

AGENDA ITEM 4 B

**TEXT AMENDMENTS
ZONING REGULATIONS**

**SECTIONS: 2.2 & 5.12
COLLEGES AND UNIVERSITIES**

Memorandum



To: Planning Commission
From: Christopher Solberg, City Planner
Date: 1/13/2012
Re: Addition of Colleges and Universities to Zoning Regulations

Currently, the City's Zoning Regulations allow for the development of a "Business or Trade School" in the C-1 and C-2 zoning districts with a Conditional Use Permit. Also, "Vocational and Special Training Facilities" are allowed in the I-1 and I-2 zoning districts with a Conditional Use Permit.

References within Section 2.02 point the "Business or Trade School" use to the "Vocational and Special Training Facilities" definition. This is defined as:

...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.

It is my interpretation of this definition that the extent of this use would be limited in nature, providing specialized education oriented around specific trades. Currently, the Zoning Regulations do not include zoning for "Colleges and Universities". It is staff's recommendation that "Colleges and Universities" (see attached) be allowed as a conditional use within the C-3 zoning district. The C-3 district is intended for multi-story office-park style campuses that are common with the larger "Colleges and Universities" land use.

2.02.76 **CAR WASH** shall mean a building or structure or an area of land with machine or hand operated facilities for the cleaning, washing, polishing, or waxing of motor vehicles, not including semi-trailer tractors, buses, and commercial fleets.

2.02.77 **CARPORT** shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

2.02.78 **CELLAR** shall mean a building space having more than one-half (1/2) of its height below the average adjoining grade lines.

2.02.79 **CEMETERY** shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, and mausoleums.

2.02.80 **CHANGEABLE COPY** shall refer to a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without, altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance. (Ordinance No. 1083, 2-17-09)

2.02.81 **CHANNEL** shall mean the geographical area within either the natural or artificial banks of a watercourse or drainway.

2.02.82 **CHARITABLE ORGANIZATION or CLUB** shall mean a public or semi-public institutional use of a philanthropic, charitable, benevolent, religious, or eleemosynary character, but not including sheltering or caring of animals. (Ordinance No. 1083, 2-17-09)

2.02.83 **CHILD CARE CENTER** shall mean an establishment other than a public or parochial school, which provides day care, play groups, nursery schools or education for thirteen (13) or more children under age 13, at any one time, from families other than that of the provider. In addition to these regulations, Child Care Centers shall meet all requirements of the State of Nebraska.

2.02.84 **CHILD CARE HOME** shall mean an operation in the provider's place of residence which serves at least four (4), but not more than eight (8) children at any one time, from families other than that of the provider. A Family Child Care Home I provider may be approved to serve no more than two (2) additional school-age children during non-school hours. A Family Child Care Home II operation may be either in the provider's own place of residence or a site other than the residence, serving twelve (12) or fewer children at any one time. In addition to these regulations, Child Care Homes shall meet all requirements of the State of Nebraska.

2.02.85 **CITY** shall mean the City of La Vista.

2.02.86 **CODE** shall mean the Municipal Code of the City of La Vista.

2.02.87 **COFFEE KIOSK** shall mean a retail food business in a freestanding building that sells coffee, or other beverages, and remade bakery goods from a drive-through window or walk-up window. (Ordinance No. 1053, 1-15-08).

2.02.88 **COLLEGE AND UNIVERSITY** shall mean an educational institution offering advanced instruction in any academic field beyond the secondary level, including trade schools or business colleges. (Ordinance No. _____)

2.02.89 **COMMISSION** shall mean the La Vista Planning Commission.

Section 5.12 C-3 Highway Commercial / Office Park District

5.12.01 Intent: The Highway Commercial / Office Park District is intended for large scale commercial and office park development. In addition, this district prohibits all exterior storage by a primary use unless a separate Conditional Use Permit is requested for the use and granted by the City.

5.12.02 Permitted Uses:

5.12.02.01 *Medical/dental offices and business services including: attorneys, banks, insurance, real estate offices, postal stations, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services; but not including uses defined in Adult Establishment. (Ordinance No. 950, 3-1-05)*

5.12.02.02 Museum, art gallery.

5.12.02.03 Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:

1. Book store, not including uses defined in Adult Establishment.
2. Brew-on premises store.
3. Dry cleaning and laundry pickup.
4. Floral shop.
5. Gift and curio shop.
6. Jewelry store.
7. Reservation center.
8. Restaurants, cafes and fast food establishment.
9. Travel agencies.
10. Office Park developments.
11. Video store, not including uses defined in Adult Establishment.
12. Meeting Halls not including Adult Establishments.

5.12.02.04 *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*

5.12.03 Permitted Conditional Uses:

5.12.03.01 Theater, indoor, not including uses defined in Adult Establishment.

5.12.03.02 Automobile display, sales, service, and repair.

5.12.03.03 Brew Pubs.

5.12.03.04 Micro breweries when in conjunction with a restaurant.

5.12.03.05 Coffee Kiosks.

5.12.03.06 Automated Teller Machines when not within the interior of a primary use.

5.12.03.07 Tavern and cocktail lounge, not including uses defined in Adult Establishment.

5.12.03.08 Convenience store with limited fuel sales.

5.12.03.09 Churches and temples.

5.12.03.10 Hotels, including restaurants, convention and meeting facilities and other related uses, not including uses defined in Adult Establishment.

5.12.03.11 Department Stores.

5.12.03.12 Retail trade centers.

5.12.03.13 Shopping centers.

5.12.03.14 Commercial Strip Shopping Center.

5.12.03.15 Outlet Shopping Center.

5.12.03.16 Health Clubs and tanning salon, not including uses defined in Adult Establishment.

5.12.03.17 5.12.03.18 *Colleges and Universities. (Ordinances No. _____)*

5.12.03.17 Health Recreation Facilities, not including uses defined in Adult Establishment.