

ORDINANCE NUMBER 24-13

An ordinance to amend Section 305(P) of Article III of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to hospital facilities; to repeal all other conflicting ordinances or parts of ordinances; and to provide for publication in electronic form and for an effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That Section 305(P) of Article III of the Beatrice Zoning Code be and hereby is added to read as follows:

“P. Hospital

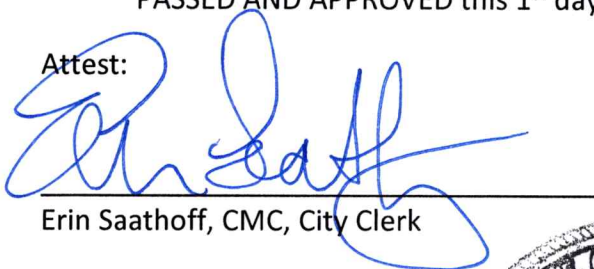
A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an in-patient basis including emergency treatment, diagnostic services, training, administration and services to patients, employees, or visitors. For purposes of the Zoning Ordinance, a “hospital” facility includes accessory structures used for hospital storage or hospital building maintenance services.”

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in electronic form as provided by law.

PASSED AND APPROVED this 1st day of April, 2024.

Attest:


Erin Saathoff, CMC, City Clerk


Robert Morgan, Mayor





ZONING ORDINANCE

ARTICLE THREE USE TYPES

LAST UPDATED – APRIL 1, 2024

ARTICLE THREE – USE TYPES

301 Purpose

Article Three shall be known as the Use Types. The purpose of the Use Types is to establish a classification system for land uses and a consistent set of terms defining uses permitted or conditionally permitted within various zoning districts. The Use Types section also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.

302 Interpretations

A. Classification of Uses

In the event of any question as to the appropriate use types of any existing or proposed use or activity, the Building Official of the City of Beatrice shall have the authority to interpret the provisions of this Ordinance as to appropriate type. An interpretation by the Building Official may be appealed to the Board of Adjustment in accordance with the provisions of Article Thirteen. In making such interpretations, the Building Official and the Board of Adjustment shall consider the operational and physical characteristics of the use in question and shall consider such characteristics or specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to being exclusive lists, unless otherwise indicated.

B. Records

The Building Official shall make all such interpretations as to appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.

303 Agricultural Use Types

Agricultural use types include the on-site production of plant and animal products by agricultural methods.

A. Horticulture

The growing of horticultural and floracultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

B. Crop Production

The raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

C. Type I Animal Production

The raising of animals or production of animal products such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source. Type I Animal Production shall also include confined feeding or holding facilities consisting of less than or equal to 20 feeder or fat

cattle, less than or equal to 20 beef cows, less than or equal to 20 dairy cattle, less than or equal to 50 swine, less than or equal to 200 sheep, less than or equal to 300 turkeys, or less than or equal to 1,000 chickens, ducks, or geese.

D. Type II Animal Production

The confined feeding or holding of between 21 and 150 feeder or fat cattle, between 21 and 100 beef cows, between 21 and 100 dairy cattle, between 51 and 500 swine, between 201 and 2,000 sheep, between 301 and 3,000 turkeys, or between 1,001 and 10,000 chickens, ducks, or geese in buildings, lots, pens, pools, or ponds, which are normally not used for crop production or where grazing of natural vegetation is not the major feed source.

E. Type III Animal Production

The confined feeding or holding of more than 150 feeder or fat cattle, more than 100 beef cows, more than 100 dairy cattle, more than 500 swine, more than 2,000 sheep, more than 3,000 turkeys, or more than 10,000 chickens, ducks, or geese in buildings, lots, pens, pools, or ponds, which are normally not used for crop production or where grazing of natural vegetation is not the major feed source.

F. Livestock Sales

The use of a site for the receipt, temporary feeding and accommodation, and sale of livestock and poultry. Typical uses include stockyards and livestock sales pavilions.

304 Residential Use Types

Residential use types include uses providing wholly or primarily non-transient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.

A. Single-Family Residential

The use of a site for one dwelling unit, occupied by one family, excluding a mobile home unit.

1. Single-Family Residential (Detached): A single-family residential use in which one dwelling unit is located on one lot, with no physical or structural connection to any other dwelling unit.
2. Single-Family Residential (Attached): A single-family residential use in which one dwelling unit is located on one lot and is attached by a common vertical wall to only one other adjacent dwelling unit, located on an adjacent, legally described lot.

B. Duplex Residential

The use of a site for two dwelling units, each occupied by one family within a single building on a single, legally-described lot, excluding a mobile home unit.

C. Townhouse Residential

The use of a site for three or more attached dwelling units, each occupied by one family and separated by vertical side walls extending from foundation through roof without openings. Each townhouse unit must have at least two exposed exterior walls.

D. Multiple-Family Residential

The use of a site for three or more dwelling units within one building.

E. Downtown Residential

The use of the upper levels above street level of a building within the Central Business District of the City of Beatrice for single- or multiple-family residential uses.

F. Group Residential

The use of a site for a residence by more than three unrelated persons, not defined as a family, on a weekly or longer basis.

G. Mobile Home Residential

A residential use in which one mobile home is located on one lot, with no physical or structural connection to any other dwelling unit or mobile home.

H. Mobile Home Park

Use of a site under single ownership for one or more mobile home units. In general, the land on which mobile homes are placed in a Mobile Home Park is leased from the owner of the facility.

(Ord. No. 94-69 Sec. 2, 4-3-95)

305 Civic Use Types

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses which are strongly vested with public or social importance.

A. Administration

Governmental offices providing administrative, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.

B. Cemetery

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoria, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

C. Clubs

Uses providing meeting, recreational, or social facilities for a private, non-profit or non-commercial association, primarily for use by members and guests.

D. College and University Facilities

An educational institution of higher learning which offers a course of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization. Typical uses include universities, colleges, and community colleges.

E. Convalescent Services

A use providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

F. Cultural Services

A library, museum, or similar registered non-profit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

G. Day Care

1. Day Care I: A facility, or use of a dwelling unit or portion thereof, for part-time care with a maximum capacity of eight (8) individuals, with one provider. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
2. Day Care II: A facility, or use of a dwelling unit or portion thereof, for part-time care with a maximum capacity of twelve (12) individuals, with two providers. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.

(Ord. No. 16-010, Sec. 1, 3-7-2016)

H. Day Care Center

A facility, or use of a dwelling unit or portion thereof, for part-time care of at least thirteen (13) individuals. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities and non-commercial shelters. (Ord. No. 16-010, Sec. 2, 3-7-2016)

I. Detention Facilities

A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from a surrounding community.

J. Elderly Care Facility

A facility that provides twenty-four (24) hour nonmedical care to ambulatory or nonambulatory persons in need of personal assistance, supervision or assistance essential for maintaining the activities of daily living. The facility may include congregate dining, transportation, recreation activities, housekeeping, financial services, beauty and barber services, and other support services appropriate for the residents.

K. Elderly Housing Facility

A multiple-family housing facility maintained for the occupancy of the elderly in which not more than (10) percent of the occupants are under sixty-two (62) years of age. The housing facility may include congregate transportation, recreation activities, beauty and barber services, financial services and other support services appropriate for the residents.

L. Emergency Residential Services

A facility or use of a dwelling to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings.

M. Group Care Facility

A facility licensed or approved by the State of Nebraska or other appropriate agency, which provides for the care and short or long term overnight occupancy of more than three unrelated persons who require and receive therapy or counseling on site as part of an organized and

therapeutic ongoing program for any of the purposes listed below. Such facilities shall exclude those uses defined as group homes. Group Care Facilities include facilities which provide for the:

1. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
2. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder; or of mental retardation if such facility has an overnight occupancy of more than eight persons.
3. Rehabilitation from the effects of drug or alcohol abuse.
4. Supervision while under a program alternative to imprisonment, including but not limited to pre-release, work-release, and probationary programs.

N. Group Home

A facility licensed by the State of Nebraska in which at least four but no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for the purpose of adaptation to living with or rehabilitation from cerebral palsy, autism, or mental retardation.

O. Guidance Services

A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

P. Hospital

A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an in-patient basis including emergency treatment, diagnostic services, training, administration and services to patients, employees, or visitors. For purposes of the Zoning Ordinance, a "hospital" facility includes accessory structures used for hospital storage or hospital building maintenance services. (Ord. No. 24-13, Sec. 1, 4-1-24)

Q. Maintenance Facilities

A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services, contracting, or industrial activities.

R. Non-commercial Shelters

Facilities which are operated by non-profit organizations and which provide emergency or temporary services and accommodations for people who lack access to permanent housing. Non-commercial shelters may provide accommodations on a daytime only or overnight basis. Typical uses include urban missions and shelters for homeless people.

S. Park and Recreation Services

Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.

T. Postal Facilities

Postal services, including post offices, bulk mail processing or sorting centers operated by the United States Postal Service.

U. Primary Educational Facilities

A public, private, or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the State of Nebraska.

V. Public Assembly

Facilities owned and operated by a public agency or a charitable non-profit organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.

W. Religious Assembly

A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto but excluding private primary or private secondary educational facilities, community recreational facilities, day-care facilities, and associated parking facilities. A property tax exemption obtained pursuant to Property Tax Code of the State of Nebraska shall constitute prima facie evidence of religious assembly use.

X. Safety Services

Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

Y. Secondary Educational Facilities

A public, private, or parochial school offering instruction at the middle level or high school level in the branches of learning and study required to be taught in the public schools of the State of Nebraska.

Z. Utilities

Any above- or underground structures or facilities, other than lines, poles, and other incidental facilities, used for the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. (Ord. No. 00-41, Sec. 1, 11-6-00)

306 Office Use Types

Office use types include uses providing for administration, professional services, and similar activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

A. General Offices

Use of a site for business, professional or administrative offices, excluding medical offices, banks, and financial offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; or professional offices.

B. Medical Offices

Use of a site for facilities which provide diagnostic care; and medical, psychiatric, or surgical services for sick or injured persons exclusively on an out-patient basis, but which does not provide prolonged, in-house medical or surgical care. Typical uses include medical offices operated by doctors, dentists, or similar practitioners licensed for practice in the State of Nebraska; public and private health clinics; and satellite emergency care facilities.

C. Financial Services

Provision of financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are provided on site. Typical uses include banks, savings and loan associations, savings banks, and loan companies.

307 Commercial Use Types

Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

A. Agricultural Sales and Service

Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed and grain stores, and tree service firms.

B. Automotive and Equipment Services

Establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:

1. **Automotive Rental and Sales:** Sale or rental of automobiles, light trucks and utility vehicles, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships.
2. **Auto Services:** Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, light trucks and utility vehicles, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services. Uses may also include the retail sale of non-automotive goods.
3. **Body Repair:** Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.
4. **Equipment Rental and Sales:** Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental

storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.

5. **Equipment Repair Services:** Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.
6. **Vehicle Storage:** Long-term storage of operating or non-operating vehicles, including private parking towaways or impound yards but excluding dismantling or salvage.

C. Bed and Breakfast

Conversion of a structure or group of structures for lodging use, including Airbnb, providing no more than ten (10) units and requiring the collection of lodging occupation tax.
(Ord. No. 18-017, 7-16-18)

D. Building Maintenance Services

Establishments primarily engaged in the provision of maintenance and custodial services to businesses and individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

E. Business Support Services

Establishments or places of business primarily engaged in the sale, rental or repair of equipment, supplies and materials or the provision of services used by office, professional and service establishments to the firms themselves but excluding automotive, construction and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.

F. Business or Trade Schools

A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

G. Campground

Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents.

H. Cocktail Lounge

A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant as that term is defined in this section.

I. Commercial Recreation

Private businesses or organizations, which may or may not be commercial in nature, primarily engaged in the provision of sports, entertainment, or recreation for participants or spectators. Typical uses include driving ranges, theaters, private dance halls, or private skating facilities.

J. Communications Services

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes those classified as Utilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, and film or sound recording facilities.

K. Construction Sales and Services

Establishments or places of business primarily engaged in the retail or wholesale sale, from the premises, or materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware. This use type excludes those uses classified under Automotive and Equipment Services. Typical uses include building materials sales, or tool and equipment rental or sales.

L. Consumer Services

Establishments which provide services, primarily to individuals and households, but excluding Automotive Use Types. Typical uses include automated banking machines, appliance repair shops, watch or jewelry repair shops, and musical instrument repair shops.

M. Convenience Storage

Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.

N. Food Sales

Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

1. Limited Food Sales: Establishments occupying facilities of 10,000 square feet or less; and characterized by sales of specialty foods or a limited variety of general items. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.
2. General Food Sales: Establishments selling a wide variety of commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.

O. Funeral Services

Establishments engaged in undertaking services such as preparing the human dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

P. General Retail Services

Sale or rental with incidental service of commonly-used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services:

Household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home

furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

Q. Kennels

Boarding and care services for dogs, cats and similar small animals or any premises on which six (6) or more dogs over four months of age are kept and maintained. Typical uses include boarding kennels, pet motels, or dog training centers. (Ord. No. 19-015; 5-6-19)

R. Laundry Services

Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as Personal Services. Typical uses include bulk laundry and cleaning plans, diaper services, or linen supply services.

S. Liquor Sales

Establishments or places of business engaged in retail sale for off-premise consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption.

T. Lodging

Lodging services involving the provision of room and/or board. Typical uses include hotels and motels.

U. Personal Services

Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry cleaning stations serving individuals and households, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

V. Pet Services

Retail sales, incidental pet health services, and grooming and boarding, when totally within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.

W. Research Services

Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

X. Restaurants

A use engaged in the preparation and retail sale of food and beverages, including the sale of alcoholic beverages when conducted as a secondary feature of the use, producing less than 50 per cent of the establishment's gross income.

1. Restaurant (Drive-in or Fast Food): An establishment which principally supplies food and beverages in disposable containers and is characterized by high automobile accessibility

and on-site accommodations, self-service, and short stays by customers.

2. **Restaurant (General):** An establishment characterized by table service to customers and/or accommodation to walk-in clientele. Typical uses include cafes, coffee shops, and restaurants.
3. **Mobile Food Truck –** A licensed and operable vehicle or concession trailer, which is enclosed and self-contained, independent with respect to water, sewer, and power utilities, that contains equipment for the preparation and sale or service of food or beverages with or without a charge which is designed for immediate consumption. Mobile Food Trucks may connect to City power utilities if the conditions set forth by the City and Board of Public Works are satisfied.
4. **Mobile Food Vending Units –** Any non-motorized vehicle, trailer, stand, cart, or other device designed to be portable and not permanently attached to the ground from which food is served or offered for sale, which is enclosed and self-contained, independent with respect to water, sewer, and power utilities, that contains equipment for the preparation and sale or service of food or beverages with or without a charge which is designed for immediate consumption. Mobile Food Vending Units may connect to City power utilities if the conditions set forth by the City and Board of Public Works are satisfied. Food vending machines which are designed to be unstaffed and exchange food items for money are not considered Mobile Food Vending Units.
(Ord. 22-7, Sec. 1, 3-7-2022)

Y. Stables

Boarding, breeding or raising of horses not owned by the occupants of the premises or riding of horses by other than the occupants of the premises or their non-paying guests. Typical uses include boarding stables or public stables.

Z. Surplus Sales

Businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets and factory outlets or discount businesses with outdoor display.

AA. Veterinary Services

Veterinary services and hospitals for animals. Typical uses include pet clinics, dog and cat hospitals, pet cemeteries, and veterinary hospitals for livestock and large animals.

308 Parking Use Types

A. Parking Facility

The use of a site for parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking lot.

B. Parking Structure

The use of a site for a building which provides for parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking lot. (Ord. No. 12-018, Sec. 1, 4-2-12)

309 Industrial Use Types

Industrial use types include the on-site extraction or production of goods by non-agricultural methods, and the storage and distribution of products.

A. Custom Manufacturing

Establishments primarily engaged in the on-site assembly or production of goods by hand manufacturing, within enclosed structures, involving:

1. The use of hand tools, or
2. The use of domestic mechanical equipment not exceeding 2 horsepower, or
3. A single kiln not exceeding 8 KW.

This category also includes the incidental direct sale to consumers of goods produced on site or otherwise permitted within the zoning district. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include but are not limited to small scale assembly, ceramic studios, custom jewelry manufacturing, and candle making shops.

(Ord. No. 16-025, Sec. 1, 6-6-2016)

B. Light Industry

Establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops and publishing houses.

C. General Industry

Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or pollution effects across property lines.

D. Heavy Industry

Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials.

E. Recycling Collection

Any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including, but not limited to, glass, plastic, paper, cardboard, aluminum, or tin.

F. Recycling Processing

Any site which is used for the processing of any post-consumer, non-durable goods including, but not limited to, glass, plastic, paper, cardboard, aluminum, or tin.

G. Resource Extraction

A use involving on-site extraction of surface or subsurface mineral products or natural resources, excluding the grading and removal of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, mining.

H. Salvage Services

Places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.

I. Warehousing

Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, and open storage.

J. Construction Yards

Establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites. Typical uses are building contractor's yards.

K. Hatchery

Establishment engaged in the process of incubation and hatching of poultry eggs. These establishments are characterized by having no major external environmental effects including noise, odor, vibration, or pollutants. Live poultry does not remain on site for extensive periods of time. (Ord. No. 16-011, Sec. 1, 3-7-2016)

L. Brewery/Distillery

Establishment engaged in the process of producing beer or distilled liquor. Shall include uses such as craft brewery, brewpub, microbrewery, beer manufacturers, microdistillery, and distilled liquor manufacturers as all such uses are defined in the Nebraska Liquor Control Act. (Ord. No. 16-025, Sec. 2, 6-6-2016)

310 Transportation Use Types

Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another.

A. Aviation Facilities

Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

B. Railroad Facilities

Railroad yards, equipment servicing facilities, and terminal facilities.

C. Transportation Terminal

A facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.

D. Truck Terminal

A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck.

311 Miscellaneous Use Types

A. Broadcasting Tower

A structure for the transmission or broadcasting of radio, television, radar, or microwaves, ordinarily exceeding the maximum height permitted in its zoning district. Radio towers not exceeding fifty feet in height are excluded from this definition.

B. Construction Batch Plant

A temporary demountable facility used for the manufacturing of concrete, asphalt, or other paving materials intended for specific construction projects.

C. Wind Energy Conservation System (WECS)

Any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.

D. Landfill (Non-putrescible Solid Waste Disposal)

The use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials and ceramic tile.

E. Landfill (Putrescible and Non-putrescible Solid Waste Disposal)

The use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency. Typical disposal material would include non-putrescible wastes and vegetation, tree parts, agricultural wastes (garbage) and manure. All such landfills must be owned by a public agency or entity.

therapeutic ongoing program for any of the purposes listed below. Such facilities shall exclude those uses defined as group homes. Group Care Facilities include facilities which provide for the:

1. Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
2. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder; or of mental retardation if such facility has an overnight occupancy of more than eight persons.
3. Rehabilitation from the effects of drug or alcohol abuse.
4. Supervision while under a program alternative to imprisonment, including but not limited to pre-release, work-release, and probationary programs.

N. Group Home

A facility licensed by the State of Nebraska in which at least four but no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for the purpose of adaptation to living with or rehabilitation from cerebral palsy, autism, or mental retardation.

O. Guidance Services

A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

P. Hospital

A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an in-patient basis including emergency treatment, diagnostic services, training, administration and services to patients, employees, or visitors. [For purposes of the Zoning Ordinance, a "hospital" facility includes accessory structures used for hospital storage or hospital building maintenance services.](#)

Q. Maintenance Facilities

A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment service centers, and similar uses having characteristics of commercial services, contracting, or industrial activities.

R. Non-commercial Shelters

Facilities which are operated by non-profit organizations and which provide emergency or temporary services and accommodations for people who lack access to permanent housing. Non-commercial shelters may provide accommodations on a daytime only or overnight basis. Typical uses include urban missions and shelters for homeless people.

S. Park and Recreation Services

Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.