

# ORDINANCE RECORD

No. 72 8—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1246

AN ORDINANCE TO AMEND SECTION 5.13 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.13 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 5.13. Section 5.13 of the Ordinance No. 848 is hereby amended to read as follows:

### **Section 5.13 I-1 Light Industrial.**

**5.13.01 Intent:** *It is the intent of the Light Industrial District Regulations to provide for limited industrial uses and services, including some retail businesses, wholesaling, and storage activities; to preserve land for the expansion of basic economic activities; to avoid incompatible land uses, to serve these areas with adequate transportation facilities, and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

### **5.13.02 Permitted Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.02.01 *Light Manufacturing*
- 5.13.02.02 *Automotive services, except repair, towing and wrecking*
- 5.13.02.03 *Business services*
- 5.13.02.04 *Facilities for building construction contractors*
- 5.13.02.05 *Landscape and horticultural services*
- 5.13.02.06 *Medical and dental laboratories*
- 5.13.02.07 *Assembly of electrical and electronic appliances*
- 5.13.02.08 *Miscellaneous repair services, not including automotive*
- 5.13.02.09 *Printing, publishing, and allied industries*
- 5.13.02.10 *Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste*
- 5.13.02.11 *General warehousing self-service storage facility*
- 5.13.02.12 *Testing laboratories*
- 5.13.02.13 *Publicly owned and operated facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.14 *Special and vocational training facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.15 *Wholesale trade of goods*

### **5.13.03 Permitted Conditional Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.03.01 *Animal specialty services*
- 5.13.03.02 *Automotive rental / leasing and other heavy equipment rental*
- 5.13.03.03 *Household furniture, furnishings, and equipment store*
- 5.13.03.04 *Hardware, lawn and garden supply store*
- 5.13.03.05 *Lumber and other building materials dealer*
- 5.13.03.06 *Outdoor display of merchandise*
- 5.13.03.07 *Radio, television and communication towers and transmitters, as per Section 7.11*
- 5.13.03.08 *Utility substations, terminal facilities, and reservoirs*
- 5.13.03.09 *Farm-implement sales and service*
- 5.13.03.10 *Cabinetry millwork*
- 5.13.03.11 *Gasoline service stations*
- 5.13.03.12 *Automotive repair services*
- 5.13.03.13 *Sale of recreational vehicles, including boats and jet skis*
- 5.13.03.14 *Indoor recreational facility (Ordinance No. 918, 10-6-03)*
- 5.13.03.15 *Veterinary Services, not including livestock*
- 5.13.03.16 *Self-service storage facility (Ordinance No. 1069, 8-19-08)*
- 5.13.03.17 *Industrial Condominiums (Ordinance No. 1246, 4-21-15)*

### **5.13.04 Permitted Accessory Uses**

- 5.13.04.01 *Buildings and uses customarily incidental to the permitted uses*
- 5.13.04.02 *Parking as permitted in Section 7.05 through 7.09*

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- 5.13.04.03 Signs allowed in Section 7.01 through 7.04  
5.13.04.04 Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work  
5.13.04.05 Landscaping as required by Section 7.17

## 5.13.05 Height and Lot Requirements:

5.13.05.01 The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width h <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height t	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%

Uses

- <sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.  
<sup>2</sup> ***Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)***

## 5.13.06 Use Limitations:

- 5.13.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. ***(Ordinance No. 1053, 1-15-08)***
- 5.13.06.02 No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
- 5.13.06.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5.13.06.04 *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)*

## 5.13.07 Performance Standards:

See Section 7.16 of the Supplemental Regulations.

SECTION 2. Repeal of Section 5.13 as Previously Enacted. Section 5.13 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. 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 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

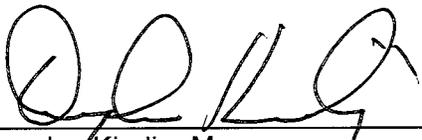
SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015.

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CITY OF LA VISTA

  
\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

  
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Pamela A. Buethe, CMC  
City Clerk

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