

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

AN ORDINANCE TO AMEND SECTIONS 5.12.02, 5.12.03, 5.13.02, AND 5.13.03 OF THE ZONING ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA; TO REPEAL ORIGINAL SECTIONS 5.12.02, 5.12.03, 5.13.02, AND 5.13.03, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

**Section 1.** That Section 5.12.02 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.12.02 Permitted Uses:**

The following principal uses are permitted in the C-2 District:

1. Automobile sales;
2. Banks;
3. Offices;
4. Museums and art galleries;
5. Parking lots, parking areas and other off-street parking facilities;
- ~~6. Charitable organizations and clubs;~~
- ~~7.6.~~ 6. Public owned and operated facilities, services;
- ~~8.7.~~ 7. Professional Services;
- ~~9. Child care center;~~
- ~~10. Theater;~~
- ~~11. Social club or fraternal organization;~~
- ~~12.8.~~ 8. Dance studio;
- ~~13. Meeting hall;~~
- ~~14.9.~~ 9. Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
  - A. Apparel shop.
  - B. Appliance store.
  - C. Antique store
  - D. Auto parts store.
  - E. Bakery shop.
  - F. Barber and Beauty shop.
  - G. Bicycle shop.
  - H. Book store.
  - I. Camera store.
  - J. Communication services.
  - K. Computer store.
  - L. Confectionery.
  - M. Convenience Store.
  - N. Pharmacy.
  - O. Dry cleaning and laundry.
  - ~~P. Health Club.~~
  - ~~Q.P.~~ 10. Floral shop.
  - ~~R.Q.~~ 11. Food Sales.
  - ~~S.R.~~ 12. Furniture store.
  - ~~T.S.~~ 13. Gift and curio shop.

~~U.T.~~ Gunsmith.  
~~V.U.~~ Hardware store.  
~~W.V.~~ Hobby, craft, toy store.  
~~X.W.~~ Jewelry store.  
~~Y.X.~~ Liquor store.  
~~Z.Y.~~ Locksmith.  
~~AA.Z.~~ Meat market.  
~~BB.AA.~~ Music store, studio.  
~~CC.BB.~~ Paint store.  
~~DD.CC.~~ Pet shop.  
~~EE.DD.~~ Photography.  
~~FF.EE.~~ Picture framing shop.  
~~GG.FF.~~ Reservation center.  
~~HH.GG.~~ Restaurants.  
~~II.HH.~~ Thrift Shops.  
~~JJ.II.~~ Shoe store.  
~~KK.JJ.~~ Sporting goods.

**Section 2.** That Section 5.12.03 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

5.12.03 **Conditional Uses:**

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the C-2 District as recommended by the Planning Commission and approved by the City Council:

1. Micro-breweries;
2. Mail order services;
3. Churches, storefront churches;
4. Charitable organizations and clubs;
5. Theaters;
6. Social clubs or fraternal organizations;
7. Convention facilities and meeting halls;
- ~~3-8.~~ Child care center;
- ~~4-9.~~ Bars and nightclubs;
- ~~5-10.~~ Car wash;
- ~~6-11.~~ Drive-in bank;
- ~~7-12.~~ Mortuaries;
- ~~8-13.~~ Indoor recreational facilities, health clubs, bowling centers;
- ~~9-14.~~ Business or vocational training facilities;
- ~~10-15.~~ Residences in conjunction with the principal use when located above the ground floor;
- ~~11-16.~~ Coffee kiosks;
- ~~12-17.~~ Automated Teller Machines when not within the interior of a primary use;
- ~~13-18.~~ Multi-family dwellings;
- ~~14-19.~~ Automobile service and repair;
- ~~15-20.~~ Motels and Hotels, including restaurants, convention and meeting facilities and other related uses.

**Section 3.** That Section 5.13.02 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.13.02 Permitted uses:**

The following principal uses are permitted in the C-3 District:

1. Automobile sales, service, and repair, including recreational vehicles and boats;
2. Car wash;
3. Construction sales and services;
4. Mail order services;
5. Indoor recreational facilities, health clubs, bowling centers;
6. Banks, drive-in banks;
7. Restaurants;
8. Theaters;
9. Offices, office parks;
10. Garden centers and nurseries;
11. Museums and art galleries;
- ~~12. Charitable organizations or clubs;~~
- ~~13.12.~~ Publicly owned and operated facilities, services;
- ~~14.13.~~ Professional Services;
- ~~15.14.~~ Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including those listed in 5.12.02(~~9+6~~).

**Section 4.** That Section 5.13.03 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.13.03 Conditional Uses:**

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the C-3 District as recommended by the Planning Commission and approved by the City Council:

1. Child care center;
2. Educational facilities, private schools, vocational training facilities;
3. Campgrounds, subject to Section 7.14;
4. Micro-breweries;
5. Coffee kiosks;
6. Automated Teller Machines when not within the interior of a primary use;
7. Bars and nightclubs;
8. Churches and storefront churches;
9. Charitable organizations or clubs;
10. Convention facilities and meeting halls;
- ~~8.11.~~ Social clubs or fraternal organizations;
- ~~9.12.~~ Motels and Hotels, including restaurants, convention and meeting facilities and other related uses;
- ~~10.13.~~ Shopping centers, commercial strip shopping centers and outlet shopping centers;
- ~~11.14.~~ Temporary homeless shelter;

~~42.15.~~ Outdoor storage, subject to the following requirements:

- A. A landscape buffer shall be provided subject to the approval of the Building Official.
- B. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- C. All outdoor storage areas shall be screened by a fence or wall or a combination of both, and shall be located to the rear of the landscape buffer.

**Section 5.** That original Sections 5.12.02, 5.12.03, 5.13.02, and 5.13.03 of the Zoning Ordinance of the City of Lexington, Nebraska, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

**Section 6.** That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 2367

AN ORDINANCE TO AMEND SECTIONS 5.12.02, 5.12.03, 5.13.02, AND 5.13.03 OF THE ZONING ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA; TO REPEAL ORIGINAL SECTIONS 5.12.02, 5.12.03, 5.13.02, AND 5.13.03, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

**Section 1.** That Section 5.12.02 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.12.02 Permitted Uses:**

The following principal uses are permitted in the C-2 District:

1. Automobile sales;
2. Banks;
3. Offices;
4. Museums and art galleries;
5. Parking lots, parking areas and other off-street parking facilities;
6. Public owned and operated facilities, services;
7. Professional Services;
8. Dance studio;
9. Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
  - A. Apparel shop.
  - B. Appliance store.
  - C. Antique store
  - D. Auto parts store.
  - E. Bakery shop.
  - F. Barber and Beauty shop.
  - G. Bicycle shop.
  - H. Book store.
  - I. Camera store.
  - J. Communication services.
  - K. Computer store.
  - L. Confectionery.
  - M. Convenience Store.
  - N. Pharmacy.
  - O. Dry cleaning and laundry.
  - P. Floral shop.
  - Q. Food Sales.
  - R. Furniture store.
  - S. Gift and curio shop.
  - T. Gunsmith.
  - U. Hardware store.
  - V. Hobby, craft, toy store.
  - W. Jewelry store.
  - X. Liquor store.
  - Y. Locksmith.
  - Z. Meat market.

- AA. Music store, studio.
- BB. Paint store.
- CC. Pet shop.
- DD. Photography.
- EE. Picture framing shop.
- FF. Reservation center.
- GG. Restaurant.
- HH. Thrift Shop.
- II. Shoe store.
- JJ. Sporting goods.

**Section 2.** That Section 5.12.03 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.12.03 Conditional Uses:**

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the C-2 District as recommended by the Planning Commission and approved by the City Council:

1. Micro-breweries;
2. Mail order services;
3. Churches, storefront churches;
4. Charitable organizations and clubs;
5. Theaters;
6. Social clubs or fraternal organizations;
7. Convention facilities and meeting halls;
8. Child care center;
9. Bars and nightclubs;
10. Car wash;
11. Drive-in bank;
12. Mortuaries;
13. Indoor recreational facilities, health clubs, bowling centers;
14. Business or vocational training facilities;
15. Residences in conjunction with the principal use when located above the ground floor;
16. Coffee kiosks;
17. Automated Teller Machines when not within the interior of a primary use;
18. Multi-family dwellings;
19. Automobile service and repair;
20. Motels and Hotels, including restaurants, convention and meeting facilities and other related uses.

**Section 3.** That Section 5.13.02 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.13.02 Permitted uses:**

The following principal uses are permitted in the C-3 District:

1. Automobile sales, service, and repair, including recreational vehicles and boats;

2. Car wash;
3. Construction sales and services;
4. Mail order services;
5. Indoor recreational facilities, health clubs, bowling centers;
6. Banks, drive-in banks;
7. Restaurants;
8. Theaters;
9. Offices, office parks;
10. Garden centers and nurseries;
11. Museums and art galleries;
12. Publicly owned and operated facilities, services;
13. Professional Services;
14. Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including those listed in 5.12.02(9).

**Section 4.** That Section 5.13.03 of the Zoning Ordinance of the City of Lexington, Nebraska shall be amended as follows:

**5.13.03 Conditional Uses:**

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the C-3 District as recommended by the Planning Commission and approved by the City Council:

1. Child care center;
2. Educational facilities, private schools, vocational training facilities;
3. Campgrounds, subject to Section 7.14;
4. Micro-breweries;
5. Coffee kiosks;
6. Automated Teller Machines when not within the interior of a primary use;
7. Bars and nightclubs;
8. Churches and storefront churches;
9. Charitable organizations or clubs;
10. Convention facilities and meeting halls;
11. Social clubs or fraternal organizations;
12. Motels and Hotels, including restaurants, convention and meeting facilities and other related uses;
13. Shopping centers, commercial strip shopping centers and outlet shopping centers;
14. Temporary homeless shelter;
15. Outdoor storage, subject to the following requirements:
  - A. A landscape buffer shall be provided subject to the approval of the Building Official.
  - B. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
  - C. All outdoor storage areas shall be screened by a fence or wall or a combination of both, and shall be located to the rear of the landscape buffer.

**Section 5.** That original Sections 5.12.02, 5.12.03, 5.13.02, and 5.13.03 of the Zoning Ordinance of the City of Lexington, Nebraska, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

**Section 6.** That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk