

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

1 AN ORDINANCE amending Section 27.51.030 of the Lincoln Municipal Code  
2 relating to the Use Regulations in the I-3 Employment Center District to add a provision allowing  
3 a building to be used as an accessory use for a residence for resident watchmen and caretakers or  
4 supervisory personnel employed and residing on the premises; and repealing Section 27.51.030 of  
5 the Lincoln Municipal Code as hitherto existing.

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

7 Section 1. That Section 27.51.030 of the Lincoln Municipal Code be amended to  
8 read as follows:

9 **27.51.030 Use Regulations.**

10 (a) General Regulations. Any development, including building and open land uses,  
11 except farming and the sale of farm products, shall be prohibited in the I-3 Employment Center  
12 District prior to the approval of a use permit in conformance with the requirements of this chapter.  
13 I-3 Employment Center District zoning shall not be permitted or granted upon any property having  
14 a total area of less than fifty (50) acres.

15 (b) Specific Regulations.

16 (1) The aggregate retail use permitted in subsection (c) below shall not exceed  
17 twenty percent (20%) of the buildable square footage of the land included within the boundaries of  
18 the use permit assuming a floor-to-area ratio of one to four. Similarly, the aggregate office use  
19 permitted in subsection (c) below shall not exceed thirty percent (30%) of the buildable square  
20 footage of the land included within the boundaries of the use permit assuming a floor-to-area ratio  
21 of one to four.

22 (2) The total of all retail, office, post-secondary education facilities, nonprofit  
23 religious, educational, and philanthropic institutions permitted in subsection (c) below and early

1 childhood care facilities specially permitted in Section 27.51.050 below shall not in the aggregate  
2 exceed fifty percent (50%) of the buildable square footage of the land included within the boundaries  
3 of the use permit assuming a floor-to-area ratio of one to four.

4 (3) Notwithstanding (1) and (2) above, 75,000 square feet or more of floor area  
5 used by a single user shall not be subject to the thirty percent (30%) and fifty percent (50%)  
6 limitations.

7 (4) Those conditional and special uses permitted in Sections 27.51.040 and  
8 27.51.050 below shall be limited by the restrictions placed thereon.

9 (5) All uses shall comply with all applicable ordinances and regulations including  
10 such environmental performance standards relating to noise, emission, dust, odor, glare, and heat  
11 as may be approved by resolution of the City Council.

12 (6) No galvanized or other raw metal sheeting shall be used for the exterior  
13 construction of any building. No painted galvanized or other painted metal sheeting shall be used  
14 for more than seventy percent (70%) of the exterior construction of a building on any side of such  
15 building which is visible from an abutting public street.

16 (7) No building shall be erected, converted, or structurally altered for use as a  
17 residence except as an accessory use for resident watchmen and caretakers or supervisory personnel  
18 employed and residing on the premises.

19 (c) Permitted Uses. Subject to the general and specific regulations above, a building or  
20 premises may be used for the following purposes in the I-3 Employment Center District:

- 21 (1) Retail use;
- 22 (2) Office buildings;
- 23 (3) Production, manufacturing, assembly, processing, warehousing, storage,

24 distribution, or transportation of goods and materials, except:

- 25 (i) The refining, distillation, or manufacture of:
  - 26 A. Acids or alcohols;
  - 27 B. Ammonia, bleach, or chlorine;
  - 28 C. Asphalt, tar, or products made therewith, including roofing or
  - 29 waterproofing;

- 1 D. Cement, lime, gypsum, or plaster of paris;  
2 E. Disinfectants;  
3 F. Dyestuffs;  
4 G. Fertilizer;  
5 H. Glue, sizing, or gelatin;  
6 I. Oilcloth, linoleum, oiled rubber goods;  
7 J. Paint, shellac, turpentine, or oils;  
8 K. Rubber, gutta-percha, balata, creosote, or products treated  
9 therewith;  
10 L. Shoe polish;
- 11 (ii) The operation of:  
12 A. Bag cleaning works;  
13 B. Blast furnaces, coke ovens, smelting or ore reduction works;  
14 C. Boiler works;  
15 D. Forges;  
16 E. Rolling mills;  
17 F. Yeast plants;
- 18 (iii) Production, manufacture, processing, distribution, and storage,  
19 warehousing, or transportation of toxic, radioactive, flammable, or explosive materials, except that  
20 any of the above referenced materials may be stored or used in connection with a permitted use as  
21 allowed by any ordinances or regulations of the City of Lincoln as incidental to the permitted use;
- 22 (iv) Tanning, curing, or storage of raw hides or skins; stockyards or  
23 slaughter of animals or fowl; rendering fat; distillation of bones, coals or wood;
- 24 (v) Dumping or reduction of garbage, offal, or dead animals;
- 25 (vi) The manufacture of acetylene, or the transfer of the gas from one  
26 container to another, or the storage of the gas in containers having a capacity greater than the  
27 equivalent of 1,000 cubic feet at standard temperature and pressure;
- 28 (vii) Rock crushing;
- 29 (viii) Excavation and stone milling;
- 30 (ix) The milling, processing, refining, or distillation of agricultural crops.

- 1 (4) Community colleges, colleges, or other post-secondary education facilities;
- 2 (5) Private schools;
- 3 (6) Nonprofit religious, educational and philanthropic institutions;
- 4 (7) Farming and the sale of farm produce.

5 Section 2. That Section 27.51.030 of the Lincoln Municipal Code as hitherto existing  
6 be and the same is hereby repealed.

7 Section 3. That this ordinance shall take effect and be in force from and after its  
8 passage and publication in one issue of a daily or weekly newspaper of general circulation in the  
9 City according to law.

Introduced by:  
  
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Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2009:  _____ Mayor
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