet from an abutting
19 residential district;

20 (15) Private recreational facilities; provided they are located within the building and
21 no less than 150 feet from an abutting residential district;

22 (16) Offices not exceeding 15,000 square feet of floor area per building; provided that
23 there is at least four and one-half square feet of land area excluding other uses and their accessory
24 uses within the approved special permit area per one square foot of floor area;

25 (17) Early childhood care facilities, provided that such facilities shall be fenced and
26 have play areas that comply with the design standards for early childhood care facilities. In addition,
27 such facilities shall comply with all applicable state and local early childhood care requirements and
28 all applicable building and life safety code requirements;

29 (18) Cabinet shops and stores; provided that the total floor area of the operation does
30 not exceed 5,000 square feet and that all materials, both raw and finished, be stored inside;

1 (19) Churches;

2 (20) Automobile repair, including vehicle body repair shops, provided that all disabled
3 vehicles and all new and used parts are stored inside the building only;

4 (21) Private schools;

5 (22) Banks, savings and loan associations, credit unions, and finance companies;

6 (23) Broadcast towers;

7 (24) Automobile/truck wash facility:

8 (i) Automatic, conveyor-operated: The length and location of vehicle stacking
9 lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be
10 in conformance with the Guidelines and Regulations for Driveway Design and Location as adopted
11 by the City of Lincoln.

12 (ii) Self-service, coin-operated: The length and location of vehicle stacking lane
13 or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in
14 conformance with the Guidelines and Regulations for Driveway Design and Location as adopted by
15 the City of Lincoln.

16 (25) Public elementary and high schools, or private schools having a curriculum
17 equivalent to a public elementary or public high school, and having no rooms regularly used for
18 housing or sleeping purposes.

19 (26) Motels and hotels. A distance of at least twenty feet shall be maintained between
20 buildings on the lot and each hotel or motel unit shall have a minimum enclosed floor area of 200
21 square feet.

22 (27) Sale of alcohol for uses that meet the conditions of Sections 27.63.680 and
23 27.63.685.

24 (b) An applicant for a special permit under the provisions of this section shall comply with
25 environmental performance standards relating to noise, emission, dust, odor, glare, and heat as shall
26 be from time to time established for those districts requiring use permits.

27 (c) Each application for a special permit under this section shall include a landscape plan
28 which shall show proposed plantings in conformance with city standards in all required yard areas,
29 open space areas, malls, parking areas, and around proposed buildings. The applicable standards
30 shall be those adopted by resolution of the City Council for those districts requiring use permits.

1 (d) The City Council may increase or decrease the height and area regulations and the floor
2 area to land area ratios otherwise applicable in the H-4 General Commercial District, consistent with
3 adequate protection of the environments of adjacent land uses;

4 (e) That the land surrounding the tracts for the proposed planned service commercial
5 development will not be adversely affected;

6 (f) That upon approval of a planned service commercial development, the land proposed
7 to be included within such development shall not be developed for or devoted to any other permitted
8 use or specially permitted use of the H-4 General Commercial District, except those specifically
9 approved in the special permit authorizing the planned service commercial development, unless an
10 amendment thereto has been approved in accordance with the procedures set forth for approving
11 special permits generally.

12 Section 2. That Section 27.63.470 of the Lincoln Municipal Code as hitherto existing
13 be and the same is hereby repealed.

14 Section 3. That this ordinance shall take effect and be in force from and after its passage
15 and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2007:

Mayor