

# ORDINANCE RECORD

No. 72 B—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1146

AN ORDINANCE TO AMEND SECTION 7.05 AND SECTION 7.06 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.05 AND SECTION 7.06 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 7.05. Section 7.05 of Ordinance No. 848 is hereby amended to read as follows:

### Section 7.05 Off-Street Automobile Storage.

- 7.05.01 Off-street automobile storage or standing space shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or an alley. For purposes of computing the number of parking spaces available in a given area, the ratio of two hundred fifty (250) square feet per parking space shall be used.
- 7.05.02 If vehicle storage space or standing space required in section 7.06 cannot be reasonably provided on the same lot on which the principal use is conducted in the opinion of the Building Inspector, the Building Inspector may permit such space to be provided on other off-street property, provided such space lies within four hundred (400) feet of an entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. (**Ordinance No. 975, 12-20-05**)
- 7.05.03 All parking spaces for *residential, commercial, industrial, public or quasi-public uses* shall be paved with asphalt or concrete. (**Ordinance No. 975, 12-20-05**) *All parking spaces for permitted temporary uses not located on the same lot as a permitted principle use may be exempt from a paved surface but shall have access to a hard-surface road and have a rock drive for emergency vehicles.* (**Ordinance No. 994, 6-6-06**)
- 7.05.04 Where calculations in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or more shall require one space.
- 7.05.05 In Districts R-1, R-2, R-3, and R-4, required off-street parking shall be provided on the lot on which it is located the use to which the parking pertains. In other Districts, such parking may be provided either on the same lot or an adjacent or other lot provided the lot on which the use requiring them is located are not separated by more than three hundred (300) feet at closest points, measured along a street or streets.
- 7.05.06 Where off-street parking is located on a lot other than the lot occupied by the use, which requires it, site plan approval for both lots is required.
- 7.05.07 Some uses may require two (2) different use types to be calculated together in order to determine the total parking requirement (Example: Primary schools may require a tabulation for classrooms and assembly areas)
- 7.05.08 In Districts R-3 and R-4, multi-family, apartment, and condominium dwellings shall have a minimum of 0.5 enclosed garages per unit. The required garages may count towards the total number of parking spaces required as per Section 7.06. Multi-family, apartment, and condominium developments approved by the City prior to May 17<sup>th</sup>, 2011 shall be exempt of this requirement.

SECTION 2. Amendment of Section 7.06. Section 7.06 of Ordinance No. 848 is hereby amended to read as follows:

### Section 7.06 Schedule of Minimum Off-Street Parking Requirements

Uses	Parking Requirements
Adult Entertainment Establishments	One (1) space per 100 sq. feet of gross floor area; plus one (1) space per employee on peak shift.
Amusement Arcades	One (1) space for each 100 sq. feet of gross floor area, in addition to one (1) space for each employee on the maximum shift.

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<b>Animal Specialty Services</b>	One (1) space per 300 sq. feet of gross floor area.
<b>Bed and Breakfast/Boarding House</b>	One (1) space per rental unit.
<b>Churches, Synagogues, and Temples</b>	One (1) space per 4 seats in main worship area.
<b>Social clubs or Fraternal Organizations</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Commercial Uses</b>	
<b>Agricultural Sales / Service</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Automotive Rental / Sales</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Automotive Repair Services</b>	Three (3) spaces per repair stall.
<b>Bars, Taverns, Nightclubs</b>	One (1) space per 100 sq. feet of gross floor area, including outside seating; plus one (1) space per employee on peak shift.
<b>Equipment Rental / Sales</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Campground</b>	One (1) space per camping unit.
<b>Communication Services</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Construction Sales / Service</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Convenience Store with Limited Fuel Sales</b>	One (1) space per 200 sq. feet of gross floor area; spaces adjacent to fuel pump are included in total number.
<b>Food Sales (limited)</b>	One (1) space per 300 sq. feet of gross floor area.
<b>Food Sales (general)</b>	One (1) space per 200 sq. feet of gross floor area.
<b>General Retail Sales Establishments</b>	One (1) space per 200 sq. feet of gross floor area.
<b>Laundry Services</b>	One (1) space per 200 sq. feet of gross floor area.
<b>Restaurants w/ Drive-thru</b>	One (1) space per 150 sq. feet of gross floor area; plus five (5) stacking spaces for drive through window.
<b>Restaurants (General)</b>	One (1) space per four (4) seats or 1 per 100 sq. feet of gross floor area, including outside seating (whichever is greater); plus one (1) space per employee on peak shift.
<b>Nursing Home</b>	One (1) space per 3 beds plus 1 per employee on the largest shift.
<b>Child Care Center</b>	One (1) space per employee plus (one) 1 space per 10 children.

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<b>Educational Uses, Primary facilities - Kindergarten, Elementary School, Junior High</b>	Two (2) spaces per classroom.
<b>Educational Uses, Secondary Facilities - High School</b>	Eight (8) spaces per classroom plus 1 space per teacher.
<b>Funeral Homes and Chapels</b>	Eight (8) spaces per reposing room.
<b>Group Care Home</b>	One (1) space per 4 residents plus one additional space for each employee.
<b>Health Club</b>	One (1) space per 200 sq. feet of gross floor area, plus one space for each employee on peak shift.
<b>Hospitals</b>	One and one-half (1 1/2) spaces per 2 licensed beds; plus, .75 times the maximum number of employees during the largest shift.
<b>Hotels and Motels</b>	One (1) space per rental unit.
<b>Housing (Congregate)</b>	
<b>Assisted-living facilities</b>	One (1) space per dwelling unit plus 1 space per employee on the largest shift.
<b>Duplex</b>	Two (2) spaces per dwelling unit.
<b>Multi-family / Apartments / Condominiums</b>	One (1) space per bedroom. <i>(See Section 7.05.08 for additional requirements.)</i>
<b>Industrial Uses / Flex Space for Industrial</b>	One (1) space per 3,000 sq. feet of gross floor area.
<b>Libraries</b>	One (1) space 500 sq. feet of gross floor area.
<b>Medical Clinics</b>	One (1) space per 250 sq. feet of gross floor area.
<b>Mobile Home Park</b>	Two (2) per dwelling unit.
<b>Offices and Office Buildings</b>	One (1) space per 200 sq. feet of gross floor area.
<b>Recreational Facilities</b>	One (1) space per four (4) occupants or, in the case of a nonstructural facility, one (1) space per four (4) persons the facility is intended to accommodate.
<b>Residential (Single-family, attached and detached)</b>	Two (2) spaces per dwelling unit with 1 required to be enclosed.
<b>Roadside Stands</b>	Four (4) spaces per stand.
<b>Special and Vocational Training</b>	One (1) space per 500 sq. feet of gross floor area.
<b>Theaters, Auditoriums, and Places of Assembly</b>	One (1) space per 4 seats.

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

**Veterinary Establishments / Pet Health Services**

One (1) space for every 300 sq. feet of gross floor area (excluding floor area used for keeping and caring for large farm animals.)

**Wholesaling / Distribution Operations**

One (1) space per 5,000 sq. feet of gross floor area.

SECTION 3. Repeal of Section 7.05 and Section 7.06 as Previously Enacted. Section 7.05 and Section 7.06 of Ordinance No. 848 as previously enacted is hereby repealed.

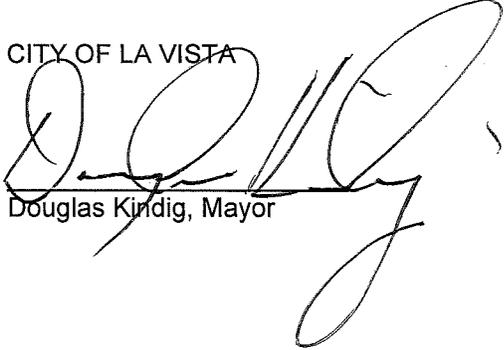
SECTION 4. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 6. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF MAY, 2011.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk

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