

ARTICLE III. Use Types

§ 205-14. Purpose.

This article 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 article also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.

§ 205-15. 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 Planning Director of the City of Papillion shall have the authority to determine the appropriate use type. A determination of the Planning Director may be appealed to the Board of Adjustment. In making such determinations, the Planning Director and Board of Adjustment 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 Planning Director shall make all such determinations of appropriate use types, in writing. The record of the determination shall contain a report explaining the reasons for the determination.

§ 205-16. Agricultural use types.

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

- A. 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; or the raising of animals for recreational use. Typical uses include grazing, ranching, dairy farming and poultry farming.
- B. Confined Animal Feeding Operation (CAFO). The use of a site of any size for the confined feeding or holding of 1,000 or more animal units of livestock or poultry, or of a site with a gross density of 2 or more animal units per acre, 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 that 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. For the purpose of calculating animal units, the animal unit equivalents for each type of livestock are established as follows:

Type of Livestock	Equivalent Animal Units Per Acre
Slaughter and feed cattle	1.00
Mature dairy cattle	1.40
Swine	0.75
Sheep	0.20
Horses	2.00
Turkeys	0.20
Ducks	0.20
Chickens	0.10

- C. 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.
- D. 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.
- E. Livestock sales. Use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sales barns.

§ 205-17. Residential use types.

Residential use types include uses providing wholly or primarily nontransient living accommodations. They exclude institutional living arrangements providing twenty-four-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. (NOTE: Mobile home units are not a single-family use type. See below categories for such units).
 - (1) Single-family residential (detached): a single-family residential use in which one dwelling unit is located on a single 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 a single, legally described lot and is attached by a common vertical wall to only one other adjacent dwelling unit on another single, legally described lot.
- B. Condominium. A building or group of buildings in which dwelling units, offices, or floor area are owned individually and the structure, common areas, facilities and property are owned by all the owners on a proportional, undivided basis.
- C. 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.

- D. Two-family residential. The use of a single, legally described lot for two dwelling units, each in a separated building and each occupied by one household, excluding a mobile home unit.
- E. 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.
- F. Multiple-family residential. The use of a site for three or more dwelling units within one building.
- G. Downtown residential. The use of upper levels above street level of a building within the Downtown Overlay District of the City of Papillion for single-family or multiple-family residential uses.
- H. Group residential. The use of a site for the residence of more than three unrelated persons, not otherwise 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.
- I. Retirement residential. A building or group of buildings that provide residential facilities for older adults. Within a retirement residential use, 75% of the resident households must include at least one member of at least 55 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; or may provide assisted and independent living facilities within a unified development such as a continuing care retirement center (CCRC).
- J. Manufactured home residential. Use of a site for one or more manufactured home dwellings, as defined in § 205-11.
- K. 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.
- L. Mobile home subdivision. Division of a tract of land into lots that meet all the requirements of Chapter 170, Subdivision of Land, 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.

§ 205-18. 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 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. Assisted Living. A facility licensed by the State of Nebraska that provides shelter, food, and care are provided for remuneration for a period of more than 24 consecutive hours to four or more persons residing at such facility who require or request such services due to age, illness, or physical disability. An assisted-living facility does not include a home, apartment, or facility where casual care is provided at irregular intervals, or a competent person residing in such home, apartment, or facility provides for or contracts for his or her own personal or professional services if no more than 25% of persons residing in such home, apartment, or facility receive such services.
- C. 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.
- D. Clubs. Uses providing meeting, recreational or social facilities for a private, nonprofit 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.
- F. Cultural services. A library, museum or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.
- G. Day care services
 - (1) Day care services (adult). Non-resident day care, regulated as required by the State of Nebraska, for four or more unrelated adults.
 - (2) Day care services (children). Day care services for children follow a facility classification system established by the State of Nebraska:
 - (a) Family Child Care Home I. A program in the home of the provider, maximum capacity is eight children of mixed ages and two additional school age children during non-school hours for a maximum occupancy of 10 children.
 - (b) Family Child Care Home II. A program in the home of a provider, maximum capacity is twelve children with two providers.

(c) Child Care Center. A program in the home of the provider or in a dedicated facility, licensed for at least 13 children.

(d) Preschool. A program providing educational services where children do not nap and are not fed a meal. Preschools can be located in the residence of the licensee or in a dedicated facility. The State of Nebraska licenses preschools into two categories based on capacity: 1) less than 30, and 2) more than 30.

H. Detention facilities. A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community.

I. 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.

J. 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, continuous multi-day occupancy of more than eight unrelated persons who require and receive therapy or counseling on site as part of an organized and therapeutic ongoing program for mental or physical impairments which substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, or mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. Current users of illegal controlled substances and persons convicted for illegal manufacture or distribution of a controlled substance are not considered disabled under the Fair Housing Act by virtue of that status and are excluded from this use type.

Group care facility is divided into two categories. Group Care Facility A includes facilities that provide care for eight to twenty unrelated persons. Group Care Facility B includes facilities that provide care for more than twenty unrelated persons.

K. 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 mental or physical impairments which substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, or mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. Current users of illegal controlled substances and persons convicted for illegal manufacture or distribution of a controlled substance are not considered disabled under the Fair Housing Act by virtue of that status and are excluded from this use type.

L. 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.

- M. Health care. A facility providing medical, psychiatric or surgical service for sick or injured persons exclusively on an outpatient basis, including emergency treatment, diagnostic services, training, administration and services to out-patients, employees or visitors.
- N. Intermediate care facility. A facility licensed by the State of Nebraska to provide shelter, food and nursing care or related services are provided for a period of more than 24 consecutive hours to persons residing at such facility who are ill, injured or disabled and do not require hospital or skilled nursing facility care.
- O. 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.
- P. Maintenance facilities. A public facility that supports 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 or contracting or industrial activities.
- Q. Nursing facility. A facility licensed by the State of Nebraska to provide medical care, nursing care, rehabilitation or related services and associated treatment for a period of more than 24 consecutive hours to persons residing at such facility who are ill, injured or disabled.
- 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 study required to be taught in schools within the State of Nebraska.
- U. Public assembly. Facilities owned and operated by a public agency or a charitable nonprofit 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.
- V. Religious assembly. A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto (excluding private primary or private secondary educational facilities, community recreational facilities, day-care facilities and incidental 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 junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Nebraska.

- Y. Skilled nursing services. A facility that is licensed by the State of Nebraska to provide medical care, skilled nursing care, rehabilitation or related services and associated treatment for a period of more than 24 consecutive hours to persons residing at such facility who are ill, injured or disabled excluding facilities that provide surgical or emergency medical services or facilities that provide care for alcoholism, drug addiction, mental disease or communicable disease. Typical uses include nursing homes.
- Z. Transitional living 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, continuous multi-day occupancy of more than three unrelated persons who require supervision while under a program that is an alternative to imprisonment, including but not limited to pre-release, work-release, and probationary programs.
- AA. Utilities. Any aboveground 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 other services which are precedent to development and/or use of land. This shall exclude any principal use classified as Alternative energy production devices or Wind energy conservation systems and any accessory use classified as Solar Energy Systems.

§ 205-19. Office use types.

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 Papillion and the surrounding region. Corporate offices are destinations for commuters drawn from a relatively wide region around Papillion, as well as from the community itself. Typical uses include corporate headquarters offices, telemarketing, or information processing offices.
- B. Data Center. A centralized repository for the storage, management, processing, conversion, and dissemination of data and information which may also house equipment that supports communications network infrastructure without actually being part of the physical network. A data center may house equipment that includes, but is not limited to, computers, servers, data storage devices, and related equipment. A data center may include, but shall not be limited to, accessory uses that include offices for data center staff and accessory structures that include water storage tanks, cooling towers, network systems, fuel storage tanks, guardhouses and security offices, storage, chillers, electrical transformers, and engine generators. Accessory uses shall not include retail sales, telephone call centers, or customer service operations. Typical uses include data processing centers and server farms.
- C. General offices. Use of a site for business, professional or administrative offices that may invite client visits from both local and regional areas. Typical uses include real estate, insurance, management, travel or other business offices; organization and association offices; banks or financial offices; or professional offices.

- D. 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.
- E. 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.

§ 205-20. 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, 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. Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and 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 10 units and accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- D. Body art services. Any facility licensed by the State of Nebraska to provide body piercing, branding, permanent color technology, and/or tattooing. Establishments that receive less than 50% of their gross income from Body Art Services shall be classified based on the primary source of gross income.
- 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, which accommodate each guest or visitor for no more than seven consecutive days during any one-month period.
- 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 (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.
- J. 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.
- K. 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 or film and sound recording facilities. Broadcast and communication towers and their minor ancillary ground structures are classified as miscellaneous use types.
- L. Construction sales and services. Establishments or places of business primarily engaged in the retail or wholesale sale, from the premises, of 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.
- M. 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.
- 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. [Amended 8-6-2002 by Ord. No. 1384]
 - (1) Convenience food sales. Establishments occupying facilities of less than 10,000 square feet; and 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% of the establishment's gross income.
 - (2) Limited food sales. Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale 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% of the establishment's gross income. Typical

uses include delicatessens, meat markets, retail bakeries, candy shops, small grocery stores.

- (3) General food sales. Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet, 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% of the establishment's gross income.
- 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 Papillion or the State of Nebraska.
- Q. Garden center. The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and ancillary products, to the general public. Typical uses include retail plant nurseries and garden stores.
- R. Gun Sales -- Establishments or places of business primarily engaged in the retail sales of guns, ammunition, and related items. Establishments that receive less than 50% of their gross income from gun sales shall be classified based on the primary source of gross income.
- S. Kennels. Boarding and care services for dogs, cats and similar small mammals or large birds; or any premises on which four 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, dog-training centers, or licensed catteries in commercial districts subject to Table 205-38 and the provisions of Chapter 85 of the Papillion Municipal Code. [Amended 12-2-2003 by Ord. No. 1422]
- T. 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 services, diaper services, uniform cleaning services, rug or upholstery cleaning services, or linen supply services.
- U. Liquor sales. Establishments or places of business engaged in retail sale for off-premises consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption, except when alcoholic beverages are included in another use type as a secondary feature of the use. [Amended 8-6-2002 by Ord. No. 1384]
- V. Lodging. Lodging services involving the provision of room and/or board, but not meeting the classification criteria of bed-and-breakfasts. Typical uses include hotels, apartment hotels and motels.
- W. Personal services. Establishments or places of business primarily engaged in the provision of services of a personal nature, including instructional or informational offerings, and

nonprofessional 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.

- X. 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, pet day cares and hotels, small animal clinics, dog bathing and clipping salons and pet grooming shops, but exclude uses for livestock and large animals.
- 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% of the establishment's gross income.
 - (1) Restaurant (drive-in/drive-through 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, as opposed to drive-in or fast-food restaurants. Typical uses include cafes and restaurants.
- BB. Restricted (or Sexually Oriented) Businesses. Any sexually oriented business, as defined and regulated by Chapter 126 of the Papillion City Code, which is considered a part of this Zoning Ordinance. These include adult arcades, adult bookstores or adult video stores, adult cabarets, adult motels, adult motion-picture theaters, adult theaters, escort agencies, nude model studios or sexual encounter centers.
- 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 may include the sale of alcoholic beverages for off-premises

consumption when conducted as a secondary feature of the use, producing less than 25% of the establishment's gross income. 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 Papillion 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 Papillion 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 Papillion and the surrounding region.

DD. Stables and/or riding academies. The buildings, pens and pasture areas used for the boarding and feeding of horses, llamas or other equine not owned by the occupants of the premises. This use includes instruction in riding, jumping and showing or the riding of horses/equine for hire.

EE. Storage (Convenience). Storage services primarily for personal effects and household goods within enclosed storage areas having individual access but excluding use of such areas as workshops or hobby shops. Manufacturing and commercial activity are also prohibited uses. Typical uses include mini-warehousing.

FF. Storage (Limited Access). Storage services primarily for business or individual uses, including the storage of personal effects and non-hazardous materials, within a single, secured building with one or two primary entrances. Said building may be one or more stories and shall provide separate indoor storage areas, all of which shall be enclosed, climate-controlled, and individually accessible only from the interior of the building. Neither the individual storage areas nor the interior access doors to the individual storage areas shall be visible from the exterior of the building. Exterior building materials shall be high quality, durable materials that meet or exceed the standards set out under the "Building Materials" subsection of the Civic, Commercial, and Office Design Guidelines. Activities within the facility shall be limited to the rental of storage space and the administration and maintenance of the facility. Storage areas shall not be used as workshops or hobby shops. Manufacturing and commercial activity are also prohibited uses. No outdoor storage shall be permitted.

GG. Surplus sales. Businesses engaged in the sale, including sale by auction, of used items or new items which are primarily composed of factory surplus or discontinued items. Surplus sales uses sometimes include regular outdoor display of merchandise. Typical uses include flea markets, auction houses, factory outlets, or merchandise liquidators.

HH. Tobacco Sales -- Establishments or places of business primarily engaged in the retail sales of tobacco products and related items. Establishments that receive less than 50% of their

gross income from tobacco sales shall be classified based on the primary source of gross income.

- II. 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.

- JJ. 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% 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.

- KK. Truck Stops. Facilities that provide for the sale of fuel, provisions, supplies to motorists, including operators of over-the-road trucks, in which 30% 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 includes but is not limited to fuel islands for Diesel fuel, truck washing facilities, truck parking areas, and associated maneuvering areas. Truck Stops 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.

- LL. Vehicle storage. Short-term storage of operating or nonoperating vehicles, including recreational vehicles, for a period of no more than 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage beyond 21 days constitutes an industrial use type.

- MM. 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.

§ 205-21. Parking use types.

- A. Off-street parking. Parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.

- B. Parking structure. The use of a site for a multilevel 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.

§ 205-22. Industrial use types.

Industrial use types include the on-site extraction or production of goods by nonagricultural 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 uses are building contractor's yards.
- B. Custom manufacturing.
 - (1) Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving:
 - (a) The use of hand tools;
 - (b) The use of domestic mechanical equipment not exceeding two horsepower; or
 - (c) A single kiln not exceeding eight KW or equivalent.
 - (2) This category also includes the incidental direct sale to consumers of only those goods produced on site. 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 having no major external environmental effects across property lines and include no unscreened or unenclosed 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.
- 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, predominantly 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.
- F. Recycling collection. Any site which is used in whole or part for the receiving or collection of any post-consumer, nondurable 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 postconsumer, nondurable 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, 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, junkyards or paper salvage yards.
- J. Vehicle storage (long-term). Long-term storage of operating or nonoperating vehicles, including recreational vehicles, for a period exceeding 21 days. Typical uses include storage of private parking tow-aways or impound yards but exclude dismantling or salvage. Long-term storage of 21 days or less constitutes a commercial use type.
- K. Warehousing (Enclosed). Uses including storage, distribution, and handling of goods and materials within enclosed structures. Typical uses include wholesale distributors, storage warehouses, and van and storage companies.
- L. Warehousing (Open). Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators or open storage.

§ 205-23. 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. Typical uses include private or municipal airports.
- B. Railroad facility. 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, public transit facilities.
- D. Truck terminal. A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

§ 205-24. Miscellaneous use types.

- A. 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.
- B. Amateur radio tower. A structure(s) for the transmission or broadcasting of electromagnetic signals by FCC-licensed amateur radio operators.

- 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 cement, concrete, asphalt or other paving materials intended for specific construction projects.
- E. Landfill (nonputrescible 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.
- F. Landfill (putrescible and nonputrescible 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 nonputrescible wastes and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage) and manure.
- G. Wind energy conservation system (WECS). Any device which converts wind energy to a form of usable energy, including wind charges, windmills or wind turbines.

§ 205-25. (Reserved)

§ 205-26. (Reserved)