

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.63.630 of the Lincoln Municipal Code
2 relating to indoor theaters as a permitted special use by amending Section 27.63.630 to add that
3 not more than one indoor theater with no more than 250 seats be allowed in the B-2 District; and
4 repealing Section 27.63.630 as hitherto existing.

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

6 Section 1. That Section 27.63.630 of the Lincoln Municipal Code be
7 amended to read as follows:

8 **27.63.630 Theaters, Indoor.**

9 Indoor theaters may be allowed in the B-2, B-3, and B-5 Districts by special permit under
10 the following conditions:

11 (1) Conditions applicable to the B-2 and B-3 Districts:

12 (a) Not more than one indoor theater shall be allowed for each B-2 or B-3 District
13 consisting of not more than 250 seats throughout the theater; and

14 (b) The Planning Commission shall impose such conditions as are appropriate and
15 necessary to insure compliance with the Comprehensive Plan and to protect the health, safety,
16 and general welfare in the issuance of any such special permits. Such conditions may include an
17 increase in the minimum parking and yard requirement, and a decrease in the maximum height
18 restrictions. Upon request of the applicant, the City Council may decrease the minimum parking
19 and yard requirement and increase the maximum height restrictions of the district in which the
20 permitted special use is located.

1 (2) Conditions applicable to the B-5 District:

2 (a) A use permit for 400,000 square feet or more of commercial floor area has been
3 issued;

4 (b) A Certificate of Occupancy has been issued for 300,000 square feet or more of
5 commercial floor area; provided, however, that the City Council may decrease or waive this
6 requirement upon a finding that the proposed theaters will have no significant adverse impact
7 upon the property values and existing uses in the B-4 Lincoln Center Business District, with
8 particular emphasis upon the effect of such proposed indoor theaters on the entertainment and
9 cultural uses in the B-4 Lincoln Center Business District; and

10 (c) Not more than one indoor theater complex shall be allowed for each B-5 District,
11 consisting of not more than six movie screens.

12 Section 2. That Section 27.63.630 of the Lincoln Municipal Code as hitherto
13 existing be and the same is hereby repealed.

14 Section 3. This ordinance shall be published, within fifteen days after the
15 passage hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or
16 posted on the official bulletin board of the City, located on the wall across from the City Clerk's
17 office at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with
18 notice of passage and such posting to be given by publication one time in the official newspaper
19 by the City Clerk. This ordinance shall take effect and be in force from and after its passage and
20 publication or after its posting and notice of such posting given by publication as herein and in
21 the City Charter provided.

Introduced by:

18-16

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2018: _____ Mayor
