

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1145

AN ORDINANCE TO AMEND SECTION 7.01.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.01.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Amendment of Section 7.01.05. Section 7.01.05 of Ordinance No. 848 is hereby amended to read as follows:

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.
- F. The following criteria apply to Ground Monument signs:

District	Design Limitations for Ground Monuments		
	Max. Size	Max. Height	Max. Number
	50 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
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.*
- 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 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.*

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- 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. (Ordinance No. _____, 5-17-11)

I. The following criteria apply to Center Identification signs:

District	Design Limitations for Center Identification Signs		
	Max. Size	Max. Height	Max. Number
R-1			
R-2			
R-3			
R-4			
C-1	100 square feet	20 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
C-2	100 square feet	20 feet	One (1) per main entrance but not more than two (2) 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
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)

3. Wall Signs

- A. All wall signs shall be mounted to the primary face of the use, unless otherwise substituted by the Building Official. (Ordinance No. 988, 4-18-06)
- B. The following criteria apply to Wall Signs:

District	Design Limitations for Wall Signs		
	Max. Size	Max. Height	Max. Number
	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) per storefront Dual Frontage = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable 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) per storefront Dual Frontage = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable 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) per storefront Dual Frontage = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.

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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) per main frontage One (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable 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) per main frontage Dual Frontage = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable 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) per main frontage Dual Frontage = one (1) additional Wall Sign may be used provided the combined total area does not exceed 150% of the initial allowable area.
PUD	The maximum allowed within the underlying zoning district, or otherwise prescribed in the approved P.U.D Plan of said lot/development.	The maximum <i>building height</i> allowed in the approved P.U.D Plan of said lot/development.	The maximum allowed within the underlying zoning district, or otherwise prescribed in the approved P.U.D Plan of said lot/development.

(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
	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-1			
R-2			
R-3			
R-4			
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
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. Project Directory Signs

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.

Supplemental 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. *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.*
- D. *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.*
- E. *The minimum distance between a sign location and any residential zoning district shall be 50 feet.*

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- F. 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.
- G. 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.
- H. All such signs shall be a ground-mounted, monument-style sign.
- I. Such signs shall be subject to the design standards of the PUD or Gateway Corridor Overlay District, if within such district. (Ordinance No. , 5-17-11)

6. 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:

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

-: 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 sidewalk, private drive, or parking.

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

SECTION 2. Repeal of Section 7.01.05 as Previously Enacted. Section 7.01.05 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall

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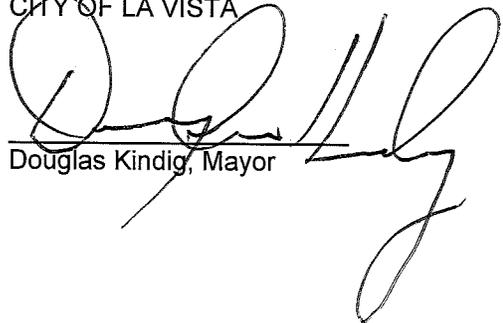
not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

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

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

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

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk

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