

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 27.02 of the Lincoln Municipal Code relating to
2 Definitions by amending Section 27.02.160 to revise the definition of Office; and repealing
3 Section 27.02.160 of the Lincoln Municipal Code as hitherto existing.

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

5 Section 1. That Section 27.02.160 of the Lincoln Municipal Code be amended to read as
6 follows:

7 **27.02.160 O.**

8 **Office.** Office shall mean facilities in which the administrative activities, record-keeping,
9 clerical work, and other similar affairs of a business, profession, service, industry, or government
10 are conducted and, in the case of professionals such as, but not limited to, dentists, physicians,
11 therapists, bankers, lawyers, engineers, and accountants, the facilities where such professional
12 services are rendered. The incidental sale of goods which are furnished as part of the
13 professional service is allowed. The term office includes “medical office” and “financial
14 office.”~~a room or group of rooms within a building used for conducting the affairs of~~
15 ~~professional, commercial, industrial, religious, institutional, public, or semipublic persons or~~
16 ~~organizations, provided no goods, wares, or merchandise shall be prepared or sold on the~~
17 ~~premises except that a portion of a building used for offices may be occupied and used as a~~
18 ~~drugstore, barbershop, beauty parlor, shoeshine shop, cosmetologists shop, cigar stand, or~~
19 ~~newsstand when such uses are located entirely within the building with no entrance from the~~
20 ~~street nor visible from any sidewalk and having no sign or display visible from the outside of the~~
21 ~~building indicating the existence of such use. Offices and studios within a broadcast station shall~~

1 ~~be considered to be an office use; broadcast towers as defined in this title shall not be so~~
2 ~~considered.~~

3 ~~Office use shall also include an office or clinic used by a health care practitioner, or~~
4 ~~group of practitioners, including other accessory or ancillary uses such as medical testing~~
5 ~~laboratories that perform routine clinical diagnostic tests on human or animal specimens,~~
6 ~~dentistry, or podiatry; provided, however, that patients upon whom procedures have been~~
7 ~~performed or who have otherwise received care or treatment at such office or clinic shall not be~~
8 ~~permitted to stay on the premises for recovery or observation for more than 24 hours. Medical~~
9 ~~testing laboratories shall exclude any laboratory which is required by federal law to hold a~~
10 ~~certificate of registration for their activity in compliance with CFR 42 Part 73, Selected Agents~~
11 ~~and Toxins.~~

12 **Outdoor Dining.** Outdoor dining shall mean an open area for dining when associated
13 with a food or drink establishment in which tables and seats are uncovered or covered by a
14 permanent roof or individual umbrellas or canopies (no tents or other types of temporary
15 structures) and may be surrounded by a fence.

16 **Outlot.** Outlot shall mean a parcel of real property with a separate and distinct outlot
17 designation shown on a final plat recorded in the office of the Register of Deeds for Lancaster
18 County, Nebraska, and which is reserved for future building or occupancy after replatting and
19 subdivision or reserved for agricultural uses, open space, or common facilities.

20 **Owner.** For purposes of making application for a special permit or a use permit under
21 this title, the term “owner” shall include an owner of record, a trustee under a deed of trust or
22 similar trust document, or a long-term lessee. A person, other than an owner, may be authorized
23 to apply on behalf of an owner.

1 Section 2. That Section 27.02.160 of the Lincoln Municipal Code as hitherto existing be
2 and the same is hereby repealed.

3 Section 3. This ordinance shall be published, within fifteen days after the passage hereof,
4 in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the
5 official bulletin board of the City, located on the wall across from the City Clerk's office at 555
6 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of passage
7 and such posting to be given by publication one time in the official newspaper by the City Clerk.

8 This ordinance shall take effect and be in force from and after its passage and publication or after
9 its posting and notice of such posting given by publication as herein and in the City Charter
10 provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2018:

Mayor