

**03**

**ARTICLE THREE  
USE TYPES**

**3-1 Purpose**

Article Three shall be known as “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.

**3-2 Determinations**

- 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 Plattsburgh shall have the authority to determine appropriate use type. A determination of the Building Official may be appealed to the Board of Adjustment. In making such determinations, the Building Official and the Board of Adjustment shall consider the operational and physical characteristics of the use in questions 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 exclusive lists.
- B. **Records:** The Building Official shall make all determinations of appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.

**3-3 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 legally-described lot and is attached by a common vertical wall to only one other adjacent dwelling unit on another legally-described lot.
- B. **Duplex Residential:** The use of a legally-described lot for two dwelling units, each occupied by one family within a single building, excluding manufactured or mobile home units, but including modular housing units.
- C. **Two-Family Residential:** The use of a single, legally described lot for two dwelling units, each occupied by one household, each in a separate building, excluding a mobile home unit.
- D. **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.
- E. **Multiple-Family Residential:** The use of a site for three or more dwelling units within one building.

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- F. Group Residential: The use of a site for a residence by more than three unrelated persons, not defined as a family, in which occupants are accommodated in rooms not defined as dwelling units. Group residential uses are limited to facilities that are officially recognized or operated by a college or university, government agency, or nonprofit organization.
- G. Retirement Residential: A building or group of buildings that provide residential facilities for older adults. Within a retirement residential use, 75 percent of the resident households must include at least one member of at least 50 years of age. A retirement residential use may provide a range of residential building types, including assisted-living and independent-living facilities. Assisted-living facilities may also provide support services to residents, including, but not limited to, food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences may include additional health care supervision or skilled nursing care included within a continuing care retirement center (CCRC) that also provides assisted and independent living facilities within a unified development.
- H. Manufactured Home Residential: Use of a site for one or more manufactured homes.
- I. Mobile Home Park: Use of a site under single ownership for one or more mobile home units. Generally, the land on which mobile homes are placed in a mobile home park is leased from the owner of the facility.
- J. Mobile Home Residential: Use of a site one or more mobile home units.
- K. Mobile Home Subdivision: Division of a tract of land into lots that meet all the requirements of the Subdivision of Land Ordinance, for the location of mobile homes. Generally, a lot within a mobile home subdivision is owned by the owner of the mobile home placed upon such lot.

<b>3-4</b>	<b>Office Use Types</b>
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Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

- A. Corporate Offices: Use of a site for administrative, processing, or research offices that generally do not provide service to clients from Plattsmouth and the surrounding region. Corporate offices are destinations for commuters drawn from a relatively wide region around Plattsmouth, as well as from the community itself. Typical uses include corporate headquarters offices, telemarketing, or information processing offices.
- B. General Offices: Use of a site for business, professional, medical, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; medical offices; banks or financial offices; or professional offices.
- 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. An ATM (automatic teller machine) that is not accompanied on site by an office of its primary financial institution is considered within the personal services use type. The financial services use type is divided into two categories. Financial Services A includes less than 4,000 square feet of floor area and has no more than two drive-up lanes (including ATM lanes). Financial Services B includes 4,000 square feet or more of floor area and/or has more than two drive-up lanes.
- D. Medical Offices: Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Nebraska. The medical offices use type is divided into two categories. Medical Offices A includes less than 3,000 square feet of floor area. Medical Offices B includes 3,000 square feet or more of floor area.

**3-5 Commercial Use Types**

Commercial uses include the sale, rental, service, 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, farm equipment, 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, farm implement dealerships, 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. **Automobile Auction Lots:** Sale of motor vehicles through a process of periodic auctions or bid procedures. Automobile auction lots usually include large on-site storage areas of motor vehicles and lack showrooms, auto repair facilities, and other structures and facilities that are typical of new car dealerships.
  
  - 2. **Automotive Rental and Sales:** Sale or rental of automobiles, noncommercial trucks, 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.
  
  - 3. **Auto Services:**
    - a. Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles.
    - b. Washing, cleaning, and/or repair of automobiles, noncommercial trucks, 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.
  
  - 4. **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.
  
  - 5. **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.
  
  - 6. **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.
  
- C. **Bed-and-Breakfast:** A lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed-and-breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed-and-breakfasts are always owned and operated by the resident owner of the structure, include no more than ten units, and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.

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- D. 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.
- E. 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.
- F. Campground: Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents.
- G. 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.
- H. Commercial Recreation (Controlled Impact): Private businesses, or other organizations that may or may not be commercial by structure or by nature, primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. Controlled impact commercial recreation uses typically take place entirely within enclosed buildings or, when outdoors, have limited effects related to lighting, hours of operation, or noise. Typical uses include theaters, private dance halls, billiard or bowling centers, game arcades, indoor skating facilities, miniature golf courses, and private golf courses.
- I. Commercial Recreation (High Impact): Private businesses, or other organizations that may or may not be commercial by structure or by nature, primarily engaged in the provision or sponsorship of sports, entertainment, or recreation for participants or spectators. High impact commercial recreation uses are typically located outdoors and have operating effects caused by lighting, noise, traffic, or hours of operation that create substantial environmental impacts. Typical uses include shooting ranges, lighted driving ranges, go-kart tracks, amusement parks, race tracks, and private baseball complexes.
- J. Communication 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, or film and 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, or 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.

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- 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. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet, characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles, and including the retail sale of alcoholic beverages for off-premises consumption when conducted as a secondary feature of the use, producing less than 25 percent of the establishment's gross income.
  2. Limited Food Sales: Establishments occupying facilities of 10,000 square feet or less; characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.
  3. General Food Sales: Establishments selling a wide variety of food commodities, using facilities larger than 10,00 square feet or food sales uses of any size that include the accessory sale of fuel for motor vehicles. Typical uses include supermarkets and convenience stores.
- 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. Gaming Facilities: Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities shall include the accessory sale of liquor and food, pursuant to licensing regulations of the City of Plattsmouth or the State of Nebraska.
- Q. Kennels: Boarding and care services for dogs, cats, and similar small mammals or bipedal birds, or any premises on which three or more animals included under this definition over four months of age are kept and maintained. Typical uses include boarding kennels, ostrich raising facilities, pet motels, or dog training centers.
- R. Laundry Services: Establishments primarily engaged in the provision of laundering, cleaning, or dyeing service
- 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, motels, or bed-and breakfasts.
- U. Personal Improvement Services: Establishments primarily engaged in the provision of informational, instructional, personal improvements, and similar services of a non-professional nature. Typical uses include driving schools, health or physical fitness studios, reducing salons, dance studios, and handicraft and hobby instruction.
- V. 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; dry cleaning stations serving individuals and households; driving schools; health or physical fitness studios; reducing salons; dance studios; handicraft; and hobby instruction.
- W. 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.

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- X. Recreational Vehicle Campground. Any parcel of land used, or intended to be used, for the accommodation of recreational vehicles as temporary living quarters with individual lots or spaces offered for sale, lease, or a combination thereof, under the maintenance and management of a property owner, operator, or association dedicated for that purpose. The recreational vehicle campground may include a limited amount of commercial use as an accessory use in areas set aside and approved by the City Council from the Site Plan which the City Council deems necessary for this use. No permanent residential dwellings are permitted including, but not limited to, manufactured homes, modular homes, mobile homes, or other types without City Council approval (Ordinance No. 1920 April 3, 2017).
- Y. Recreation Vehicle Sales and Storage: Establishments that include the storage and/or display of boats, campers, and motorized recreational vehicles for the purpose of rental or sale.
- Z. 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.
- AA. 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 percent 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.
- BB. Restricted (or Adult) Entertainment Business:
1. Adult bookstore means an establishment having as a significant portion of its stock in trade books, films, magazines, and other periodicals which are distinguished or characterized by an emphasis on matter depicting or describing sex acts or specified anatomical areas.
  2. Adult motel means a motel wherein material is presented which is distinguished or characterized by an emphasis on depicting or describing sex acts or specified anatomical areas.
  3. Adult motion picture arcade means any place to which the public is permitted or invited wherein coin- or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting or describing sex acts or specified anatomical areas.
  4. Adult motion picture theater means an enclosed building used for presenting material distinguished or characterized by an emphasis on matter depicting or describing sex acts or specified anatomical areas for observation by patrons therein.
  5. Sexual encounter center means any business, agency or person who, for any form of consideration or gratuity, provides a place where three or more persons may congregate, assemble, or associate for the purpose of engaging in sex acts or exposing specified anatomical areas, excluding nursing mothers.
  6. Sex Acts and Specified Anatomical Areas: For purposes of the subsections 1 through 5 of this definition, the terms "sex acts" and "specified anatomical areas" mean as follows:
    - a. Sex acts means any sexual contact, actual or simulated, either natural or deviate, between two or more persons, or between a person and an animal, by penetration of

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- the penis into the vagina or anus, or by contact between the mouth or tongue and genitalia or anus, or by contact between a finger of one person and the genitalia of another person, or by use of artificial sexual organs or substitute therefore in contact with the genitalia or anus.
- b. Specified anatomical areas include the following: human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
- CC. 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, photograph 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). Retail services are divided into three categories:
1. Limited Retail Services: Establishments providing retail services, occupying facilities less than 10,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general purpose retailing oriented to Plattsburgh and its surrounding vicinity.
  2. Large Retail Services: Establishments providing retail services, occupying facilities between 10,001 and 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for specialty retailing or general purpose retailing oriented to Plattsburgh and its surrounding vicinity.
  3. Mass Retail Services: Establishments providing retail services, occupying facilities over 40,000 square feet in a single establishment or multi-tenant facility. Typical establishments provide for general purpose retailing oriented to Plattsburgh and the surrounding region.
- DD. Stables: Boarding, breeding or raising of horses, llamas, or other hooved animals which are not owned by the occupants of the premises; or for the purpose of riding animals included in this definition by members of the public other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.
- EE. 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.
- FF. Trade Services: Establishments or places of business primarily engaged in the provision of services that are not retail or primarily dedicated to walk-in clientele. These services often involve services to construction or building trades and may involve a small amount of screened, outdoor storage in appropriate zoning districts. Typical uses include shops or operating bases for plumbers, electricians, or HVAC (heating, ventilating, and air conditioning) contractors.
- GG. Travel Centers: Facilities that provide for the sale of fuel, provisions, supplies to motorists, including operators of over-the-road trucks, in which less than 30 percent of the total site area is devoted to the servicing, accommodation, parking, or storage of over-the-road trucks. The calculation of these areas includes but is not limited to fuel islands for diesel fuel, truck washing facilities, truck parking areas, and associated maneuvering areas. Travel centers include a mix of uses, including food sales, general retail services, auto and equipment services, and restaurants, and are typically located along or near interstate highways or other principal state and federal designated highway routes.
- HH. Truck Stops: Facilities that provide for the sale of fuel, provisions, supplies to motorists, including operators of over-the-road trucks, in which 30 percent or more of the total site area is devoted to the servicing, accommodation, parking, or storage of over-the-road trucks. The calculation of these areas

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includes but is not limited to fuel islands for diesel fuel, truck washing facilities, truck parking areas, and associated maneuvering areas. Travel centers include a mix of uses, including food sales, general retail services, auto and equipment services, and restaurants, and are typically located along or near interstate highways or other principal state and federal designated highway routes.

- II. 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.

### **3-6 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, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- C. Crematoria: A location containing properly installed, certified apparatus intended for use in the act of cremation.
- D. Clubs: Uses providing meeting, recreational, or social facilities for a private, non-profit, or noncommercial association, primarily for use by members and guests. Clubs include:
  - 1. Clubs (Recreational): Clubs that provide indoor and/or outdoor athletic facilities, with or without social or meeting facilities. Typical uses include country clubs, private or nonprofit community or recreation centers, and private golf courses and driving ranges.
  - 2. Clubs (Social): Clubs that provide primarily social or meeting facilities. Typical uses include private social clubs and fraternal organizations.
- E. 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.
- F. 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.
- G. 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.
- H. Daycare Services (Limited): A facility, or use of a building or portion thereof, for part-time care of fewer than 12 individuals. This term includes nursery schools, preschools, daycare centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.
- I. Daycare Services (General): A facility, or use of a dwelling unit or portion thereof, for part-time care of at least 12 individuals. This term includes nursery schools, preschools, daycare centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities and non-commercial shelters.
- J. Detention Facilities: A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.



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- K. Emergency Residential Services: A facility or use of a building 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.
- L. 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.
- M. 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.
- N. 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.
- O. Health Care: A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, training, administration and services to out-patients, employees, or visitors.
- P. Hospital: A facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an inpatient basis, including emergency treatment, diagnostic services, training, administration, and services to patients, employees or visitors.
- 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. Park and Recreation Services: Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.
- S. Postal Facilities: Postal services, including post offices, bulk mail processing, or sorting centers operated by the United States Postal Service.
- T. 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.
- U. 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.

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- V. 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, daycare 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.
- W. Safety Services: Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.
- X. 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.
- Y. Skilled Nursing Services: A facility that is licensed by the State of Nebraska and provides bed care and in-patient services for persons requiring regular medical attention but excludes facilities that provide surgical or emergency medical services or facilities that provide care for alcoholism, drug addiction, mental disease, or communicable disease. Typical use includes nursing homes.
- Z. Utility Facility: Any above-ground 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, gas, oil, energy media, communications, electronic or electromagnetic signals, or services which are precedent to development and/or use of land.

### **3-7** Parking Use Types

- A. Off-Street Parking: Parking use types include parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility, other than accessory to a principal use.
- B. Parking Structure: The use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.

### **3-8** 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. 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 use is building contractor's yards.
- B. Custom Manufacturing: Establishments primarily engaged in the on-site 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 two horsepower, or
  - 3. A single kiln not exceeding 8 KW or equivalent.

This category also includes the incidental direct sale to consumers of goods produced on site or otherwise permitted within the zoning district. Typical uses include ceramic studios, custom jewelry manufacturing, and candle making shops.

- C. 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

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- having no major external environmental effects across property lines and include no unscreened or un-enclosed outdoor storage. Typical uses include commercial bakeries, butcher shops, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.
- D. 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 air pollution effects across property lines, but often including outdoor storage of materials or products.
  - E. Heavy Industry: Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air 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, except for those uses defined as agricultural industries.
  - F. 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, tin, or other recyclable commodities.
  - G. 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, tin, or other recyclable commodities.
  - H. 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, and mining.
  - I. 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.
  - J. Vehicle Storage (Long-Term): Long-term storage of operating or non-operating vehicles. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage.
  - K. Warehousing: Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, and open storage.
  - L. 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 use is building contractor's yards.

### **3-9** 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: 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.

**3-10 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 floricultural 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. Animal Production: The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis, or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.
- D. Concentrated Animal Feeding Operation (CAFO):
  - 1. The use of a site for the confined feeding or holding of 1,000 or more animal units of livestock or poultry within buildings, lots, pens, or other close quarters which are not used for crop production or where grazing of natural vegetation is not the major feed source. Livestock and poultry shall include any animal or fowl which are used primarily for use as food or food products for human consumption, or for laboratory or testing purposes. A CAFO does not include areas which are used for the raising of crops or other vegetation, and upon which livestock are allowed to graze or feed.
  - 2. For the purpose of this calculating animal units, the animal unit equivalents for each type of livestock are established as follows:

<u>Type of Livestock</u>	<u>Equivalent Animal Units</u>
Slaughter and Feed Cattle	1.00
Mature Dairy Cattle	1.40
Swine	0.40
Sheep	0.10
Horses	2.00
Turkeys	0.02
Ducks	0.20
Chickens	0.01

- M. Livestock Sales: Use of a site for the temporary confinement and exchange or sale of livestock. Typical use includes sales barns.

**3-11 Miscellaneous Use Types**

- A. Amateur Radio Tower: A structure(s) for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.
- B. Alternative Energy Production Devices: The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations, or water-powered mills or generating facilities.
- C. Communications Tower: A structure(s) for the transmission or broadcasting of radio, television, radar or microwaves, ordinarily exceeding the maximum height permitted in its zoning district. Typical uses include broadcasting towers and cellular communications towers.
- D. Construction Batch Plant: A temporary demountable facility used for the manufacturing of concrete, asphalt, or other paving materials intended for specific construction projects.

## U S E T Y P E S

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- E. Wind Energy Conservation System (WECS): Any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.
- F. 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.
- G. 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 and/or the State of Nebraska. Typical disposal material would include non-putrescible wastes, and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage), and manure.

