

AGENDA ITEM 4C

**Public Hearing for Zoning Ordinance Text
Amendment – Section 4.15 (Permitted
Modifications of Height Requirements) – City of La
Vista**

Memorandum



To: Planning Commission

From: Christopher Solberg, City Planner

Date: 10/10/2018

Re: Public Hearing regarding flags and proposed text amendments to the Zoning Ordinance –Section 4.15 (Permitted Modifications of Height Restrictions)

During the public hearing at the City Council meeting on September 18, 2018, there was discussion regarding the proposed regulations, and the intent to allow only government flags and restrict commercial flags. The Mayor and Council noted many instances where commercial flags are currently used. The direction from Mayor and Council was to remove this restriction. Staff removed the definition of “flag” in its entirety because the intent of the definition was to only allow public flags. Due to the extent of the changes proposed, the amendments have been scheduled for a new public hearing and recommendation by the Planning Commission.

As noted in the previous report to the Planning Commission, upon staff review of Sections 2.07 (Definitions: F) and 4.15 (Permitted Modifications of Height Restrictions), it was concluded an update to the regulations was warranted. The previous change to Section 2.07 has been removed, leaving Section 4.15 with the only ordinance changes. The proposed change to Section 4.15 removed flag poles from the list of structures exempt from height regulations and created a section that sets the maximum height of flag poles at 50’ or 25% above the accompanying building’s height, whichever value is lesser.

A redline copy of the proposed amendments is attached.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed amendments.

Section 4.15 Permitted Modifications of Height Regulations.

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| 4.15.01 | <p>The height limitations of this Ordinance shall not apply to:</p> <p>Belfries</p> <p>Chimneys</p> <p>Church Spires</p> <p>Conveyors</p> <p>Cooling Towers</p> <p>Elevator Bulkheads</p> <p>Fire Towers</p> <p>Water Towers and Standpipes</p> <p>Flag Poles</p> | <p>Public Monuments</p> <p>Ornamental Towers and Spires</p> <p>Radio and Television</p> <p>Towers less than 125 feet in height</p> <p>Silos</p> <p>Smoke Stacks</p> <p>Stage Towers or Scenery Lots</p> <p>Tanks</p> <p>_____ Air-Pollution Prevention Devices</p> |
| 4.15.02 | <p>When permitted in a district, public or semi-public service buildings, hospitals, institutions, or schools may be erected to a height not exceeding seventy-five (75) feet when each required yard line is increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.</p> | |
| 4.15.03 | <p><u>Flag pole height, as measured from the ground, shall not exceed the height of its accompanying building by more than 25% of the building's height as constructed. The maximum height allowed for a flag pole shall be 50' or 25% above the accompanying building's height, whichever is the lesser value.</u></p> | |