

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

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code relating to the  
2 Zoning Code by adding a new section numbered 27.03.555 to define the term “social hall”; by  
3 amending Sections 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030, 27.43.030, and  
4 27.45.025 to allow social halls as permitted conditional uses in the B-1, B-2, B-3, B-5, H-2, H-3,  
5 and H-4 zoning districts, respectively, and to establish conditions therefor; and repealing Sections  
6 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030, 27.43.030, 27.45.025, 27.67.040 and Figure  
7 27.67.040 of the Lincoln Municipal Code as hitherto existing.

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

9 Section 1. That Chapter 27.03 of the Lincoln Municipal Code be amended by adding  
10 a new section numbered 27.03.555 to read as follows:

11 **27.03.555 Social Hall.**

12 Social hall shall mean a building or premises used for social, educational, or civic gatherings,  
13 including, but not limited to, charitable fund raising events, wedding receptions, family reunions,  
14 educational seminars, neighborhood meetings, or similar events.

15 Section 2. That Section 27.29.030 of the Lincoln Municipal Code be amended to read  
16 as follows:

17 **27.29.030 Permitted Conditional Uses.**

18 A building or premises may be used for the following purposes in the B-1 Local Business  
19 District in conformance with the conditions prescribed herein:

- 20 (a) Automobile wash facility:

1 (1) Automatic, conveyor-operated: The length and location of vehicle stacking lane  
2 or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in  
3 conformance with the "guidelines and regulations for driveway design and location" as adopted by  
4 the City of Lincoln.

5 (2) Self-service, coin-operated car wash: The car wash facility shall not exceed four  
6 wash bays. The length and location of vehicle stacking lane or lanes for the approach side or sides  
7 and the exit side or sides of the wash operation shall be in conformance with the "guidelines and  
8 regulations for driveway design and location" as adopted by the City of Lincoln.

9 (b) Motels and hotels:

10 (1) A distance of at least twenty feet shall be maintained between buildings on the lot;

11 (2) Each hotel or motel unit shall have a minimum enclosed floor area of 200 square  
12 feet.

13 (c) Tailor shops, shoe repairing, printing, photocopying, repair shops for electrical, radio,  
14 television equipment, and household appliances, or other similar businesses:

15 The floor area of said premises not devoted to sales or office space shall not exceed  
16 5,000 square feet;

17 (d) Dwellings, provided that:

18 (1) Dwellings shall only be permitted above the first story of a building;

19 (2) The first story shall be used for a nondwelling use permitted in the district;

20 (3) Said nondwelling use shall not:

21 (i) be accessory to the residential use,

22 (ii) be a parking lot or garage;

23 (4) Said first story shall not have more than twenty percent of its height below grade.

24 (e) Sales and showrooms for the sale at retail of plumbing, electrical, and heating and air  
25 conditioning equipment and supplies, including service facilities and rental of equipment, provided:

26 (1) All activities and storage shall be within an enclosed building;

27 (2) A portion of the premises shall be devoted to retailing.

28 (f) Early childhood care facilities:

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

1           (2) Such facilities shall comply with all applicable building and life safety code  
2 requirements.

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

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

7           (g) Indoor animal hospitals. Any building approved for such use must be located no closer  
8 than 200 feet from any residential district.

9           (h) Indoor kennel. Any building approved for such use must be located no closer than 200  
10 feet from any residential district.

11           (i) Social halls:

12           (1) There shall be no amplified sound or noise source of any kind outside of the social  
13 hall;

14           (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
15 the following conditions:

16           (i) Either be located at least 100 feet (as measured by the shortest, most  
17 direct distance) from a day care facility, church, state mental health institution, park (excluding  
18 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
19 intervening exterior wall of the building containing the social hall between the exterior door  
20 opening and such day care facility, church, state mental health institution, park (excluding golf  
21 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
22 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
23 exterior building wall, and from that point the shortest, most direct distance to the day care  
24 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
25 trails), or residential district.

26           (ii) If the exterior door opening is less than 100 feet from a residential  
27 district, it must face the opposite direction from that district.

28           (iii) If the exterior door opening faces a residential district, then such opening  
29 shall be at least 150 feet from a residential district as measured by the shortest, most direct

1 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
2 operation.

3 For purposes of this section, “exterior door opening” shall mean (a) that portion of  
4 the exterior wall face of the building containing the social hall that contains a break to accommo-  
5 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
6 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
7 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
8 are not available for access in the ordinary course of business.

9 Section 3. That Section 27.31.040 of the Lincoln Municipal Code be amended to  
10 read as follows:

11 **27.31.040 Permitted Conditional Uses.**

12 A building or premises may be used for the following purposes in the B-2 Planned  
13 Neighborhood Business District in conformance with the conditions prescribed herein:

14 (a) Automobile wash facility:

15 (1) Automatic, conveyer-operated: The length and location of vehicle stacking  
16 lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall  
17 be in conformance with the "Guidelines and Regulations for Driveway Design and Location" as  
18 adopted by the City of Lincoln. The stacking space shall not be located within the required front  
19 yard.

20 (2) Self-service, coin-operated car wash: The car wash facility shall not exceed  
21 four wash bays. The length and location of vehicle stacking lane or lanes for the approach side  
22 or sides and the exit side or sides of the wash operation shall be in conformance with the  
23 "Guidelines and Regulations for Driveway Design and Location" as adopted by the City of  
24 Lincoln. The stacking space shall not be located within the required front yard.

25 (b) Motels and hotels:

26 (1) A distance of at least twenty feet shall be maintained between buildings on the  
27 lot;

28 (2) Each hotel or motel unit shall have a minimum enclosed floor area of 200  
29 square feet.

30 (c) Dwellings, provided that:

- 1 (1) Dwellings shall only be permitted above the first story of a building;
- 2 (2) The first story shall be used for a nondwelling use permitted in the district;
- 3 (3) Said nondwelling use shall not:
  - 4 (i) be accessory to the residential use;
  - 5 (ii) be a parking lot or garage.
- 6 (4) Said first story shall not have more than twenty percent of its height below  
7 grade.

8 (d) Early childhood care facilities:

- 9 (1) Such facilities shall comply with all applicable state and local early childhood  
10 care requirements;
- 11 (2) Such facilities shall comply with all building and life safety code requirements.
- 12 (3) Such facilities shall be fenced and have play areas that comply with the design  
13 standards for early childhood care facilities.

14 (e) Tents and other temporary structures: Tents or other temporary structures shall be  
15 permitted for the temporary or seasonal sales of goods at retail under the following conditions:

- 16 (1) A tent or other temporary structure shall not reduce the amount of on-site  
17 parking to less than the minimum required;
- 18 (2) A tent or other temporary structure shall not remain on the premises for more  
19 than 180 consecutive days;
- 20 (3) A tent or other temporary structure shall comply with all applicable building  
21 and life safety codes;

22 A tent or other temporary structure need not be shown on the approved use permit site  
23 plan.

24 (f) Sale of alcoholic beverages for consumption on the premises:

- 25 (1) When the building containing the licensed premises abuts a residential district,  
26 the required yards shall be met; provided that the side yard adjacent to such building shall be 50  
27 feet.
- 28 (2) Parking shall be in conformance with the provisions of Chapter 27.67;  
29 provided that no parking spaces shall be located in that portion of any required side yard or rear  
30 yard of the building containing the licensed premises that abuts a residential district.

1 (3) Any exterior door opening must meet the following conditions:

2 (i) Be located at least 100 feet (as measured by the shortest, most direct  
3 distance) from a day care facility, church, state mental health institution, park (excluding golf  
4 courses and hiker/biker trails), or a residential district; provided that, if there is an intervening  
5 exterior wall of the building containing the licensed premises between the exterior door opening  
6 and such day care facility, church, state mental health institution, park (excluding golf courses  
7 and hiker/biker trails), or residential district, then the 100 feet shall be measured from the  
8 exterior door opening, along the exterior base of the building wall(s) to the point where there is  
9 no intervening exterior building wall, and from that point the shortest, most direct distance to the  
10 day care facility, church, state mental health institution, park (excluding golf courses and  
11 hiker/biker trails), or residential district.

12 (ii) If the exterior door opening faces a residential district, then such opening  
13 shall be at least 200 feet from a residential district as measured by the shortest, most direct  
14 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
15 operation. For purposes of this section, “exterior door opening” shall mean (A) that portion of  
16 the exterior wall face of the building containing the licensed premises that contains a break to  
17 accommodate the exterior building door, door frame, door vestibule, or door entryway area; and  
18 (B) provides public or membership access to the licenses premises. “Exterior door opening”  
19 shall not apply to openings for emergency exit doors required by building or safety codes,  
20 loading doors or unloading doors that are not available for public or membership access in the  
21 ordinary course of business.

22 (4) Vehicle stacking for a drive-through window used as any part of the permitted  
23 business operation shall not be located in any required building setback from a residential  
24 district.

25 (5) The use shall not have any amplified outside sound or noise source, including  
26 bells, buzzers, pagers, microphones, or speakers within 200 feet of any residential district. This  
27 shall not apply to sound sources audible only to the individual to whom they are directed, such as  
28 personal pagers, beepers, or telephones.

1           (6) Notwithstanding any contrary provision contained in Section 27.31.100, the  
2 yard requirements, the parking location requirements, and the exterior door opening location  
3 requirements in this section shall not be adjusted by the City Council.

4           (g) Sale of alcoholic beverages for consumption off the premises:

5           (1) When the building containing the licensed premises abuts a residential district,  
6 the required yards shall be met; provided that the side yard adjacent to such building shall be 50  
7 feet.

8           (2) Parking shall be in conformance with the provisions of Chapter 27.67;  
9 provided that no parking spaces shall be located in that portion of any required side yard or rear  
10 yard of the building containing the licensed premises that abuts a residential district.

11          (3) Any exterior door opening must meet the following conditions:

12           (i) Be located at least 100 feet (as measured by the shortest, most direct  
13 distance) from a day care facility, church, state mental health institution, park (excluding golf  
14 courses and hiker/biker trails), or a residential district; provided that, if there is an intervening  
15 exterior wall of the building containing the licensed premises between the exterior door opening  
16 and such day care facility, church, state mental health institution, park (excluding golf courses  
17 and hiker/biker trails), then the 100 feet shall be measured from the exterior door opening, along  
18 the exterior base of the building wall(s) to the point where there is no intervening exterior  
19 building wall, and from that point the shortest, most direct distance to the day care facility,  
20 church, state mental health institution, park (excluding golf courses and hiker/biker trails), or  
21 residential district.

22           (ii) If the exterior door opening faces a residential district, then such opening  
23 shall be at least 200 feet from a residential district as measured by the shortest, most direct  
24 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
25 operation. For purposes of this section, “exterior door opening” shall mean (A) that portion of  
26 the exterior wall face of the building containing the licensed premises that contains a break to  
27 accommodate the exterior building door, door frame, door vestibule, or door entryway area; and  
28 (B) provides public or membership access to the licenses premises. “Exterior door opening”  
29 shall not apply to openings for emergency exit doors required by building or safety codes,

1 loading doors or unloading doors that are not available for public or membership access in the  
2 ordinary course of business.

3 (4) Vehicle stacking for a drive-through window used as any part of the permitted  
4 business operation shall not be located in any required building setback from a residential  
5 district.

6 (5) The use shall not have any amplified outside sound or noise source, including  
7 bells, buzzers, pagers, microphones, or speakers within 200 feet of any residential district. This  
8 shall not apply to sound sources audible only to the individual to whom they are directed, such as  
9 personal pagers, beepers, or telephones.

10 (6) Notwithstanding any contrary provision contained in Section 27.31.100, the  
11 yard requirements, the parking location requirements, and the exterior door opening location  
12 requirements in this section shall not be adjusted by the City Council.

13 (h) Indoor animal hospitals. Any building approved for such use must be located no  
14 closer than 200 feet from any residential district.

15 (i) Indoor kennel. Any building approved for such use must be located no closer than  
16 200 feet from any residential district.

17 (j) Social halls:

18 (1) There shall be no amplified sound or noise source of any kind outside of the  
19 social hall;

20 (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
21 the following conditions:

22 (i) Either be located at least 100 feet (as measured by the shortest, most  
23 direct distance) from a day care facility, church, state mental health institution, park (excluding  
24 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
25 intervening exterior wall of the building containing the social hall between the exterior door  
26 opening and such day care facility, church, state mental health institution, park (excluding golf  
27 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
28 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
29 exterior building wall, and from that point the shortest, most direct distance to the day care

1 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
2 trails), or residential district.

3 (ii) If the exterior door opening is less than 100 feet from a residential  
4 district, it must face the opposite direction from that district.

5 (iii) If the exterior door opening faces a residential district, then such opening  
6 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
7 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
8 operation.

9 For purposes of this section, “exterior door opening” shall mean (a) that portion of  
10 the exterior wall face of the building containing the social hall that contains a break to accommo-  
11 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
12 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
13 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
14 are not available for access in the ordinary course of business.

15 Section 4. That Section 27.33.030 of the Lincoln Municipal Code be amended to  
16 read as follows:

17 **27.33.030 Permitted Conditional Uses.**

18 A building or premises may be used for the following purposes in the B-3 Commercial  
19 District in conformance with the conditions prescribed herein:

20 (a) Automobile wash facility:

21 (1) Automatic, conveyor-operated: The length and location of vehicle stacking lane  
22 or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in  
23 conformance with the "guidelines and regulations for driveway design and location" as adopted  
24 by the City of Lincoln. The stacking space shall not be located within the required front yard.

25 (2) Self-service, coin-operated car wash: The car wash facility shall not exceed four  
26 wash bays. The length and location of vehicle stacking lane or lanes for the approach side or  
27 sides and the exit side or sides of the wash operation shall be in conformance with the  
28 "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln.  
29 The stacking space shall not be located within the required front yard.

1 (b) Motels and hotels: A distance of at least twenty feet shall be maintained between  
2 buildings on the lot, and each hotel or motel unit shall have a minimum enclosed floor area of  
3 200 square feet.

4 (c) Furnace, heating, sheet metal, electrical shops or electrical contractors, heating and  
5 air conditioning contractors, and cabinet shops or stores:

6 (1) The floor area of said premises not devoted to sales or office space shall not  
7 exceed 8,000 square feet;

8 (2) Not more than ten percent of the lot or tract occupied by the establishment shall  
9 be used for open and unenclosed storage of material and equipment;

10 (3) All outside storage of material and equipment shall be screened by an opaque  
11 six-foot tall fence constructed of wood, or a substitute material found acceptable by the Director  
12 of Building and Safety.

13 (d) Tire stores and sales, including vulcanizing:

14 (1) The floor area of said premises not devoted to sales or office space shall not  
15 exceed 4,000 square feet;

16 (2) There shall be no manufacturing on the premises.

17 (e) Tailor shops, shoe repairing, upholstery shops, printing, photocopying, household  
18 appliances repairs, or similar business establishments; dyeing and drycleaning works; laundry;  
19 plumbing and water softener service shops.

20 The floor area of said premises not devoted to sales or office space shall not exceed  
21 4,000 square feet.

22 (f) Dwellings, provided that:

23 (1) Except as provided subparagraph 2 below, dwellings shall only be permitted  
24 above the first story of a building, with the first story used for a non-dwelling use as permitted in  
25 the district. Such non-dwelling use shall not be accessory to the residential use or be a parking  
26 lot or garage.

27 (2) Dwellings shall be permitted in buildings that were originally constructed for a  
28 residential use prior to November 1, 1997.

29 (g) Recycling center:

30 (1) The building area of such center shall not exceed 4,000 square feet;

1 (2) Adequate traffic stacking shall be provided on site as determined by the city;

2 (3) All required parking shall be provided on site;

3 (4) The facility shall not be designed to receive nor shall it accept shipments by  
4 semi-trailer trucks;

5 (5) The construction and operation of such center shall comply with all applicable  
6 health and fire codes;

7 (h) Vehicle body repair shop:

8 (1) All salvage material including vehicles being salvaged shall be kept inside a  
9 building;

10 (2) All vehicles stored outside a building shall be repaired to an operating state  
11 within thirty days;

12 (3) All vehicles stored outside a building waiting repair shall be screened in  
13 accordance with the screening requirements for salvage and scrap processing operations;

14 (4) The construction and operation of such shop shall comply with all applicable  
15 health and fire codes;

16 (5) Vehicle body repair shops lawfully existing on the effective date of this or-  
17 dinance shall have until January 1, 1987 to be brought into compliance with conditions (1), (2),  
18 (3), and (4) above.

19 (i) Early childhood care facilities:

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 building and life safety code requirements;

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

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

27 (j) Service stations and automobile or appliance sales and repair facilities, but not  
28 including vehicle body repair shops.

29 (1) No automobile or appliance sales and repair facility shall be permitted to locate  
30 within 100 feet of any residential use or district;

1           (2) Any service station or automobile or appliance sales and repair facility located  
2 within 100 feet of any residential use or district which was lawfully established in this district on  
3 the effective date of this ordinance, shall screen the facility from such residential use or district  
4 by the use of an opaque fence six feet in height, constructed of wood, or of a substitute material  
5 found acceptable to the Director of Building and Safety subject to the provision of condition (3)  
6 below;

7           (3) Any service station or automobile or appliance sales and repair facility located  
8 within 100 feet of any residential use or district which was lawfully established in this district on  
9 the effective date of this ordinance shall have until October 1, 2003 to be brought into  
10 compliance with condition (2) above;

11           (4) The locational or screening requirements of (1), (2), and (3) above shall not  
12 apply when said residential use or district is across a public street from the service station or  
13 automobile or appliance sales and repair facility, but shall apply if said residential use or district  
14 is across an alley or private drive from the service station or automobile or appliance sales and  
15 repair facility;

16           (5) Any service station lawfully established in this district, after the effective date  
17 of this ordinance, shall screen the facility from any residential use or district by the use of an  
18 opaque fence, six feet in height, constructed of wood or of a substitute material found acceptable  
19 to the Director of Building and Safety; provided that said screening requirement shall not apply  
20 when said residential use or district is across a public street from the service station, but shall  
21 apply if said residential use or district is across an alley or private drive from the service station.

22           (k) Indoor animal hospitals. Any building approved for such use must be located no  
23 closer than 200 feet from any residential district.

24           (l) Indoor kennel. Any building approved for such use must be located no closer than  
25 200 feet from any residential district.

26           (m) Social halls:

27           (1) There shall be no amplified sound or noise source of any kind outside of the  
28 social hall;

29           (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
30 the following conditions:

1                   (i) Either be located at least 100 feet (as measured by the shortest, most  
2 direct distance) from a day care facility, church, state mental health institution, park (excluding  
3 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
4 intervening exterior wall of the building containing the social hall between the exterior door  
5 opening and such day care facility, church, state mental health institution, park (excluding golf  
6 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
7 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
8 exterior building wall, and from that point the shortest, most direct distance to the day care  
9 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
10 trails), or residential district.

11                   (ii) If the exterior door opening is less than 100 feet from a residential  
12 district, it must face the opposite direction from that district.

13                   (iii) If the exterior door opening faces a residential district, then such opening  
14 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
15 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
16 operation.

17                   For purposes of this section, “exterior door opening” shall mean (a) that portion of  
18 the exterior wall face of the building containing the social hall that contains a break to accommo-  
19 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
20 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
21 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
22 are not available for access in the ordinary course of business.

23                   Section 5. That Section 27.37.025 of the Lincoln Municipal Code be amended to  
24 read as follows:

25 **27.37.025 Permitted Conditional Uses.**

26                   Any building or premises may be used for the following purposes in the B-5 Planned  
27 Regional Business District in conformance with the conditions prescribed herein:

28                   (a) Early childhood care facilities:

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

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

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

5           (b) Tents and other temporary structures: Tents or other temporary structures shall be  
6 permitted for the temporary or seasonal sales of goods at retail under the following conditions:

7           (1) A tent or other temporary structure shall not reduce the amount of on-site  
8 parking to less than the minimum required;

9           (2) A tent or other temporary structure shall not remain on the premises for more  
10 than 180 consecutive days;

11           (3) A tent or other temporary structure shall comply with all applicable building  
12 and life safety codes;

13           A tent or other temporary structure need not be shown on the approved use permit site  
14 plan.

15           (c) Sale of alcoholic beverages for consumption on the premises:

16           (1) When the building containing the licensed premises abuts a residential district,  
17 the required yards shall be met.

18           (2) Parking shall be in conformance with the provisions of Chapter 27.67;  
19 provided that no parking spaces shall be located in that portion of any required side yard or rear  
20 yard of the building containing the licensed premises that abuts a residential district.

21           (3) Any exterior door opening must meet the following conditions:

22           (i) Be located at least 100 feet (as measured by the shortest, most direct  
23 distance) from a day care facility, church, state mental health institution, park (excluding golf  
24 courses and hiker/biker trails), or a residential district; provided that, if there is an intervening  
25 exterior wall of the building containing the licensed premises between the exterior door opening  
26 and such day care facility, church, state mental health institution, park (excluding golf courses  
27 and hiker/biker trails), then the 100 feet shall be measured from the exterior door opening, along  
28 the exterior base of the building wall(s) to the point where there is no intervening exterior  
29 building wall, and from that point the shortest, most direct distance to the day care facility,

1 church, state mental health institution, park (excluding golf courses and hiker/biker trails), or  
2 residential district.

3 (ii) If the exterior door opening faces a residential district, then such opening  
4 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
5 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
6 operation. For purposes of this section, “exterior door opening” shall mean (A) that portion of  
7 the exterior wall face of the building containing the licensed premises that contains a break to  
8 accommodate the exterior building door, door frame, door vestibule, or door entryway area; and  
9 (B) provides public or membership access to the licenses premises. “Exterior door opening”  
10 shall not apply to openings for emergency exit doors required by building or safety codes,  
11 loading doors or unloading doors that are not available for public or membership access in the  
12 ordinary course of business.

13 (4) Vehicle stacking for a drive-through window used as any part of the permitted  
14 business operation shall not be located in any required building setback from a residential  
15 district.

16 (5) The use shall not have any amplified outside sound or noise source, including  
17 bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This  
18 shall not apply to sound sources audible only to the individual to whom they are directed, such as  
19 personal pagers, beepers, or telephones.

20 (6) Notwithstanding any contrary provision contained in Section 27.37.070, the  
21 yard requirements, the parking location requirements, and the exterior door opening location  
22 requirements in this section shall not be adjusted by the City Council.

23 (d) Sale of alcoholic beverages for consumption off the premises:

24 (1) When the building containing the licensed premises abuts a residential district,  
25 the required yards shall be met.

26 (2) Parking shall be in conformance with the provisions of Chapter 27.67;  
27 provided that no parking spaces shall be located in that portion of any required side yard or rear  
28 yard of the building containing the licensed premises that abuts a residential district.

29 (3) Any exterior door opening must meet the following conditions:

1 (i) Be located at least 100 feet (as measured by the shortest, most direct  
2 distance) from a day care facility, church, state mental health institution, park (excluding golf  
3 courses and hiker/biker trails), or a residential district; provided that, if there is an intervening  
4 exterior wall of the building containing the licensed premises between the exterior door opening  
5 and such day care facility, church, state mental health institution, park (excluding golf courses  
6 and hiker/biker trails), or residential district, then the 100 feet shall be measured from the  
7 exterior door opening, along the exterior base of the building wall(s) to the point where there is  
8 no intervening exterior building wall, and from that point the shortest, most direct distance to the  
9 day care facility, church, state mental health institution, park (excluding golf courses and  
10 hiker/biker trails), or residential district.

11 (ii) If the exterior door opening faces a residential district, then such opening  
12 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
13 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
14 operation. For purposes of this section, “exterior door opening” shall mean (A) that portion of  
15 the exterior wall face of the building containing the licensed premises that contains a break to  
16 accommodate the exterior building door, door frame, door vestibule, or door entryway area; and  
17 (B) provides public or membership access to the licenses premises. “Exterior door opening”  
18 shall not apply to openings for emergency exit doors required by building or safety codes,  
19 loading doors or unloading doors that are not available for public or membership access in the  
20 ordinary course of business.

21 (4) Vehicle stacking for a drive-through window used as any part of the permitted  
22 business operation shall not be located in any required building setback from a residential  
23 district.

24 (5) The use shall not have any amplified outside sound or noise source, including  
25 bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This  
26 shall not apply to sound sources audible only to the individual to whom they are directed, such as  
27 personal pagers, beepers, or telephones.

28 (6) Notwithstanding any contrary provision contained in Section 27.37.070, the  
29 yard requirements, the parking location requirements, and the exterior door opening location  
30 requirements in this section shall not be adjusted by the City Council.

1           (e) Social halls:

2           (1) There shall be no amplified sound or noise source of any kind outside of the  
3 social hall;

4           (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
5 the following conditions:

6           (i) Either be located at least 100 feet (as measured by the shortest, most  
7 direct distance) from a day care facility, church, state mental health institution, park (excluding  
8 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
9 intervening exterior wall of the building containing the social hall between the exterior door  
10 opening and such day care facility, church, state mental health institution, park (excluding golf  
11 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
12 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
13 exterior building wall, and from that point the shortest, most direct distance to the day care  
14 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
15 trails), or residential district.

16           (ii) If the exterior door opening is less than 100 feet from a residential  
17 district, it must face the opposite direction from that district.

18           (iii) If the exterior door opening faces a residential district, then such opening  
19 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
20 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
21 operation.

22           For purposes of this section, “exterior door opening” shall mean (a) that portion of  
23 the exterior wall face of the building containing the social hall that contains a break to accommo-  
24 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
25 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
26 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
27 are not available for access in the ordinary course of business.

28           Section 6. That Section 27.41.030 of the Lincoln Municipal Code be amended to  
29 read as follows:

1 **27.41.030 Permitted Conditional Uses.**

2 A building or premises may be used for the following purposes in the H-2 Highway  
3 Business District in conformance with the conditions prescribed herein:

4 (a) Automobile/truck wash facility:

5 (1) Automatic, conveyor-operated: The length and location of vehicle stacking  
6 lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall  
7 be in conformance with the "guidelines and regulations for driveway design and location" as  
8 adopted by the City of Lincoln.

9 (2) Self-service, coin-operated: The wash facility shall not exceed six wash bays.  
10 The length and location of vehicle stacking lane or lanes for the approach side or sides and the  
11 exit side or sides of the wash operation shall be in conformance with the "guidelines and  
12 regulations for driveway design and location" as adopted by the City of Lincoln.

13 (b) Motels and hotels: A distance of at least twenty feet shall be maintained between  
14 buildings on the lot, and each hotel or motel unit shall have a minimum enclosed floor area of  
15 200 square feet.

16 (c) Service facilities, including but not limited to repair and maintenance of home and  
17 office equipment, electrical appliances, radio and television sets, and rental equipment; and the  
18 places of business of plumbing, electrical, and heating and air conditioning contractors.

19 All storage and display of merchandise shall be screened from public view by a fence,  
20 walls, shrubs, material obstruction, or all such storage and display shall be within the enclosure  
21 walls of a building.

22 (d) Early childhood care facilities:

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

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

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

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

1 (e) Recycling center:

2 (1) Building area of such center shall not exceed 8,000 square feet;

3 (2) Adequate traffic stacking shall be provided on site as determined by the city;

4 (3) All required parking shall be provided on site;

5 (4) The facility shall not be designed to receive nor shall it accept shipments by  
6 semi-trailer trucks;

7 (5) Construction and operation of such center shall comply with all applicable  
8 health and fire codes.

9 (f) Vehicle body repair shop:

10 (1) All salvage material including vehicles being salvaged shall be inside a  
11 building;

12 (2) All vehicles stored outside shall be repaired to an operating state within thirty  
13 days;

14 (3) All vehicles stored outside waiting repair shall be screened in accordance with  
15 the screening requirements for salvage and scrap processing operations;

16 (4) Construction and operation of such shop shall comply with all applicable  
17 health and fire codes;

18 (5) Vehicle body repair shops lawfully existing on the effective date of this ordin-  
19 ance shall have until January 1, 1987 to be brought into compliance with conditions (1), (2), (3),  
20 and (4) above.

21 (g) The storage of vehicles for sale and resale in the front yard:

22 (1) The storage of vehicles for sale and resale is permitted in the front yard except  
23 for the front twelve feet.

24 (2) Parking barriers in accordance with parking lot design standards must be  
25 provided around the storage/display area to prevent the vehicles stored/displayed for sale or  
26 resale from overhanging the front twelve feet of the front yard where vehicles are not permitted  
27 to be stored/displayed for sale or resale.

28 (3) No vehicle shall be stored/displayed for sale or resale in the front yard upon a  
29 raised concrete island or on a raised display structure.

1 (4) The hood or trunk or both of vehicles stored/displayed for sale or resale in the  
2 front yard shall not be open except when inspected by a customer or for servicing.

3 (5) The front twelve feet of the front yard not permitted to be used for the storage  
4 of vehicles for sale and resale shall not be used for customer or employee parking but shall be  
5 devoted to shrubs and grasses.

6 (6) The front twelve feet of the front yard not permitted to be used for the storage  
7 of vehicles for sale and resale shall be screened at least sixty percent from zero feet to two feet  
8 above the surface of the lot. The design and construction of the landscaping shall be in  
9 conformance with the Design Standards for Screening and Landscaping except that fences may  
10 not be used to meet the above screening requirements. If plant material is used, the density  
11 percentage is calculated using the design size found in the City of Lincoln's plant material list  
12 approved by the Planning Director. The screen shall be located throughout the area but far  
13 enough from the barrier so as to be protected from the bumpers of overhanging vehicles.  
14 Entrance driveways shall be excluded from the required screen.

15 (7) No fence shall be erected in the front yard. Lighting in the front yard shall be  
16 in conformance with the Design Standards for Parking Lots.

17 (8) Any existing automobile sales facility lawfully established on the effective date  
18 of this ordinance which does not comply with conditions (1) through (7) above may be continued  
19 in accordance with the provisions of Chapter 27.61 for nonconforming uses.

20 (h) Indoor animal hospitals. Any building approved for such use must be located no  
21 closer than 200 feet from any residential district.

22 (i) Indoor kennel. Any building approved for such use must be located no closer than  
23 200 feet from any residential district.

24 (j) Social halls:

25 (1) There shall be no amplified sound or noise source of any kind outside of the  
26 social hall;

27 (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
28 the following conditions:

29 (i) Either be located at least 100 feet (as measured by the shortest, most  
30 direct distance) from a day care facility, church, state mental health institution, park (excluding

1 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
2 intervening exterior wall of the building containing the social hall between the exterior door  
3 opening and such day care facility, church, state mental health institution, park (excluding golf  
4 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
5 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
6 exterior building wall, and from that point the shortest, most direct distance to the day care  
7 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
8 trails), or residential district.

9 (ii) If the exterior door opening is less than 100 feet from a residential  
10 district, it must face the opposite direction from that district.

11 (iii) If the exterior door opening faces a residential district, then such opening  
12 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
13 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
14 operation.

15 For purposes of this section, “exterior door opening” shall mean (a) that portion of  
16 the exterior wall face of the building containing the social hall that contains a break to accommo-  
17 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
18 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
19 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
20 are not available for access in the ordinary course of business.

21 Section 7. That Section 27.43.030 of the Lincoln Municipal Code be amended to  
22 read as follows:

23 **27.43.030 Permitted Conditional Uses.**

24 A building or premises may be used for the following purposes in the H-3 Highway  
25 Commercial District in conformance with the conditions prescribed herein:

26 (a) Automobile/truck wash facility:

27 (1) Automatic, conveyor-operated: The length and location of vehicle stacking  
28 lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall  
29 be in conformance with the "guidelines and regulations for driveway design and location" as  
30 adopted by the City of Lincoln.

1           (2) Self-service, coin-operated: The length and location of vehicle stacking lane or  
2 lanes for the approach side or sides and the exit side or sides of the wash operation shall be in  
3 conformance with the "guidelines and regulations for driveway design and location" as adopted  
4 by the City of Lincoln.

5           (b) Motels and hotels: A distance of at least twenty feet shall be maintained between  
6 buildings on the lot and each hotel or motel unit shall have a minimum enclosed floor area of  
7 200 square feet.

8           (c) Early childhood care facilities:

9           (1) Such facilities shall comply with all applicable state and local early childhood  
10 care and building requirements;

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

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

15           (4) Such facilities must receive a conditional use permit from the Department of  
16 Building and Safety.

17           (d) Recycling center:

18           (1) Building area of such center shall not exceed 8,000 square feet;

19           (2) Adequate traffic stacking shall be provided on site as determined by the city;

20           (3) All required parking shall be provided on site;

21           (4) The facility shall not be designed to receive nor shall it accept shipments by  
22 semi-trailer trucks;

23           (5) Construction and operation of such center shall comply with all applicable  
24 health and fire codes.

25           (e) Vehicle body repair shop:

26           (1) All salvage material including vehicles being salvaged shall be inside a  
27 building;

28           (2) All vehicles stored outside shall be repaired to an operating state within thirty  
29 days;

1 (3) All vehicles stored outside waiting repair shall be screened in accordance with  
2 the screening requirements for salvage and scrap processing operations;

3 (4) Construction and operation of such shop shall comply with all applicable  
4 health and fire codes;

5 (5) Vehicle body repair shops lawfully existing on the effective date of this  
6 ordinance shall have until January 1, 1987 to be brought into compliance with conditions (1), (2),  
7 (3), and (4) above.

8 (6) Parking shall be provided in accordance with Section 27.67.066.

9 (7) Vehicle body repair shops shall not be converted to a permitted use unless all  
10 the parking requirements of Section 27.67.020 for such use are met.

11 (f) Truck and heavy equipment sales:

12 (1) Parking shall be provided in accordance with Section 27.67.066.

13 (2) Truck and heavy equipment sales shall not be converted to a permitted use  
14 unless all the parking requirements of Section 27.67.020 for such use are met.

15 (g) Farm machinery sales establishments:

16 (1) Parking shall be provided in accordance with Section 27.67.066.

17 (2) Farm machinery sales establishments shall not be converted to a permitted  
18 unless all the parking requirements of Section 27.67.020 for such use are met.

19 (h) Motor truck terminals:

20 (1) Parking shall be provided in accordance with Section 27.67.066.

21 (2) Motor truck terminals shall not be converted to a permitted use unless all the  
22 parking requirements of Section 27.67.020 for such use are met.

23 (i) Mobile home sales:

24 (1) Parking shall be provided in accordance with Section 27.67.066.

25 (2) Mobile home sales shall not be converted to a permitted use unless all the  
26 parking requirements of Section 27.67.020 for such use are met.

27 (j) Places of business of plumbing contractors, heating and air conditioning contractors,  
28 and cabinet shops:

29 (1) Parking shall be provided in accordance with Section 27.67.066.

1           (2) Said places of business shall not be converted to a permitted unless all the  
2 parking requirements of Section 27.67.020 for such use are met.

3           (k) Automobile sales and repair, but not including vehicle body repair shops:

4           (1) Parking shall be provided in accordance with Section 27.67.066.

5           (2) The storage of vehicles for sale and resale is permitted in the front yard under  
6 the following conditions:

7           (i) The storage of vehicles for sale and resale is permitted in the front yard  
8 except for the front twelve feet.

9           (ii) Parking barriers in accordance with parking lot design standards must be  
10 provided around the storage/display area to prevent the vehicles stored/displayed for sale or  
11 resale from overhanging the front twelve feet of the front yard where vehicles are not permitted  
12 to be stored/displayed for sale or resale.

13           (iii) No vehicle shall be stored/displayed for sale or resale in the front yard  
14 upon a raised concrete island or on a raised display structure.

15           (iv) The hood or trunk or both of vehicles stored/displayed for sale or resale  
16 in the front yard shall not be open except when inspected by a customer or for servicing.

17           (3) The front twelve feet of the front yard not permitted to be used for the storage  
18 of vehicles for sale and resale shall not be used for customer or employee parking but shall be  
19 devoted to shrubs and grasses.

20           (4) The front twelve feet of the front yard not permitted to be used for the storage  
21 of vehicles for sale and resale shall be screened at least sixty percent from zero feet to two feet  
22 above the surface of the lot. The design and construction of the landscaping shall be in  
23 conformance with the Design Standards for Screening and Landscaping except that fences may  
24 not be used to meet the above screening requirements. If plant material is used, the density  
25 percentage is calculated using the design size found in the City of Lincoln's plant material list  
26 approved by the Planning Director. The screen shall be located throughout the area but far  
27 enough from the barrier so as to be protected from the bumpers of overhanging vehicles.  
28 Entrance driveways shall be excluded from the required screen.

29           (5) No fence shall be erected in the front yard. Lighting in the front yard shall be  
30 in conformance with the Design Standards for Parking Lots.

1 (6) Any existing automobile sales facility lawfully established on the effective date  
2 of this ordinance which does not comply with conditions (1) through (5) above may be continued  
3 in accordance with the provisions of Chapter 27.61 for nonconforming uses.

4 (7) Automobile sales and repair shops shall not be converted to a permitted use  
5 unless all the parking requirements of Section 27.67.020 for such use are met.

6 (l) Assembly facilities, including but not limited to the assembly of equipment,  
7 instruments and appliances such as computers and musical instruments.

8 (1) Assembly facilities may include limited fabrication of finished parts to be used  
9 in such assembly.

10 (2) The floor area of such facilities shall not exceed 50,000 square feet.

11 (3) Parking shall be provided in accordance with Section 27.67.066.

12 (4) Assembly facilities shall not be converted to a permitted use unless all the  
13 parking requirements of Section 27.67.020 for such use are met.

14 (m) Indoor animal hospitals. Any building approved for such use must be located no  
15 closer than 200 feet from any residential district.

16 (n) Indoor kennel. Any building approved for such use must be located no closer than  
17 200 feet from any residential district.

18 (o) Social halls:

19 (1) There shall be no amplified sound or noise source of any kind outside of the  
20 social hall;

21 (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
22 the following conditions:

23 (i) Either be located at least 100 feet (as measured by the shortest, most  
24 direct distance) from a day care facility, church, state mental health institution, park (excluding  
25 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
26 intervening exterior wall of the building containing the social hall between the exterior door  
27 opening and such day care facility, church, state mental health institution, park (excluding golf  
28 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
29 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
30 exterior building wall, and from that point the shortest, most direct distance to the day care

1 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
2 trails), or residential district.

3 (ii) If the exterior door opening is less than 100 feet from a residential  
4 district, it must face the opposite direction from that district.

5 (iii) If the exterior door opening faces a residential district, then such opening  
6 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
7 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
8 operation.

9 For purposes of this section, “exterior door opening” shall mean (a) that portion of  
10 the exterior wall face of the building containing the social hall that contains a break to accommo-  
11 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
12 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
13 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
14 are not available for access in the ordinary course of business.

15 Section 8. That Section 27.45.025 of the Lincoln Municipal Code be amended to  
16 read as follows:

17 **27.45.025 Permitted Conditional Uses.**

18 A building or premises may be used for the following purposes in the H-4 General  
19 Commercial District in conformance with the conditions prescribed herein:

20 (a) Indoor animal hospitals. Any building approved for such use must be located no  
21 closer than 200 feet from any residential district.

22 (b) Indoor kennel. Any building approved for such use must be located no closer than  
23 200 feet from any residential district.

24 (c) Social halls:

25 (1) There shall be no amplified sound or noise source of any kind outside of the  
26 social hall;

27 (2) Except as provided in (ii) and (iii) below, any exterior door opening must meet  
28 the following conditions:

29 (i) Either be located at least 100 feet (as measured by the shortest, most  
30 direct distance) from a day care facility, church, state mental health institution, park (excluding

1 golf courses and hiker/biker trails), or a residential district; provided that, if there is an  
2 intervening exterior wall of the building containing the social hall between the exterior door  
3 opening and such day care facility, church, state mental health institution, park (excluding golf  
4 courses and hiker/biker trails), then the 100 feet shall be measured from the exterior door  
5 opening, along the exterior base of the building wall(s) to the point where there is no intervening  
6 exterior building wall, and from that point the shortest, most direct distance to the day care  
7 facility, church, state mental health institution, park (excluding golf courses and hiker/biker  
8 trails), or residential district.

9 (ii) If the exterior door opening is less than 100 feet from a residential  
10 district, it must face the opposite direction from that district.

11 (iii) If the exterior door opening faces a residential district, then such opening  
12 shall be at least 150 feet from a residential district as measured by the shortest, most direct  
13 perpendicular distance. The exterior door shall not be kept or propped open during the hours of  
14 operation.

15 For purposes of this section, “exterior door opening” shall mean (a) that portion of  
16 the exterior wall face of the building containing the social hall that contains a break to accommo-  
17 date the exterior building door, door frame, door vestibule, or door entryway area; and (b)  
18 provides access to the social hall. “Exterior door opening” shall not apply to openings for  
19 emergency exit doors required by building or safety codes, loading doors or unloading doors that  
20 are not available for access in the ordinary course of business.

21 Section 9. That Section 27.67.040 of the Lincoln Municipal Code be amended tor  
22 read as follows:

23 **27.67.040 Parking Requirements; Special Conditions.**

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

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

28 (1) In the R-6 District:

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

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

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

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

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

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

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

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

17 (e) Elderly or retirement housing: One space/dwelling unit.

18 (f) Mini-warehouses:

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

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

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

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

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

28 (j) Auditoriums, theaters, grandstands, stadia, amphitheaters, ~~social halls~~, and other  
29 places of public assembly: One space/50 sq. ft. of seating area plus parking for affiliated uses  
30 within 300 ft. of the main use.

1 (k) Recreational uses:

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

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

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

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

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

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

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

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

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

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

23 (s) Warehouses:

24 (1) Warehouses with a floor area of 50,000 square feet or less: one space per every  
25 1,000 square feet of floor area or a minimum of one space per employee on the largest shift. The  
26 floor area shall be calculated based on the total floor area of all structures on the lot.

27 (2) Warehouses with a floor area of more than 50,000 square feet: one space per  
28 every 1,000 square feet of floor area for the first 50,000 square feet of floor area and one  
29 additional space per 2,000 square feet of floor area in excess of 50,000 square feet, or a

1 minimum of one space per employee on the largest shift. The floor area shall be calculated based  
2 on the total floor area of all structures on the lot.

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

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

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

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

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

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

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

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

26 (aa) Heritage Centers located in the AG zoning district: One space shall be provided for  
27 every 200 square feet of floor area devoted to permanent retail and service use. In addition, an  
28 overflow parking area shall be provided with three stalls for every acre included within the  
29 special permit area.

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

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

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

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

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

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

21 (2) O-3, B-1, B-2, B-3, B-4, H-2, H-3, and H-4 Zoning Districts. The uses shall be  
22 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  
23 include uses in adjacent O-2 districts and adjacent churches and chapels outside the above  
24 districts. The aggregate parking requirement shall be computed on the basis of providing the  
25 parking required for that use or those uses having concurrent parking demand that have the  
26 largest parking demands as determined by the parking matrix (Section 27.67.020) and any  
27 additional conditions in this chapter; provided, however, that the number of additional spaces  
28 that would be required in the absence of this paragraph need not be provided physically, but  
29 sufficient land shall be reserved in the event that future uses may not have nonconcurrent  
30 parking demand. For the purpose of determining the adequacy of the joint parking arrangement,

1 all such joint parking use shall be authorized by a written agreement between the city and all  
2 parties to such use.

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

14 Section 10. That Figure 27.67.040 of the Lincoln Municipal Code be amended to  
15 read as follows:

16 **Figure 27.67.040**  
17 **Uses with Special Parking Requirements**

18 The following uses have special parking requirements that shall apply in place of the general  
19 parking requirements found in Section 27.67.020:

20	Academies . . . . .	27.67.040(n)
21	Adult care centers . . . . .	27.67.040(c)
22	Amphitheaters . . . . .	27.67.040(j)
23	Auditoriums . . . . .	27.67.040(j)
24	Boarding houses . . . . .	27.67.040(a)
25	Bowling alleys . . . . .	27.67.040(i)
26	Chapels . . . . .	27.67.040(m)
27	Churches . . . . .	27.67.040(m)
28	Community Halls (located in the AG zoning district) . . . . .	27.67.040(bb)
29	Court games . . . . .	27.67.040(k)(1)
30	Dance academies . . . . .	27.67.040(n)
31	Dentists' offices . . . . .	27.67.040(g)
32	Doctors' offices . . . . .	27.67.040(g)
33	Domestic shelters . . . . .	27.67.040(p)
34	Domiciliary Care Facilities . . . . .	27.67.040(x)
35	Drive-in restaurants . . . . .	27.67.040(h)
36	Dwellings for members of a religious order . . . . .	27.67.040(r)
37	Dwellings for caretakers employed and residing on premises . . . . .	27.67.040(v)
38	Early childhood care facilities . . . . .	27.67.040(w)
39	Elderly housing . . . . .	27.67.040(e)

1	Fraternities	27.67.040(a)
2	Grandstands	27.67.040(j)
3	Greenhouses (located in the AG or AGR zoning districts)	27.67.040(z)
4	Group homes	27.67.040(b)
5	Golf courses	27.67.040(k)(3)
6	Gymnastic academies	27.67.040(n)
7	Heritage Centers (located in the AG zoning district)	27.67.040(aa)
8	Hospitals	27.67.040(l)
9	Hotels	27.67.040(t)
10	Housing for the physically handicapped	27.67.040(o)
11	Judo academies	27.67.040(n)
12	Karate academies	27.67.040(n)
13	Mini-warehouses	27.67.040(f)
14	Motels	27.67.040(t)
15	Music academies	27.67.040(n)
16	Nursing homes	27.67.040(d)
17	Places of public assembly	27.67.040(j)
18	Private business or commercial schools	27.67.040(m)
19	Private schools having a curriculum equivalent to a public school	27.67.040(m)
20	Public schools	27.67.040(m)
21	Racquetball facilities	27.67.040(k)(1)
22	Recreational uses	27.67.040(k)
23	Restaurants (also see Drive-in restaurants)	27.67.040(u)
24	Retirement housing	27.67.040(e)
25	Rooming houses	27.67.040(a)
26	Salvage yards	27.67.040(q)
27	Sale of alcoholic beverages for consumption on the premises	27.67.040(y)
28	Scrap processing operations	27.67.040(q)
29	<u>Social halls</u>	<u>27.67.040(u)</u>
30	Sororities	27.67.040(a)
31	Stadia	27.67.040(j)
32	Swimming pools	27.67.040(k)(2)
33	Theaters	27.67.040(j)
34	Warehouses	27.67.040(s)

35                   Section 11. That Sections 27.29.030, 27.31.040, 27.33.030, 27.37.025, 27.41.030,  
36 27.43.030, 27.45.025, 27.67.040 and Figure 27.67.040 of the Lincoln Municipal Code as hitherto  
37 existing be and the same are hereby repealed.

38                   Section 12. That this ordinance shall take effect and be in force from and after its  
passage and publication according to law.

07-123

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2007:

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Mayor