

LA VISTA CITY COUNCIL MEETING AGENDA

July 7, 2020

6:00 P.M.

**La Vista Community Center Gym
8116 Park View Blvd**

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**

All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. CONSENT AGENDA

1. **Approval of the Agenda as Presented**
2. **Approval of the Minutes of the June 16, 2020 City Council Meeting**
3. **Approval of the Minutes of the June 18, 2020 Planning Commission Meeting**
4. **Request for Payment – Alfred Benesch & Company – Professional Services – 96th & 108th St. Pavement Rehabilitation – \$18,797.99**
5. **Request for Payment – Commercial Seeding Contractors – Construction Services – 84th Street Redevelopment – \$2,119.10**
6. **Request for Payment – DLR Group – Professional Services – City Centre Parking Structure 2 – \$90,255.00**
7. **Request for Payment – Olsson – Professional Services – City Centre Phase 1 Public Infrastructure – \$1,331.50**
8. **Request for Payment – RDG – Professional Services – Placemaking & LA Services – \$5,004.25**
9. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Central Park Improvements – \$11,843.75**
10. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – City Parking District Access Improvements – Drainage – \$1,480.00**
11. **Request for Payment – Thompson, Dreessen & Dorner, Inc. – Professional Services – Miscellaneous Services – \$337.50**
12. **Request for Payment – Oakhaven Homes, Inc. – Construction Services – HR Office Remodel – \$24,683.13**
13. **Approval of Claims**

- **Reports from City Administrator and Department Heads**

B. Zoning Text Amendments – Sections 2.20, 2.01 and 7.03

1. **Public Hearing**
2. **Ordinance – Amend Zoning Ordinance Sections 2.20, 2.01 and 7.03**

C. Resolution – Approve Budget – Sarpy County and Cities Wastewater Agency FY2020-2021

D. Resolution – Approve Purchase – Pavement Marking Machine

E. Presentation – 2021-2025 Capital Improvement Program (CIP)

F. Discussion – Re-opening Plans

- **Comments from the Floor**
- **Comments from Mayor and Council**
- **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.

MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1310556LD

LA VISTA CITY COUNCIL MEETING JUNE 16, 2020

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on June 16, 2020. Present via teleconference and videoconference were Mayor Douglas Kindig, Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also present via teleconference were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Dowse, Community Development Director Fountain, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on June 10, 2020. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public via videoconference and teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the Zoom meeting link and phone number was given to the public through the publication in the Times, the City of La Vista website and through social media and was posted at the entrance to the meeting facility. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JUNE 2, 2020 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 21, 2020 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – APRIL 2020
5. REQUEST FOR PAYMENT – CITY OF OMAHA – CONSTRUCTION SERVICES – 84TH ST. ADAPTIVE SIGNALS – \$6,000.00
6. REQUEST FOR PAYMENT – COMMERCIAL SEEDING CONTRACTORS – CONSTRUCTION SERVICES – 84TH ST. REDEVELOPMENT – \$1,648.00
7. REQUEST FOR PAYMENT – COMMERCIAL SEEDING CONTRACTORS – CONSTRUCTION SERVICES – 84TH ST. REDEVELOPMENT – \$2,625.00
8. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN – \$8,167.20
9. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT SERVICES FOR PUBIC IMPROVEMENTS AND OTHER WORKS – \$387.24
10. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE I PUBLIC INFRASTRUCTURE – \$1,119.00
11. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – ANNUAL CONTRIBUTION – PAPIILLION CREEK WATERSHED PARTNERSHIP – \$10,750.00
12. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – WEST PAPIO TRAIL, GILES ROAD TO MILLARD – \$250,000.00
13. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LV SERVICES – \$9,167.65
14. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION – \$428.35
15. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – MISCELLANEOUS CIVIL ENGINEERING SERVICES – \$1,334.50
16. APPROVAL OF CLAIMS

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A-1 BODY INC, maint.	2,251.69
ACTION BATTERIES, maint.	112.71
AKRS EQUIPMENT SOLUTIONS, supplies	794.59
ALTEC INDUSTRIES INC, maint.	64.20
AMAZON CAPITAL, supplies	1,033.76
AMERICA'S FENCE STORE INC, bld&grnds	4,999.79
ASPEN EQUIPMENT CO, maint.	762.25
AXON ENTERPRISE INC, supplies	2,322.50
BISHOP BUSINESS EQUIPMENT, services	796.77
BJORKLUND COMP CONSULTING, services	240.00
BLACK HILLS ENERGY, utilities	775.62
BOOT BARN, apparel	243.49
BRIAN HENNING, refund	215.00
BUETHE, P., services	50.00
CENTURY LINK, phones	674.13
CENTURY LINK BUSN SVCS, phones	105.11
CINTAS CORP, services	583.26
CITY OF PAPILLION, services	3,250.00
CONTINENTAL RESEARCH CORP, supplies	783.94
COX COMMUNICATIONS, INC, services	589.14
CULLIGAN OF OMAHA, services	28.00
D & K PRODUCTS, services	1,935.15
DIAMOND VOGEL PAINTS, bld&grnds	207.45
DLR GROUP, services	50,166.40
DOG WASTE DEPOT, supplies	604.40
DOUGLAS COUNTY SHERIFF'S OFC, services	912.50
DULTMEIER SALES LLC, maint.	14.16
EDGEWEAR SCREEN PRINTING, apparel	120.00
FBG SERVICE CORP, services	11,930.00
FERGUSON ENTERPRISES, bld&grnds	37.98
FIRST WIRELESS INC, phones	560.00
FITZGERALD SCHORR BARMETTLER services	34,222.30
GENUINE PARTS, maint.	913.22
GRAINGER, services	8.52
GREAT PLAINS UNIFORMS, apparel	2,220.00
GREATAMERICA FINANCIAL, services	1,127.00
HANEY SHOE STORE, apparel	150.00
HARM'S CONCRETE INC, services	130.00
HAWKEYE TRUCK EQUIPMENT, maint.	754.51
HEIM, JAMES A, services	3,354.00
HUNTEL COMMUNICATIONS, phones	115.00
HY-VEE INC, services	275.00
INDUSTRIAL SALES CO, services	88.67
J & J SMALL ENGINE, maint.	561.42
J RETZ LANDSCAPE INC, services	1,640.00
JOHN MADSEN, refund	215.00
JOHNSTONE SUPPLY CO, maint.	69.74
KRIHA FLUID POWER, maint.	78.92
LV COMM FOUNDATION, payroll	60.00
LARSEN SUPPLY CO, supplies	79.94
LOGAN CONTRACTORS SUPPLY. Maint.	81.65
LOU'S SPORTING GOODS, supplies	269.82
MARK A KLINKER, services	200.00
MENARDS-RALSTON, supplies	1,322.55
METRO LANDSCAPE MATERIALS, bld&grnds	240.00
METRO COMM COLLEGE, services	19,931.57
MUD, utilities	224.61
MIDLANDS LIGHTING & ELECTRIC, supplies	9.65
MIDWEST SERVICE & SALES CO, supplies	678.00
MIRACLE RECREATION EQUIPMENT, supplies	334.00

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NE IOWA INDL FASTENERS INC, maint.	19.84
NE LAKE MANAGEMENT, bld&grnds	590.00
OFFICE DEPOT INC, supplies	122.32
OPPD, utilities	47,666.36
OMAHA TACTICAL LLC, supplies	143.00
OMAHA WINNELSON, supplies	49.36
OMNI ENGINEERING, services	429.10
ONE CALL CONCEPTS, services	376.59
O'REILLY AUTO PARTS, maint	280.23
OVERHEAD DOOR CO, bld&grnds	4,467.00
PAPILLION SANITATION, services	1,163.61
PAPILLION TIRE INC, maint.	12.75
PER MAR SECURITY, services	924.00
RAINBOW GLASS, supplies	855.00
RDG PLANNING & DESIGN, services	9,167.65
READY MIXED CONCRETE CO, services	1,886.96
RED MUNICIPAL & INDUSTRIAL, maint.	5,547.02
RON TURLEY ASSOCIATES INC, services	1,700.00
SARPY COUNTY COURTHOUSE, services	4,207.68
SIGN IT, services	2,705.60
SIGN-O-VATION INC, services	427.33
SOUTHERN UNIFORM, apparel	349.70
STAPLES INC, supplies	104.42
STOLTENBERG NURSERIES, services	1,618.70
SUN VALLEY LANDSCAPING, services	263.59
T & N ACQUISITION CO, supplies	528.50
TED'S MOWER SALES, maint.	160.08
THE HARRY A KOCH CO, services	6,725.75
THE SCHEMMER ASSOC, services	3,971.30
TOSHIBA FINANCIAL, services	138.00
TRAFCON INDUSTRIES, services	3,209.63
TRAFFIX DEVICES, services	21,720.20
TRANS UNION RISK, services	50.00
TURFWERKS, maint.	83.22
U.S. CELLULAR, phones	1,688.72
UNITE PRIVATE NETWORKS, services	4,400.00
UNITED STATES POSTAL SERVICE, postage	1,396.22
UNIVERSITY OF NEBRASKA-OMAHA, services	50.00
VERIZON WIRELESS, phones	289.77
VOIANCE LANGUAGE, services	22.31
WALMAR, supplies	417.44
WESTLAKE HARDWARE, bld&grnds	825.96
WHITE CAP CONSTR, supplies	164.70
WOODHOUSE LINCLN, maint.	38.96

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Frederick reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn gave a presentation on the financial impact of COVID-19.

City Clerk Buethe reported that virtual Council Meetings will end as of July 1.

Recreation Director Stopak reported on upcoming senior parking lot concerts and that AARP will be offering tax assistance at locations in Bellevue and Omaha.

Police Chief Lausten reported on an incident at Triangle Park, reports on the department's use of force, and Code Enforcement transparency and information on the

website. He also reported on how the La Vista Police Department is already meeting President Trump's new initiatives for policing.

B. ORDINANCE – SMALL WIRELESS FACILITIES

Councilmember Thomas introduced Ordinance No. 1393 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND THE LA VISTA MUNICIPAL CODE BY ADDING A NEW CHAPTER 120 REGARDING TELECOMMUNICATIONS SMALL WIRELESS FACILITIES; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. The motion to suspend the rules was adopted, and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title, and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1393 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. RESOLUTION – APPROVE ALPINE VILLAGE SOUTH ADDITION REPLAT 1 – NORTHWEST OF 84TH ST. & BRENTWOOD DR.

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 21A1, 21A2, 22B, 22A1B, & 22A1A1 ALPINE VILLAGE SOUTH & OUTLOT 1A1 GRANVILLE SOUTH, TO BE REPLATTED AS LOTS 1 THROUGH 3 ALPINE VILLAGE SOUTH ADDITION REPLAT 1, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on May 21, 2020, the La Vista Planning Commission reviewed the replat and unanimously voted to recommended approval to the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1, a subdivision located in the Northeast Quarter of the Southeast Quarter of Section 15, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northwest of the intersection of 84th Street and Brentwood Drive be, and hereby is, approved.

Seconded by Councilmember Frederick. Scott Meyerson, attorney for the applicant, and Steve Humphries, surveyor, were present to answer any questions. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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D. RESOLUTION – PAPIO-MISSOURI RIVER NRD HAZARD MITIGATION PLAN PARTICIPATION

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NRD MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Hazard Mitigation Plan identifies the vulnerability of public bodies to natural and man-made hazards and the measures that can be implemented to reduce or eliminate vulnerability exposure; and

WHEREAS, FEMA now requires that a public entity must have a current Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters; and

WHEREAS, the Papio-Missouri River Natural Resources District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including Burt, Dakota, Douglas, Sarpy, Thurston, and Washington Counties and all associated local governmental entities;

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska hereby approve participation in the proposed Hazard Mitigation Planning process described above, and pledge to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – CONCRETE PANEL REPLACEMENT 96TH ST. & 108TH ST.

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONCRETE PAVEMENT RECONSTRUCTION ON 96TH STREET AND 108TH STREET.

WHEREAS, the Mayor and Council have determined that concrete pavement reconstruction on 96th Street and 108th Street is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for the proposed project; and

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors	June 24 and July 1, 2020
Open Bids	July 10, 2020 at 10:00 am at City Hall
City Council Award Contract	July 21, 2020

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for Concrete Pavement Reconstruction on 96th Street and 108th Street.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – AUTHORIZE LEASE BUY-OUT

Councilmember Quick introduced and moved for the adoption of Resolution No. 20-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY

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OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE BUY-OUT OF ONE (1) 2016 CATERPILLAR 308E2 EXCAVATOR AND ONE (1) FELLING FT-30-2 LP TRAILER FROM NEBRASKA MACHINERY COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$70,201.24.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of an excavator and trailer is necessary; and

WHEREAS, the Capital Purchasing Team determined that buying out the lease on the current excavator was a more cost-effective solution than purchasing a new piece of equipment; and

WHEREAS, this equipment was included in the updated Capital Outlay List for FY20 which was approved by the City Council on December 3, 2019; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the lease buy-out of one (1) 2016 Caterpillar 308E2 Excavator and one (1) Felling FT-30-2 LP Trailer from Nebraska Machinery Company, Omaha, Nebraska in an amount not to exceed \$70,201.24.

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM CITIZENS

There were no comments from citizens.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on the City of Omaha's new hate crime ordinance and if La Vista should be working on a similar ordinance. There was Council consensus for staff to research and bring back an ordinance for Council consideration at a future meeting.

Mayor Kindig asked for and received consensus to direct staff to work on a reopening plan for City facilities.

At 7:40 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF JULY 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
JUNE 18TH, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, June 18, 2020 via Zoom, which included video and teleconferencing options. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, and Patrick Coghlan. Members absent were: Harold Sargus, Jason Dale, Mike Circo, and Josh Frey. Also, in attendance were Bruce Fountain, Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Pat Dowse; City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Coronavirus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

1. Call to Order

The meeting was called to order by Chairman Wetuski at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – May 21, 2020

Malmquist moved, seconded by *Alexander*, to approve the May 21st minutes. **Ayes: Krzywicki, Gahan, Wetuski, Alexander, Coghlan, and Malmquist. Nays: None. Abstain: None. Absent: Circo, Sargus, Dale, and Frey. Motion Carried, (6-0)**

3. Old Business

None.

4. New Business

A. Planned Unit Development – Lot 2 Southport East Replat Two – CPM-SFI Southport, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, CPM-SFI Southport LLC, is looking for an amendment to an existing Planned Unit Development Site Plan for Lot 2 Southport East Replat Two, which is located southeast of the intersection of Giles Road and Southport Parkway. Brodersen said that this site plan contains two buildings, which would include a fast food restaurant with a drive-thru and a sit-down restaurant with a drive-thru. He mentioned that initial Planned Unit Development Ordinance was approved in December of 2005 and was then amended

in November of 2016, but the development proposal has since changed, which is why they are meeting on the proposed amendment now. Brodersen said that when Staff initially received this site plan, one of their concerns regarded the traffic and the potential stacking of cars in the drive-thru for the proposed fast food restaurant onto Southport Parkway, but the applicant worked with them pretty extensively to produce an alternative site plan which allows for more stacking length. The applicant also submitted a traffic queuing analysis which demonstrated that the site plan as proposed can adequately accommodate the traffic that will be generated from the proposed uses. Brodersen said that the applicant also worked with them to improve the pedestrian connections on the site, so that pedestrians moving around the lot or to the lot from surrounding developments can move safely. Staff recommends approval of the Planned Unit Development Site Plan Amendment for Lot 2 Southport East Replat Two, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

- ii. **Applicant Presentation-** Philip Niewohner from Olsson, spoke on behalf of the applicant. He said that they are looking for approval on the amendment to the PUD, which is an update to the amendment done in 2016, so that they may be able to put in a fast food restaurant with drive thru and to potentially, in the future, put in a sit down restaurant as well. He then invited the commission and public to ask any questions they may have.

Fountain added that the City Engineer did review the traffic queuing study and is also available to answer questions.

Krzywicki asked how many cars can stack before it would back up to the Southport Parkway entrance.

Niewohner said that they were looking at it in terms of how far it would stack into the parking lot with respect to the adjacent hotel parking. He said that length is 8 cars and in order for it to stack onto Southport Parkway, it would be another 5 cars.

Krzywicki asked if they would have 2 different directions that cars would be pulling into the queue from.

Niewohner confirmed that vehicles could enter the drive-thru from two different directions, based on how they enter the site.

Krzywicki asked for clarification on the stacking amounts.

Niewohner said that from the drive-thru window to the edge of curb of the actual drive-thru itself would be 8. The stacking amount from Southport Parkway to the drive-thru entrance would be an additional 5 cars.

Krzywicki asked what the turning radius is coming off Southport Parkway to make that U-turn to drive into that stacking.

Niewohner said that the radius is 14' and that they did look at what the minimum U-turn radius was and did turn that into the City staff to show them that it was possible.

Krzywicki said that he used to work for a place that looked at the turning radius and said that pickup trucks usually require about a 42' turning radius to be able to make a clean turn and asked if a full-size pickup would be able to make a clean turn in there.

Niewohner said that he believed so and that they use a typical car length, which has an inner radius of about 30'.

Krzywicki said that in this part of the country there are a lot of pickups and that he is a little concerned about that not being a wide enough radius to accommodate the trucks.

Krzywicki asked if there are already 6 or 7 cars backed up to southeast using the longer stacking, would it block cars if there is a pickup truck coming in from Southport and would it prevent them from going around and coming in from the other direction.

Niewohner said that he doesn't believe that it would. He mentioned that there would be 2 or 3 different routes to help maneuver vehicles through the site. He said that if they absolutely had to, they would have the ability to swing out a little wider to make the turning radius.

Krzywicki said that he did read some things in the Staff Report about there being cross parking agreements on adjacent parking lots and asked for confirmation on this being correct.

Niewohner said that is correct.

Krzywicki asked if that meant they would be able to drive across the hotel's lot to come around the other side.

Niewohner said that is correct.

iii. Public Hearing- Wetuski opened the public hearing.

Andrew Willis spoke on behalf of the hotel owner, Southport Lodging, LLC. He said that the owners have some pretty significant concerns about this site plan, mainly the traffic and parking issues, some of which had already been discussed. He said that this all stems from the Cross Easement and Use Restriction Agreement from 2016 and that there is some shared parking and shared drives across these 2 lots. He said that one of the issues with the parking specifically, is that this site plan has only 119 stalls and shared parking and that the site plan would remove some of those shared stalls and the hotel relies on them. Willis said that the hotel is concerned that there will now only be 80 parking stalls and potentially 2 drive-thru restaurants which

will increase the traffic significantly. He said that part of the hotel's concern is the additional traffic coming through the hotel parking lot while people are trying to unload/load their cars. Willis said that the cross-easement agreement essentially said that the hotel has approved the site plan that was attached to that cross easement or anything substantially the same, but otherwise, the developer of this lot needs to get the hotel owner's written approval. He said that this plan is substantially different than what was set forth in that agreement. He then noted that the 2016 amendment to the PUD where the site plan was approved, that there was originally a drive-thru coffee shop that was planned for that site and they took that out because of concerns with that drive-thru. He said that hotel really sees how this will have a substantial detrimental effect and that they can't handle that additional traffic.

Jamie Saldi spoke on behalf of the applicant and in response to Willis. He said that they have been part of the development team since 2016. He said that their site plan has changed a little bit, however, working through this site plan with the City, they feel like it's a good site plan, but they completely understand the hotel's concerns. He said that the hotel has been looking over the site plan the last couple of weeks, and they really haven't had the chance to effectively sit down and go over the whole thing up until today's meeting. Saldi said that they did send them the site plan and the traffic study and were looking for some more dialogue in the next couple of weeks.

Willis said that the hotel owners would like to see something built there and would like to sit down and discuss it. He said that the timing just hasn't worked out and when the hotel saw the plan, they were able to really see that it was much different than what was originally planned. He said that the hope is that they can sit down with the developer and come up with something that works for everyone.

Saldi agreed and said that they would be willing to do that.

Wetuski closed the Public Hearing.

- iv. **Recommendation:** Krzywicki moved, seconded by Gahan, to recommend tabling this agenda item until the July 16th meeting to allow time for the developer and hotel ownership to meet and resolve the issues. **Ayes:** *Krzywicki, Gahan, Wetuski, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo, Sargus, Dale, and Frey. Motion Carried, (6-0)*

B. Zoning Ordinance Amendment – Sections 2.20, 7.01, and 7.03 (Signs)

- i. **Staff Report – Cale Brodersen:** Brodersen stated that staff are proposing some changes to the Zoning Ordinance regarding signage, specifically sections 2.20, 7.01, and 7.03. He said that there a couple of different things compiled into these proposed changes. The first is that there are currently 3 different sign types that are not allowed in the La Vista Zoning Ordinance that have been proposed and that staff feel, after doing research, are appropriate in certain circumstances in La Vista. These

include; roof signs, blade signs, and marquee signs. These changes introduce the circumstances for the use of the 3 new sign types in the Mixed-Use City Centre District. Brodersen said that there are some other changes that clean up and provide clarification to some existing sign types. The last major change exempts public school facilities from the signage requirements. He said that this is done by other communities in Nebraska, and that La Vista already exempts their public facilities, but schools do not currently fall under the Zoning Ordinance's definition of public facilities. This amendment would allow public schools to be included in this exemption, and utilize some signs that are currently unavailable to them due to their common placement in residential districts. Staff recommends approval of the proposed zoning text amendment.

ii. Public Hearing: Wetuski opened the public hearing.

Wetuski closed the public hearing as no members of the public came forward.

iii. Recommendation: Krzywicki moved, seconded by Coghlan, to recommend approval of the proposed zoning text amendment. Ayes: *Krzywicki, Gahan, Wetuski, and Alexander*. Nays: *None*. Abstain: *None*. Absent: *Circo, Sargus, Dale, Malmquist, and Frey*. Motion Carried, (5-0)

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

None.

7. Comments from the Staff

Brodersen said that this will be the last digital Planning Commission meeting as we are now required by statute to go back to in person meetings so they're more accessible to the public. He said that we will follow council's lead and have set up chambers in the gym in the community center. Brodersen said that the commissioners and members of the public will be spaced at least 6 feet apart. Everyone is encouraged to wear a mask. He said that there will be more information coming and that we will be meeting in person for the July 16th meeting.

Brodersen said that at the August 6th meeting, we will be presenting on the CIP and related projects.

Fountain said that they will encourage the public and commission to wear masks to the July 16th meeting, but will not be requiring them. He said that we will have them available to anyone who wants one.

8. Adjournment

Wetuski adjourned the meeting at 7:03 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date



Pat Dowse
City of La Vista
9900 Portal Road
La Vista, NE 68128

June 17, 2020

Project No: 00120661.00

Invoice No: 159455

96th & 108th St Pavement Rehabilitation

Professional Services from May 4, 2020 to June 7, 2020

Task 00001 Project Management

Professional Personnel

	Hours	Rate	Amount	
E1a Professional Engineer/Project Mgr				
O'Bryan, Timothy	10.00	181.00	1,810.00	
Totals	10.00		1,810.00	
Total Labor				1,810.00
			Total this Task	\$1,810.00

Task 00002 Survey

Reimbursable Expenses

Travel				
3/23/2020	Tisinger, Mark	32 miles @ \$.575/mile	18.40	
3/24/2020	Tisinger, Mark	50 miles @ \$.575/mile	28.75	
3/25/2020	Tisinger, Mark	55 miles @ \$.575/mile	31.63	
3/26/2020	Tisinger, Mark	51 miles @ \$.575/mile	29.33	
3/27/2020	Tisinger, Mark	57 miles @ \$.575/mile	32.78	
3/30/2020	Tisinger, Mark	50 miles @ \$.575/mile	28.75	
3/31/2020	Tisinger, Mark	58 miles @ \$.575/mile	33.35	
	Total Reimbursables		202.99	202.99
			Total this Task	\$202.99

Task 00003 Preliminary Design

Professional Personnel

	Hours	Rate	Amount	
E1a Professional Engineer/Project Mgr				
O'Bryan, Timothy	13.00	181.00	2,353.00	
E5 Eng Tech II, Insp II, Env Tech II				
Salisbury, Tracy	105.50	85.00	8,967.50	
Totals	118.50		11,320.50	
Total Labor				11,320.50

Unit Billing

2020 Chevy Equinox-WIV759 23CVNR
5/6/2020

28.0 Miles @ 0.575 16.10

Project	00120661.00	La Vista 96th & 108th St Pavement Rehab	Invoice	159455
5/11/2020		32.0 Miles @ 0.575	18.40	
	Total Units		34.50	34.50
		Total this Task		\$11,355.00

Task 00004 Final Design

Professional Personnel

	Hours	Rate	Amount
E1a Professional Engineer/Project Mgr Kastl, Patrick	30.00	181.00	5,430.00
Totals	30.00		5,430.00
Total Labor			5,430.00
	Total this Task		\$5,430.00

Billing Limits	Current	Prior	To-Date
Total Billings	18,797.99	42,235.58	61,033.57
Limit			116,995.00
Remaining			55,961.43
	Total this Invoice		\$18,797.99

OK TO PAY
PM D 6/23/2020
PO#20-008952

Consent Agenda 7/7/20 

Commercial Seeding Contractors
26365 Reichmuth Circle
Valley, NE 68064

Invoice

Date	Invoice #
6/20/2020	23258

Bill To
City of LaVista Attn: Pat Dowse 8116 Park View Boulevard LaVista, NE 68128



P.O. No.	Terms	Project		
		84th St Redevelopment		
Quantity	Description	U/M	Rate	Amount
1	1. Mobilization (Each)		500.00	500.00
6	2. Clean Inlet Filters (Each)		50.00	300.00
3	3. Remove and Replace Inlet Filter		250.00	750.00
94	Silt Fence (LF) installed		2.25	211.50
12	Silt Fence (LF) HAND INSTALL		2.80	33.60
6.75	EXTRA WORK - Laborers (Hours) to repair silt fence		40.00	270.00
1	EXTRA WORK - Materials used in silt fence repairs		54.00	54.00
			Total	\$2,119.10

OK TO PAY
PMD 7/1/2020
16.71.0917.000 - PARK 17005

Invoice



listen.DESIGN.deliver
6457 Frances Street, Suite 200
Omaha, NE 68106
402-393-4100 Fax 402-393-8747

Pat Dowse
Director Public Works
City of La Vista
Email Inv: pdowse@cityoflavista.org
City of La Vista
8116 Park View Boulevard
La Vista, NE 68128-2198

June 10, 2020
Project No: 10-17105-40
Invoice No: 0177535

Project 10-17105-40 La Vista City Cntr Parking Structure 2
PO 20-008373

Billing Period: May 1, 2020 to May 31, 2020

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Schematic Design	109,400.00	100.00	109,400.00	109,400.00	0.00
Design Development	164,100.00	100.00	164,100.00	106,665.00	57,435.00
Construction Documents	218,800.00	15.00	32,820.00	0.00	32,820.00
Bid Negotiation	54,700.00	0.00	0.00	0.00	0.00
Total Fee	547,000.00		306,320.00	216,065.00	90,255.00
Total Fee					90,255.00

Billing Limits	Current	Prior	To-Date
Expenses	0.00	1,979.60	1,979.60
Limit			10,000.00
Remaining			8,020.40

Total this Invoice \$90,255.00

Outstanding Invoices

Number	Date	Balance
0176728	5/11/2020	50,166.40
Total		50,166.40

OK TO PA-1
PMD 6/23/2020

Billings to Date

	Current	Prior	Total
Fee	90,255.00	216,065.00	306,320.00
Expense	0.00	1,979.60	1,979.60
Totals	90,255.00	218,044.60	308,299.60

We appreciate your confidence in us and thank you in advance for your payment.
Being environmentally friendly, we encourage payments via Wire Transfer.
Routing number: 121000248 Account Number: 4945435436

Matthew Gulsvig, AIA, LEED AP

Consent Agenda 7/7/20 (pd)

Payment due and interest charged per contract terms. Remit to address at the top of this invoice.

Invoice

601 P St Suite 200
 PO Box 84608
 Lincoln, NE 68501-4608
 Tel 402.474.6311, Fax 402.474.5063

olsson

June 25, 2020
 Invoice No: 360275

Pat Dowse
 City Engineer
 City of La Vista NE
 8116 Park View Blvd
 La Vista, NE 68128-2198

Invoice Total	\$1,331.50
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Olsson Project # B16-0546 La Vista NE City Centre Phase 1 Public Infrastructure
 Professional services rendered from May 10, 2020 through June 13, 2020 for work completed in accordance with agreement dated October 7, 2016 and Amendment #1 dated July 7, 2017, Amendment #2 dated July 21, 2017, Amendment #3 dated November 21, 2017, Amendment #4 dated May 17, 2018, and Amendment #5 dated October 24, 2018.

NTP: 12.06.16

PO: 20-008346 ↩

Phase	300	Project Management (Including Amendments 2, 3, 5 & 7)
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Labor

	Hours	Rate	Amount	
Team/Technical Leader				
Egelhoff, Anthony	.50	185.00	92.50	
Administrative				
Chambers, Veronica	.50	73.00	36.50	
Totals	1.00		129.00	
Total Labor				129.00
		Total this Phase		\$129.00

Phase	400	Construction Services (Including Amendments 3, 5 & 7)
-------	-----	---

Labor

	Hours	Rate	Amount	
Project Manager CS				
Markham, Matthew	3.50	115.00	402.50	
Totals	3.50		402.50	
Total Labor				402.50

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

Project	B16-0546	La Vista NE City Centre Phase 1 Public	Invoice	360275
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Total this Phase \$402.50

Phase 402 SWPPP Inspections (Including Amendment 5 & 7)

Fee

Number of Mo Insp Fees	1.00
Fee Each	800.00
Subtotal	800.00

Subtotal 800.00

Total this Phase \$800.00

Billing Limits

	Current	Prior	To-Date
Total Billings	1,331.50	1,149,752.17	1,151,083.67
Limit			1,168,326.50
Balance Remaining			17,242.83

AMOUNT DUE THIS INVOICE \$1,331.50

Email Invoices to: pdowse@cityoflavista.org

Authorized By: Anthony Egelhoff

OK TO Pay
PMD 7/1/2020

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS



May 31, 2020

Project No: R3003.066.00

Invoice No: 47324

Rita Ramirez
 Assistant City Administrator
 City of La Vista
 8116 Parkview Blvd
 La Vista, NE 68128

Project R3003.066.00 LaVista, City of - Placemaking & LA Svcs

Professional Services through May 31, 2020**Fee**

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee
Planning	237,167.50	74.00	175,503.96	170,499.71	5,004.25
Schematic Design	12,482.50	0.00	0.00	0.00	0.00
Total Fee	249,650.00		175,503.96	170,499.71	5,004.25
Total Fee					5,004.25
Total this Invoice					\$5,004.25

Outstanding Invoices

Number	Date	Balance
47175	4/30/2020	9,167.65
Total		9,167.65

PO Number: 20-008351

R. Ramirez
6/30/20

Consent Agenda 7/7/20 @ PD





Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:
TD2 Nebraska Office
10836 Old Mill Road; Omaha, NE 68154
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108
Office: 605/951-0886

CITY OF LA VISTA
PAT DOWSE
9900 PORTAL ROAD
LA VISTA, NE 68128

Invoice number 136905
Date 04/23/2020

Project 0171-422 CENTRAL PARK
IMPROVEMENTS

Professional Services from January 20, 2020 through April 12, 2020

Description	Contract Amount	Prior Billed	Remaining	Current Billed
Task 1 - Topographic Survey	3,500.00	0.00	0.00	3,500.00
Task 2 thru 4-Design Work except Task 2.4	39,500.00	0.00	33,073.75	6,426.25
Reimbursables	20,000.00	0.00	18,082.50	1,917.50
<i>Subconsultant Services - Felsburg, Holt and Ullevig</i>				
Total	63,000.00	0.00	51,156.25	11,843.75

Invoice total 11,843.75

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
136905	04/23/2020	11,843.75	11,843.75				
	Total	11,843.75	11,843.75	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

OK TO PAY
PMD 7/1/2020
16,710,917.00 - PMH20001



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:
TD2 Nebraska Office
10836 Old Mill Road, Omaha, NE 68154
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office
5000 S. Minnesota Ave., Ste. 300, Sioux Falls, SD 57108
Office: 605/951-0886

CITY OF LA VISTA
PAT DOWSE
9900 PORTAL ROAD
LA VISTA, NE 68128

Invoice number 136904
Date 04/23/2020

Project 0171-414 CITY PARKING DISTRICT
ACCESS IMPROVEMENTS - DRAINAGE

Professional Services from January 7, 2020 through April 12, 2020

See detail other side

Description	Contract Amount	Prior Billed	Remaining	Current Billed
Task A2-A - Update Plans and Specs for Rebidding	5,265.00	0.00	3,905.00	1,360.00
Task A2-B - Communication with Property Owners	3,720.00	0.00	3,600.00	120.00
Task A2-C - Construction Staking	3,445.00	0.00	3,445.00	0.00
Task A2-D - Construction Phase Services	6,555.00	0.00	6,555.00	0.00
Total	18,985.00	0.00	17,505.00	1,480.00

Invoice total 1,480.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
136904	04/23/2020	1,480.00	1,480.00				
	Total	1,480.00	1,480.00	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

OK TO PAY
PMD - 7/11/2020
05.71.0917.000-98716002



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors

INVOICE

Please remit to:
TD2 Nebraska Office
10836 Old Mill Road; Omaha, NE 68154
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108
Office: 605/951-0886

CITY OF LA VISTA
PAT DOWSE
9900 PORTAL ROAD
LA VISTA, NE 68128

Invoice number 136903
Date 04/23/2020

Project 0171-400 CITY OF LA VISTA -
MISCELLANEOUS SERVICES 2012-
CURRENT, CIVIL

Professional Services from March 9, 2020 through April 12, 2020

Description		Current Billed
Civil Engineering Services		337.50
Communication for Phase 1 Interlocal Agreement with SID 237.	225.00	
Communications with McCormick about safety concerns on Old Giles Road.	37.50	
Attend Community Development staff meeting remotely.	75.00	
Total		337.50

Invoice total 337.50

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
136903	04/23/2020	337.50	337.50				
	Total	337.50	337.50	0.00	0.00	0.00	0.00

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees. Invoices not paid within 90 days of the invoice date will be subject to possible lien filings.

OK TO PAY
PMD 7/1/2020
01.19.0303.000

501 East Gold Coast Road, Suite 100
Papillion, NE 68046

Date	Invoice #
7/1/2020	1314

Bill To
City of La Vista 8116 Parkview Blvd. La Vista, NE 68128

[illegible]

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
132638	06/17/2020	CENTURY LINK	123.82	N
132639	06/17/2020	CITY OF OMAHA	6,000.00	N
132640	06/17/2020	COMMERCIAL SEEDING CONTRACTOR	4,273.00	N
132641	06/17/2020	CORNHUSKER INTL TRUCKS INC	684.65	N
132642	06/17/2020	DESIGN WORKSHOP INC	8,167.20	N
132643	06/17/2020	HDR ENGINEERING INC	387.24	N
132644	06/17/2020	HERBERT HAYES	181.68	N
132645	06/17/2020	HUE LIFE LLC	4,050.00	N
132646	06/17/2020	LEXIS NEXIS MATTHEW BENDER	74.08	N
132647	06/17/2020	NEBRASKA ENVIRONMENTAL PRODUC	2,935.71	N
132648	06/17/2020	NEW HORIZONS COMPUTER LEARNIN	1,079.00	N
132649	06/17/2020	OLSSON, INC.	1,119.00	N
132650	06/17/2020	OMAHA PUBLIC POWER DISTRICT	47,607.51	N
132653	06/17/2020	PAPIO-MISSOURI RIVER NRD	260,750.00	N
132654	06/17/2020	POMP'S TIRE SERVICE, INC	206.00	N
132655	06/17/2020	RDG PLANNING & DESIGN	2,885.00	N
132656	06/17/2020	THOMPSON DRESSEN & DORNER, IN	1,762.85	N
132657	06/18/2020	CATERPILLAR FINANCIAL SVCS CORP	6,119.46	N
132658	06/18/2020	CATERPILLAR FINANCIAL SVCS CORP	64,081.78	N
132659	07/07/2020	A TO Z DATABASES	933.00	N
132660	07/07/2020	ABM INDUSTRIES, INC	9,848.56	N
132661	07/07/2020	ACTION BATTERIES UNLTD INC	278.73	N
132662	07/07/2020	AED ZONE	280.00	N
132663	07/07/2020	AKRS EQUIPMENT SOLUTIONS, INC.	492.13	N
132664	07/07/2020	AMAZON CAPITAL SERVICES, INC.	1,167.10	N
132665	07/07/2020	AMERICAN CONCRETE PRODUCTS	4,500.00	N
132666	07/07/2020	ASP ENTERPRISES INC	319.67	N
132667	07/07/2020	AT&T MOBILITY LLC	93.76	N
132668	07/07/2020	BJORKLUND COMPENSATION CONSUL	4,543.00	N
132669	07/07/2020	BLACK HILLS ENERGY	1,239.84	N
132670	07/07/2020	BOBCAT OF OMAHA	850.89	N
132671	07/07/2020	CENTER POINT, INC.	408.66	N
132672	07/07/2020	CENTURY LINK	301.97	N
132673	07/07/2020	CENTURY LINK BUSN SVCS	100.88	N
132674	07/07/2020	CINTAS CORPORATION	320.04	N
132675	07/07/2020	CITY OF PAPILLION	6,111.26	N
132676	07/07/2020	CITY OF PAPILLION	188,687.00	N
132677	07/07/2020	CNA SURETY	1,855.00	N
132678	07/07/2020	COMP CHOICE INC	514.00	N
132679	07/07/2020	COMPLETE TACTICAL CONSULTANTS	3,570.00	N
132680	07/07/2020	COX COMMUNICATIONS, INC.	147.02	N
132681	07/07/2020	CULLIGAN OF OMAHA	17.00	N
132682	07/07/2020	D & K PRODUCTS	389.85	N
132683	07/07/2020	DATASHIELD CORPORATION	80.00	N
132684	07/07/2020	DEBRA O'BRIEN	33.00	N
132685	07/07/2020	DILLON BROS HARLEY DAVIDSON	2,306.12	N
132686	07/07/2020	DULTMEIER SALES LLC	43.02	N
132687	07/07/2020	FASTENAL COMPANY	66.41	N
132688	07/07/2020	FBG SERVICE CORPORATION	81.48	N
132689	07/07/2020	FEDEX KINKO'S	9.87	N
132690	07/07/2020	FERGUSON ENTERPRISES INC #226	87.95	N
132691	07/07/2020	FITZGERALD SCHORR BARMETTLER	33,262.98	N
132692	07/07/2020	FLORIAN, ARTHUR CRAIG	125.00	N
132693	07/07/2020	GLOBAL PAYMENTS, INC.	460.00	N
132694	07/07/2020	GREAT PLAINS UNIFORMS	33.00	N
132695	07/07/2020	GROSSENBACHER BROTHERS INC	627.00	N
132696	07/07/2020	HARM'S CONCRETE INC	828.63	N
132697	07/07/2020	HAYES MECHANICAL LLC	347.40	N
132698	07/07/2020	HELGET SAFETY SUPPLY INC	210.00	N
132699	07/07/2020	HOME DEPOT CREDIT SERVICES	1,036.65	N

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
132700	07/07/2020	INDUSTRIAL SALES COMPANY INC	745.07	N
132701	07/07/2020	INGRAM LIBRARY SERVICES	1,362.40	N
132702	07/07/2020	J RETZ LANDSCAPE, INC	1,726.76	N
132703	07/07/2020	KANOPY, INC.	87.00	N
132704	07/07/2020	LARSEN SUPPLY COMPANY	296.88	N
132705	07/07/2020	LIBRA INDUSTRIES INC	349.90	N
132706	07/07/2020	LIBRARY IDEAS LLC	167.80	N
132707	07/07/2020	LOGAN CONTRACTORS SUPPLY	1,020.96	N
132708	07/07/2020	LOU'S SPORTING GOODS	449.59	N
132709	07/07/2020	MALLOY ELECTRIC	624.77	N
132710	07/07/2020	MARCO INCORPORATED	120.46	N
132711	07/07/2020	MARTIN ASPHALT - MONARCH OIL	418.10	N
132712	07/07/2020	MARTIN MARIETTA MATERIALS, INC	106.31	N
132713	07/07/2020	MENARDS-RALSTON	1,137.14	N
132714	07/07/2020	METROPOLITAN COMMUNITY COLLEG	10,383.23	N
132715	07/07/2020	METROPOLITAN UTILITIES DISTRICT	5,483.54	N
132718	07/07/2020	MIDLANDS LIGHTING & ELECTRIC SUP	108.45	N
132719	07/07/2020	MIDWEST TAPE	270.33	N
132720	07/07/2020	MILLARD METAL SERVICES INC	61.00	N
132721	07/07/2020	MNJ TECHNOLOGIES DIRECT INC	1,063.00	N
132722	07/07/2020	MSC INDUSTRIAL SUPPLY CO	770.44	N
132723	07/07/2020	NEBRASKA IOWA INDL FASTENERS INC	9.52	N
132724	07/07/2020	NEBRASKA LIFE MAGAZINE	24.00	N
132725	07/07/2020	NOSAL ENTERPRISES, INC	3,986.53	N
132726	07/07/2020	NUTS AND BOLTS INCORPORATED	147.94	N
132727	07/07/2020	OCLC INC	161.21	N
132728	07/07/2020	OFFICE DEPOT INC	603.51	N
132729	07/07/2020	OMAHA TACTICAL LLC	40.00	N
132730	07/07/2020	OMNI ENGINEERING	542.50	N
132731	07/07/2020	OMNIGRAPHICS INC	172.90	N
132732	07/07/2020	PAPIO VALLEY NURSERY INC	590.80	N
132733	07/07/2020	READY MIXED CONCRETE COMPANY	2,714.27	N
132734	07/07/2020	RIVER CITY RECYCLING	50.00	N
132735	07/07/2020	SARPY COUNTY FISCAL ADMINSTRTN	12,103.75	N
132736	07/07/2020	SIGN IT	487.50	N
132737	07/07/2020	SOUTHERN UNIFORM & EQUIPMENT	66.98	N
132738	07/07/2020	STAPLES, INC.	237.33	N
132739	07/07/2020	STURGIS WEB SERVICES	2,000.00	N
132740	07/07/2020	SUBURBAN NEWSPAPERS INC	164.52	N
132741	07/07/2020	SUN VALLEY LANDSCAPING	293.62	N
132742	07/07/2020	TED'S MOWER SALES & SERVICE INC	43.60	N
132743	07/07/2020	THE COLONIAL PRESS, INC	1,099.85	N
132744	07/07/2020	THE COSGRAVE COMPANY	162.50	N
132745	07/07/2020	THE PENWORTHY COMPANY	590.05	N
132746	07/07/2020	THE SCHEMMER ASSOCIATES INC	2,932.00	N
132747	07/07/2020	TRAIL, RANDY	32.19	N
132748	07/07/2020	TRUCK CENTER COMPANIES	582.85	N
132749	07/07/2020	TURFWERKS	87.32	N
132750	07/07/2020	ULEMAN ENTERPRISES, INC	476.32	N
132751	07/07/2020	UNITED STATES TREASURY	251.46	N
132752	07/07/2020	USBORNE BOOKS & MORE ED. SVCS.	25.98	N
132753	07/07/2020	VALUATION SERVICES	500.00	N
132754	07/07/2020	VERIZON CONNECT NWF, INC.	641.55	N
132755	07/07/2020	WALMART COMMUNITY BRC	269.90	N
132756	07/07/2020	WATKINS CONCRETE BLOCK CO INC	94.50	N
132757	07/07/2020	WEST OMAHA WINSUPPLY COMPANY	107.44	N
132758	07/07/2020	WHITE CAP CONSTR SUPPLY/HDS	131.76	N
132759	07/07/2020	WOODHOUSE LINCLN-MAZDA-PORSC	26.22	N
TOTAL:			738,301.35	

User: mgustafson

DB: La Vista

Check #	Check Date	Vendor Name	Amount	Voided
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APPROVED BY COUNCIL MEMBERS ON: 07/07/2020

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2020 AGENDA**

Subject:	Type:	Submitted By:
ZONING TEXT AMENDMENTS — SECTIONS 2.20, 7.01, AND 7.03 SIGNS	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

SYNOPSIS

A public hearing has been scheduled and an ordinance prepared to amend Sections 2.20 (Definitions: S), 7.01 (Sign Regulations), and 7.03 (Other Sign Provisions) of the La Vista Zoning Ordinance.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

Staff have recently received several inquiries regarding the use of currently prohibited sign types. Staff are proposing zoning text amendments which creates several new sign types and the appropriate circumstances for their use, provides further clarification and cleanup for the requirements and definitions of several existing sign types, and exempts signs for public school facilities from the signage requirements. The primary proposed changes to the signage regulations include:

- Allows for the use of blade signs on multi-story buildings in the Mixed-Use City Centre Zoning District for the following uses: event centers, meeting halls, or public facilities. A blade sign is a type of projecting sign that is particularly effective in areas with heavy foot traffic.
- Provides for the ability to place roof signs that advertise an entire district or development, in addition to a building or use in the Mixed-Use City Centre Zoning District. Roof signs can be helpful in creating a cohesive identity and sense-of-place for a development or district, and would match the overall design style of the Mixed-Use City Centre District well.
- Allows for the use of marquee signs for event centers, meeting halls, or public facilities in the Mixed-Use City Centre District. Marquee signs are a stylized sign type commonly used for theaters and event centers to advertise show times and events, and would be appropriate in the pedestrian-oriented Mixed-Use City Centre District.

- Clarifies that signs for public school facilities are exempt from the signage requirements of the La Vista Zoning Ordinance. Under the current Zoning Ordinance, public schools in residential districts are not able to have wall signs or electronic message boards for ground-monument signs that can help communicate important information to parents or guardians like dates for school closings or events. Signs for public facilities or public/civic events are currently exempt from the signage requirements, and staff conclude that it would be appropriate for public school facilities to be included in this exemption along with public facilities.

Overall, staff believes that the proposed amendments to the signage regulations of the Zoning Ordinance will provide for greater flexibility in the choice of signage types without negatively impacting overall urban design with an overabundance of advertising message.

A redlined version of the proposed changes is attached.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on June 18, 2020 and unanimously voted to recommend approval of the proposed amendments.

ORDINANCE NO.

AN ORDINANCE TO AMEND 2.20, 7.01, AND 7.03 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 2.20, 7.01, AND 7.03 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 2.20. Section 2.20 of the Ordinance No. 848 is hereby amended to read as follows:

Section 2.20 - Definitions: S

SATELLITE DISH ANTENNA shall mean a round, parabolic antenna incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, or cone and used to transmit and/or receive radio or electromagnetic waves.

SCREENING shall mean a structure *or* planting that conceals from view from public ways the area behind such structure or planting.

SELF-SERVICE STORAGE FACILITY shall mean a building or group of buildings containing individual, compartmentalized, and controlled access stalls or lockers for storage.

SERVICE STATIONS shall mean buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories and where light maintenance activities such as engine tune-ups, lubrications, and washing may be conducted, but not including heavy maintenance and repair such as engine overhauls, painting, and body repair.

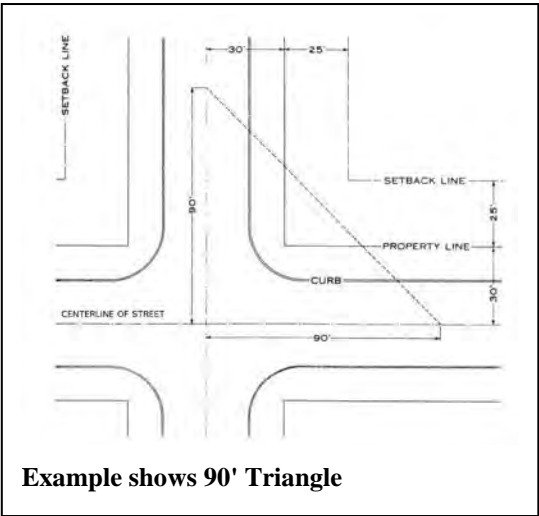
SETBACK, FRONT YARD shall mean the line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line *or other access way*. (*Ordinance No. 1083, 2-17-09*)

SETBACK, REAR YARD OR SIDE YARD shall mean the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, *offset* by the perpendicular distance prescribed for the yard in the district. (*Ordinance No. 1083, 2-17-09*)

SHOPPING CENTER shall mean a group of commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery that is separated from customer access, aesthetic considerations, and protection from the elements.

SHOPPING CENTER, COMMERCIAL STRIP shall mean a commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, with or without on-site parking and small linear shopping centers with shallow on-site parking in front of the stores.

SHOPPING CENTER, OUTLET shall mean a commercial development that consists mostly of manufacturers' outlet stores selling their own brands at a discounted price. This definition includes all forms of centers, such as strip style, enclosed mall style, and village clustered style centers.



SIGHT TRIANGLE is an area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two-and-a-half (2 ½) feet and ten (10) feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, sixty (60) feet in each direction along the centerline of the streets. At the intersection of major or *other* arterial streets, the sixty (60) foot distance shall be increased to ninety (90) feet for each arterial leg of the intersection. (*Ordinance No. 891, 2-04-03*)

SIGN shall mean and include any outdoor display, declaration, device, figure, drawing, illustration, message, placard, poster, billboard, insignia, or other things which are designed, intended, or used for direction, information, identification, or to advertise, to inform, or to promote any business, product activity, service, or any interest, except the following:
Signs less than fifty (50) square feet in area and less than twenty-five (25) feet in height of a public or quasi-public nature or other official notices that are authorized by the State of Nebraska, City of La Vista,

or a Federal Government Agency, directional, informational, or other official signs or notices authorized by law.

SIGN, ANIMATED shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA shall refer to that portion of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated. *(Ordinance No. 1083, 2-17-09)*

SIGN, AUDIBLE shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and / or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and / or sounds to attract attention.

SIGN, BANNER shall mean any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or official flag of any institution or business shall not be considered banners. Banner signs shall not represent a commercial message.

SIGN, BILLBOARD shall mean a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

SIGN, BLADE shall mean a type of projecting sign that is perpendicular to the building, meant to gain visibility for large buildings, or to direct traffic within a pedestrian-oriented development.

SIGN, BUILDING MARKER shall mean any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

SIGN, CANOPY shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. *(Ordinance No. 1083, 2-17-09)*

SIGN, CENTER IDENTIFICATION shall mean any sign erected to provide direction to a development including multiple uses and / or structures within the development. Center Identification signs shall include the name of said development and may include the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs. *(Ordinance No. 1083, 2-17-09)*

SIGN, CONSTRUCTION shall mean a temporary sign identifying an architect, engineer, contractor, subcontractor, and/or building material supplier who participates in construction on the property on which the sign is located. *(Ordinance No. 871, 10-15-02); (Ordinance No. 1083, 2-17-09)*



Sign, Banner



Sign, Canopy

SIGN, ELECTRONIC MESSAGE BOARD shall mean *any sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. (Ordinance No. 1144, 5-17-11)*

SIGN, FLASHING shall mean a sign, which, by method or manner of illumination, flashes on or off, winks or blinks, shows motion, or creates the illusion of being on or off.

SIGN, FREESTANDING shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.

SIGN, IDENTIFICATION shall mean a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

SIGN, ILLUMINATED shall mean a sign illuminated in any manner by an artificial light source.

SIGN, INCIDENTAL shall mean a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Incidental signs may be attached or painted on the wall, *or they may be freestanding signs. (Ordinance No. 1083, 2-17-09)*

SIGN, MARQUEE shall mean a sign affixed to or made a part of any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

SIGN, MONUMENT shall mean a sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

SIGN, NAMEPLATE shall mean a sign not exceeding two (2) square feet for each dwelling.

SIGN, NONCONFORMING shall mean any sign that does not conform to the requirements of this ordinance

SIGN, OFF-PREMISES shall mean a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not offered or sold, upon the premises where such sign is located.

SIGN, ON-PREMISE shall mean a sign, display, or device-advertising activities conducted on the property on which such sign is located.

SIGN, PENNANT shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

SIGN, POLE shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.



Sign, Monument
Sign, Electronic Message
Sign, Flashing



Sign, Monument

SIGN, PORTABLE shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. Examples are: menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

SIGN, PROJECT DIRECTORY shall mean a sign fronting on a road containing only the name of the principal use and directional arrow to the principal use. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. (Ordinance No. 1144, 5-17-11)

SIGN, PROJECTING shall mean a projecting sign attached to a building in such a manner that its leading edge extends more than eight (8) inches beyond the surface of such building or wall.



Sign, Projecting

SIGN, REAL ESTATE shall mean a temporary sign that identifies property or properties that are for sale or lease.

SIGN, ROOF shall mean a sign identifying the name of a business, enterprise, district, or development, and erected on or over the roof of a building. (Ordinance No. 1083, 2-17-09)

SIGN SETBACK shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

SIGN, SUBDIVISION shall mean a sign erected on a subdivision which identifies the platted subdivision where the sign is located.

SIGN SURFACE shall mean the entire area of a sign.

SIGN, SUSPENDED shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.



Sign, Subdivision

SIGN, TEMPORARY shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section.

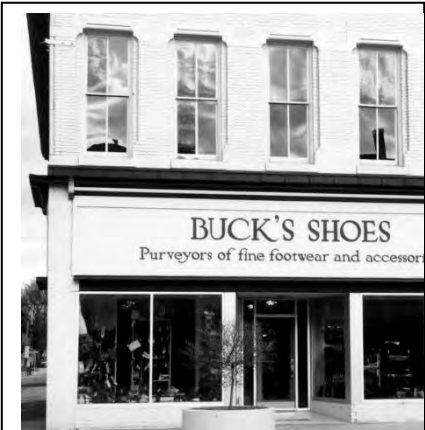
SIGN, VIDEO shall mean any on-premises or off-premises sign that conveys either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen. This definition shall include electronic message board signs. (Ordinance No. 1083, 2-17-09)

SIGN, WALL shall mean any sign attached parallel to, but within eight inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGN BASE shall mean any decorative, functional element extending upward from grade to the start of the sign.

SIMILAR USE shall mean the use of land, buildings, or structures of like kind or general nature with other uses within a zoning district as related to bulk, intensity of use, traffic generation and congestion, function, public services requirements, aesthetics or other similarities.



Sign, Wall

SITE PLAN shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, drives, parking, drainage, landscape features, and other principal site development improvements for a specific parcel of land.

SOCIAL CLUB OR FRATERNAL ORGANIZATIONS shall mean an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit. **(Ordinance No. 1083, 2-17-09)**

SOLAR ENERGY CONVERSION SYSTEM (SECS) shall mean any device, such as a solar panel or solar collector or any combination thereof, which collects and converts solar energy to a form of usable energy. This includes both Building-Mounted Systems and Ground-Mounted System. **(Ordinance No. 1389, 3-3-2020)**

SOLID WASTE shall mean waste materials consisting of garbage, trash, refuse, rubble, sewage, offal, dead animals, or paunch manure.

SPECIAL or VOCATIONAL TRAINING FACILITIES shall mean a specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be included in this definition. **(Ordinance No. 1083, 2-17-09)**

SPECIFIED ANATOMICAL AREAS shall mean anatomical areas consisting of:
Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and,
Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES shall mean activities consisting of the following:
Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts of conduct: Anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or Clearly depicted human genitals in the state of sexual stimulation, arousal, or tumescence; or Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or Fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s); or Situation involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding, or other physical restraint or any such persons; or Erotic or lewd touching, fondling, or other sexually-oriented contact with an animal by a human being; or Human excretion, urination, menstruation, vaginal, or anal irrigation.

STATE shall mean the State of Nebraska.

STORAGE shall mean the keeping, in a roofed or unroofed area, of any goods, junk, material, merchandise, or vehicles on the same tract or premises for more than thirty (30) days.

STORY shall mean a space in a building between the surface of any floor and the surface of the floor above, or if there is not floor above, then the space between such floor and the ceiling or roof above.

STREET shall mean a public thoroughfare or right-of-way dedicated, deeded, or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Regulation.

STREET, ARTERIAL shall mean a street designed with the primary function of efficient movement of through traffic between and around areas of a City, City, or county with controlled access to abutting property.

STREET, COLLECTOR shall mean a street or high way, which is intended to carry traffic from a minor street to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development.

STREET FRONTAGE shall mean the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

STREET, LOCAL shall mean a street designed for local traffic that provides direct access to abutting residential, commercial, or industrial properties.

STREET, PRIVATE shall mean an open, unoccupied space, other than a street or alley dedicated to the public, but permanently established as the principal means of vehicular access to abutting properties. **(Ordinance No. 1083, 2-17-09)**

STREETSCAPE shall mean the scene as may be observed along a street *right-of-way* composed of natural and man-made components, including buildings, paving, plantings, *poles, signs, benches, and other miscellaneous amenities.* **(Ordinance No. 1083, 2-17-09)**

STRUCTURE shall mean anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.

STRUCTURE, TEMPORARY shall mean a structure permitted as a temporary use. **(Ordinance No. 1083, 2-17-09)**

STRUCTURAL ALTERATION shall mean any change in the support members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

SUBDIVISION shall mean the division of land, lot, tract, or parcel into two or more lots, parcels, plats, or sites, or other divisions of land for the purpose of sale, lease, offer, or development, whether immediate or future. **(Ordinance No. 1083, 2-17-09)**

SECTION 2. Amendment of Section 7.01. Section 7.01 of the Ordinance No. 848 is hereby amended to read as follows:

Section 7.01 Sign Regulations

7.01.01 Purpose

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

7.01.02 Applicability

A sign may be erected, placed, established, painted, created, or maintained within the city and the city's extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

7.01.03 Definitions and Interpretation

Words and phrases used in this ordinance shall have the meanings set forth in Section 2. Principles for computing sign area and sign height are contained in Section 7.01.04.

7.01.04 Computations

1. *Computation of Area of Individual Signs*
The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing as a whole, representation, emblem, or other display as a whole, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly identical to the display itself.
2. *Computation of Area of Multi-faced Signs*
The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.
3. *Computation of Height*
The height of a sign shall be computed as the distance from the grade at the base of the sign, or from the grade immediately below the sign in the case of Wall Signs, at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be from finished grade. Any berms shall be construed to be a part of the sign base and added to the overall height of the sign.

7.01.05 Permitted Signs and Limitations

1. *Ground Monument*

- A. Monument signs shall be located along the frontage of the zoned lot. All signs shall be of permanent construction and are subject to the provisions of local codes and ordinances. On corner lots, the monument sign may be placed on either frontage.
- B. All ground monument signs shall be located on the same lot as the advertised use.
- C. Signs shall contain only the name or trademark of the business, building or complex which it identifies.
- D. With the exception of change panels permitted for gas stations to advertise gasoline prices, no change panels, advertising or names of individual tenants will be allowed.
- E. Setbacks for all ground monument signs are ten (10) feet, no setbacks are required in the MU-CC District.
- F. The following criteria apply to Ground Monument signs:

Distri ct	Design Limitations for Ground Monuments		
	Max. Size	Max. Height	Max. Number
TA	32 square feet	10 feet	One (1) per lot frontage
R-1	32 square feet	10 feet	One (1) per lot frontage
R-2	32 square feet	10 feet	One (1) per lot frontage
R-3	32 square feet	10 feet	One (1) per lot frontage
R-4	32 square feet	10 feet	One (1) per lot frontage
C-1	32 square feet	10 feet	One (1) per lot frontage
C-2	32 square feet	10 feet	One (1) per lot frontage
C-3	50 square feet	10 feet	Two (2) per lot frontage
MU- CC	32 square feet	10 feet	One (1) per lot frontage
I-1	32 square feet	10 feet	One (1) per lot frontage
I-2	32 square feet	10 feet	One (1) per lot frontage
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

2.
- Center Identification Signs
- A. All Center Identification signs shall be a ground monument style sign.
 - B. *A maximum of two Center Identification signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.*
 - C. All Center Identification signs shall be constructed in a manner that is permanent.
 - D. Acceptable materials include:
 - Exterior Insulation Finish System (EIFS)
 - Brick
 - Split face Concrete Masonry Units
 - Stone
 - Metal
 - Simulated Acrylic, or
 - Other materials provided said design is reflective of the character of the use.
 - E. All Center Identification signs shall advertise only the name of the development *and/or major tenants*, unless in compliance with Subsection G below.
 - F. Setbacks for all Center Identification Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
 - G. Change panels and/ or changeable copy may be allowed provided:
 - Signs shall only include business names *or logos*
 - Fonts shall be similar to that of the development name
 - Said panels and / or copy match in color and material to the overall sign.
 - H. *Electronic Message Boards shall only be allowed as part of a Center Identification Sign, provided the following:*
 - *No more than one-half of the permitted sign area shall be used for changeable copy or electronic message board signs.*
 - *The board may be double-faced.*
 - *Each board shall be permanently installed or located.*
 - *Electronic messages shall not be animated or flash continuously (blinking) in any manner.*
 - *Electronic message boards must use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards set forth in this sub-section. All electronic message boards must have installed ambient light monitors, and must at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for electronic message boards may not exceed 5000 nits when measured from the signs face at its maximum brightness, during daylight hours, and 500 nits*

- when measured from the signs face at its maximum brightness between sunset and sunrise, as those times are determined by the National Weather Service.*
- *The message cannot change copy at intervals of less than one (1) minute. Changes of message image must be instantaneous as seen by the human eye and may not use fading, rolling, window shading, dissolving, or similar effects as part of the change.*
- I. No more than 50% of the sign area or change panel area may be dedicated to advertise any single tenant.
- J. The following criteria apply to Center Identification signs:

District	Design Limitations for Center Identification Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	100 square feet	20 feet	One (1) <i>per main entrance but not more than two (2)</i> per street frontage of the development
C-2	100 square feet	20 feet	One (1) <i>per main entrance but not more than two (2)</i> per street frontage of the development
C-3	150 square feet	24 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
MU-CC	150 square feet	24 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
I-1	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
I-2	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 883, 11-19-02) (Ordinance No. 896, 2-04-03) (Ordinance No. 1145, 5-17-11)

3. **Wall Signs**
- A. All wall signs shall be mounted to the primary face of the use, *unless otherwise substituted by the Planning Department. (Ordinance No. 988, 4-18-06)*
- B. For multi-tenant buildings, maximum sign size for each tenant will be based on the width of the storefront of the bay that they occupy.
- C. The following criteria apply to Wall Signs:

District	Design Limitations for Wall Signs		
	Max. Permitted Sign Area	Max. Height	Max. Number
TA	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
R-1			
R-2			
R-3			
R-4			
C-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-3	2.5 square feet per lineal foot of building / storefront to a Max. of 600 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
MU-CC	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	90 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.

I-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
I-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
PUD	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>	The maximum <i>building height</i> allowed <i>in the approved P.U.D Plan of said lot/development, or as otherwise prescribed in such P.U.D.</i>	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>

(Ordinance No. 988, 4-18-06)

4.
- Incidental Signs**

A. Incidental signs shall be placed in locations along the primary face of the building.

B. Incidental signs may be placed on a second building face, when the building has dual frontage.

C. The following criteria apply to Incidental Signs:

District	Design Limitations for Incidental Signs		
	Max. Size	Max. Height	Max. Number
TA	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-4	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
MU-CC	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

5.
- Directional Signs**

A. Directional signs may be erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic for purposes other than those of the Project Directory Signs. Example uses are arrow signs directing vehicles to a drive-thru lane or pedestrians to a building entrance.

B. Directional signs shall contain no advertising, though may contain the business’s logo.

C. The following criteria apply to Directional Signs:

District	Design Limitations for Directional Signs		
	Max. Size	Max. Height	Max. Number
TA	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
R-1			
R-2			
R-3			
R-4			
C-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-3	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
MU-CC	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 1358, 8-5-2019)

6.
- Project Directory Signs (Ordinance No. 1145, 5-17-2011)**

In order to maintain the flow of traffic on arterial and collector roads and to promote vehicular safety, emphasis is made to limit the number of ingress and egress points off of such roads. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise

signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. Provisions are provided to allow project directory signs which identify the name of the particular development and/or the names of their tenants. Such signs would be supplemental to signage otherwise provided for such developments.

Directional signs may be erected under the following conditions:

- A. Access to the development is restricted. Full ingress and egress to the development off an arterial or collector road is limited by access constraints or non-existent.
- B. Such signs may be placed on or off-premises. All such signs shall be constructed and located, however, so as to be visible by the motorist traveling on the arterial or collector road which intersects with the local road providing access to the development.
- C. Setbacks for all Project Directory Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- D. A maximum of two project directory signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.
- E. No such sign shall be allowed further than one-thousand (1,000) feet from any entity advertising on the sign using the closest straight line measurement.
- F. The minimum distance between a sign location and any residential zoning district shall be 50 feet.
- G. The sign may contain the name of the development, names of tenants within the development, directional arrows and distance information. If off-premises, sign shall identify multiple businesses or industries.
- H. The size of each sign shall be a function of the number of tenants within the development. Each eight (8) square feet per principal use within the development, whichever is greater, with a maximum area of eighty (80) square feet.
- I. All such signs shall be a ground-mounted, monument-style sign.
- J. Such signs shall be subject to the design standards of the PUD or Gateway Corridor Overlay District, if within such district.

Distri ct	Design Limitations for Project Directory Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-2	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-3	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
MU- CC	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
I-1			
I-2			
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the	The maximum allowed within the underlying zoning district

7. **Roof Signs**

Roof signs shall be permitted only in the Mixed Use – City Centre District provided:

- A. Signs shall be allowed on multi-story buildings only.
- B. A maximum of one (1) roof sign shall be allowed per lot.
- C. Signs shall be a maximum of 11 feet in height above the highest point of the roofline.
- D. Sign allowance shall be calculated at 2.5 square feet per lineal foot of building frontage to a maximum of 600 sq. ft.
- E. The use of electronic message boards shall be prohibited. Sign animation shall be limited to the slow and gradual dimming or fading of individual lights. Flashing signs will be prohibited.
- F. Where a wall sign is present on the building or structure façade, a roof sign shall be prohibited; where a roof sign is present on the building or structure façade, a wall sign shall be prohibited. This does not apply to wall signs of multi-tenant bays, or to roof signs advertising an entire development or district, rather than a specific use/occupant in the building on which the sign is placed. A maximum of two roof signs advertising the same development/district shall be permitted.

8. **Blade Signs**
Blade signs shall be permitted only in the Mixed Use – City Centre District provided:
 - A. Signs will only be allowed for the following uses: event center, meeting hall, or publicly owned and operated facility.
 - B. Signs shall be allowed on multi-story buildings only with frontage of at least 20 ft.
 - C. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
 - D. Animation of the message is prohibited.
 - E. Signs shall have two identical faces.
 - F. Only two Blade Signs shall be permitted per building.
 - G. Sign allowance cannot exceed 60 square feet.
9. **Marquee Signs**
Marquee signs shall be permitted only in the Mixed-Use City Centre District provided:
 - A. Signs will only be allowed the following uses: event center, meeting hall, or publicly owned and operated facility.
 - B. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
 - C. A maximum of one (1) marquee sign shall be allowed per building and may only be placed on the primary face of the building.
 - D. Sign allowance shall be limited to no more than ten percent (10%) of the area of the façade to which the marquee is attached.
 - E. No portion of a marquee sign shall extend vertically above the eave line.
 - F. Marquee signs with non-electronic change panels are prohibited.
10. **Other Permitted Signs**
Canopy
Identification
Projecting
Real Estate
Nameplate
Temporary (see Section 7.03.02)
Window
Subdivision (Ordinance No. 873, 10-15-02)
Construction (Ordinance No. 873, 10-15-02)
Signs shall be permitted in the various districts at the listed square footage and heights according to the following schedule:

	<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
Sign Type												
<u>Identification</u>												
Max. Size (Square Ft.)		2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹
Max. Height (Ft.)		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per building		1	1	1	1	1	1	1	1	1	1	1
<u>Real Estate</u>												
Max. Size (Square Ft.)		32	6	6	6	6	32	32	32	32	32	32
Max. Height (Ft.)		6	4	4	4	4	6	6	6	6	6	6
Number Allowed per lot		2	1	1	1	1	2 ⁷	2 ⁷	2 ⁷	2 ⁷	2 ⁷	2 ⁷
<u>Subdivision</u>												
Max. Size (Square Ft.)		32	32	32	32	32	32	32	50	32	32	32
Max. Lot Coverage (Sq. Ft.)		2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴
Max. Height (Ft.)		10	10	10	10	10	10	10	15	10	10	10
Number Allowed per lot		2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵
<u>Construction</u>												
Max. Size (Square Ft.)		32	32	32	32	32	32	32	32	32	32	32
Max. Height (Ft.)		8	8	8	8	8	8	8	8	8	8	8
Number Allowed per lot		4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶
<u>Canopy</u>												
Max. Size		25% ²	N	N	N	N	25% ²	25% ²	25% ²	25% ²	25% ²	25% ²
Max. Height (Ft.)		NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building		1	N	N	N	N	1	1	1	1	1	1
<u>Window</u>												
Max. Size		25% ³	N	N	N	N	25% ³	25% ³	25% ³	25% ³	25% ³	25% ³
Max. Height (Ft.)		NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building/storefront		2	N	N	N	N	2	2	2	2	2	2
<u>Projecting</u>												
Max. Size (Square Ft.)		N	N	N	N	12	12	12	12	12	N	N
Max. Height (Ft.)		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per tenant		1	1	1	1	1	1	1	1	1	1	1
<u>Nameplate</u>												
Max. Size (Square Ft.)		2	2	2	2	2	N	N	N	N	N	N
Max. Height (Ft.)		NA	NA	NA	NA	NA	N	N	N	N	N	N
Number Allowed per building		1	1	1	1	1						

N: not permitted

NA: Not Applicable

(Ordinance No. 873, 10-15-02) (Ordinance No. 897, 2-04-03) (Ordinance No. 951, 3-15-05)

- 1: Maximum letter height is equal to 12 inches
2: percentage of total Canopy area
3: percentage of total window area
4: When constructed as a landscaping element on an outlot or plat lot
5: Per Entrance
6: Maximum number equal to four (4) when every sign equals the maximum size, no maximum number when using six (6) square foot signs
7: *On corner lots or lots one (1) acre or greater, otherwise one (1) per lot (Ordinance No. 897, 2-04-03)*

Note: All signs shall have a Vertical Clearance of nine (9) feet above any public sidewalk, private drive, or parking.
All signs shall have a Vertical Clearance of twelve (12) feet above any Public Street.

11. **Sign type, District Permitted**
A. Signs shall be permitted in the various districts according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Sign Type</u>											
Building Marker	P	P	P	P	P	P	P	P	P	P	P
Identification	P	P	P	P	P	P	P	P	P	P	P
Temporary	P	P	P	P	P	P	P	P	P	P	P
Construction	P	P	P	P	P	P	P	P	P	P	P
Real Estate	P	P	P	P	P	P	P	P	P	P	P
Incidental	P	P	P	P	P	P	P	P	P	P	P
Subdivision	P	P	P	P	P	P	P	P	P	P	P
Wall	P	N	N	N	N	P	P	P	P	P	P
Canopy	P	N	N	N	N	P	P	P	P	P	P
Window	P	P	P	P	P	P	P	P	P	P	P
Projecting	P	N	N	N	N	P	P	P	P	P	P
Name Plate	P	P	P	P	P	P	P	P	P	P	P
Monument	P	P	P	P	P	P	P	P	P	P	P
Billboard	N	N	N	N	N	N	N	N	N	N	N
Pole	N	N	N	N	N	N	N	N	N	N	N
Roof	N	N	N	N	N	N	N	N	P	N	N
Blade	N	N	N	N	N	N	N	N	P	N	N
Marquee	N	N	N	N	N	N	N	N	P	N	N

P: permitted N: not permitted C: Conditional Use

(Ordinance No. 873, 10-15-02)

12. **Special Signage Conditions**
The following special conditions apply to stand-alone ATM’s, Coffee Kiosks and other Kiosks.
- A. Stand-alone ATM’s may have the following:
- One (1) wall sign on each exterior wall provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
 - Where a canopy is integrated into the ATM, a canopy sign may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
 - Directional signage shall be contained on the ATM, painted within a drive lane or in any curbing defining a drive lane.
 - All signs are subject to the required permitting process of this Ordinance.
 - Said signage may be incorporated with lighting plan and backlit in order to provide for greater security on the premises.
- B. Coffee Kiosks and other Kiosks may have the following:
- One (1) wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
 - Where a canopy is integrated into the Coffee Kiosks / Kiosks, a canopy sign may be placed on each face of the Coffee Kiosk / Kiosks, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
 - Directional signage shall be contained on the Coffee Kiosk /Kiosk, painted within a drive lane or in any curbing defining a drive lane
 - Window signs limited to menu boards and daily specials shall not require a sign permit.

- All signs are subject to the required permitting process of this Ordinance, unless otherwise noted.

7.01.06 **Permits Required**

1. If a sign requiring a permit under the provision of the ordinance is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 7.04.01.
2. Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with Section 7.04.09.
3. No signs shall be erected in the public right-of-way except in accordance with Section 7.03.01.
4. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this ordinance (including those protecting existing signs) in every respect and with the Signage Plan in effect for the property.

7.01.07 **Design, Construction, Maintenance**

All signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Building Code and the National Electrical Code.
2. Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this code, at all times.

SECTION 3. Amendment of Section 7.03. Section 7.03 of the Ordinance No. 848 is hereby amended to read as follows:

Section 7.03 Other Signage Provisions

7.03.01 **Signs in the Public Right-of-Way**

No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:
 - A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, advertise community events, and direct or regulate pedestrian or vehicular traffic;
 - B. Bus stop signs erected by a transit company
 - C. Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and
 - D. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Section 1.16.

7.03.02 **Temporary Signs**

A permit for temporary signs shall be issued only in accordance to the Master Fee Schedule and for signs meeting the following criteria:

1. *Construction and real estate signs are exempt from a temporary sign permit provided they meet the requirements set forth hereafter and in Section 7.01.05(5) of this Ordinance.*
2. Such signs shall not be in place for more than fourteen (14) consecutive days, *except that Real Estate signs may be in place until the property sale is finalized and construction signs may be in place until that construction phase is completed;*
3. No more than four (4) temporary permits shall be issued to an individual use in a calendar year;
4. *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
5. Any violation of this Section may void any future requested permits; and
6. No temporary sign shall be of such size, message, or character so to harm the public, health, safety or general welfare. *Temporary signs shall not exceed thirty-two (32) square feet.*
(Ordinance No. 874, 10-15-02) (Ordinance No. 898, 2-04-03)

7.03.03 **Emergency Signs (Permitted)**

1. Emergency warning signs erected by a governmental agency, public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

7.03.04 **Other Signs Forfeited**

1. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

7.03.05 **Signs Exempt from Regulation Under this Ordinance**

The following signs shall be exempt from regulation under this ordinance:

Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

Any religious symbol;

Any sign identifying a public facility or public / civic event, including signs for public school facilities;

Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located

Holiday lights and decorations with no commercial message;

Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message of any sort; and

A political sign exhibited in conjunction with the election of political candidates. Such signs may not exceed thirty-two (32) square feet in any zone. Only four (4) political signs shall be allowed per zone lot at any one time. All such political signs shall be removed no later than (10) days after the election. (*Ordinances No. 1184, 9-18-12*)

7.03.06 **Signs Prohibited Under These Regulations**

All signs not expressly permitted in these regulations or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

1. Beacons and flashing signs;
2. Video signs;
3. Portable signs, except as allowed by a Temporary Sign Permit;
4. Pole signs;
5. Suspended signs;
6. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section;
7. Off-premises signs, except for signs located on outdoor public or quasi-public recreational areas/facilities, provided such signs are located in a manner approved by the City (such as not facing adjacent street right-of-way or residential zoning districts) and are no larger than 32 square feet.” (*Ordinance No. 951, 3-15-05*)
8. Animated signs, except for roof signs and electronic message boards, as permitted by this Ordinance; and
9. Audible Signs.

SECTION 4. Repeal of Sections 2.20, 7.01 and 7.03 as Previously Enacted. Sections 2.20, 7.01, and 7.03 of Ordinance No. 848 as previously enacted are hereby repealed.

SECTION 5. 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 6. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 7. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2020.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

Section 2.20 - Definitions: S

SATELLITE DISH ANTENNA shall mean a round, parabolic antenna incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, or cone and used to transmit and/or receive radio or electromagnetic waves.

SCREENING shall mean a structure *or* planting that conceals from view from public ways the area behind such structure or planting.

SELF-SERVICE STORAGE FACILITY shall mean a building or group of buildings containing individual, compartmentalized, and controlled access stalls or lockers for storage.

SERVICE STATIONS shall mean buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories and where light maintenance activities such as engine tune-ups, lubrications, and washing may be conducted, but not including heavy maintenance and repair such as engine overhauls, painting, and body repair.

SETBACK, FRONT YARD shall mean the line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line *or other access way*. (*Ordinance No. 1083, 2-17-09*)

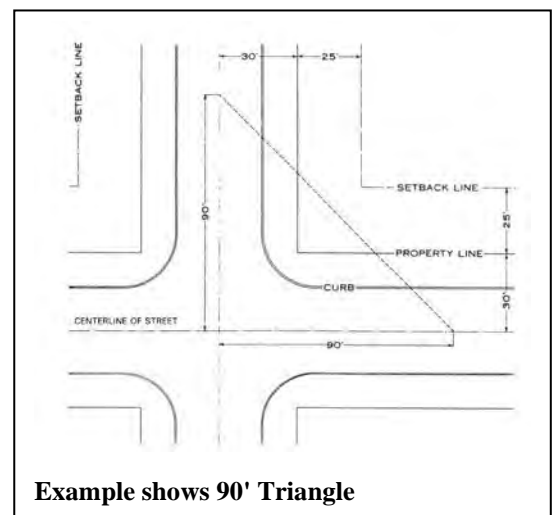
SETBACK, REAR YARD OR SIDE YARD shall mean the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, *offset* by the perpendicular distance prescribed for the yard in the district. (*Ordinance No. 1083, 2-17-09*)

SHOPPING CENTER shall mean a group of commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery that is separated from customer access, aesthetic considerations, and protection from the elements.

SHOPPING CENTER, COMMERCIAL STRIP shall mean a commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, with or without on-site parking and small linear shopping centers with shallow on-site parking in front of the stores.

SHOPPING CENTER, OUTLET shall mean a commercial development that consists mostly of manufacturers' outlet stores selling their own brands at a discounted price. This definition includes all forms of centers, such as strip style, enclosed mall style, and village clustered style centers.

SIGHT TRIANGLE is an area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two-and-a-half (2 ½) feet and ten (10) feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, sixty (60) feet in each direction along the centerline of the streets. At the intersection of major or *other* arterial streets, the sixty (60) foot distance shall be increased to ninety (90) feet for each arterial leg of the intersection. (*Ordinance No. 891, 2-04-03*)



SIGN shall mean and include any outdoor display, declaration, device, figure, drawing, illustration, message, placard, poster, billboard, insignia, or other things which are designed, intended, or used for direction, information, identification, or to advertise, to inform, or to promote any business, product activity, service, or any interest, except the following:

Signs less than fifty (50) square feet in area and less than twenty-five (25) feet in height of a public or quasi-public nature or other official notices that are authorized by the State of Nebraska, City of La Vista, or a Federal Government Agency, directional, informational, or other official signs or notices authorized by law.

SIGN, ANIMATED shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA shall refer to that portion of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated. (*Ordinance No. 1083, 2-17-09*)

SIGN, AUDIBLE shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and / or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and / or sounds to attract attention.

SIGN, BANNER shall mean any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or official flag of any institution or business shall not be considered banners. Banner signs shall not represent a commercial message.

SIGN, BILLBOARD shall mean a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.



Sign, Banner

SIGN, BLADE shall mean a type of projecting sign that is perpendicular to the building, meant to gain visibility for large buildings, or to direct traffic within a pedestrian-oriented development.

SIGN, BUILDING MARKER shall mean any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

SIGN, CANOPY shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. (*Ordinance No. 1083, 2-17-09*)



Sign, Canopy

SIGN, CENTER IDENTIFICATION shall mean any sign erected to provide direction to a development including multiple uses and / or structures within the development. Center Identification signs shall include the name of said development and may include the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs. (*Ordinance No. 1083, 2-17-09*)

SIGN, CONSTRUCTION shall mean a temporary sign identifying an architect, engineer, contractor, subcontractor, and/or building material supplier who participates in construction on the property on which the sign is located. (*Ordinance No. 871, 10-15-02*); (*Ordinance No. 1083, 2-17-09*)

SIGN, ELECTRONIC MESSAGE BOARD shall mean *any sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. (Ordinance No. 1144, 5-17-11)*

SIGN, FLASHING shall mean a sign, which, by method or manner of illumination, flashes on or off, winks, or blinks ~~with varying light intensity~~, shows motion, or creates the illusion of being on or off.

SIGN, FREESTANDING shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.

SIGN, IDENTIFICATION shall mean a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

SIGN, ILLUMINATED shall mean a sign illuminated in any manner by an artificial light source.

SIGN, INCIDENTAL shall mean a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as “no parking,” “entrance,” “loading only,” “telephone,” and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Incidental signs may be attached or painted on the wall, *or they may be freestanding signs. (Ordinance No. 1083, 2-17-09)*

SIGN, MARQUEE shall mean a sign affixed to or made a part of any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

SIGN, MONUMENT shall mean a sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

SIGN, NAMEPLATE shall mean a sign not exceeding two (2) square feet for each dwelling.

SIGN, NONCONFORMING shall mean any sign that does not conform to the requirements of this ordinance

SIGN, OFF-PREMISES shall mean a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not offered or sold, upon the premises where such sign is located.

SIGN, ON-PREMISE shall mean a sign, display, or device-advertising activities conducted on the property on which such sign is located.

SIGN, PENNANT shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

SIGN, POLE shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.



**Sign, Monument
Sign, Electronic Message
Sign, Flashing**



Sign, Monument

SIGN, PORTABLE shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. Examples are: menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

SIGN, PROJECT DIRECTORY shall mean a sign fronting on a road containing only the name of the principal use and directional arrow to the principal use. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. (*Ordinance No. 1144, 5-17-11*)

SIGN, PROJECTING shall mean a projecting sign attached to a building in such a manner that its leading edge extends more than eight (8) inches beyond the surface of such building or wall.

SIGN, REAL ESTATE shall mean a temporary sign that identifies property or properties that are for sale or lease.

SIGN, ROOF shall mean a sign identifying the name of a business, enterprise, ~~district, or development, or the product sold on the premises~~ and erected on or over the roof of a building. (*Ordinance No. 1083, 2-17-09*)

SIGN SETBACK shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

SIGN, SUBDIVISION shall mean a sign erected on a subdivision which identifies the platted subdivision where the sign is located.

SIGN SURFACE shall mean the entire area of a sign.

SIGN, SUSPENDED shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

SIGN, TEMPORARY shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section.



Sign, Projecting

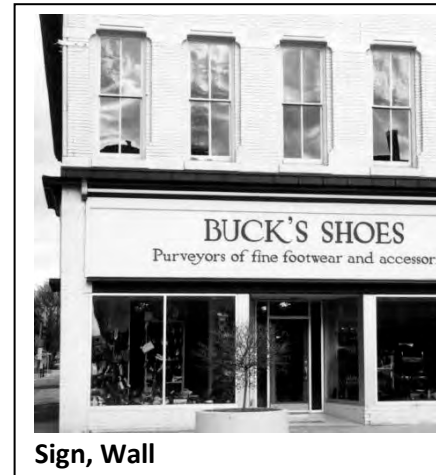


Sign, Subdivision

SIGN, VIDEO shall mean any on-premises or off-premises sign that conveys either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen. *This definition shall include electronic message board signs. (Ordinance No. 1083, 2-17-09)*

SIGN, WALL shall mean any sign attached parallel to, but within eight inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.



SIGN BASE shall mean any decorative, functional element extending upward from grade to the start of the sign.

SIMILAR USE shall mean the use of land, buildings, or structures of like kind or general nature with other uses within a zoning district as related to bulk, intensity of use, traffic generation and congestion, function, public services requirements, aesthetics or other similarities.

SITE PLAN shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, drives, parking, drainage, landscape features, and other principal site development improvements for a specific parcel of land.

SOCIAL CLUB OR FRATERNAL ORGANIZATIONS shall mean an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit. (Ordinance No. 1083, 2-17-09)

SOLAR ENERGY CONVERSION SYSTEM (SECS) shall mean any device, such as a solar panel or solar collector or any combination thereof, which collects and converts solar energy to a form of usable energy. This includes both Building-Mounted Systems and Ground-Mounted System. (Ordinance No. 1389, 3-3-2020)

SOLID WASTE shall mean waste materials consisting of garbage, trash, refuse, rubble, sewage, offal, dead animals, or paunch manure.

SPECIAL or VOCATIONAL TRAINING FACILITIES shall mean a specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be included in this definition. (Ordinance No. 1083, 2-17-09)

SPECIFIED ANATOMICAL AREAS shall mean anatomical areas consisting of:
Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and,
Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES shall mean activities consisting of the following:
Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts of conduct: Anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or

Clearly depicted human genitals in the state of sexual stimulation, arousal, or tumescence; or
Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
Fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s); or
Situation involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding, or other physical restraint or any such persons; or Erotic or lewd touching, fondling, or other sexually-oriented contact with an animal by a human being; or Human excretion, urination, menstruation, vaginal, or anal irrigation.

STATE shall mean the State of Nebraska.

STORAGE shall mean the keeping, in a roofed or unroofed area, of any goods, junk, material, merchandise, or vehicles on the same tract or premises for more than thirty (30) days.

STORY shall mean a space in a building between the surface of any floor and the surface of the floor above, or if there is not floor above, then the space between such floor and the ceiling or roof above.

STREET shall mean a public thoroughfare or right-of-way dedicated, deeded, or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Regulation.

STREET, ARTERIAL shall mean a street designed with the primary function of efficient movement of through traffic between and around areas of a City, City, or county with controlled access to abutting property.

STREET, COLLECTOR shall mean a street or high way, which is intended to carry traffic from a minor street to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development.

STREET FRONTAGE shall mean the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

STREET, LOCAL shall mean a street designed for local traffic that provides direct access to abutting residential, commercial, or industrial properties.

STREET, PRIVATE shall mean an open, unoccupied space, other than a street or alley dedicated to the public, but permanently established as the principal means of vehicular access to abutting properties. (*Ordinance No. 1083, 2-17-09*)

STREETSCAPE shall mean the scene as may be observed along a street *right-of-way* composed of natural and man-made components, including buildings, paving, plantings, *poles, signs, benches, and other miscellaneous amenities.* (*Ordinance No. 1083, 2-17-09*)

STRUCTURE shall mean anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.

STRUCTURE, TEMPORARY shall mean a structure permitted as a temporary use. (*Ordinance No. 1083, 2-17-09*)

STRUCTURAL ALTERATION shall mean any change in the support members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

SUBDIVISION shall mean the division of land, lot, tract, or parcel into two or more lots, parcels, plats, or sites, or other divisions of land for the purpose of sale, lease, offer, or development, whether immediate or future. (*Ordinance No. 1083, 2-17-09*)

ARTICLE 7: SUPPLEMENTAL REGULATIONS

Section 7.01 Sign Regulations

7.01.01 Purpose

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

7.01.02 Applicability

A sign may be erected, placed, established, painted, created, or maintained within the city and the city's extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

7.01.03 Definitions and Interpretation

Words and phrases used in this ordinance shall have the meanings set forth in Section 2. Principles for computing sign area and sign height are contained in Section 7.01.04.

7.01.04 Computations

1. *Computation of Area of Individual Signs*

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing as a whole, representation, emblem, or other display as a whole, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly identical to the display itself.

2. *Computation of Area of Multi-faced Signs*

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.

3. *Computation of Height*

The height of a sign shall be computed as the distance from the grade at the base of the sign, or from the grade immediately below the sign in the case of Wall Signs, at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be from finished grade. Any berms shall be construed to be a part of the sign base and added to the overall height of the sign.

7.01.05 Permitted Signs and Limitations

1. *Ground Monument*

- A. Monument signs shall be located along the frontage of the zoned lot. All signs shall be of permanent construction and are subject to the provisions of local codes and ordinances. On corner lots, the monument sign may be placed on either frontage.
- B. All ground monument signs shall be located on the same lot as the advertised use.
- C. Signs shall contain only the name or trademark of the business, building or complex which it identifies.
- D. With the exception of change panels permitted for gas stations to advertise gasoline prices, no change panels, advertising or names of individual tenants will be allowed.
- E. Setbacks for all ground monument signs are ten (10) feet, no setbacks are required in the MU-CC District.
- F. The following criteria apply to Ground Monument signs:

District	Design Limitations for Ground Monuments		
	Max. Size	Max. Height	Max. Number
TA	32 square feet	10 feet	One (1) per lot frontage
R-1	32 square feet	10 feet	One (1) per lot frontage
R-2	32 square feet	10 feet	One (1) per lot frontage
R-3	32 square feet	10 feet	One (1) per lot frontage
R-4	32 square feet	10 feet	One (1) per lot frontage
C-1	32 square feet	10 feet	One (1) per lot frontage
C-2	32 square feet	10 feet	One (1) per lot frontage
C-3	50 square feet	10 feet	Two (2) per lot frontage
MU-CC	32 square feet	10 feet	One (1) per lot frontage
I-1	32 square feet	10 feet	One (1) per lot frontage
I-2	32 square feet	10 feet	One (1) per lot frontage
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

2. *Center Identification Signs*

- A. All Center Identification signs shall be a ground monument style sign.
- B. *A maximum of two Center Identification signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.*
- C. All Center Identification signs shall be constructed in a manner that is permanent.
- D. Acceptable materials include:
 - Exterior Insulation Finish System (EIFS)
 - Brick
 - Split face Concrete Masonry Units
 - Stone
 - Metal
 - Simulated Acrylic, or
 - Other materials provided said design is reflective of the character of the use.
- E. All Center Identification signs shall advertise only the name of the development *and/or major tenants*, unless in compliance with Subsection G below.
- F. Setbacks for all Center Identification Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- G. Change panels and/ or changeable copy may be allowed provided:
 - Signs shall only include business names *or logos*
 - Fonts shall be similar to that of the development name
 - Said panels and / or copy match in color and material to the overall sign.
- H. *Electronic Message Boards shall only be allowed as part of a Center Identification Sign, provided the following:*
 - *No more than one-half of the permitted sign area shall be used for changeable copy or electronic message board signs.*
 - *The board may be double-faced.*

- *Each board shall be permanently installed or located.*
- *Electronic messages shall not be animated or flash continuously (blinking) in any manner.*
- *Electronic message boards must use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards set forth in this sub-section. All electronic message boards must have installed ambient light monitors, and must at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for electronic message boards may not exceed 5000 nits when measured from the signs face at its maximum brightness, during daylight hours, and 500 nits when measured from the signs face at its maximum brightness between sunset and sunrise, as those times are determined by the National Weather Service.*
- *The message cannot change copy at intervals of less than one (1) minute. Changes of message image must be instantaneous as seen by the human eye and may not use fading, rolling, window shading, dissolving, or similar effects as part of the change.*

I. No more than 50% of the sign area or change panel area may be dedicated to advertise any single tenant.

I.J. The following criteria apply to Center Identification signs:

District	Design Limitations for Center Identification Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	100 square feet	20 feet	One (1) <i>per main entrance but not more than two (2)</i> per street frontage of the development
C-2	100 square feet	20 feet	One (1) <i>per main entrance but not more than two (2)</i> per street frontage of the development
C-3	150 square feet	24 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
MU-CC	150 square feet	24 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
I-1	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
I-2	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 883, 11-19-02) (Ordinance No. 896, 2-04-03) (Ordinance No. 1145, 5-17-11)

3. **Wall Signs**

- A. All wall signs shall be mounted to the primary face of the use, *unless otherwise substituted by the Planning Department. (Ordinance No. 988, 4-18-06)*
- B. For multi-tenant buildings, maximum sign size for each tenant will be based on the width of the storefront of the bay that they occupy.
- C. The following criteria apply to Wall Signs:

District	Design Limitations for Wall Signs		
	Max. Permitted Sign Area	Max. Height	Max. Number
TA	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
R-1			
R-2			
R-3			
R-4			
C-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-3	2.5 square feet per lineal foot of building / storefront to a Max. of 600 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
MU-CC	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	90 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
I-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
I-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
PUD	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>	The maximum <i>building height</i> allowed <i>in the approved P.U.D Plan of said lot/development, or as otherwise prescribed in such P.U.D.</i>	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>

(Ordinance No. 988, 4-18-06)

4. ***Incidental Signs***
- A. Incidental signs shall be placed in locations along the primary face of the building.
 - B. Incidental signs may be placed on a second building face, when the building has dual frontage.
 - C. The following criteria apply to Incidental Signs:

District	Design Limitations for Incidental Signs		
	Max. Size	Max. Height	Max. Number
TA	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-4	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
MU-CC	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

5. ***Directional Signs***
- A. Directional signs may be erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic for purposes other than those of the Project Directory Signs. Example uses are arrow signs directing vehicles to a drive-thru lane or pedestrians to a building entrance.
 - B. Directional signs shall contain no advertising, though may contain the business's logo.
 - C. The following criteria apply to Directional Signs:

District	Design Limitations for Directional Signs		
	Max. Size	Max. Height	Max. Number
TA	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
R-1			
R-2			
R-3			
R-4			
C-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-3	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
MU-CC	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 1358, 8-5-2019)

6. ***Project Directory Signs (Ordinance No. 1145, 5-17-2011)***
- In order to maintain the flow of traffic on arterial and collector roads and to promote vehicular safety, emphasis is made to limit the number of ingress and egress points off of such roads. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. Provisions are provided to allow project directory signs which identify the name of the particular development and/or the names of their tenants. Such signs would be supplemental to signage otherwise provided for such developments.*

Directional signs may be erected under the following conditions:

- A. Access to the development is restricted. Full ingress and egress to the development off an arterial or collector road is limited by access constraints or non-existent.
- B. Such signs may be placed on or off-premises. All such signs shall be constructed and located, however, so as to be visible by the motorist traveling on the arterial or collector road which intersects with the local road providing access to the development.
- C. Setbacks for all Project Directory Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- D. A maximum of two project directory signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.
- E. No such sign shall be allowed further than one-thousand (1,000) feet from any entity advertising on the sign using the closest straight line measurement.
- F. The minimum distance between a sign location and any residential zoning district shall be 50 feet.
- G. The sign may contain the name of the development, names of tenants within the development, directional arrows and distance information. If off-premises, sign shall identify multiple businesses or industries.
- H. The size of each sign shall be a function of the number of tenants within the development. Each eight (8) square feet per principal use within the development, whichever is greater, with a maximum area of eighty (80) square feet.
- I. All such signs shall be a ground-mounted, monument-style sign.
- J. Such signs shall be subject to the design standards of the PUD or Gateway Corridor Overlay District, if within such district.

District	Design Limitations for Project Directory Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-2	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-3	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
MU-CC	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
I-1			
I-2			
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

7. Roof Signs

Roof signs shall be permitted only in the Mixed Use – City Centre District provided:

- A. Signs shall be allowed on multi-story buildings only.
- B. A maximum of one (1) roof sign shall be allowed per lot.
- C. Signs shall be a maximum of 11 feet in height above the highest point of the roofline.
- D. Sign allowance shall be calculated at 2.5 square feet per lineal foot of building frontage to a maximum of 600 sq. ft.
- E. The use of electronic message boards shall be prohibited. Sign animation shall be limited to the slow and gradual dimming or fading of individual lights. Flashing signs will be prohibited.
- F. Where a wall sign is present on the building or structure façade, a roof sign shall be prohibited; where a roof sign is present on the building or structure façade, a wall sign shall be prohibited. This does not apply to wall signs of multi-tenant bays, or to roof signs advertising an entire development or district, rather than a specific use/occupant in the building on which the sign is placed. A maximum of two roof signs advertising the same development/district shall be permitted.

8. Blade Signs

Blade signs shall be permitted only in the Mixed Use – City Centre District provided:

- A. Signs will only be allowed for the following uses: event center, meeting hall, or publicly owned and operated facility.
- B. Signs shall be allowed on multi-story buildings only with frontage of at least 20 ft.
- C. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
- D. Animation of the message is prohibited.
- E. Signs shall have two identical faces.
- F. Only two Blade Signs shall be permitted per building.
- G. Sign allowance cannot exceed 60 square feet.

9. Marquee Signs

Marquee signs shall be permitted only in the Mixed-Use City Centre District provided:

- A. Signs will only be allowed the following uses: event center, meeting hall, or publicly owned and operated facility.
- B. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
- C. A maximum of one (1) marquee sign shall be allowed per building and may only be placed on the primary face of the building.
- D. Sign allowance shall be limited to no more than ten percent (10%) of the area of the façade to which the marquee is attached.
- E. No portion of a marquee sign shall extend vertically above the eave line.
- F. Marquee signs with non-electronic change panels are prohibited.

710. Other Permitted Signs

Canopy
Identification
Projecting
Real Estate
Nameplate
Temporary (see Section 7.03.02)
Window
Subdivision (*Ordinance No. 873, 10-15-02*)
Construction (*Ordinance No. 873, 10-15-02*)

Signs shall be permitted in the various districts at the listed square footage and heights according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
Sign Type											
Identification											
Max. Size (Square Ft.)	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹	2 ¹
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per building	1	1	1	1	1	1	1	1	1	1	1
Real Estate											
Max. Size (Square Ft.)	32	6	6	6	6	32	32	32	32	32	32
Max. Height (Ft.)	6	4	4	4	4	6	6	6	6	6	6
Number Allowed per lot	2	1	1	1	1	2 ⁷	2 ⁷	2 ⁷	2 ⁷	2 ⁷	2 ⁷
Subdivision											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	50	32	32	32
Max. Lot Coverage (Sq. Ft.)	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴	2,500 ⁴
Max. Height (Ft.)	10	10	10	10	10	10	10	15	10	10	10
Number Allowed per lot	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵	2 ⁵
Construction											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	32	32	32
Max. Height (Ft.)	8	8	8	8	8	8	8	8	8	8	8
Number Allowed per lot	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶	4 ⁶
Canopy											
Max. Size	25% ²	N	N	N	N	25% ²	25% ²	25% ²	25% ²	25% ²	25% ²
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building	1	N	N	N	N	1	1	1	1	1	1
Window											
Max. Size	25% ³	N	N	N	N	25% ³	25% ³	25% ³	25% ³	25% ³	25% ³
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building/storefront	2	N	N	N	N	2	2	2	2	2	2
Projecting											
Max. Size (Square Ft.)	N	N	N	N	12	12	12	12	12	N	N
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Number Allowed per	1	1	1	1	1	1	1	1	1	1	1
tenant building											
Nameplate											
Max. Size (Square Ft.)	2	2	2	2	2	N	N	N	N	N	N
Max. Height (Ft.)	NA	NA	NA	NA	NA	N	N	N	N	N	N
Number Allowed per building	1	1	1	1	1						

N: not permitted

NA: Not Applicable

(Ordinance No. 873, 10-15-02) (Ordinance No. 897, 2-04-03) (Ordinance No. 951, 3-15-05)

1: Maximum letter height is equal to 12 inches

2: percentage of total Canopy area

3: percentage of total window area

4: When constructed as a landscaping element on an outlot or plat lot

5: Per Entrance

6: Maximum number equal to four (4) when every sign equals the maximum size, no maximum number when using six (6) square foot signs

7: On corner lots or lots one (1) acre or greater, otherwise one (1) per lot (Ordinance No. 897, 2-04-03)

Note: All signs shall have a Vertical Clearance of nine (9) feet above any public sidewalk, private drive, or parking.

All signs shall have a Vertical Clearance of twelve (12) feet above any Public Street.

811. Sign type, District Permitted

A. Signs shall be permitted in the various districts according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU- CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Sign Type</u>											
Building Marker	P	P	P	P	P	P	P	P	P	P	P
Identification	P	P	P	P	P	P	P	P	P	P	P
Temporary	P	P	P	P	P	P	P	P	P	P	P
Construction	P	P	P	P	P	P	P	P	P	P	P
Real Estate	P	P	P	P	P	P	P	P	P	P	P
Incidental	P	P	P	P	P	P	P	P	P	P	P
Subdivision	P	P	P	P	P	P	P	P	P	P	P
Wall	P	N	N	N	N	P	P	P	P	P	P
Canopy	P	N	N	N	N	P	P	P	P	P	P
Window	P	P	P	P	P	P	P	P	P	P	P
Projecting	P	N	N	N	N	P	P	P	P	P	P
Name Plate	P	P	P	P	P	P	P	P	P	P	P
Monument	P	P	P	P	P	P	P	P	P	P	P
Billboard	N	N	N	N	N	N	N	N	N	N	N
Pole	N	N	N	N	N	N	N	N	N	N	N
Roof	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>
Blade	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>
Marquee	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>	<u>N</u>

P: permitted N: not permitted C: Conditional Use

(Ordinance No. 873, 10-15-02)

129. Special Signage Conditions

The following special conditions apply to stand-alone ATM's, Coffee Kiosks and other Kiosks.

A. Stand-alone ATM's may have the following:

- One (1) wall sign on each exterior wall provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the ATM, a canopy sign may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the ATM, painted within a drive lane or in any curbing defining a drive lane.
- All signs are subject to the required permitting process of this Ordinance.
- Said signage may be incorporated with lighting plan and backlit in order to provide for greater security on the premises.

B. Coffee Kiosks and other Kiosks may have the following:

- One (1) wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the Coffee Kiosks / Kiosks, a canopy sign may be placed on each face of the Coffee Kiosk / Kiosks, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the Coffee Kiosk /Kiosk, painted within a drive lane or in any curbing defining a drive lane
- Window signs limited to menu boards and daily specials shall not require a sign permit.

- All signs are subject to the required permitting process of this Ordinance, unless otherwise noted.

7.01.06 Permits Required

1. If a sign requiring a permit under the provision of the ordinance is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 7.04.01.
2. Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with Section 7.04.09.
3. No signs shall be erected in the public right-of-way except in accordance with Section 7.03.01.
4. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this ordinance (including those protecting existing signs) in every respect and with the Signage Plan in effect for the property.

7.01.07 Design, Construction, Maintenance

All signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Building Code and the National Electrical Code.
2. Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this code, at all times.

Section 7.02 Signage Plans

7.02.01 General Provisions

1. No permit shall be issued for an individual sign requiring a permit unless and until an Individual Signage Plan or Master Signage Plan for the zoned lot on which the sign will be erected has been submitted to the City and approved by the Planning Department as conforming with this section.
2. All signage plans and permits shall include the following minimum information:
 - A. Color scheme;
 - B. Lettering or graphic style;
 - C. Lighting;
 - D. Location of each sign on the buildings;
 - E. Material;
 - F. Sign proportions; and
 - G. Any other criteria required by the appropriate signage plan.

7.02.02 Master Signage Plan.

For any zoned lot on which the owner proposes to erect more than three (3) signs requiring a permit, the owner shall submit to the Planning Department a Master Signage Plan containing the following:

1. An accurate plot plan of the zone lot, at such a scale as the Planning Department may require;
2. Location of buildings, parking lots, driveways, and landscaped areas on such zone lot;
3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this ordinance and
4. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

7.02.03 Showing Window Signs on Master Signage Plan.

1. A Master Signage Plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window (e.g., paper affixed to window,

painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.

7.02.04 Limit Number of Free-Standing Signs Under Master Signage Plan.

1. The Master Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the zone lots shall provide for shared or common usage of such signs.

7.02.05 Amendment.

1. A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms to all requirements of the ordinance then in effect.

7.02.06 Existing Signs Not Conforming to Master Signage Plan.

1. If any new or amended Master Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within two (2) years, all signs not conforming to the proposed amended plan or to the requirements of this ordinance in effect on the date of submission.

7.02.07 Binding Effect.

1. After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and any other provision of this ordinance, the ordinance shall control.

Section 7.03 Other Signage Provisions

7.03.01 Signs in the Public Right-of-Way

No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:
 - A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, advertise community events, and direct or regulate pedestrian or vehicular traffic;
 - B. Bus stop signs erected by a transit company
 - C. Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and
 - D. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Section 1.16.

7.03.02 Temporary Signs

A permit for temporary signs shall be issued only in accordance to the Master Fee Schedule and for signs meeting the following criteria:

1. *Construction and real estate signs are exempt from a temporary sign permit provided they meet the requirements set forth hereafter and in Section 7.01.05(5) of this Ordinance.*
2. *Such signs shall not be in place for more than fourteen (14) consecutive days, except that Real Estate signs may be in place until the property sale is finalized and construction signs may be in place until that construction phase is completed;*
3. *No more than four (4) temporary permits shall be issued to an individual use in a calendar year;*
4. *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
5. *Any violation of this Section may void any future requested permits; and*
6. *No temporary sign shall be of such size, message, or character so to harm the public, health, safety or general welfare. Temporary signs shall not exceed thirty-two (32) square feet.*
(Ordinance No. 874, 10-15-02) (Ordinance No. 898, 2-04-03)

7.03.03 **Emergency Signs (Permitted)**

1. Emergency warning signs erected by a governmental agency, public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

7.03.04 **Other Signs Forfeited**

1. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

7.03.05 **Signs Exempt from Regulation Under this Ordinance**

The following signs shall be exempt from regulation under this ordinance:

Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

Any religious symbol;

Any sign identifying a public facility or public / civic event, including signs for public school facilities;

Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located

Holiday lights and decorations with no commercial message;

Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message of any sort; and

A political sign exhibited in conjunction with the election of political candidates. Such signs may not exceed thirty-two (32) square feet in any zone. Only four (4) political signs shall be allowed per zone lot at any one time. All such political signs shall be removed no later than (10) days after the election. *(Ordinances No. 1184, 9-18-12)*

7.03.06 **Signs Prohibited Under These Regulations**

All signs not expressly permitted in these regulations or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

1. Beacons and flashing signs;

2. Video signs;

- ~~3. Marquee signs;~~

- ~~4.3. Portable signs, except as allowed by a Temporary Sign Permit;~~

- ~~5. Roof signs;~~

- ~~6.4. Pole signs;~~

- ~~7.5. Suspended signs;~~

- ~~8.6. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section;~~

- ~~9.7. Off-premises signs, except for signs located on outdoor public or quasi-public recreational areas/facilities, provided such signs are located in a manner approved by the City (such as not facing adjacent street right-of-way or residential zoning districts) and are no larger than 32 square feet."~~

(Ordinance No. 951, 3-15-05)

- ~~10.8. Animated signs, except for roof signs and electronic message boards, as permitted by this Ordinance; and~~

- ~~11.9. Audible Signs.~~

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2020 AGENDA**

Subject:	Type:	Submitted By:
APPROVAL OF SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2020-2021 BUDGET	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared approving the Sarpy County and Cities Wastewater Agency FY 2020-2021 Budget.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

The City of La Vista is a party to an agreement, entered into pursuant to the Interlocal Cooperation Act set out in Neb. Rev. Stat. §13-801 et. Seq. by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the “Members”), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the “Agency”).

Pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member. The Agency Board has approved the proposed FY 2020-2021 budget on May 27, 2020, attached as Exhibit A, along with a copy of the Agency Resolution Approving the Sarpy County and Cities Wastewater Agency FY 2020-2021 Budget.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2020- 2021 BUDGET

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board has approved the proposed FY2020-2021 Budget, which was approved by the Agency Board at the Agency's Board Meeting on May 27, 2020; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2020-2021 Budget which has been approved by the Agency Board and is attached to this Resolution as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2020-2021 Budget is hereby approved.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Exhibit A

FY2020-2021 Budget

[Attached]

Sarpy County and Cities Wastewater Agency
07/01/2020 to 06/30/2021
Adopted Budget

	2019/2020 Budget	Actual/Estimated 2019/2020	Adopted 2020/2021 Budget
Beginning Cash Balance (Previous FY Carryover)	\$ 248,312	\$ 248,312	\$ 699,048
RECEIPTS:			
Donation - Sarpy County	\$ -	\$ -	\$ -
Member PILOT Contributions	\$ -	\$ -	\$ 100,000
Reimbursable Contribution - Sarpy County	\$ 200,000	\$ -	\$ -
Nebraska Clean Water State Revolving Loan Fund - Loan Proceeds Transfer from Sarpy County	\$ 5,000,000	\$ 2,550,434	\$ 2,449,566
Sewer Connection Fees	\$ 3,000,000	\$ -	\$ 5,116,000
Miscellaneous (Interest)	\$ -	\$ 6,120	\$ 9,600
Total Receipts:	\$ 8,200,000	\$ 2,556,554	\$ 7,675,166
TOTAL RESOURCES AVAILABLE:	\$ 8,448,312	\$ 2,804,866	\$ 8,374,214
DISBURSEMENTS & TRANSFERS:			
Agency Operational Expenses:			
Reimbursement to Sarpy County for Reimbursable Contributions	\$ 1,272,120	\$ 775,000	\$ -
Professional Services - Consultant Services - Development Plan Creation, General Agency Services	\$ 14,110	\$ 18,385	\$ 15,700
Professional Services - Engineering Consultant Services - Regional Wastewater System	\$ 670,896	\$ 444,806	\$ 455,000
Professional Services - Legal Services - P3 Formation/Creation	\$ 341,214	\$ 150,672	\$ -
Professional Services - Legal Services - General Agency Services	\$ 191,625	\$ 232,247	\$ 325,000
Professional Services - Financial Advisor - General Agency Services	\$ 610,390	\$ 441,793	\$ 300,000
Project Costs - Title Insurance/Professional Services	\$ 2,200,000	\$ 2,460	\$ 1,900,000
Project Costs - Phase 1A Construction, Etc. Services & Expenses	\$ 67,100	\$ -	\$ -
Project Costs - Sewer Development Expenses/Easements/ROW	\$ 3,000,000	\$ -	\$ 5,300,000
Insurance - Public Entity Management Liability	\$ 50,000	\$ 30,000	\$ 50,000
Accounting Software - QuickBooks	\$ 1,500	\$ 840	\$ 1,500
Postage	\$ 1,500	\$ 100	\$ 1,500
Office Supplies - Copies, Paper, etc.	\$ 2,000	\$ 500	\$ 2,000
Publications - Newspaper, Notices, etc.	\$ 7,500	\$ 318	\$ 7,500
Audit Fees	\$ 8,000	\$ 8,500	\$ 8,000
Miscellaneous - Fees & Supplies	\$ 10,358	\$ 197	\$ 8,000
Agency Operational Expenses Total:	\$ 8,448,313	\$ 2,105,818	\$ 8,374,200
TOTAL DISBURSEMENTS & TRANSFERS:	\$ 8,448,313	\$ 2,105,818	\$ 8,374,200
Ending Cash Balance - 06/30/20XX:	\$ (1)	\$ 699,048	\$ 14
Agency Budget Authority Amount:	\$ 8,448,312	\$ 2,804,866	\$ 8,374,214

2020/21 Budget Adopted by Agency Governing Body: 5/27/2020

2020/21 Budget Adopted by Sarpy County Governing Body: _____
2020/21 Budget Adopted by Bellevue Governing Body: _____
2020/21 Budget Adopted by Gretna Governing Body: _____
2020/21 Budget Adopted by La Vista Governing Body: _____
2020/21 Budget Adopted by Papillion Governing Body: _____
2020/21 Budget Adopted by Springfield Governing Body: _____

2020/21 Agency Budget Effective Date: _____

*Budget becomes effective upon approval by the governing bodies of all participating entities.

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY**RESOLUTION APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY
FY2020-2021 BUDGET**

WHEREAS, pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq., (hereinafter the "Act"), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement (as amended, "Agency Formation Agreement") and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (hereinafter the "Agency");

WHEREAS, the Agency is a separate body corporate and politic under the Act;

WHEREAS, pursuant to Agency Formation Agreement, the powers of the Agency as a body are exercised by the Agency Board; and

WHEREAS, the Agency Board discussed the proposed FY2020-2021 Budget and after discussion the Board deemed it advisable to approve the proposed FY2020-2021 Budget, attached hereto as Exhibit A, and pursuant to Section IX of the Agency Formation Agreement the FY2020-2021 Budget shall be presented to the governing body of each Agency Member.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD that the FY2020-2021 Budget is hereby approved and shall be presented to and subject to the approval of the individual governing body of each Agency Member; and

NOW, THEREFORE, IT FURTHER BE RESOLVED BY THE AGENCY BOARD that the Agency Board Chairman is hereby authorized to execute, on behalf of the Agency Board, any and all documents associated with or in furtherance of the FY2020-2021 Budget.

The above Resolutions were approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 27th day of May 2020.

ATTEST:

Lisa A. Haine

Sarpy County and Cities Wastewater
Agency Secretary



David R. Kelly

Sarpy County and Cities Wastewater
Agency Board Chairman

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2020 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE – PAVEMENT MARKING MACHINE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR OF PUBLIC WORKS

SYNOPSIS

A resolution has been prepared authorizing the purchase of one (1) 2020 Graco GMAX 3900 Airless Sprayer from Diamond Vogel, 7870 L St., Omaha, NE 68127 in an amount not to exceed \$6,400.

FISCAL IMPACT

The FY 19/20 Biennial Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval.

BACKGROUND

Public works performs a portion of its pavement marking and striping requirements in-house. This includes parking lot striping, handicap markings, crosswalk painting and various touchup painting throughout the year. The current paint machine is 28 years old and past its useful life. This new paint machine has the capacity to operate two guns at once, which would allow a second staff member to assist the signal technician and complete these tasks in a more efficient manner.

RESOLUTION NO.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2020 GRACO GMAX 3900 AIRLESS SPRAYER FROM DIAMOND VOGEL, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$6,400.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Graco GMAX 3900 Airless Sprayer is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) 2020 Graco GMAX 3900 Airless Sprayer from Diamond Vogel, Omaha, Nebraska in an amount not to exceed \$6,400.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2020 AGENDA**

Subject:	Type:	Submitted By:
2021-2025 CAPITAL IMPROVEMENT PROGRAM (CIP)	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	JEFF CALENTINE DEPUTY DIRECTOR, PUBLIC WORKS

SYNOPSIS

A presentation has been prepared regarding the draft 2021-2025 Capital Improvement Program (CIP).

FISCAL IMPACT

Council will approve the Capital Improvement Projects for FY21 & FY22 as part of the biennial budget process.

RECOMMENDATION

N/A

BACKGROUND

The purpose of the Capital Improvement Program (CIP) is to develop a five-year plan that systematically examines the City's infrastructure and capital needs. In preparation for discussion of the plan at the City Council budget workshop, preliminary information is being presented to Council for consideration.

Capital Improvement projects constitute a large portion of the City's overall expenditures. Staff has prepared a draft plan that includes projects for funding in the next biennial budget as well as several projects designated as "Unprogrammed". It is anticipated that following the initial presentation, further discussion will take place at the budget workshop meeting regarding prioritization and scheduling of some of these unprogrammed projects. This is a change in process from previous years.

As in previous years, the final proposed CIP will subsequently be presented to the Planning Commission for approval and to the City Council for adoption.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 7, 2020 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION — RE-OPENING PLANS	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

A discussion item has been placed on the agenda to go over the plans to re-open city facilities for public access.

FISCAL IMPACT

N/A

RECOMMENDATION

N/A

BACKGROUND