

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 954

AN ORDINANCE TO AMEND SECTION 5.10.03 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.10.03 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 5.10.03. Section 5.10.03 of Ordinance No. 848 is hereby amended to read as follows:

5.10.03 Permitted Conditional Uses:

- 5.10.03.01 Recreational establishments.
- 5.10.03.02 Department Store
- 5.10.03.03 Variety store, not including uses defined in Adult Establishment
- 5.10.03.04 Amusement arcades.
- 5.10.03.05 Brew Pubs
- 5.10.03.06 Coffee Kiosks
- 5.10.03.07 Micro breweries when in conjunction with a restaurant.
- 5.10.03.08 Automated Teller Machines when not within the interior of a primary use
- 5.10.03.09 Theater, indoor, not including uses defined in Adult Establishment.
- 5.10.03.10 Bowling center.
- 5.10.03.11 Business or trade school.
- 5.10.03.12 Commercial greenhouse.
- 5.10.03.13 Mail order services.
- 5.10.03.14 Pinball or video games business.
- 5.10.03.15 Tavern and cocktail lounge, not including uses defined in Adult Establishment
- 5.10.03.16 Totally enclosed, automated and conveyor-style car washes.
- 5.10.03.17 Convenience store with limited fuel sales.
- 5.10.03.18 Garden supply and retail garden center.
- 5.10.03.19 Outdoor storage in conjunction with another primary use.
- 5.10.03.20 Pet Health Services, provided the following:
 - 1. Said use is totally enclosed within a building
 - 2. Said services shall be provided for dogs, cats, birds, fish, and similar small animals customarily used as household pets
 - 3. Typical uses include animal veterinary clinics with overnight boarding, only if medically necessary, not exceeding 48 hours
 - 4. Grooming shall only be associated with medical appointment
 - 5. This excludes uses for livestock and other large animals and uses for general grooming, dog bathing and clipping salons.

5.10.03.21 Self-storage units, provided:

- 1. **Storage unit is an extension of an existing self-storage unit or facility.**
- 2. **The topography and access of the property will limit the development of identified commercial uses.**
- 3. **No outdoor storage.**
- 4. **Unit or facility provides perimeter fencing in accordance with this ordinance and a vegetative screen of at least six (6) feet in height and twenty (20) feet in width to any adjacent residential zoned property.**
- 5. **Lighting on site shall not be directed at or allowed to shine on any residential zoned property.**
- 6. **Applications for self-storage units under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its affect on surrounding property and shall include a site plan defining the areas to be developed with buildings and/or structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls and fences, the location and type of landscaping, and the location, size and number of signs.**
- 7. **Such use shall not be located adjacent to the intersection of two or more arterial streets.**

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8. The property shall have at least one boundary line that is adjacent to other property that is zoned I-1 Light Industrial or I-2 Heavy Industrial.
9. Such use shall not include storage of explosives or hazardous materials and shall be in accordance with the intent, purpose and spirit of this ordinance and the Comprehensive Development Plan of La Vista, Nebraska.

SECTION 2. Repeal of Section 5.10.03 as Previously Enacted. Section 5.10.03 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

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

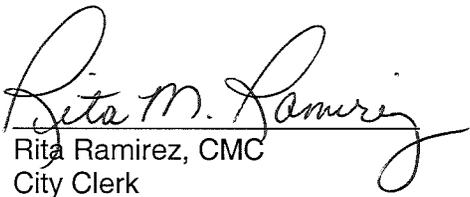
SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF JULY 2005.

CITY OF LA VISTA


Harold Anderson, Mayor

ATTEST:


Rita Ramirez, CMC
City Clerk

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