

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.63.470 of the Lincoln Municipal Code
2 relating to Permitted Special Use; Planned Service Commercial to add public or private elementary
3 and high schools as an allowed use by the planned service commercial development special permit
4 in the H-4 General Commercial District; and repealing Section 27.63.470 of the Lincoln Municipal
5 Code as hitherto existing.

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

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

9 **27.63.470 Permitted Special Use: Planned Service Commercial.**

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

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

14 (1) Automobile, motorcycle, and four-wheel truck sales;

15 (2) Warehouses;

16 (3) Mini-warehouses;

17 (4) Wholesale and distribution centers not exceeding 30,000 square feet in floor
18 area per building, provided outside storage is permitted only when the storage area is enclosed with
19 a solid fence, wall, and gates eight feet in height and the stored material and equipment is less than
20 the height of the fence, wall, and gates enclosing the storage area. The fence, wall, and gates shall
21 be located where buildings are permitted;

1 (5) Service centers for the repair of household appliances and lawn and garden
2 equipment, provided outdoor storage of items to be repaired are permitted only when the storage
3 area is enclosed with a solid fence, wall, and gates eight feet in height and the items to be repaired
4 are less than the height of the fence, wall, and gates enclosing the storage area and no salvage or
5 scrap processing operation shall be permitted. The fence, wall, and gates shall be located where
6 buildings are permitted;

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

8 (7) Ambulance services;

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

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

15 (10) Restaurants;

16 (11) Service stations;

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

21 (13) Food storage lockers;

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

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

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

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

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

10 (19) Churches;

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

13 (21) Private schools;

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

15 (23) Broadcast towers;

16 (24) Automobile/truck wash facility:

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

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

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

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

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

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

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

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

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

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

Introduced by:

05-142
Change of Zone 05006

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2005:

Mayor