

ORDINANCE 1166

AN ORDINANCE TO AMEND THE FOLLOWING PORTIONS OF THE ZONING ORDINANCES OF THE CITY OF ASHLAND: SECTION 2.03 AND SUBSECTIONS B & C OF SECTIONS 5.12, 5.14, 5.15, AND 5.16 OF THE ZONING ORDINANCES OF THE CITY OF ASHLAND, AS PROVIDED IN THE CITY OF ASHLAND MUNICIPAL ZONING ORDINANCE; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA, THAT THE CITY'S ZONING ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1:

That Subsection B, Permitted Uses, of Section 5.12, B-1 General Business District be amended to read:

1. Retail establishments as defined in Article 2, carried on within an enclosed building
2. Business services as defined in Article 2
3. Clothing and apparel shops as defined in Article 2
4. Cleaning establishments such as laundromats, dry cleaning, and laundries, laundry pickup and delivery stations
5. Small equipment sales and services as defined in Article 2
6. Personal services as defined in Article 2
7. Food service such as eating and drinking establishments
8. Motels, hotels
9. Civic and cultural facilities including auditoriums, civic centers, fire stations, and other safety services facilities
10. Professional services as defined in Article 2
11. Public overhead and underground local distribution utilities
12. Mortuaries, funeral homes, and funeral chapels
13. Transportation depots such as railroad passenger station, bus station
14. Cocktail lounges, taverns, and retail liquor stores
15. Child care center

That Subsection C, Permitted Conditional Uses, of Section 5.12, B-1 General Business District be amended to read:

1. Lumber yards, hardware stores, and building material sales yards with enclosed and screened storage areas
2. Bowling alley, drive-in restaurant, drive-in theater, and other similar place of entertainment or amusement when located at least one hundred (100) feet away from any R District boundary
3. Automobile display, sales, service, and repair
4. Satellite dish antennas conforming with the supplemental regulations of this Ordinance
5. Outdoor storage containers, limited to two containers per business and subject to the supplemental regulations of Article 8
6. Living quarters used by watchmen or custodians of the commercially used property
7. Community centers and clubs providing meeting, recreational, or social facilities for private/nonprofit/noncommercial associations
8. Offices/headquarters for trades such as plumbers and electricians, when such uses are consistent with a commercial district.
9. Retail farm implements, equipment, supplies, and feed
10. Utility substations and communications
11. Churches, temples, seminaries, and convents including residences for teachers and pastors
12. Second-hand stores and auction activities within an enclosed building
13. Gasoline stations with service and/or repair
14. Retail tires, batteries, and accessories
15. Retail boats, marine crafts, and accessories
16. Automobile wash services
17. Furniture repair and re-upholstery services
18. Printing and publishing businesses
19. Apartments above a store or shop

SECTION 2:

That Subsection B, Permitted Uses, of Section 5.14, B-3 Highway Business District be amended to read:

1. Retail establishments as defined in Article 2, carried on within an enclosed building
2. Business services as defined in Article 2
3. Clothing and apparel shops as defined in Article 2
4. Cleaning establishments such as laundromats, dry cleaning, and laundries, laundry pickup and delivery stations

5. Small equipment sales and services as defined in Article 2
6. Personal services as defined in Article 2
7. Food service such as eating and drinking establishments
8. Motels, hotels
9. Civic and cultural facilities including auditoriums, civic centers, fire stations, and other safety services facilities
10. Professional services as defined in Article 2
11. Public overhead and underground local distribution utilities
12. Mortuaries, funeral homes, and funeral chapels
13. Transportation depots such as railroad passenger station, bus station
14. Cocktail lounges, taverns, and retail liquor stores
15. Child care center
16. Agriculture on more than ten (10) acres
17. Lumber yards, hardware stores, and building material sales yards with enclosed and screened storage areas
18. Veterinarian or animal hospital, provided any such building, kennel, or exercise runway is located at least one hundred (100) feet away from any R District boundary
19. Bowling alley, drive-in restaurant, drive-in theater, and other similar place of entertainment or amusement when located at least one hundred (100) feet away from any R District boundary
20. Adult Establishments, subject to the supplemental regulations in Article 8
21. Public or semi-public buildings on more than five acres
22. Self-storage units

That Subsection C, Permitted Conditional Uses, of Section 5.14, B-3 Highway Business District be amended to read:

1. Automobile display, sales, service, and repair
2. Satellite dish antennas conforming with the supplemental regulations of this Ordinance
3. Outdoor storage containers, limited to two containers per business and subject to the supplemental regulations of Article 8
4. Living quarters used by watchmen or custodians of the commercially used property
5. Community centers and clubs providing meeting, recreational, or social facilities for private/nonprofit/noncommercial associations
6. Offices/headquarters for trades such as plumbers and electricians, when such uses are consistent with a commercial district.

7. Retail farm implements, equipment, supplies, and feed
8. Utility substations and communications
9. Churches, temples, seminaries, and convents including residences for teachers and pastors
10. Second-hand stores and auction activities within an enclosed building
11. Gasoline stations with service and/or repair
12. Retail tires, batteries, and accessories
13. Retail boats, marine crafts, and accessories
14. Automobile wash services
15. Furniture repair and re-upholstery services
16. Printing and publishing businesses
17. RV Park
18. Commercial greenhouse
19. Golf driving range, miniature golf
20. Warehouses and wholesale businesses
21. Apartments above a store or shop
22. Carting, express, and hauling truck terminals

SECTION 3:

That Subsection B, Permitted Uses, of Section 5.15, FX Flex District be amended to read:

1. Retail establishments as defined in Article 2, carried on within an enclosed building
2. Business services as defined in Article 2
3. Clothing and apparel shops as defined in Article 2
4. Cleaning establishments such as laundromats, dry cleaning, and laundries, laundry pickup and delivery stations
5. Small equipment sales and services as defined in Article 2
6. Personal services as defined in Article 2
7. Food service such as eating and drinking establishments
8. Motels, hotels
9. Public overhead and underground local distribution utilities
10. Transportation depots such as railroad passenger station, bus station
11. Cocktail lounges, taverns, and retail liquor stores
12. Agriculture on more than ten (10) acres
13. Lumber yards, hardware stores, and building material sales yards with enclosed and screened storage areas

14. Veterinarian or animal hospital, provided any such building, kennel, or exercise runway is located at least one hundred (100) feet away from any R District boundary
15. Bowling alley, drive-in restaurant, drive-in theater, and other similar place of entertainment or amusement when located at least one hundred (100) feet away from any R District boundary
16. Adult Establishments, subject to the supplemental regulations in Article 8
17. Public or semi-public buildings on more than five acres
18. Automobile display, sales, service, and repair
19. RV Park
20. Commercial greenhouse
21. Golf driving range, miniature golf
22. Licensed/Unlicensed recreational vehicle storage, outdoors with fence/screening and/or within an enclosed building

That Subsection C, Permitted Conditional Uses, of Section 5.15, FX Flex District be amended to read:

1. Satellite dish antennas conforming with the supplemental regulations of this Ordinance
2. Outdoor storage containers, limited to two containers per business and subject to the supplemental regulations of Article 8
3. Living quarters used by watchmen or custodians of the commercially used property
4. Community centers and clubs providing meeting, recreational, or social facilities for private/nonprofit/noncommercial associations
5. Offices/headquarters for trades such as plumbers and electricians, when such uses are consistent with a commercial district.
6. Retail farm implements, equipment, supplies, and feed
7. Utility substations and communications
8. Second-hand stores and auction activities within an enclosed building
9. Gasoline stations with service and/or repair
10. Retail tires, batteries, and accessories
11. Retail boats, marine crafts, and accessories
12. Automobile wash services
13. Furniture repair and re-upholstery services
14. Printing and publishing businesses
15. Self-storage units
16. Warehouses and wholesale businesses

17. Apartments above a store or shop
18. Carting, express, and hauling truck terminals
19. Child care center
20. Assembly, fabrication, and processing of products inside an enclosed building, except hazardous or combustible materials
21. Laboratories
22. Highway maintenance yards or buildings

SECTION 4:

That Subsection B, Permitted Uses, of Section 5.16, I-1 Light Industrial District be amended to read:

1. Public overhead and underground local distribution utilities
2. Agricultural farms, truck gardens, greenhouses, plant nurseries, orchards, storage facilities for grain and other farm and agricultural products, and the usual agricultural farm buildings and structures
3. Lumber yards, hardware stores, and building material sales yards with enclosed and screened storage areas
4. Veterinarian or animal hospital, provided any such building, kennel, or exercise runway is located at least one hundred (100) feet away from any R District boundary
5. Adult Establishments, subject to the supplemental regulations in Article 8
6. Automobile display, sales, service, and repair
7. Licensed/Unlicensed recreational vehicle storage, outdoors with fence/screening and/or within an enclosed building
8. Assembly, fabrication, and processing of products inside an enclosed building, except hazardous or combustible materials
9. Laboratories
10. Highway maintenance yards or buildings
11. Self-storage units
12. Printing and publishing businesses
13. Manufacture and assembly of electrical and electronic appliances
14. Manufacturing, compounding, processing, packaging, or treatment of articles or merchandise from previously prepared materials
15. Machine shops and manufacturing of light sheet metal products including heating and ventilation equipment
16. Stone and monument works
17. Fuel storage yards
18. Fixed plants for processing stone, gravel, or clay

19. Distribution centers
20. Warehouses and wholesale businesses

That Subsection C, Permitted Conditional Uses, of Section 5.16, I-1 Light Industrial District be amended to read:

1. Satellite dish antennas conforming with the supplemental regulations of this Ordinance
2. Outdoor storage containers, not limited in quantity but subject to the supplemental regulations of Article 8
3. Offices/headquarters for trades such as plumbers and electricians, when such uses are consistent with a commercial district.
4. Utility substations and communications
5. Carting, express, and hauling truck terminals
6. Storage of fireworks
7. Manufacturing of concrete products
8. Manufacturing, display, and sales of farm and industrial equipment
9. Offices/headquarters for trucking companies
10. Truck terminals including truck washing facilities
11. Heavy truck or trailer sales, display, service, or repair
12. Fertilizer storage or processing
13. Acetylene gas manufacturing or storage
14. Small wind energy systems
15. Mining excavation, sand quarries, and other forms of extraction
16. Radio, television, and communication towers and transmitters
17. Auction houses that warehouse sale items and sell said items within and/or outside of the auction facility, but on the premises
18. Manufacturing of oil, rubber, or leather goods
19. Manufacturing, fabrication, and treatment of lumber or wood products
20. Manufacturing of cement, lime, gypsum, or plaster-of-paris
21. Manufacturing of bakery products
22. Feed and forage plants
23. Manufacturing of grain mill products
24. Manufacturing of meat products

SECTION 5:

That Section 2.03, Definitions be amended to add:

“Small Equipment shall mean pieces of equipment, appliances, and hand tools which typically require electricity, gas, or steam to operate, such as radios, televisions, business machines, musical instruments, sewing machines, vacuums, microwave ovens, and plumbing/heating/electrical fixtures.”

“Personal Services shall mean establishments primarily engaged in rendering services to individuals such as barber shops, beauty salons, weight-loss, photographic studios, and tattoo parlors.”

“Business Services shall mean establishments primarily engaged in rendering services to individuals and businesses, such as advertising, banking and finance, insurance, real estate, offices, postal stations, printing, credit services, security brokers and exchange, title abstracting, investment services, data processing, and computer programming.”

“Apparel Shop shall mean retail stores where clothing is sold and serviced, such as department stores, shoe stores, dress shops, hosiery and millinery shops, shoe repair, tailors, and alterations.”

SECTION 6: REPEAL OF PRIOR ORDINANCES IN CONFLICT

That all other ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 7: WHEN OPERATIVE

That this ordinance shall take effect after its passage, approval and publication in pamphlet form according to law.

PASSED AND APPROVED this 3rd day of October, 2019.

CITY OF ASHLAND
SAUNDERS COUNTY, NEBRASKA

BY: Richard Grauerholz
Richard Grauerholz, Mayor

ATTEST:

Kathleen Sliva
Kathleen Sliva, City Clerk

