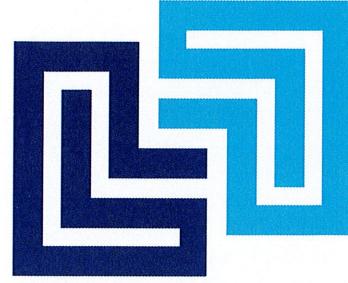


AGENDA ITEM 4E

**Text Amendments to the La Vista Zoning
Ordinance including the addition of the Mixed Use
Commercial Flex Zoning District – Article 2:
Definitions; Article 5: Zoning Districts including the
addition of Section 5.20 Mixed Use Commercial
Flex (MU-CF) District; and Section 7.01 – Sign
Regulations**

MEMO



TO: Planning Commission

FROM: Cale Brodersen, AICP, Senior City Planner

DATE: 12/29/2025

RE: Zoning Text Amendments to establish the Mixed-Use Commercial Flex District (MU-CF)

Staff is proposing a series of zoning ordinance text amendments to establish a new zoning district titled the Mixed-Use Commercial Flex (MU-CF) District. The proposed district is intended to accommodate a compatible mix of commercial and light industrial uses by blending select uses currently permitted within the C-2 General Commercial and I-1 Light Industrial zoning districts. Certain uses allowed in the C-2 and I-1 districts are intentionally excluded from the MU-CF district to minimize potential conflicts between industrial operations and high trip-generating commercial activities.

The proposed MU-CF district responds to increasing market demand for hybrid “flex” buildings capable of accommodating a range of commercial and light industrial users within a single development. This zoning concept was contemplated as a result of the La Vista Land Use Plan adopted in 2022 and has been further informed by multiple inquiries from property owners and prospective buyers seeking greater flexibility than what is currently provided under existing zoning districts.

Staff has identified several locations throughout the City that are well suited for this proposed zoning designation. In conjunction with the zoning ordinance amendments, corresponding amendments to the La Vista Land Use Plan and Future Land Use Map, adopted as part of the City’s Comprehensive Plan, are also proposed. If these amendments are adopted, individual property owners may apply for rezoning to the MU-CF district through future rezoning requests.

The proposed amendments include the following:

- Amendments to Section 2.02: Definitions: Staff noticed that the ordinance was missing a definition for minor automotive repair, so are proposing the addition of this definition. Additionally, staff noticed conflicting uses regarding the sales of boats and recreational vehicles. There is a use that authorizes recreational vehicle

and boat sales in the industrial districts, but the current definition of Automobile Sales (a use only permitted in the C-3 district) references the sale of these types of vehicles as well. Staff have reviewed the remaining C-3 zoned properties and do not find recreational vehicle and boat sales as compatible with these remaining lots. Removing references to recreational vehicles and boats from the Automobile Sales definition removes these conflicting use types.

- Amendments to Article 5: Zoning Districts: These adopt Section 5.20 which describes the intent, lists the permitted and permitted conditional uses, the height and lot requirements and use limitations for the new Mixed-Use Commercial Flex Zoning District.
- Amendments to Section 7.10 regarding signage requirements: These changes define which sign types and allowances are permitted in the new MU-CF zoning district, as the signage allowances are prescribed by zoning district. These signage allowances mimic those of the C-2 district.

Staff find that the proposed amendments are consistent with the goals and policies of the La Vista Land Use Plan and Comprehensive Plan, respond to demonstrated market demand for hybrid flex developments, and provide an additional zoning tool to support economic development and reinvestment within appropriate areas of the City. Adoption of these amendments will allow for greater adaptability in building design and site planning while maintaining appropriate standards to protect surrounding properties.

STAFF RECOMMENDATION

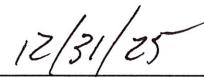
Staff recommends approval of the zoning text amendments to Section 2.02, Article 5, and Section 7.01 as presented.



Prepared by: Senior City Planner



Community Development Director



Date

Combined Proposed Amendments -Redlined
Zoning Ordinance Amendments related to the
adoption of the Mixed-Use Commercial Flex
District

Section 2.02 – Definitions: A

ABANDONMENT shall mean to cease or discontinue a use or activity without intent to resume as distinguished from short term interruptions such as during periods of remodeling, maintenance, or normal periods of vacation or seasonal closure.

ABUT, ABUTTING shall mean to border on, being contiguous with or have property or district lines in common, including property separated by an alley.

ACCESS OR ACCESS WAY shall mean the place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Regulation.

ACCESSORY BUILDING (see Building, accessory)

ACCESSORY STRUCTURE shall mean a detached subordinate structure located on the same lot with the principal structure, the use of which is incidental and accessory to that of the principal structure.

ACCESSORY USE shall mean a use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or affect other properties in the district.

ADJACENT shall mean near, close, or abutting; for example, an Industrial District across the street or highway from a Residential District shall be considered as "Adjacent".

ADULT BOOKSTORE shall mean any premises from which minors are excluded and in which the retail sale of books, magazines, newspapers, movie films, devices, slides, or other photographic or written reproductions is conducted as a principal use of the premises, if such services are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas." *(Ordinance No. 1083, 2-17-09)*

ADULT COMPANIONSHIP ESTABLISHMENT shall mean an establishment which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

ADULT DAY CARE SERVICES shall mean non-resident day care, regulated as required by the State of Nebraska, for four or more unrelated adults. *(Ordinance No. 1328, 9-18-18)*

ADULT ENTERTAINMENT ESTABLISHMENT shall mean any business which offers its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing or relating to "specified sexual activities" or "specified anatomical areas," including, but without limitation, adult bookstores, adult motion picture theaters, *adult* saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, *adult* *internet* industries, and *adult* massage parlor / health club. *(Ordinance No. 1083, 2-17-09)*

ADULT HOTEL OR MOTEL shall mean a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."

ADULT INTERNET INDUSTRIES shall mean any business within an enclosed building or outdoors that is producing materials for distribution on the Internet, including live video streaming, tape delayed video broadcasts, live simulcasting, still photographs, audio broadcasts, animated video or hard copy, wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas." Said uses are intended for viewing by other parties while on-line and for a specified charge. *(Ordinance No. 891, 2-04-03); (Ordinance No. 1083, 2-17-09)*

ADULT MASSAGE PARLOR, HEALTH CLUB shall mean a massage parlor or health club, which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

ADULT MINI-MOTION PICTURE THEATER shall mean a business premises within an enclosed building with a capacity for less than 50 persons used for presenting visual-media material if such business as a prevailing practice excludes minors by virtue of age, or if said material is distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

ADULT MOTION PICTURE ARCADE shall mean any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motor picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."

ADULT MOTION PICTURE THEATERS shall mean a business premises within an enclosed building with a capacity of 50 or more persons used for presenting visual media material if said business as a prevailing practice excludes minors by virtue of age, or if said material is distinguished or characterized by an emphasis on the depiction of description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

ADULT NOVELTY BUSINESS shall mean a business which has as a principal activity of the sale of devices which simulate human genitals or devices which are designed for sexual stimulation.

ADULT SAUNA shall mean a sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

ADVERTISING STRUCTURE shall mean any notice or advertisement, pictorial or otherwise, and all such structures used as an outdoor display, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the property with such Advertising Structure.

AGRICULTURAL AND FARM BUILDINGS AND STRUCTURES shall mean any building or structure which is necessary or incidental to the normal conduct of a farm including but not limited to residence of the operator, residence of hired men, barns, buildings and sheds for housing livestock, poultry and farm machinery, buildings for the storage or shelter of grain, hay and other crops, silos, windmills and water storage tanks.

AGRICULTURE shall mean the use of land for agricultural purposes, of obtaining a profit by raising, harvesting, and selling crops or by the feeding, breeding, management, and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees, or for dairying and the sale of dairy products, or any other agricultural or horticultural use. Agricultural use shall not be construed to include any parcel of land of less than twenty acres or any non-agricultural commercial or industrial development.

AIRPORT shall mean any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport buildings or facilities, including open spaces, taxiways, and tie-down areas.

ALLEY shall mean a minor public service street or public thoroughfare 20 feet or less in width, through a block of lots primarily for vehicular service access to the rear or side of properties otherwise abutting on another street. Buildings facing an alley shall not be construed as satisfying the requirements of this regulation related to frontage on a dedicated street.

ALTERATION shall mean any change, addition or modification in construction or occupancy of an existing structure.

AMENDMENT shall mean a change in the wording, context, or substance of this Regulation, an addition or deletion or a change in the district boundaries or classifications upon the zoning map.

AMUSEMENT ARCADE shall mean a building or a part of a building where five or more pinball machines, video games, or other similar player-orientated amusement devices are available and are maintained for use.

AMUSEMENT, COMMERCIAL INDOOR shall mean a building or a part of a building containing uses that provide commercial amusement indoors, not including uses defined in Adult Establishment, including, but not limited to movie theaters, bowling alleys, billiards halls, skating rinks, video arcades, rock climbing gyms, dance halls, indoor miniature golf courses, and go-kart tracks. (*Ordinance No. 1433, 12-7-21*)

ANIMAL HOSPITAL (see Hospital, animal)

ANIMAL SPECIALTY SERVICES shall refer to establishments primarily engaged in pet grooming, clipping, bathing, daycare, training courses, obedience classes, and similar services. Does not include veterinary services, but may include overnight boarding of animals, excluding exotic animals and farm animals such as horses, cattle, goats, sheep and poultry. (*Ordinance No. 1251, 6-16-15*)

ANTENNA shall mean any attached or external system of wires, poles, rods, reflecting disks or similar devices used for the transmission or reception of electromagnetic waves. (Also, see Satellite Dish Antenna.)

ANTIQUE STORE shall mean a place offering primarily antiques for sale. An antique for the purpose of this ordinance shall be a work of art, piece of furniture, decorative object, or the like, belonging to the past, at least 30 years old. (*Ordinance No. 1083, 2-17-09*)

APARTMENT shall mean a room or a suite of rooms within an apartment house or multiple family dwelling arranged, intended or designed for a place of residence of a single family or group of individuals living together. (Also, see Dwelling Unit)

APPAREL SHOP shall mean retail stores where clothing is sold, such as department stores, shoe stores, and dress, hosiery, and millinery shops. (*Ordinance No. 1083, 2-17-09*)

APPLIANCE STORE shall refer to retail shops selling equipment used for domestic functions. A store may include heavy appliances such as refrigerators, washers, dryers, ovens, dishwashers, or other similar domestic equipment. The store may also include smaller appliances such as televisions, computers, radios, microwaves, and other similar domestic equipment. (*Ordinance No. 1083, 2-17-09*)

APPEARANCE shall mean the outward aspect visible to the public.

APPROPRIATE shall mean the sympathetic, or fitting, to the context of the site and the whole community.

APPURTEANCES shall mean the visible, functional objects accessory to and part of buildings.

ARCHITECTURAL CANOPY SIGN (see Sign, architectural canopy)

ARCHITECTURAL CHARACTER (see Architectural Concept)

ARCHITECTURAL CONCEPT shall mean the basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development. (*Ordinance No. 1083, 2-17-09*)

ARCHITECTURAL FEATURE shall mean a prominent or significant part or element of a building, structure, or site. Architectural features may include special lines, massing, and/or texture.

LINES shall mean visual elements of the building, either within the façade or on the building edge, which are in a linear form either horizontally or vertically and may be composed of masonry, glass, or other related materials.

MASS shall pertain to the volume or bulk of a building or structure.

TEXTURE shall mean the quality of a surface, ranging from mirror finish, smooth, to coarse and unfinished.

ARCHITECTURAL STYLE shall mean the characteristic form and detail, as of buildings of a particular historic period.

ART GALLERY shall mean an establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This clarification does not include libraries, museums, or non-commercial art galleries. (*Ordinance No. 1083, 2-17-09*)

ARTIST LIVE-WORK SPACE shall mean dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of artist's workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

ARTIST STUDIO SPACE shall mean a space for the creation, manufacture, or assemblage of visual art, including two- or three-dimensional works of fine art or craft for the purpose of sale, display, commission, or collection, not including uses defined in Adult Entertainment Establishment and not including a dwelling unit. (*Ordinance No. 1433, 12-7-21*)

ASSISTED LIVING FACILITIES shall mean a type of long-term care facility for elderly or disabled people needing assistance with daily activities such as eating, bathing, dressing, laundry, housekeeping, and medicating. These facilities typically have a central cafeteria and nursing staff on call.

ATTACHED shall mean attached to real estate in such a way as to require dismantling, cutting away, unbolting from a permanent foundation or structural change in such structure in order to relocate it to another site. (*Ordinance No. 1083, 2-17-09*)

AUCTION SALES shall mean a building or structure or lands used for the storage of goods, materials or livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials or livestock by public auction and on an occasional basis. Auction sales also includes motor vehicle wholesale sales, including trailers, trucks, vans, recreational vehicles, boats or motorcycles or other similar motorized transportation vehicles. (*Ordinance No. 891, 2-04-03*)

AUTOMATED TELLER MACHINE (ATM) shall mean an automated device that performs banking or financial functions at a location remote from the controlling financial institution. (*Ordinance No. 1083, 2-17-09*)

AUTOMOBILE SALES shall mean the storage and display for sale or lease of more than two motor vehicles or any type of trailer (provided the trailer is unoccupied) at any one time and/or a total of ten or more sold or leased during the course of a calendar year, and where repair or body work is incidental to the operation of the new or used vehicle sales or leasing. Automobile sales includes all motor vehicle retail sales and leases including trucks, vans, ~~recreational vehicles, boats~~ or motorcycles or other similar motorized transportation vehicles. (Also, see Auction Sales) (*Ordinance No. 891, 2-04-03*)

AUTOMOTIVE REPAIR SERVICES shall refer to any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work; oil change and lubrication; major painting services; collision services; and tire service and sales. (*Ordinance No. 1053, 1-15-08*)

AUTOMOTIVE REPAIR, MINOR shall mean any building, structure, improvements, or land used to perform minor repairs and incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half tons' capacity.

AUTOMOTIVE SERVICES shall refer to any building, structure, improvements or land used for the general maintenance of automobiles, motorcycles, trucks, trailers or similar vehicles including but not limited to washing, cleaning, and/or detailing; installation of car stereos, accessories, or other light equipment; and minor painting.
(Ordinance No. 1053, 1-15-08)

ARTICLE 5: ZONING DISTRICTS

5.01	Districts; Uses
5.02	Districts; Boundaries
5.03	District Boundaries; Interpretation
5.04	Districts; Classification of Districts upon Annexation and Conformance with Land Use Plan
5.05	District (TA); Transitional Agricultural
5.06	District (R-1); Single-Family Residential
5.07	District (R-2); Two-Family Residential
5.08	District (R-3); High Density Residential
5.09	District (R-4); Condominium Residential
5.10	District (C-1); Shopping Center District
5.11	District (C-2); General Commercial
5.12	District (C-3); Highway Commercial / Office Park District
5.13	District (I-1); Light Industrial
5.14	District (I-2); Heavy Industrial
5.15	District (PUD-1); Planned Unit Development
5.16	District (R-M); Mobile Home Residential
5.17	District (GWAY); Gateway Corridor (overlay)
5.18	District (FF/FW); Flood Plain (overlay)
5.19	District (MU-CC); Mixed Use – City Centre
<u>5.20</u>	<u>District (MU-CF); Mixed Use – Commercial Flex</u>

Section 5.01 Districts; Use. For the purpose of this Ordinance, the Municipality is hereby divided into fifteen (15) districts, designated as follows:

(TA)	Transitional Agricultural
(R-1)	Single-Family Residential
(R-2)	Two-Family Residential
(R-3)	High Density Residential
(R-4)	Condominium Residential
(C-1)	General Commercial District
(C-2)	Shopping Center Commercial
(C-3)	Highway Commercial / Office Park District
(I-1)	Light Industrial
(I-2)	Heavy Industrial
(PUD-1)	Planned Unit Development
(R-M)	Mobile Home Residential
(GWAY)	Gateway Corridor Overlay
(FF/FW)	Flood Plain (overlay)
(MU-CC)	Mixed Use – City Centre
<u>(MU-CF)</u>	<u>Mixed Use – Commercial Flex</u>

Section 5.20 Mixed Use Commercial Flex District (MU-CF)

5.20.01 Intent: The intent of the Mixed-Use Commercial Flex District (MU-CF) is to:

1. Accommodate a compatible mix of office, commercial, service, and light industrial uses within a cohesive business park environment by allowing flexible land use arrangements and adaptable building designs that can respond to evolving business models, while supporting employment-generating activities through efficient circulation for goods and employees and high standards of site planning, architecture, and landscaping; and
2. Promote attractive, well-designed development that contributes positively to the community and local economy by encouraging long-term flexibility and reuse of buildings, minimizing land use conflicts, and prohibiting outdoor storage of goods in order to maintain a clean, orderly, and visually appealing business park character.

5.20.02 Permitted Uses:

Uses are allowed in “MU-CF” zoning districts in accordance with the use table of this section.

Uses Allowed in the Mixed-Use Commercial Flex District (MU-CF)

Use Category (Specific Use Type)	MU-CF District
Commercial:	
Animal Specialty Services	C
Apparel shop	P
Appliance store	P
Bakery shop (retail)	P
Barber and Beauty Shop	P
Bicycle shop	P
Book store, not including uses defined in Adult Establishment	P
Brew-on premises store	P
Brew Pubs	C
Camera store	P
Communication services	P
Computer store	P
Confectionery	P
Drug store	P
Dry cleaning and laundry pickup	P
Event Center	C
Exercise, fitness and tanning spa, not including uses defined in Adult Establishment	P
Floral shop	P
Food sales (Limited)	P
Food sales (General)	P
Furniture store or showroom	P
Gift and curio shop	P
Hardware store	P

Health club or recreation facility, not including uses defined in Adult Establishment	C
Hobby, craft, toy store	P
Jewelry store	P
General office use types including: Medical/dental offices, architectural, engineering, and consulting services, and business services office uses including: attorneys, banks, insurance, real estate, credit, security brokers, and investment services, but not including uses defined in Adult Establishment.	P
Microbreweries when in conjunction with a restaurant	C
Paint store	P
Personal services, not including uses defined in Adult Entertainment Establishment	P
Photographer	P
Picture framing shop.	P
Publicly owned and operated facilities	P
Recreational establishments	C
Restaurant: Sit-down only	P
Service station with minor automobile repair services	C
Shoe store	P
Special and vocational training facilities	P
Sporting Goods	P
Supportive Care and Consulting Services	P
Tailors and dressmakers	P
Tavern and cocktail lounge, not including uses defined in Adult Establishment.	C
Tire store and minor automobile repair service	C
Tutoring and exam preparation services	P

Light Industrial:

Artist Studio Space	P
Assembly of electrical and electronic appliances	P
Automotive services, except repair, towing and wrecking	P
Business Services	P
Catering Kitchens	P
Facilities for building construction contractors, excluding outdoor storage	P
General warehousing	P
Indoor recreational facility	C
Industrial Condominiums	C
Laboratory, medical & dental	P
Manufacture: light	P
Printing, publishing, and allied industries	P
Testing laboratories	P
Manufacturing: Artisan (Limited)	C
(hand tools only: e.g., jewelry or ceramics)	

Other:

Temporary structures (events)	T
Temporary structures (construction)	T

P = permitted by right; C = conditional use; T = temporary

5.20.03 Height and Lot Requirements:

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

Use	Lot Area (SF) ²	Lot Width ²	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	25 ¹	15'	15'	45'	65%
Permitted Conditional Uses	10,000	100	25 ¹	15'	15'	45'	65%

¹ 25' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (50) feet.

² Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)

5.20.04 Use Limitations:

5.20.04.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (*Ordinance No. 1053, 1-15-08*) No outdoor storage shall be permitted.

5.20.04.02 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

5.20.04.03 No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling.

5.20.05 Performance Standards:

See Section 7.16 of the Supplemental Regulations.

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
MU-CF	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. Setback requirements shall not apply for Center Identification Signs within the Mixed-Use City Centre (MU-CC) Zoning District, given that such signs are not placed within the sight triangle area.
 - G. Change panels and/ or changeable copy may be allowed provided:
 - Signs shall only include business names and/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. For multi-tenant buildings that advertise individual tenants using a Center Identification Sign, individual tenants will not be permitted to construct or advertise with individual Ground Monument Signs.

K. 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) 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
MU-CC	150 square feet	24 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
<u>MU-CF</u>	<u>100 square feet</u>	<u>20 feet</u>	<u>One (1) per main entrance but not more than two (2) per street frontage of the development</u>
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 Community Development 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. For multi-tenant buildings in which the width of the bay that a tenant occupies is not easily discernable (i.e. non-retail strip centers such as multi-story office buildings where users share a common entrance), the maximum signage size allowance shall be a calculation of the total signage allowance for the building multiplied by the proportion of the building (in square feet) that the tenant occupies. For example, a tenant that occupies 25% of the total square footage of a building that has a total signage allowance of 100 square feet shall be permitted a wall sign up to 25 square feet in size.
- C. For properties that have multiple buildings (except for multi-building self-storage unit facilities), the maximum number of wall signs shall be one (1) sign area per building, per main frontage.
- D. 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.
<u>MU-CF</u>	<u>1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft</u>	<u>45 feet above grade</u>	<u>One (1) sign area per main frontage</u> <u>More than One Frontage:</u> <u>Total maximum sign area shall not exceed 150% of the initial permitted sign area.</u>
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, or otherwise prescribed in the approved P.U.D Plan of said lot/development.	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, or otherwise prescribed in the approved P.U.D Plan of said lot/development.
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(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
MU-CF	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
MU-CF	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);
MU-CE	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.

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>Sign Type</u>	<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>MU-CF</u>	<u>I-1</u>	<u>I-2</u>
<u><i>Identification</i></u>													
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
<u><i>Real Estate</i></u>													
Max. Size (Square Ft.)		32	6	6	6	6	32	32	32	32	32	32	32

Max. Height (Ft.)	6	4	4	4	4	6	6	6	<u>6</u>	6	6
Number Allowed per lot	2	1	1	1	1	<u>2</u> ⁷	<u>2</u> ⁷	<u>2</u> ⁷	<u>2</u> ⁷	<u>2</u> ⁷	<u>2</u> ⁷
<u>Subdivision</u>											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	<u>32</u>	32	32
Max. Lot Coverage (Sq. Ft.)	2,500 ⁴	2,500 ⁴	2,500 ⁴	<u>2,500⁴</u>	2,500 ⁴	2,500 ⁴					
Max. Height (Ft.)	10	10	10	10	10	10	10	15	<u>10</u>	10	10
Number Allowed per lot	2 ⁵	2 ⁵	2 ⁵	<u>2⁵</u>	2 ⁵	2 ⁵					
<u>Construction</u>											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	<u>32</u>	32	32
Max. Height (Ft.)	8	8	8	8	8	8	8	8	<u>8</u>	8	8
Number Allowed per lot	4 ⁶	4 ⁶	4 ⁶	<u>4⁶</u>	4 ⁶	4 ⁶					
<u>Canopy</u>											
Max. Size	25% ²	N	N	N	N	25% ²	25% ²	25% ²	<u>25%²</u>	25% ²	25% ²
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	<u>NA</u>	NA	NA
Number Allowed per building	1	N	N	N	N	1	1	1	<u>1</u>	1	1
<u>Window</u>											
Max. Size	25% ³	N	N	N	N	25% ³	25% ³	25% ³	<u>25%³</u>	25% ³	25% ³
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	<u>NA</u>	NA	NA
Number Allowed per building/ storefront	2	N	N	N	N	2	2	2	<u>2</u>	2	2
<u>Projecting</u>											
Max. Size (Square Ft.)	N	N	N	N	12	12	12	12	<u>12</u>	N	N
Max. Height (Ft.)	NA	NA	NA	NA	NA	NA	NA	NA	<u>NA</u>	NA	NA
Number Allowed per tenant	1	1	1	1	1	1	1	1	<u>1</u>	1	1
<u>Nameplate</u>											
Max. Size (Square Ft.)	2	2	2	2	2	N	N	N	<u>N</u>	N	N
Max. Height (Ft.)	NA	NA	NA	NA	NA	N	N	N	<u>N</u>	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 landscape

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:

Billboard	N	N	N	N	N	N	N	N	<u>N</u>	N	N
Pole	N	N	N	N	N	N	N	N	<u>N</u>	N	N
Roof	N	N	N	N	N	N	N	P	<u>N</u>	N	N
Blade	N	N	N	N	N	N	N	P	<u>N</u>	N	N
Marquee	N	N	N	N	N	N	N	P	<u>N</u>	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 wall sign per frontage, 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.