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ARTICLE 1

GENERAL PROVISIONS

1.1 TITLE

This Ordinance shall be known, referred to, and cited as the Zoning Ordinance of the City of Ravenna, Nebraska

1.2 JURISDICTION

The provisions of these Regulations shall apply within the planning jurisdiction of Ravenna, Nebraska, as established on the map entitled "The Official Zoning Map of the City of Ravenna, Nebraska." The jurisdiction includes the zoning areas within and up to one mile of the corporate limits of the City of Ravenna, Nebraska.

1.3 PURPOSE

In pursuance of the authority conferred by Sections 19-901 through 19-914 of Nebraska Statutes as amended, this ordinance is enacted for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants in the City of Ravenna by regulating and restricting the height, number of stories, and size of buildings and other structures, the size of yards, courts, and other open spaces, and the location and use of buildings, structures and land for trade, industry, residence, or other purposes in accordance with the Ravenna Comprehensive Plan and the zoning maps adopted herewith.

ARTICLE 2

APPLICATION OF REGULATIONS

2.1 GENERAL

The zoning regulations set forth by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

2.2 ZONING AFFECTS EVERY BUILDING AND USE

No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, moved or structurally altered except in conformity with all of the zoning regulations herein specified for the district in which it is located.

2.3 YARD AND LOT REDUCTION PROHIBITED

No yard or lot existing at the time of passage of this ordinance shall be reduced by private action in dimension or area below the minimum requirements set herein. Yards or lots created after the effective date of this ordinance shall meet the minimum requirements established by these regulations.

2.4 MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Where applicable, Municipal, State, or Federal standards which are more restrictive than those contained herein, the more restrictive standards shall apply.

2.5 NONCONFORMITIES

Nonconformities; Intent. Nonconformities are of three types: nonconforming lots of record, nonconforming structures and nonconforming uses.

2.51 NONCONFORMING LOTS OF RECORD: The Zoning Administrator may issue a Permit for any nonconforming lot of record provided that:

Said lot is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size and width at such location would not have been prohibited, and

Said lot has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by the zoning regulations, and

Said lot can meet all required yard regulations for the district in which it is located.

2.52 **NONCONFORMING STRUCTURES**

Authority to Continue: Any structure which is devoted to a use which is permitted in the zoning district in which it is located, but which is located on a lot which does not comply with the use regulations and/or the applicable yard and height regulations may be continued, so long as it remains otherwise lawful.

Enlargement, Repair, Alterations: Any nonconforming structure may be enlarged, maintained, repaired, remodeled, or rebuilt; provided, however, that no such enlargement, maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure.

Damage or Destruction: In the event any nonconforming structure is damaged or destroyed, by any means, to the extent of more than 75 percent of its assessed fair market value, such structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located. When a structure is damaged to the extent of 60 percent or less of its assessed fair market value, no repairs or restoration shall be made unless a building permit is obtained within six (6) months, and restoration is actually begun one (1) year after the date of such partial destruction and is diligently pursued to completion.

Moving: No nonconforming structure shall be moved in whole or in part for any distance whatever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

2.53 **NONCONFORMING USES**

Authority to Continue: Any lawfully existing nonconforming use of part or all of a structure or any lawfully existing nonconforming use of land, not involving a structure or only involving a structure which is accessory to such use or land, may be continued, so long as otherwise lawful.

Ordinary Repair and Maintenance:

1. Normal maintenance and incidental repair, or replacement, installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing, water and/or waste disposal systems, may be performed on any structure or system that is devoted in whole or in part to a nonconforming use.

2. Nothing in these regulations shall be deemed to prevent the strengthening or restoring to a safe condition of a structure in accordance with an order of a public official in charge of protecting the public safety who declares such structure to be unsafe and orders its restoration to a safe condition.

Extension: A nonconforming use shall not be extended, enlarged, or increased in intensity. Such prohibited activities shall include, without being limited to the extension of such use to any structure or land area other than that occupied by such nonconforming use on the effective date of these Regulations (or on the effective date of subsequent amendments hereto that cause such use to become nonconforming).

Enlargement: No structure that is devoted in whole or in part to a nonconforming use shall be enlarged or added to in any manner unless such structure and the use thereof shall thereafter conform to the regulations of the district in which it is located.

Damage or Destruction: In the event that a nonconforming building or use is damaged to the extent of more than sixty (60) percent of its reasonable replacement value, the property shall conform to the zone in which it is located.

Moving: No structure that is devoted in whole or in part to a nonconforming use and nonconforming use of land shall be moved in whole or in part for any distance whatever, to any location on the same or any other lot, unless the entire structure and the use thereof or the use of land shall thereafter conform to all regulations of the zoning district in which it is located after being so moved.

Change in Use: If no external structure alterations are made which will expand the area or change the dimensions of the existing structure, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use provided that the governing body after receiving a recommendation from the Planning Commission, by making findings in the specific case, shall find that the proposed use is more appropriate to the district than the existing nonconforming use. More appropriate shall mean creating less traffic, noise, glare, odor or other characteristics of the proposed use. In permitting such change, the governing body may require appropriate conditions and safeguards to protect surrounding areas and properties. Once such use has changed, it may no longer be returned to the original use or any other less appropriate use.

Abandonment or Discontinuance: When a nonconforming use is discontinued or abandoned, for a period of twelve (12) consecutive months, such use shall not thereafter be re-established or resumed, and any subsequent use or occupancy of such land shall comply with the regulations of the zoning district in which such land is located.

Nonconforming Accessory Uses: No use which is accessory to a principal nonconforming use shall continue after such principal use shall cease or terminate.

ARTICLE 3

GENERAL DEFINITIONS

3.1 GENERAL PROVISIONS

The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this Ordinance.

3.11 TENSE: Words used in the present tense include the future tense.

3.12 NUMBER: Words used in the singular include the plural, and words used in the plural include the singular.

3.13 SHALL, MUST, AND MAY: The words “shall” and “must” are mandatory; the word “may” is permissive or discretionary.

3.14 HEADINGS: In the event that there is any conflict or inconsistency between the heading of an article, section or paragraph of this Ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context.

3.2 GENERAL TERMINOLOGY

The word “City” shall mean the City of Ravenna, Nebraska. The words “Governing Body” shall mean the City Council of Ravenna, Nebraska. The words “Planning Commission” shall mean the Planning Commission of Ravenna duly appointed by the Governing Body of the City of Ravenna.

Words or terms not herein defined shall have their ordinary meaning in relation to the context.

3.3 DEFINITION

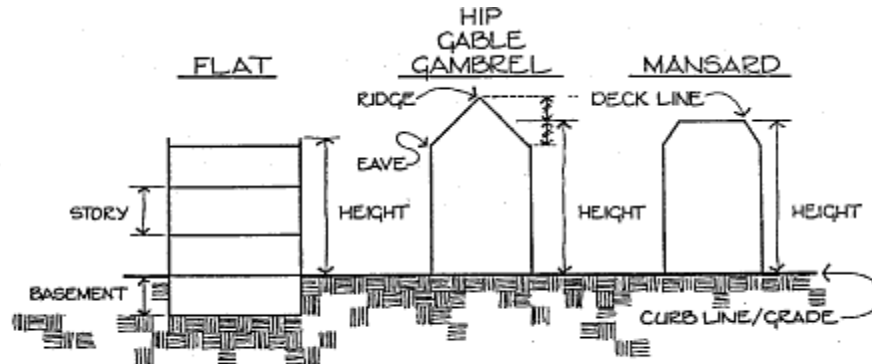
For the purpose of this Ordinance certain words and terms used herein are defined as follows;

1. **ABUTTING:** Having lot lines or district boundaries in common. Use interchangeably with adjacent.

2. **ACCESSORY USE OF BUILDING:** A subordinate building or use which customarily is incidental to that of the main or principal building or use of the premises. Customary accessory uses include, but are not limited to, tennis courts, swimming pools, detached garages, garden houses, antenna/satellite dishes, amateur radio or land mobile towers of less than 100 feet, and residential, agricultural and recreational storage sheds. Garages or other accessory uses attached to the principal structure shall be considered a part thereof and meet the requirements of the principal structure.
3. **ACCESSORY USE:** A subordinate use which serves an incidental function to that of the main use of the premises. Customary accessory uses include tennis courts, swimming pools, air conditioners, barbeque ovens, solar panels, dish antennas, and fireplaces.
4. **ADDITION:** Any construction which increases the size of the building or structure in terms of site coverage, height, length, width, or gross floor area.
5. **AGRICULTURAL FARM OR OPERATION:** A tract of land or a combination of tracts of land utilized primarily for agricultural purposes which either singularly or jointly consist of at least ten (10) acres or more of farm products each year.
6. **ALLEY:** A public or private thoroughfare which affords only a secondary means of access to the property abutting thereon.
7. **ALTERATION:** Alteration, as applied to a building or structure, is any construction or physical change or rearrangement in the structure parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered an alteration.
8. **APARTMENT:** A dwelling unit, within a building, designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
9. **APPROVING AUTHORITY:** The City Council of Ravenna, Nebraska or its designee.
10. **ATTACHED:** Having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway; façade wall extension; or archway.
11. **BASE ZONING DISTRICT:** A district established by this Ordinance which prescribes basic regulations governing land use and site development standards. No more than one (1) Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.

12. **BASEMENT:** That portion of a building having more than one-half of its height below finished grade. This portion shall not be a completed structure, but shall serve as a substructure or foundation for the remainder of the building. A basement used for independent dwelling or business purposes shall be considered a store for the purposes of height measurement.
13. **BLOCK:** An area of land within a subdivision that is entirely bounded by streets, by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse, lake, railroad, or other significant natural or man-made barrier, and which has been designated as such on a plat for the purposes of legal description of a property.
14. **BLOCK FACE:** The property abutting one (1) side of a street and lying between the two (2) nearest intersection streets, or between the one (1) nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of Ravenna.
15. **BOARD OF ADJUSTMENT:** That Board which has been created by the Governing Body to hear and determine appeals and variances to the Zoning Regulations.
16. **BOARDING OR LODGING HOUSE:** A building other than a hotel or motel where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals, are provided for three or more persons, but not exceeding 20 persons. Individual cooking facilities are not provided.
17. **BUFFERYARD:** A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another.
18. **BUILDABLE AREA:** The portion of a lot remaining after required yards have been provided.
19. **BUILDING:** An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breezeway shall be deemed one building. "Building" includes "structure."
20. **BUILDING COVERAGE:** The area of a site covered by buildings or roofed area, excluding allowed projecting eaves, balconies, and similar features.
21. **BUILDING ENVELOPE:** The three (3) dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met.

22. **BUILDING HEIGHT:** The vertical distance to the highest point of the roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs, measured from the curb level if the building is not more than 10 feet from the front lot line or from the grade in all other cases.



Source: A Survey of Zoning Definitions, (American Planning Association, 1989).

a.

23. **BUILDING LINE:** A line parallel or nearly parallel, to either the street line or the lot line not abutting the street and at a specified distance from the street or lot line which marks the minimum distance from either line that a building may be erected. In the case of a cul-de-sac, the building line shall be measured around the curvature of the street line.
24. **BUILDING OFFICIAL:** The person or persons designated by the governing body to administer this subdivision ordinance whether such person or persons be entitled Building Official, Building Inspector, Administrative Official, or Zoning Administrator.
25. **BUILDING PERMIT:** A document that must be issued by the City prior to erecting, constructing, enlarging, altering, moving, improving, removing, converting, or demolishing any building or structure on a platted lot or parcel.
26. **BUSINESS:** Activities that include the exchange or manufacture of goods or services on a site.
27. **BUSINESS CENTER:** A building containing more than one (1) commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.
28. **CARTWAY (OR ROAD OR STREET CHANNEL):** The actual surface area of a road used to accommodate motor vehicles, including moving traffic lanes, acceleration and deceleration lanes, and parking lanes. On a street with curbs, the cartway is measure from back to back of curbs. On streets without curbs, the cartway is measured between the outer edges of the pavement.

29. **CAMP GROUNDS:** Any premises where two (2) or more camping units are parked/placed for camping purposes, or any premises used or set apart for supplying to the public, camping space for two (2) or more camping units for camping purposes, which include any buildings, structures, vehicles or enclosures used or intended for use or intended wholly or in part for the accommodation of transient campers.
30. **CENTERLINE OFFSET:** The distance between the centerline of roads intersecting a common road from the same or opposite sides.
31. **CERTIFICATE OF OCCUPANCY:** An official certificate issued by the City of Ravenna, prior to occupancy of a completed building or structure, upon finding of conformance with the applicable building code and this Ordinance.
32. **CHANGE OF USE:** The replacement of an existing use type by a new use type.
33. **CHILD CARE CENTER:** A facility which is or should be licensed by the Nebraska Department of Health and Human Services.
34. **CHILD CARE HOME:** A private home providing care (for children) for compensation which is or should be licensed by the Nebraska Department of Health and Human Services.
35. **COMMERCIAL/UTILITY WIND ENERGY SYSTEMS (LARGE):** Shall mean a wind energy system of equal to or greater than 100 kW in total generating capacity.
36. **COMMON AREA:** An area held, designed, and designated for common or cooperative use within a development.
37. **COMMON OPEN SPACE:** That undivided land in a subdivision which may be jointly owned by all property owners of the subdivision, for the benefit of the owners of the individual building sites of said development.
38. **COMMON SEWER SYSTEM:** A sanitary sewage system in public ownership which provides for the collection and treatment of domestic effluent in a central sewage treatment plant which meets the minimum requirements of the Nebraska Department of Environmental Quality for primary and secondary sewage treatment and which does not include individual septic tanks or portable sewage treatment facilities.
39. **COMMON WATER SYSTEM:** A water system which provides for the supply, storage and distribution of potable water on an uninterrupted basis which is in public ownership.
40. **COMMUNICATION TOWER:** Shall mean a structure for the transmission or broadcast of radio, television, radar, or microwaves.

41. **COMPATIBILITY:** The degree to which two (2) or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
42. **COMPREHENSIVE PLAN:** The long range development plan adopted by the Ravenna City Council.
43. **CONDITIONAL USE:** A use which is allowed in a zone when specified conditions have been complied with as identified for each district as a conditional use. A conditional use permit is reviewed and issued by the zoning administrator.
44. **CONDITIONAL USE PERMIT:** A permit used to give approval of a conditional use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Conditional uses are allowed in a zoning district only at the discretion of and with the explicit permission of the Planning Commission and City Council.
45. **CONDOMINIUM:** A single dwelling unit under individual ownership within a two-family or multiple dwelling unit structure.
46. **COUNTY:** Buffalo County, Nebraska.
47. **COVENANT:** Written promise or pledge.
48. **CUL-DE-SAC:** A local street with only one (1) outlet and with an opposite end providing for the reversal of traffic.
49. **CULVERT:** A transverse drain that channels water under a bridge, street or driveway.
50. **CURB:** A vertical or sloping edge of a roadway, intended to define the edge of the cartway and to channel or control drainage.
51. **DEVELOPMENT AGREEMENT:** An agreement between the City and Subdivider whereby the Subdivider guarantees to complete all improvements and terms for payment of costs for same.
52. **DWELLING:** Any building or portion thereof which is designed and used exclusively for residential purposes.
53. **DWELLING, MULTIFAMILY:** A building or portion thereof used for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units.

54. **DWELLING, SINGLE FAMILY:** A dwelling having accommodations for and occupied by one (1) family.
55. **DWELLING, TWO-FAMILY:** A residential building containing two (2) dwelling units entirely surrounded by open space on the same lot.
56. **DWELLING UNIT:** Consists of one or more rooms which are arranged, designed or used as a separate living quarters by a single family or other group of persons living together as a household or a person living alone. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each “dwelling unit”.
57. **EASEMENT:** A grant by the property owner to the public, a corporation or persons for the use of a tract of land for a specific purpose or purposes.
58. **ENGINEER:** One, licensed by the State of Nebraska, designated by the Ravenna City Council to act for the City.
59. **FAMILY:** One person or more than one person related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four unrelated persons living together as a single housekeeping unit; plus in either case, usual domestic servants. A family shall under no circumstances be construed as a boarding house, fraternity or sorority house, club, lodging house, hotel or motel.
60. **FARM RESIDENCE:** Residential dwellings located on a farm, including mobile homes appurtenant to agricultural operations including the living quarters for persons employed on the premises.
61. **FARMSTEAD:** Any building site that includes at least two (2) buildings used for farming/agricultural purposes.
62. **FASCIA:** A parapet-type wall used as part of the façade of a flat-roofed building and projecting no more than six (6) feet from the immediately adjacent building face. Such wall shall enclose at least three (3) sides of the projecting flat roof and return to the parapet wall or the building.
63. **FEED LOT:** The land and process of confined feeding or holding of cattle, sheep, swine and poultry.
64. **FRONTAGE:** The length of the property abutting on one (1) side of a street measured along the dividing line between the property and the street.
65. **GARAGE, PRIVATE:** A detached accessory building or a portion of the main building, used for the storage of motor vehicles.

66. **GASOLINE SERVICE STATION:** A service station shall consist of a building or group of buildings and surfaced area where automotive vehicles may be refueled and serviced, self-service pumps without buildings shall also be included. Such service shall not include tire recapping, body repairs, or major overhaul.
67. **GOVERNING BODY:** The City Council of Ravenna, Nebraska.
68. **GRADE:** The elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.
- For buildings having walls facing one (1) street only, the grade shall be the elevation of the ground at the center of the wall facing the street.
 - For buildings having walls facing more than one (1) street, the grade shall be the average elevation of the grades of all walls facing each street.
 - For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.
69. **GREEN AREA:** Same as common open space.
70. **GROUP HOME:** Means a facility which houses more than five (5) but less than sixteen (16) persons who are unrelated by blood, marriage or adoption. Those facilities may offer, in addition to lodging, accommodations, meals, resident support services, counseling, guidance and varying levels of medical care. Such facility shall be licensed or approved by the State of Nebraska or other appropriate agency.
71. **HEIGHT:** The vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or to the average height between eaves and the ridge for gable, hip, shed, or gambrel roofs. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.
72. **HIKE/BIKE/PEDESTRIAN TRAIL:** A recreational trail prohibiting all non-emergency or public maintenance motorized vehicles.
73. **HOME OCCUPATION:** An occupation or activity carried on within the dwelling or accessory building by a member of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character nor infringe upon the right of neighboring residents to enjoy a peaceful occupancy of their homes.

74. **HOTEL OR MOTEL:** A building or portion thereof, or a group of buildings, used as a transient abiding place which may or may not serve meals and whether such establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, motor court, tourist cabin, tourist court, or other similar designation.
75. **IMPERVIOUS COVERAGE:** The total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.
76. **IMPROVEMENT:** Street pavement or resurfacing, curbs, gutter, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.
77. **INOPERABLE MOTOR VEHICLE:** A motor vehicle that is wrecked, dismantled, or unable to move under its own power is impounded by a governmental agency or is not currently licensed.
78. **INTENSIVE LIVESTOCK, CONFINEMENT FACILITIES/OPERATIONS:** Shall mean any building(s), lot(s), pen(s), pool(s) or pond(s) or other confined spaces, which normally are not used for raising crops or grazing animals, which are designed and/or used for on-going confined raising, feeding or management of animals for more than 180 days within any calendar year, beginning January 1st.
79. **LANDFILL:** A disposal site employing an engineering method of disposing solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day and in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.
80. **LANDSCAPED AREA:** The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
1. Perimeter Landscaped Area. Any required landscaped area that adjoins the exterior boundary of a lot, site or common development.
 2. Interior Landscaped Area. Any landscaped area within a site exclusive of required perimeter landscaping.

81. **LOT:** A parcel of land occupied or intended for occupancy by a use permitted in this Article, including one (1) main building together with its accessory buildings, the open spaces and parking required by this Article and fronting upon a street.
82. **LOT, CORNER:** A lot abutting two (2) or more streets or roads at their intersection.
83. **LOT DEPTH:** The average horizontal distance between the front and rear lot lines.
84. **LOT FRONTAGE:** The front of a lot shall be construed to be the portion nearest the street or road.
85. **LOT, INTERIOR:** A lot other than a corner lot which has frontage on one street only.
86. **LOT, THROUGH:** A lot other than a corner lot fronting on more than one street.
87. **LOT OF RECORD:** A tract of land described as an integral portion of a subdivision plat which is properly recorded in the office of the Buffalo County Clerk.
88. **LOT WIDTH:** The distance on a horizontal plane between the side lot lines of a lot, measured at right angles to the line establishing the lot depth at the established building setback line.
89. **MANUFACTURED HOME:** A factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built to compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280 et seq., promulgated by the United States Department of Housing and Urban Development, or a modular housing unit as defined in Section 71-1557 of the Nebraska Revised Statutes bearing the seal of the Department of Health and Human Service System.
90. **MAXIMUM BUILDING COVERAGE:** This measures the percentage of a site that may be covered by the footprint of buildings. Thus, a twenty thousand (20,000) square foot building on a forty thousand (40,000) square foot site has a building coverage of fifty percent (50%). This is a method of regulating the scale of buildings in an area.
91. **MAXIMUM IMPERVIOUS COVERAGE:** This measures the percentage of a site that may be covered by buildings and other surfaces and development features which prevent the penetration of water into the ground (such as driveways, porches, parking lots, and other features). Limits on impervious coverage help control the velocity and quantity of storm water runoff and provide for groundwater recharge.

92. **MEDICAL OFFICE:** Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar medical practitioners licenses for practice in the State of Nebraska.
93. **MOBILE HOME:** A year-round, transportable structures which is a single family dwelling unit suitable for permanent, more than thirty (30) days of living quarters, more than eight (8) feet wide and forty (40) feet in length and built to be towed on its own chassis with or without a permanent foundation when connected to the required utilities. This portable dwelling may consist of one (1) or more units that can be telescoped when towed and expanded later for additional capacity, or two (2) or more units, separately towable but designed to be jointed as one (1) integral unit. Nothing in this definition shall be construed so as to include prefabricated, modular, precut dwelling units or these manufactured in sections or parts away from the site and transported thereto for assembly.
94. **MOBILE HOME PARK:** Any area of land which two (2) or more mobile homes are parked, connected to utilities and used by one (1) or more persons for living or sleeping purposes. A mobile home parked in this area can either be placed on permanent foundation or supported only by its wheels, jacks, blocks, or skirting or a combination of these devices. A mobile home park includes any premises set apart for supplying to the public parking space, either free of charge or for revenue purposes for one (1) or more mobile homes, connected to utilities and used by one (1) or more persons living, or sleeping purposes and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park.
95. **MODULAR HOME:** Any dwelling whose construction consists entirely of or the major portions of its construction consist of a unit or units not fabricated on the final site for the dwelling units, which units are movable or portable until placed on permanent foundation and connected to utilities. All modular homes shall bear a label certifying that it was built to compliance with the Nebraska Department of Health and Human Services System as established in Section 71-1557 of the Nebraska Revised Statutes.
96. **MONUMENTS:** Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners and points of change in street alignment.
97. **NON-COMMERCIAL WIND ENERGY SYSTEMS (SMALL):** Shall mean a wind energy system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce onsite consumption of utility power.

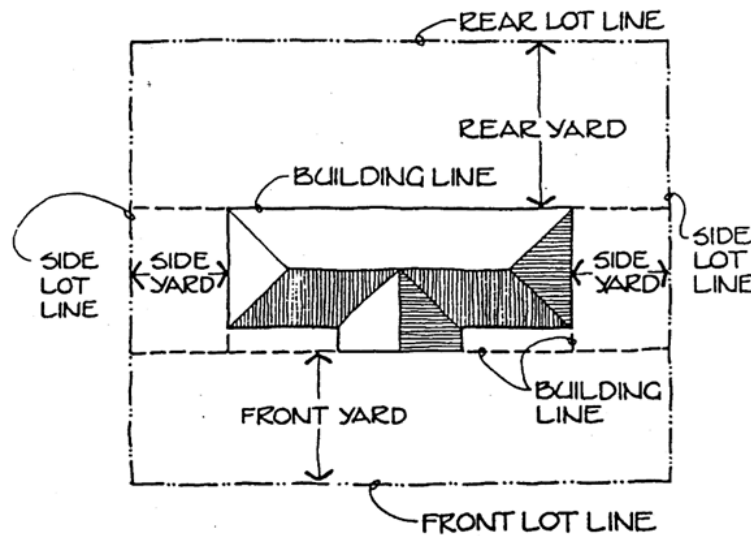
98. **NONCONFORMING LOT OF RECORD:** A lot which is part of a recorded subdivision or a parcel of land, the deed to which was recorded prior to the approval date of this Ordinance and neither said lot nor parcel complies with the lot width or area requirements for any permitted uses in the district in which it is located.
99. **NONCONFORMING STRUCTURE:** An existing structure which does not comply with the lot coverage, height or yard requirements which are applicable to new structures in the zoning district in which it is located.
100. **NONCONFORMING USE:** An existing use of a structure or of land which does not comply with the use regulation applicable to new uses in the zoning district in which it is located.
101. **NURSING HOMES OR CONVALESCENT HOMES:** An institution or agency licensed by the State for the reception, board, care, or treatment of three (3) or more unrelated individuals, but not including facilities for the care and treatment of mental illness, alcoholism, or narcotics addiction.
102. **OUT LOT:** Property shown on a subdivision plat outside of the boundaries of the land which is developed and which is to be excluded from the development of the subdivision.
103. **PARKING SPACE, OFF-STREET:** Off-street parking shall mean an area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress.
104. **PEDESTRIAN WAYS:** A tract of land dedicated to public use, which cuts across a block to facilitate pedestrian access to adjoining streets and properties.
105. **PLANNED DEVELOPMENT:** Special development of certain tracts of land, planned and designed as a unit for one (1) or more land uses under the regulations and procedures contained in this Article.
106. **PLANNING AREA:** The statutory zoning jurisdiction of the City of Ravenna.
107. **PLANNING COMMISSION:** The appointed planning body designated by the Ravenna City Council.
108. **PLAT:** Map, drawing, or chart upon which the developer's plan of subdivision (Preliminary) is presented to the City Council for approval and, after such approval, to the appropriate County Clerk for recording.
109. **PLOT:** A parcel of ground.

110. **PUBLIC WORKS PLAN:** An improvement analysis, conducted and prepared by City Engineer, delineating what necessary sewer, water, drainage, street, storm water, floodplain, well head and easement improvements will be needed for all phases of a subdivision.
111. **PUBLIC WAY:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.
112. **RECYCLING CENTER:** A facility which accepts salvage material limited to paper, aluminum foil, containers made of glass, plastic, metal, aluminum, and paper; and similar household wastes; no hazardous material as defined by state and federal law is accepted; there is no wrecking or dismantling of salvage material and no salvage material is held outside a building.
113. **RECYCLING COLLECTION POINT:** A collection point for small refuse items, such as bottles and newspapers, located either in a container or small structure.
114. **RIGHT-OF-WAY:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features such as grade separation, landscaped areas, viaducts and bridges.
115. **SANITARY LANDFILL:** A lot or parcel of land used primarily for the disposal, abandonment, dumping, burial or burning of garbage, sewage, trash, refuse, junk, discarded machinery or motor vehicles, or parts thereof, or other waste, and which is in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.
116. **SANITARY TRANSFER STATION:** A collection point for temporary storage of refuse. No processing of refuse would be allowed. The transfer station must be in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.

117. **SALVAGE OR JUNK YARD:** A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, abandoned or inoperable motor vehicles or parts thereof, and other used materials are bought, sold, exchanged, stored, baled or cleaned; and places or yards for the storage of salvaged metal, materials and equipment; but not including pawn shops and establishments for the sale, purchase or storage of used cars or trucks presently in operable condition, boats or trailers presently in operable condition, and used furniture and household equipment in usable condition and not including the processing of used, discarded or salvaged material as part of manufacturing operations.
118. **SEWERS, ON-SITE:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.
119. **SIDEWALK:** A walk consisting of a paved or cemented area for pedestrians; usually beside a street or roadway but within the right-of-way.
120. **STREET:** Street shall mean a public or private thoroughfare including avenues, which affords principle means of access to abutting property.
121. **STREET, CENTER LINE:** A line midway between street lines.
122. **STREET LINE:** A dividing line between a lot, tract, or parcel of land and the contiguous street. The right-of-way line of a street.
123. **STRUCTURE:** Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, but not including fences or public items such as utility poles, street light fixtures, street signs, bridges and culverts.
124. **STRUCTURAL ALTERATION:** Any change to the supporting members of a structure including foundations, bearing walls, or partitions, columns, beams, girders or any structural change in the roof.
125. **SUBDIVIDER:** The owners, developers or agents of persons or corporations affecting subdivision.
126. **SUBDIVISION:** The division of a parcel of land into two (2) or more lots or parcels for the purpose of transfer of ownership, building development, or, if a new street is involved, any division of a parcel of land. The term includes re-subdivision, and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

127. **SURVEYOR:** Any person registered in Nebraska to practice surveying.
128. **THOROUGHFARE, STREET OR ROAD:** The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:
- A. Alley: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property.
 - B. Arterial Street: A street which provides for through traffic movement between and around streets with direct access to abutting property, subject to necessary control of entrances, exits, and curb use.
 - C. Collector Street: A street which provides for traffic movement between arterials and local streets, with direct access to abutting property.
 - D. Cul-de-sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
 - E. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
 - F. Local Street: A street which provides direct access to abutting land and local traffic movement, whether in business, industrial or residential land.
 - G. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street or Service Road)
129. **TOWNHOUSE:** One of a group or row of not less than two (2) nor more than twelve (12) attached, single family dwellings designed and built as a single structure facing upon a street in which the individual townhouse may or may not be owned separately. For the purpose of the side yard regulations, the structure containing the row or group of townhouses shall be considered as one building occupying a single lot.
130. **VARIANCE:** A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

131. **VICINITY MAP:** A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the City of Ravenna, in order to better locate and orient the area in question.
132. **YARD:** A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure, provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to the district regulations.
133. **YARD, FRONT:** A yard extending from the front lot line adjoining a public street to the front of the building between side lot lines.



Source: **A Survey of Zoning Definitions, (American Planning Association, 1989).**

134. **YARD, REAR:** A yard extending between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot to the nearest point of the main building.
135. **YARD, REQUIRED:** The required minimum open space between the property line and the yard line. The required yard shall contain no building or structure other than the projection of the usual steps, or open porches, or as otherwise provided in these regulations.
136. **YARD, SIDE:** A yard between a building and the side lot line measured horizontally at right angles to the side lot line from the side lot line to the nearest point of the main building.

137. **ZONING BOARD OF ADJUSTMENT:** The legally appointed board empowered to hear and decide appeals from, and to provide interpretations of, the terms of the zoning ordinance and official maps as defined within this ordinance and in accordance with the laws of the State of Nebraska.
138. **ZONING DISTRICT:** The term “Zoning District” means an area delineated on a zoning map for which uniform use regulations are specified.
139. **ZONING MAP:** The term “Zoning Map” means a map or maps officially enacted by the governing body as part of this ordinance showing the boundaries of a zoning district or districts, a copy or copies of which, certified to have been enacted as provided by law, is filed in the office of the City Clerk as an official record of the City.
140. **ZONING ADMINISTRATOR:** The person or persons authorized and empowered by the governing body to administer the requirements of the zoning regulations.

ARTICLE 4

ESTABLISHMENT AND DESIGNATION OF DISTRICTS

4.1 PLANNING COMMISSION RECOMMENDATIONS

It shall be a purpose of the Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The Planning Commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the governing body shall not hold its public hearings or take action until it has received the final report of the Planning Commission.

4.2 DISTRICTS CREATED

For the purpose of this Ordinance, there are hereby created zoning districts, as named and described in Article 5 of this Ordinance.

AGR Agriculture Residential District
R-1 Residential Single Family District
R-2 Residential Single and Multifamily District
R-3 Residential Mobile Home/Single and Multifamily District
C-1 General Commercial District
C-2 Highway Commercial District
I Industrial District

4.3 OFFICIAL ZONING MAP

1. The boundaries of the district are shown upon maps, which are made a part hereof by reference, which map(s) are designated as the City of Ravenna Zoning District Map, dated and signed by the Mayor and attested by the City Clerk and hereinafter referred to as the "Official Zoning Maps."
2. The signed copy of the Zoning Map(s) containing the zoning districts designated at the time of adoption of this ordinance shall be maintained in the office of the City Clerk for the use and benefit of the public.
3. If in accordance with the provisions of this ordinance, changes are made in the district boundaries or other matter portrayed on the Official Zoning Map(s), such changes shall be entered on the appropriate part of the Official Zoning Map(s) promptly after the amendment has been approved by the governing body, with an entry on the Official Zoning Map(s) as follows:

“On (date), by official action of the City Council, the following change was made in the Official Zoning Map(s) (brief description of the nature of the change), “which entry shall be signed by the Mayor and attested by the City Clerk.”

No amendment to this resolution/ordinance which involves matter portrayed on the Official Zoning Map(s) shall become effective until after such change and entry have been made on said map(s).

4. No changes of any nature shall be made in the Official Zoning Map(s) or matter shown thereon except in conformity with the procedures set forth in this ordinance.
5. In the event that the Official Zoning Map(s) become damaged, destroyed, lost or difficult to interpret, the City Council, may, by ordinance, adopt a new Official Zoning Map(s) which shall supersede the prior Official Zoning Map(s).

The new Official Zoning Map(s) may correct drafting or other errors or omissions in the prior Official Zoning Map(s), but no such correction shall have the effect of amending the original Official Zoning Map(s) or any subsequent amendment thereof.

4.4 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map(s), the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following City limits shall be construed as following such City limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as parallel to or extension of features indicated in subsection 1 through 4 above shall be so construed. Distances not specifically indicated on the Official Zoning Map(s) shall be determined by the scale of the map.

6. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map(s), or in other circumstances not covered by subsection 1 through 5 above, the Board of Zoning Adjustment shall interpret the district boundaries.
7. Where a district boundary line divides a lot which was in single ownership at the time of passage of this ordinance the Board of Zoning Adjustment may permit, as an exception, the extension of the regulations for either portion of the lot not to exceed one hundred and fifty (150) feet beyond the district line into the remaining portion of the lot.

ARTICLE 5

ZONING DISTRICTS

5.1 **“AGR” AGRICULTURE RESIDENTIAL DISTRICT**

5.11 INTENT: This district is intended for general agricultural purposes within one mile of the City of Ravenna. This zone is intended to provide for low-density, acreage residential development in selected areas adjacent to or in close proximity to the corporate limits of the City and other developed areas.

5.12 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single family, ranch and farm dwellings;
2. General farming and ranching activities, excluding any expansion of existing or development of intensive livestock confinement facilities/operations.
3. Public facilities and utility distribution systems;
4. One additional single family dwelling for the purpose of housing relatives or agricultural workers; and
5. Churches, places of worship and cemeteries.

5.13 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as special uses;
2. Home occupations in accordance with this Ordinance; and
3. Roadside stands for the sale of agricultural produce grown on the agricultural farm or operation.

5.14 PERMITTED CONDITIONAL USES: A building or premise may be used for the following purposes in the “AGR” Agriculture Residential District if a conditional use permit for such use has been obtained in accordance with these regulations.

1. Sewage disposal and water systems, including agricultural irrigation wells;
2. Public and private uses including parks, playgrounds, golf courses, campgrounds, recreation uses, riding stables, dude ranches, public utilities and utility distribution system;
3. Flood, erosion and sediment control projects;
4. Broadcast towers and stations, including Amateur Radio or land mobile towers of more than 100 feet;
5. Bed and breakfast establishments;
6. Communication Towers;
7. Meteorological Towers;
8. Non-Commercial Wind Energy Systems;
9. Salvage or junk yard in accordance with this Ordinance; and
10. Mineral extraction, which shall include the following: oil wells, sand and gravel extraction and quarries.
11. Expansion of existing or development of new intensive livestock confinement facility or operation.

Animal limitations within the one-mile planning jurisdiction of Ravenna, located on an “AGR” zoning tract of land shall not exceed the following:

- a. Cattle – 10 cows per acre @ 1,000 lbs/head = 10,000 lbs total, not to exceed (total) weight per acre
- b. Hogs – 10 hogs per acre @250 lbs/head = 2,500 lbs total, not to exceed (total) weight per acre
- c. Sheep – 10 head/acre
- d. Turkey – 40 birds/acre
- e. Layers and Broilers – 40 birds/acre
- f. Fish – 500 fish/acre
- g. Fur-bearing – 10 head/acre
- h. Horses – 2 head/acre

Other Conditions include:

- a. Total limit of livestock at one facility located within Ravenna’s jurisdiction shall not exceed a combination of 50 head.
- b. No lagoons permitted.

5.15 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the “AGR” Agricultural Residential District.

5.16 SPECIAL REGULATIONS: Provisions must be made for disposal of wastes in accordance with local and state regulations.

5.17 MINIMUM LOT REQUIREMENTS:

1. The minimum lot area for “AGR” uses shall be three (3) acres.

5.18 MINIMUM YARD REQUIREMENTS: No structure shall be placed within two hundred (200) feet of high water mark of waterways in designation district.

5.19 MAXIMUM HEIGHT: No limitation.

5.2 "R-1" RESIDENTIAL SINGLE FAMILY DISTRICT

5.21 INTENT: This district is intended to provide for residential uses consisting primarily of single family dwelling units and accessory structures by also including the permitted uses set forth below.

5.22 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single family dwellings;
2. Two family dwellings;
3. Manufactured homes which comply with the provisions of this Ordinance;
4. Public and parochial schools;
5. Public parks, buildings and grounds;
6. Child care homes;
7. Public uses; including but not limited to public parks, playgrounds, recreational uses, fire stations, public utilities and utility distribution systems; and
8. Places of worship such as churches and synagogues.

5.23 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with this Ordinance.
2. Accessory uses and structures normally appurtenant to permitted uses and structures.

5.24 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purpose in the "R-1" Residential District if a conditional use permit for such use has been obtained in accordance with these regulations.

1. Medical clinics;
2. Mortuaries;
3. Child care centers;
4. Museum and art galleries;
5. Nursing homes;
6. Public and private golf courses;
7. Retirement homes;
8. Bed and breakfast homes;
9. Townhouses;
10. Multifamily dwellings;

5.25 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the "R-1" Residential District.

5.26 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements:

	<u>Lot Area (Sq. Ft.)</u>	<u>Lot Width</u>	<u>Required Front Yard</u>	<u>Required Side Yard</u>	<u>Required Rear Yard</u>	<u>Height</u>
Single Family Dwelling	7,000	50'	25'	7'	30'	35'
Two Family Dwelling	3,500 Per Family	50'	25'	7'	30'	35'
Other Permitted Uses	7,000	50'	25'	7'	30'	35'

- b) Accessory buildings shall not exceed twenty-five (25) feet in height measured from the tallest point of the building. Any accessory building shall have a minimum vertical rise of two and one-half (2 ½) inches in each twelve (12) inches of horizontal run. No accessory building shall be larger than two thousand four hundred (2,400) square feet. All accessory buildings shall comply with the side-yard setback regulations. For any accessory building that is larger than one thousand two hundred (1,200) square feet, the side-yard setback shall be increased to ten (10) percent of the lot width, up to a maximum of fifteen (15) feet.
- c) Buildings on corner lots shall provide front yard setbacks of thirty (30) feet on one street side and fifteen (15) feet on the other front yard and designate remaining yards as one rear and one side yard.
- d) Building and structures shall not exceed two and one half (2 ½) stories in height.
- e) The side yard setback between individual units of two-family dwellings may be reduced to zero, if a one-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.
- f) Maximum Building Coverage: 35%
- g) Maximum Impervious Coverage: 45%

5.27 PARKING REGULATIONS: Parking within the “R-1” Residential District shall be in conformance with the provisions of this ordinance.

5.3 **“R-2” RESIDENTIAL SINGLE AND MULTIFAMILY DISTRICT**

5.31 INTENT: It is the intent of this district to provide for single and multifamily residential uses and development of residential dwellings at higher densities. “R-2” Residential Districts should be located in a manner to buffer lower density “R-1” Residential Districts from more intensive commercial and industrial districts and in locations suited for multifamily uses.

5.32 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single family dwellings;
2. Manufactured homes which comply with the provisions of this Ordinance;
3. Two-family dwellings;
4. Multifamily dwellings;
5. Child care homes;
6. Community buildings;
7. Public uses; including but not limited to public parks, playgrounds, recreational uses, fire stations, public elementary and high schools, public utilities and utility distribution systems; and
8. Places of worship such as churches and synagogues.

5.33 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with this Ordinance; and
2. Accessory uses and structures normally appurtenant to the permitted uses and structures.

5.34 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purpose in the “R-2” Residential District if a conditional use permit for such use has been obtained in accordance with these regulations:

1. Child care center;
2. Bed and breakfast homes;
3. Communication and utility buildings and uses;
4. Medical clinics;
5. Funeral homes and mortuaries;
6. Clubs, fraternities, lodges, and meeting places of a non-commercial nature; and
7. Public and/or private golf course.

5.35 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the “R-2” Residential District.

5.36 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements						
	Lot Area (Sq. Ft.)	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Single Family Dwelling	6,500	50'	25'	5'	15'	35'
Two Family Dwelling	3,250 Per Family	25' Per Family	25'	5', or 7 ½' on corner lots	15'	35'
Multifamily Dwelling	2,200 Per Family	50'	25'	5', or 7 ½' on corner lots	15'	45'
Other Permitted Uses	6,500	50'	25'	5'	15'	35'

b) Buildings on corner lots with a width of fifty (50) feet or less shall provide a second frontage on the street side of not less than seven (7) feet, provided that the buildable width need not be reduced to less than twenty-eight (28) feet, yards remaining shall be designated side yards each with a minimum depth of five (5) feet;

c) Buildings on corner lots with a width of fifty (50) feet or greater shall provide a second frontage on the street side of not less than fifteen (15) feet, yards remaining shall be designated side yards with a minimum depth of five (5) feet;

d) Building and structures shall not exceed three (3) stories in height.

e) Maximum Building Coverage: 55%

f) Maximum Impervious Coverage: 65%

5.37 PARKING REGULATIONS: Parking within the “R-2” Residential District shall be in conformance with the provisions of these regulations.

5.4 "R-3" RESIDENTIAL MOBILE HOME/SINGLE AND MULTIFAMILY DISTRICT

5.41 INTENT: It is the intent of this district to provide for single and multifamily residential uses and development of residential dwellings including mobile homes and mobile home parks. Mobile home parks are considered as a residential use and should be located in areas where services and amenities are available, such as those found in conventional residential uses.

5.42 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Single family dwellings;
2. Mobile Homes and Mobile Home Parks in accordance with the provisions of this Ordinance;
3. Manufactured homes which comply with the provisions of this Ordinance;
4. Two-family dwellings;
5. Multifamily dwellings;
6. Child care homes;
7. Community buildings;
8. Public uses; including but not limited to public parks, playgrounds, recreational uses, fire stations, public elementary and high schools, public utilities and utility distribution systems; and
9. Places of worship such as churches and synagogues.

5.43 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Home occupations in accordance with this Ordinance; and
2. Accessory uses and structures normally appurtenant to the permitted uses and structures.

5.44 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purposes in the "R-3" Residential District if a conditional use permit for such use has been obtained in accordance with these regulations:

1. Child care center;
2. Bed and breakfast homes;
3. Communication and utility buildings and uses;
4. Medical clinics;
5. Funeral homes and mortuaries;
6. Clubs, fraternities, lodges, and meeting places of a non-commercial nature; and
7. Public and/or private golf courses.

5.45 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the “R-3” Residential District.

5.46 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements						
	<u>Lot Area</u> (Sq. Ft.)	<u>Lot</u> <u>Width</u>	<u>Required</u> <u>Front</u> <u>Yard</u>	<u>Required</u> <u>Side</u> <u>Yard</u>	<u>Required</u> <u>Rear</u> <u>Yard</u>	<u>Height</u>
Mobile Home	4,000	45'	15'	5'	10'	35'
Single Family Dwelling	6,500	50'	25'	5'	15'	35'
Two Family Dwelling	3,250 Per Family	25' Per Family	25'	5', or 7 ½' on corner lots	15'	35'
Multifamily Dwelling	2,200 Per Family	50'	25'	5', or 7 ½' on corner lots	15'	45'
Other Permitted Uses	6,500	50'	25'	5'	15'	35'

b) Buildings on corner lots with a width of fifty (50) feet or less shall provide a second frontage on the street side of not less than seven (7) feet, provided that the buildable width need not be reduced to less than twenty-eight (28) feet, yards remaining shall be designated side yards each with a minimum depth of five (5) feet;

c) Buildings on corner lots with a width of fifty (50) feet or greater shall provide a second frontage on the street side of not less than fifteen (15) feet, yards remaining shall be designated side yards with a minimum depth of five (5) feet;

d) Building and structures shall not exceed three (3) stories in height.

e) Maximum Building Coverage: 45%

f) Maximum Impervious Coverage: 55%

5.47 PARKING REGULATIONS: Parking within the “R-3” Residential District shall be in conformance with the provisions of these regulations.

5.5 "C-1" CENTRAL COMMERCIAL DISTRICT

5.51 INTENT: This district is designed to provide for a wide range of retail, office, amusement and service uses normally found in a Central Commercial District. Highest density and intensity of use are permitted in this district.

5.52 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Apartments on floors other than ground floor;
2. Automobile sales and services;
3. Automotive wash facilities;
4. Bakery;
5. Banks, savings and loan associations, credit unions and finance companies;
6. Barbershops, beauty parlors and shoeshine shops;
7. Business offices;
8. Child care homes and centers;
9. Commercial recreation facilities (bowling alleys, miniature golf courses and similar uses);
10. Convenience store or filling station;
11. Detached banking facilities (ATM);
12. Dry cleaning or laundry establishments;
13. Food service, restaurants and taverns;
14. Food storage lockers/Butcher;
15. Funeral homes and mortuaries;
16. Garden centers;
17. Motels and hotels;
18. Museums and art galleries;
19. Office buildings;
20. Parking lots and other off-street parking facilities;
21. Personal and professional services;
22. Photography studios;
23. Private schools, including but not limited to business or commercial schools, and dance or music academies,
24. Public and private charitable institutions;
25. Public parks, buildings and grounds;
26. Public uses of an administrative, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures and facilities;
27. Retail store or business;
28. Public utility facilities;
29. Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
30. Service stations; and
31. Stores or shops for the sale of goods at retail and/or wholesale.

5.53 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to permitted uses and structures and to uses and structures permitted as conditional uses.

5.54 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purposes in the "C-1" Central Commercial District if a conditional use permit for such use has been obtained in accordance with these regulations.

1. Multifamily dwelling;
2. Bed and breakfast guest home; and
3. Recycling center.

5.55 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the "C-1" Central Commercial District.

5.56 SCREENING REQUIREMENTS:

1. Where a site adjoins or is located across an alley from the Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height may be required on the property line common to such districts, except in a required front yard.
2. Open storage of materials attendant to a permitted use or permitted conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence.

5.57 PROHIBITED USES:

1. No use shall be permitted and no process, equipment or materials shall be used which are found by the City to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare, or unsightliness or to involve any hazard of fire or explosion.

5.58 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

a) General Requirements:

	Lot Area (Sq. Ft.)	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	3,500	25'	0'	0' or 10' when abutting a residential district	15'	45'
Multifamily Dwelling	2,200 Per Family	50'	25'	5' or 7 ½' on corner lots	15'	45'

5.6 "C-2" HIGHWAY COMMERCIAL DISTRICT

5.61 INTENT: The "C-2" Highway Commercial District is intended for the purpose of servicing highway and arterial road travelers and providing limited commercial services. Off-street parking is required in order to reduce possible adverse effects on adjacent properties.

5.62 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Automobile sales;
2. Automobile wash facilities;
3. Churches and other religious institutions;
4. Construction sales and services;
5. Commercial operations and businesses, intended for the purpose of servicing travel and recreational users;
6. Commercial recreational facilities (bowling alleys, miniature golf courses and similar uses);
7. Convenience store or filling station;
8. Detached banking facilities (ATM);
9. Electric and telephone substations;
10. Farm implement sales and services;
11. Garden centers and nurseries;
12. Irrigation equipment sales and services;
13. Mini storage facilities;
14. Mobile homes sales;
15. Motels, including accessory service uses, such as swimming pools, liquor stores and restaurants;
16. Restaurants and cafes;
17. Service stations;
18. Single family homes;
19. Stores or shops for sale of goods at retail;
20. Transportation warehousing;
21. Trucks and freight terminals;
22. Utilities, including shops and offices; and
23. Medical clinics.

5.63 PERMITTED ACCESSORY USES AND STRUCTURES: The following accessory uses and structures shall be permitted:

1. Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as conditional uses.

5.64 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purposes in the "C-2" Highway Commercial District if a conditional use permit for such use has been obtained in accordance with these regulations.

1. Private clubs and lodges;
2. Facilities for the commercial storage or sale of fertilizer or toxic or flammable agriculture chemicals;
3. Radio studios, transmitters and antenna;
4. Recycling centers;
5. Communication Towers;
6. Meteorological Towers; and
7. Non-Commercial Wind Energy Systems.

5.65 SCREENING REQUIREMENTS:

1. Where a site adjoins or is located across an alley from the Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height may be required on the property line common to such districts, except in a required front yard.
2. Open storage of materials attendant to a permitted use or conditional use permit use shall be permitted only within an area surrounded or screened by a solid wall or fence.

5.66 PROHIBITED USES: All other uses and structures which are not permitted uses or are not permitted as conditional uses shall be prohibited from the “C-2” Highway Commercial District.

5.67 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

1. General Requirements:

	Lot Area (Sq. Ft.)	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	<u>Height</u>
Permitted Uses	7,500	50'	25'	7'	20'	35'
			a) Maximum Building Coverage: 60%			
			b) Maximum Impervious Coverage: 80%			

5.68 PARKING REGULATIONS:

1. Parking within the “C-2” Highway Commercial District shall be in conformance with the provisions of these regulations.

5.7 "I" INDUSTRIAL DISTRICT

5.71 INTENT: This district is designed to provide for a wide range of industrial and related uses. Some of these uses have characteristics that may create incompatibilities with adjacent uses and, therefore, will require a conditional use approval. This District is designed to provide appropriate space and regulations to encourage good quality industrial development.

5.72 PERMITTED PRINCIPAL USES AND STRUCTURES: The following shall be permitted as uses by right:

1. Agriculture, excluding the expansion of existing or development of commercial livestock facilities/operations;
2. Animal care;
3. Automobile sales and services;
4. Automotive wash facilities;
5. Bottling works;
6. Building materials sales, except for ready-mix concrete plants and similar uses which emit particulate, odor or smoke;
7. Carpenter, cabinet, plumbing or sheet metal shops;
8. Grain storage;
9. Construction sales and services;
10. Dry cleaning and/or laundry plants;
11. Farm implementation sales and services;
12. Farm produce sales;
13. Food Dehydration and Processing;
14. Food service, restaurants and taverns;
15. Freight and truck terminals;
16. Frozen food lockers;
17. Furniture warehouses;
18. Garden centers and nurseries;
19. Groceries, retail and wholesale;
20. Light manufacturing operations, providing that such use is not noxious by reason of vibration or noise beyond the confines of the building, or by the emission of particulates, fumes, gas, odor, or smoke;
21. Machinery sales and storage lots;
22. Mobile and modular home sales and manufacturing;
23. Newspaper publishing plants;
24. Public and quasi-public uses of an educational, recreational or religious type including public and parochial elementary schools and junior high schools, high schools; private non-profit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
25. Public utility and public service uses;
26. Transportation warehousing;
27. Warehouse or storage houses;
28. Wholesale sales and services;
29. Communication Towers;

30. Meteorological Towers; and
31. Any similar uses that are determined by the City Council after referral to and recommendation by the Planning Commission to be of an industrial similar to the above listed uses.

5.73 PERMITTED ACCESSORY USES: Accessory uses and structures normally appurtenant to permitted uses and structures.

5.74 PERMITTED CONDITIONAL USES: A building or premises may be used for the following purposes in the "I" Industrial District if a conditional use permit for such use has been obtained in accordance with these regulations.

1. Junk and salvage yard, in conformance with this Ordinance;
2. Recycling center;
3. Ethanol and/or alcohol plants;
4. Non-Commercial Wind Energy Systems; and
5. Commercial Wind Energy Systems.

5.75 PROHIBITED USES AND STRUCTURES: All other uses and structures which are not permitted uses or are not permitted conditional uses shall be prohibited from the "I" Industrial District.

5.76 HEIGHT AND AREA REGULATIONS: The maximum height and minimum area regulations shall be as follows:

1. General Requirements:

	Lot Area (Sq. Ft.)	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Permitted Uses	10,000	50'	35'	0', 10' when abutting a residential district	45'	35'

- a) Maximum Building Coverage: 70%
- b) Maximum Impervious Coverage: 85%

5.77 PARKING REGULATIONS: Parking within the "I" Industrial District shall be in conformance with the provisions of these regulations.

5.78 SCREENING REQUIREMENTS:

1. Where a site adjoins or is located across an alley from the Residential District, a solid wall or fence or compact evergreen hedge six (6) feet in height may be required on the property line common to such districts, except in a required front yard.
2. Open storage of materials attendant to a permitted use or conditional use permit use shall be permitted only within an area surrounded or screened by a solid wall or fence.

ARTICLE 6

CONDITIONAL USE PERMIT

6.1 GENERAL

The City Council may authorize by Conditional Use Permit after public hearing, any of the following buildings or uses designated in this Ordinance as permitted special uses.

6.2 PROCEDURES

Such application shall be in writing, filed in the office of the City Clerk, state the proposed location and use of the property, and such other relevant matters as may be requested by the governing body. Upon receipt of such application, the Zoning Administrator shall forward the application to the Planning Commission for its recommendation. Upon hearing, the Planning Commission shall forward its recommendation to the City Council, within thirty (30) days. Upon hearing, the City Council may approve or deny the application in whole or in part, or prescribe conditions for such use of the property. No Conditional Use Permit shall become effective until after separate public hearings are held by both the Planning Commission and the City Council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the purpose, time, and place of such hearing shall be given by publication thereof in a paper of general circulation in the City, one time at least ten (10) days prior to such hearing. (Ref. 19-904 R.S. Neb.).

In addition to the publication of the notice herein prescribed, a notice, in sign form, of the hearing shall be posted in a conspicuous place on or near the property on which such action is pending. The sign shall be placed at least ten (10) days prior to date of each hearing.

Except as otherwise provided herein, no Conditional Use Permit shall be granted by the City Council, without an affirmative vote of a majority of all members of the City Council and unless the proposed use is found to:

1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and
6. Not change the character of the district, and
7. Be in accordance with the Comprehensive Plan.

In case of protest against such Conditional Use Permit, signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or of those immediately adjacent on the side and in the rear thereof extending one hundred (100) feet, therefrom, and of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, such special use permit shall not become effective except by the favorable vote of two-thirds of all members of the City Council.

6.3 SALVAGE OR JUNK YARD

Salvage or junk yard operations and related facilities shall only be allowed by Conditional Use Permit in the “AGR” and “I” Zoning Districts under the following conditions:

1. Located on a tract of land at least one-fourth (1/4) mile from a residential or agricultural farm residence.
2. The operation shall be conducted wholly within a noncombustible building or within an area completely surrounded on all sides by a visual obscuring fence, wall or hedge. The fence, wall or hedge shall be of uniform height (at least eight (8) feet high) and uniform texture and color shall be so maintained by the proprietor as to insure maximum safety to the public and preserve the general welfare of the neighborhood. The fence, wall or hedge shall be installed in such a manner as to retain all scrap, junk or other material within the yard and no scrap, junk or other material shall protrude above the fence.
3. No junk shall be loaded, unloaded or otherwise placed, either temporarily or permanently, outside the enclosed building, hedge fence or wall, or within the public right-of-way.
4. Any other requirement deemed appropriate and necessary by the City Council for the protection of the general health and welfare.

In making any decision granting a conditional use permit, the City Council shall impose such restrictions, terms, time limitations, landscaping, improvement of off-street parking lots, and other appropriate safeguards as required to protect adjoining property.

6.4 LANDFILLS AND SANITARY LANDFILLS

Private landfill operations shall only be allowed by Conditional Use Permit in the “AGR” Agriculture Residential District upon prior approval of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Services System and with conformance to the following conditions:

1. Located on a tract of land at least three hundred (300) feet from a residential or agricultural farm residence.

2. The operation shall be conducted wholly within an area completely surrounded on all sides by a fence, wall or hedge. The fence, wall or hedge shall be of uniform height (at least eight (8) feet high) and uniform texture and color shall be so maintained by the proprietor as to insure maximum safety to the public and preserve the general welfare of the neighborhood. The fence, wall or hedge shall be installed in such a manner as to retain all material within the yard and no material shall protrude above the fence.
3. No material shall be loaded, unloaded or otherwise placed, either temporarily or permanently, outside the enclosed building, hedge fence or wall, or within the public right-of-way.
4. Any other requirement deemed appropriate and necessary by the City Council for the protection of the general health and welfare.
5. Conditional Use Permits granted under this section shall be subject to annual review and renewal by the City Council.

In making any decision granting a conditional use permit, the City Council shall impose such restrictions, terms, time limitations, landscaping, improvement of off-street parking lots, and other appropriate safeguards as required to protect adjoining property.

ARTICLE 7

PARKING REGULATIONS

7.1 GENERAL PROVISIONS

1. All buildings and structures erected and all uses of land in all districts established after the effective date of this Ordinance shall provide accessory parking and loading facilities as required under this section.
2. All off-street parking spaces required by this Ordinance shall be located on the same lots as the use it serves.
3. Owners of two or more uses or parcels of land may agree to jointly utilize the same parking spaces provided that satisfactory legal evidence is presented in the form of deeds, leases, or contract documents to establish such a joint area of use.
4. All yard area including driveways, except the required front yard for residential uses may be used for off-street parking. Garages and driveways may be considered as off-street parking spaces.
5. A plan, drawn to scale, indicating how the off-street parking and loading requirements are to be met, shall accompany an application for a building certificate. The plan shall show all elements necessary to indicate that the requirements are being fulfilled.

7.2 LAYOUT AND DESIGN REQUIREMENTS.

1. Area. A required off-street parking space shall be at least eight feet six inches (8' 6") in width and at least nineteen (19) feet in length, exclusive of access drives or aisles, ramps, and columns.
2. Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.
3. Design. Off-street parking spaces shall comply with the design standards relating to curb length, stall depth, driveway width, island width, barriers, and ingress and egress as contained in this Ordinance.
4. Surfacing. All open off-street parking and loading areas, including driveways and aisles, shall be graded and provided with an all-weather surface.
5. Lighting. Any lighting used to illuminate off-street parking and loading areas shall be directed away from residential properties in such a way as not to interfere with the residential use.
6. Landscaping. Unless otherwise noted, each off-street parking facility of over six thousand (6,000) square feet shall comply with the following regulations:
 - a) Each off-street parking facility shall provide a minimum five (5)-foot landscaped buffer along any street property line.
 - b) Each parking facility that abuts a residential district shall provide a ten (10) foot landscaped buffer along its common property line with the residential district.

- c) Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four (4) feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the Zoning Administrator.
- d) Each unenclosed parking facility over six thousand (6,000) square feet within any street yard shall provide interior landscaped area equal to no less than five percent (5%) of the total paved area of the parking facility. Parking facilities within the "I" Industrial District shall be exempt from this requirement.
- e) Interior landscaping shall be credited toward the satisfaction of overall landscaping requirements set forth in this section.

Landscaping or screening installed in any required landscaped area shall not obstruct the view from the off-street parking facility to any driveway approach, street, alley, or sidewalk. Landscaping shall further not obstruct any views among parking spaces and circulation ways, or visibility between vehicles and pedestrians.

7.3 OFF-STREET PARKING REQUIREMENTS

At the time of construction, or enlargement of more than fifty percent (50%) of an existing structure or building or change in the use of land, off-street parking spaces and loading areas shall be provided, constructed, and maintained for all uses as follows:

<u>Use</u>	<u>Minimum Number of Parking Spaces</u>
1. Residential	
Single family, two-family dwelling	2 per dwelling unit
Apartments	
Efficiency and one-bedroom	1 per dwelling unit
Two-bedrooms	1 ½ per dwelling unit
Three or more bedrooms	2 per dwelling unit
2. Mobile Trailer Park	2 per trailer unit
3. Hotel and Motel	1 per rental unit plus 1 for every 4 employees
4. Hospitals, nursing homes, Rest homes, or similar uses	1 for every 2 ½ patient beds and 1 for each staff and employee on the largest shift
5. Places of public assembly such as Auditoriums, theaters, stadiums, community halls, churches, etc.	1 for every 4 seats

6. Bowling Alley 2 for each alley
7. Retail sales department stores, restaurants, taverns, grocery stores, etc. 1 per 200 square feet of floor area as determined by exterior wall dimensions
8. Professional office establishments 1 per 500 square feet of floor area as determined by exterior wall dimensions
9. Manufacturing, wholesale warehouse and similar uses 1 for every 2 employees on the largest working shift.
10. Parking for people with disabilities: Each off-street parking facility shall provide the number of parking spaces shown in the table below and shall be designed and designated for use by people with disabilities. Every eighth (8th) accessible parking space shall be van-accessible. Design criteria and dimensions shall be in compliance with the standards of the Americans with Disabilities Act (ADA). Parking facilities for single-family, duplex, two-family, and mobile home residential uses are exempt from this requirement.

Number of Stalls	Number of Required Accessible Spaces	Number of Stalls	Number of Required Accessible Spaces
1-25	1	201-300	7
26-50	2	301-400	8
51-75	3	401-500	9
76-100	4	501-1,000	2% of total
101-150	5	1,001 and over	20, plus 1 for each 100
151-200	6		stalls over 1,000

7.4 OFF-STREET LOADING REQUIREMENTS

At the time of construction, alteration or enlargement of any structure or building except residences and farms having an aggregate gross area of 5,000 square feet or more, off-street loading areas shall be provided and maintained for all uses as follows:

	<u>Number</u>	<u>Loading Area</u>	<u>Gross Floor Area</u>
1.	One	500 square feet	For every 5,000 to 20,000 square feet
2.	One	500 square feet	For every 20,000 square feet or fraction thereof

ARTICLE 8

ACCESSORY USES AND SUPPLEMENTAL REGULATIONS

8.1 **ACCESSORY BUILDING**

Buildings and structures may be erected and land may be used for purposes which are clearly incidental to, and customarily and commonly associated with the main permitted use of the premises. Such accessory buildings and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat or glare which is injurious, damaging, unhealthful or disturbing to adjacent property, or the users thereof, and shall be on the premises of the main use.

Any accessory building shall have a minimum setback of three (3) feet and all garage entrances must have a minimum ten (10) foot long drive when garage opening is perpendicular to the access street or alley. Attached garages are considered part of principal building.

All accessory buildings shall be harmonious with the character of the neighborhood. The use of unpainted galvanized tin or "strong barn" exterior walls of accessory buildings shall not be permitted. No portion of any accessory building shall be covered with unpainted corrugated sheets or panels.

Detached accessory buildings shall be permanently anchored to a foundation.

8.2 **HOME OCCUPATIONS**

An occupation or activity carried on within the dwelling or accessory building by a member of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character nor infringe upon the right of neighboring residents to enjoy a peaceful occupancy of their homes.

The following conditions and restrictions shall apply to such customary home occupations:

1. The primary use of the building or structure in which the occupation is situated shall clearly be the dwelling used by the person as his private residence.
2. Signs and displays shall be limited to one (1) non-illuminated sign not exceeding six (6) square feet in area.

3. No equipment or machinery shall be used in such activities that is perceptible off the premises by reason of noise, smoke, odor, dust, radiation, electrical interference or vibration. Parking shall be handled in such a manner as to not impede or hinder traffic on any public right of way.
4. No outdoor storage of materials or equipment used in the home occupation shall be permitted.

8.3 MANUFACTURED HOMES: All manufactured homes located outside mobile home parks shall meet the following standards:

- 8.31** The home shall have no less than nine hundred (900) square feet of floor area.
- 8.32** The home shall have no less than an eighteen (18) foot exterior width.
- 8.33** The roof shall be pitched with a minimum vertical rise of two and one-half (2 ½) inches for each twelve (12) inches of horizontal run.
- 8.34** The exterior material shall be of a color, material and scale comparable with those existing in residential site-built, single family construction.
- 8.35** The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile or rock.
- 8.36** The home shall have wheels, axles, transporting lights and removable towing apparatus removed.
- 8.37** Nothing in this Article shall be deemed to supersede any valid restrictive covenants of record.
- 8.38** The home must meet building code requirements adopted by the City.
- 8.39** The home shall be set on a permanent masonry or concrete foundation.

8.4 YARD REGULATIONS:

- 8.41 FRONT YARDS:** The front yards heretofore established shall be adjusted in the following cases:

Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed and the buildings on this side of a block have observed a front yard greater in depth than herein required, new buildings shall not be erected closer to the street than the average front

yard so established by the existing buildings provided that no building shall be required to have a front yard setback of more than fifty (50) feet.

Where forty percent (40%) or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have a front yard less than the required, new buildings shall not be erected closer to the street than the nearest building on the block.

8.42 STRUCTURAL PROJECTIONS: The ordinary projections of chimneys and flues, buttresses, eaves, overhangs, open-unenclosed steps or stoops up to 5' in height may extend into required yards for a distance of not more than two (2) feet in the required side yard and not more than five (5) feet in the required front yard.

8.5 EXCEPTIONS TO HEIGHT REGULATIONS: The height limitations contained in this Ordinance do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy and agricultural structures.

8.6 EXCEPTIONS TO LOT SIZE REQUIREMENTS: If, at the time of passage of this article, a lot or the aggregate of contiguous lots or land parcels held in a single ownership, has an area or dimension which does not meet the lot size requirements of the district in which the property is located, the lot or aggregate holdings may be occupied by any use permitted outright in the district subject to the other requirements of the district.

8.7 MOBILE HOME PARKS: Mobile Home Parks shall only be allowed in the "R-3" Zoning District under the following conditions:

1. Individual mobile home lots shall have an area of not less than four thousand (4,000) square feet per single wide mobile home and six thousand (6,000) square feet for double wide mobile homes, and the total number of lots per gross acre shall not exceed six (6).
2. Mobile homes shall be situated on individual lots so there will be a minimum of fifteen (15) feet between mobile homes and that each mobile home will be set back at least fifteen (15) feet from the nearest service road. Mobile homes parked end-to-end shall have an end-to-end clearance of not less than ten (10) feet. Enclosed additions shall be considered a part of the mobile home in measuring required yard distance. The required area for each mobile home space shall not include area required for access or service roads, service buildings, recreation areas, office, and other similar mobile home park needs.

3. The mobile home park shall have direct access to a public street or highway by a right-of-way at least fifty (50) feet in width and a minimum length of one hundred (100) feet to permit the easy entrance and exit from the mobile home park. Service roads shall be provided to each mobile home space. Each service road shall provide for continuous forward movement, shall connect with a street or highway, and shall be a minimum clear width of twenty (20) feet paved with a suitable dustless material.
4. Walks and Lighting. Walkways not less than four (4) feet wide shall be provided from mobile home spaces to the service buildings. All walkways within the park shall be hard surfaced and lighted at night with a minimum illumination of twenty-five (25) watt lamps spaced at intervals of not more than one hundred (100) feet.
5. Off-Street Parking. Two off-street parking spaces for each mobile home space shall be provided at each mobile home space or in group parking. Each off-street parking space shall be at least three hundred (300) square feet.
6. The area of the mobile home stand shall be improved to provide an adequate and approved foundation for the placement and tie-down of the mobile home, thereby securing the super-structure against uplift, sliding, rotation, or overturning.

The mobile home or trailer stand shall be on incombustible materials and shall not shift or settle unevenly under the weight of the mobile home or trailer due to frost action, inadequate drainage, vibration or other forces acting upon the super-structure. The mobile home or trailer stand may be provided by means of solid concrete floater block (16" x 16" x 4" Minimum) placed on solid uniform soil with at least two (2) standard concrete blocks with cells placed vertically beside each other on the footer block. A solid 4" concrete cap covering the two (2) concrete blocks shall be provided as the bearing area to be positioned directly beneath the steel frame of the mobile home or trailer. Such clocking shall be provided along the full length of the mobile home or trailer unit, spaced not more than ten (10) feet apart, and not more than five (5) feet from the ends of the unit.

7. The mobile home or trailer stand shall be provided with anchors and the tie downs such as cast-in-lace concrete "dead men", eyelets imbedded in concrete foundations or runways, screw augers, arrowhead anchors or other devices securing the stability of the mobile home or trailer. The tie-down devices shall be compatible with the foundation system provided for the mobile home or trailer such that the tie-downs are designated to resist the action of frost in the same manner as the foundation system.

8. The skirting of all mobile homes and trailers is required. Such skirting shall not attach a mobile home or trailer permanently to the ground, but shall be sufficient to withstand wind load requirements and shall not provide a harborage for junk or rodents, or create a fire hazard. Such skirting shall be provided with removal access panels sufficient to provide easy access to all utility connection points of the mobile home or trailer and its subsequent connection to the utility raisers if they are located within the skirted area.

Permit the Creation of Mobile Home Parks in Which the Individual Mobile Home Lots Are Available For Sale. Wherever a mobile home park is permitted by this Ordinance to be created through the granting of conditional uses, or otherwise, said mobile home park may be designed to permit the sale of the individual mobile home lots within said park. A proposed mobile home park in which the individual mobile home lots will be offered for sale must meet all of the following requirements:

1. The individual mobile home lots shall, for the distinct within which such mobile home park is located, meet the minimum lot requirements, minimum yard requirements, maximum lot coverage, and maximum height requirements of such districts.
2. Each such mobile home lot shall be individually serviced with all utilities and shall be individually metered for all utilities and treated in all respects by the City as a separate user of utilities.
3. The developer of such mobile home park shall be required to secure a preliminary and final plat as per the subdivision process outlined in this Ordinance.
4. At the time of an application for a conditional use permit, or at the time of the application for subdivision in a mobile home park where the lots are to be offered for sale, the developer shall submit all legal documents necessary for the creation of an association having the purpose of maintaining, controlling, and covering all expenses, taxes and costs incurred on common areas within the mobile home park. Such association shall require that all property owners within the mobile home park be members thereof and pledge the lots owned within the mobile home park as security for the association performing such obligations. Covenants shall be placed on the property by the developer and owners thereof so as to ensure this obligation. These documents shall be submitted by the proper officials to the City Council for its approval and no subdivision permit or special use permit may be issued without the approval of these documents by the City Council.

8.8 FENCES, HEDGES, AND WALLS. Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences in all Zoning Districts except Agriculture Residential District “AGR”:

1. Basic Requirements & Restrictions:

- a. It is recommended to have the property surveyed by a licensed surveyor to positively identify and mark property lines to avoid dispute. Property owners are responsible to locate property pins prior to any permit being issued. The City of Ravenna does not mediate disagreements between owners of private property.
- b. All setbacks must be adhered to as per the zoning district’s regulations.
- c. Permit Holder is responsible for calling Diggers Hotline of Nebraska prior to start of construction. The Permit Holder is responsible for scheduling all required inspections.
- d. All fences must remain on the property and not extend beyond Owner’s property lines.
- e. Installation of a fence may not obstruct any manhole or inlet cover nor disturb or impede existing drainage pattern/swale or natural water flow.
- f. The finished side of the fence must face to the outside of the property. Visible supports and other structural components shall face in toward the subject property.
- g. A fence height shall be measured from the top of the fence to the lowest grade at the base of the fence.
- h. Every fence shall be maintained in a condition of reasonable repair and not be allowed to become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation. The building and zoning administrator may order any dilapidated, dangerous, or non-conforming fence removed at the owner’s expense.
- i. Any fence, hedge or wall shall provide access to utility workers for meter reading and maintenance of the utility.
- j. Electric and barbed wire fences are prohibited.
- k. No fencing shall conflict with the requirements of the clear vision area for streets and driveways. Fencing within a vision clearance shall not create a visual obstruction.

- l. Fences in a front yard shall contain openings constituting no less than 50% of the surface area and shall be situated or constructed in such a way as not to obstruct the vehicular traffic or otherwise create a traffic hazard.
 - m. Fences shall not be closer than six inches (6") to any property line. Perennial plantings shall not be planted closer than two and one-half feet (2-1/2') to any property line.
2. Definitions:
- a. **Fence:** Any vertical structure, other than a building or plant material which is for the purpose of obstructing visual observation, or for the purpose of obstructing pedestrian, automotive or animal movement, or for the purpose of beautification, and which is attached to the ground or to a building, but excluding retaining walls.
 - b. **Open Fence:** A fence where the design contains openings that constitute not less than fifty percent (50%) of the surface area of the fence. The surface area is the product of a length of fence measured from the inside edge of one support post or column to the inside edge of the next adjacent support post or column; times the height of the same section of fence.
 - c. **Closed Fence:** A fence where the design of the fence has more than fifty (50%) percent of the surface area closed.
3. Fences, hedges and walls may be permitted in all districts as accessory uses in accordance with the following limitations:
- a. The maximum height for fences, hedges, and walls in any district other than the Agricultural Residential District on the perimeter shall be as follows:
 - i. Corner Lots:
 - 1. Front Yard - Forty-eight inches (48") or four feet (4') in height.
 - 2. Street Side Yard – Forty-eight inches (48") or four feet (4') in height.
 - 3. Non-Street Side Yard – Six feet (6') from the rear property line to the front corner of the house, then forty-eight inches (48") or four (4) feet in height.
 - 4. Rear Yard – Six feet (6') in height from corner of house to non-street side and four feet (4') in height on street side.
 - ii. Other Lots:
 - 1. Front Yard – Forty-eight inches (48") or four feet (4') in height.

2. Side Yard – Six feet (6') from rear property line to the front corner of the house, then forty-eight inches (48") or four feet (4') in height.
 3. Rear Yard – Six feet (6') in height.
- b. No fence, hedge, wall, or shrubbery shall interfere with the vision of motorists or adjacent property holders. On a corner lot in the Residential District, a sight triangle shall be provided such that nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2-1/2) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines forty (40) feet from the point of the intersection.
 - c. Fences separating residential and non-residential land uses are not to exceed forty-eight inches (48") or four feet (4') at the front corners of the house.
 - d. Fences between two non-residential land uses shall not exceed eight (8) feet in height unless otherwise specifically permitted.
 - e. All outdoor swimming pools shall be enclosed by a fence or wall at least eight (8) feet but not more than ten (10) feet in height with a gate or gates, which can be securely locked.
 - f. Fences shall be constructed of commonly accepted, new material for residential fences such as wood, plastic, vinyl, PVC/resin, concrete, stone, masonry, wrought iron, or chain link; shall be structurally sound; shall have a neat, professional and finished appearance.
 - g. The Planning Commission may approve other materials.
 - h. Fences shall not be constructed of material not commonly used for residential fences such as non-treated or natural wood products, metal, fiberglass, barbed wire, wooden pallets, chicken wire, or corrugated metals.

- i. No shrubs, trees, bushes, or other plant material shall be planted, maintained, allowed to grow and no structure shall be erected so as to hinder vision in the vicinity of an intersection of two streets, within a sight distance triangle bounded by the edges of the roadway or the curb on the two sides and a line diagonally across the corner lot meeting the edges of the roadway or the curb forty (40) feet from their intersection at the corner. To hinder vision shall be taken to mean that said plant material has leaves, needles, branches or other foliage during any period of the year, and structures of any type as defined in the zoning ordinance exist, between levels two and one-half (2-1/2) feet and ten (10) feet above the crown of the street adjacent.

These regulations apply only to new construction; any non-conforming fences, unless dilapidated and/or dangerous shall not be affected. No fence shall be erected, constructed, or moved until a fence permit has been procured from the Zoning Administrator. Application for a fence building permit shall include a sketch of the lot, the location of any buildings on the lot, the proposed fence and sufficient dimensions to accurately locate these features.

ARTICLE 9

BOARD OF ZONING ADJUSTMENT

9.1 CREATION, MEMBERSHIP

The City Board of Zoning Adjustment is hereby created and shall be known as the City Board of Zoning Adjustment. The members of said board shall be appointed by the City Council. The legislative body of a City may provide by ordinance that it shall constitute a board of adjustment.

One (1) member only of said board shall be appointed from membership of the Planning Commission and the loss of membership on the planning commission by such member shall also result in the immediate loss of membership on the City Board of Zoning Adjustment.

Said board shall consist of five regular members, plus one additional member designated as an alternate who shall attend and serve only when one of the regular members is unable to attend for any reason, each to be appointed for a term of three (3) years and removable for cause by the City Council upon written charges and after public hearings. Vacancies shall be filled for the unexpired terms of any member whose terms becomes vacant.

9.2 MEETINGS

Meetings of the Board of Zoning Adjustment shall be held at the call of the Mayor and at such times as the Board may determine. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Clerk and shall be a public record.

9.3 INTERPRETATIONS AND VARIANCES

9.31 The Board of Adjustment shall, subject to appropriate conditions and safeguards as specified in these regulations, have the following powers (Ref. 23-168.01 R.R. Neb.):

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official or planning commission based on or made in the enforcement of any zoning regulation or any regulation relating to the location or soundness of structures;

2. To hear and decide, in accordance with the provisions of any regulation, requests for interpretation of any maps, or for decisions upon other special questions upon which the Board is authorized by any such regulation to pass; and
3. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of adoption of the Zoning Ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any enacted regulation under this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of such property, to authorize, upon appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardships, if such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of these zoning regulations, but no such variance shall be authorized unless the Board finds that:
 - a. The strict application of the regulation would produce undue hardship;
 - b. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity;
 - c. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance; and
 - d. The granting of such variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit or caprice.

9.32 No variance shall be authorized unless the Board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonable practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations.

9.33 In exercising the above-mentioned powers such Board may, in conformity with the provisions of said sections, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appeal from, and may make such order, requirement, decision or determination as shall be proper, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such regulation or to effect any variation in such regulation.

9.4 PROCEDURES FOR REQUESTING A VARIANCE

The procedures to be followed by the Board of Zoning Adjustment shall be as follows:

9.41 Appeals to the Board may be taken by any person aggrieved or by any officer, department, governmental agency affected by any decision of the Zoning Administrator. Such appeal shall be made within ten (10) days from the date of decision by any official or department. The appeal filed in writing shall define the appeal being requested and the grounds therefor. The officer from whom the appeal is taken shall forthwith transmit to the Board of Zoning Adjustment all the paper constituting the record upon which the action appealed from was taken.

9.42 The Chairperson of the Board shall set a hearing within thirty (30) days of receipt of the appeal. The time, date, place of the hearing, and description of the request shall be published in a local newspaper of general circulation ten (10) days prior to the actual hearing. The Board shall also notify the interested parties in the case of the hearing date, time and place.

9.5 APPEALS FROM THE BOARD OF ZONING ADJUSTMENT

Any person or persons, jointly or separately, aggrieved by any decision of the Board of Zoning Adjustment, or any officer, departments, board or bureau of the City, may seek review of such decision by the district court for the City in the manner provided by the laws of the State.

ARTICLE 10

ADMINISTRATIVE PROVISIONS, ENFORCEMENT AND FEES

10.1 ENFORCEMENT

10.11 ZONING ADMINISTRATOR: This ordinance shall be enforced and administered by a Zoning Administrator who shall be appointed by the City Council and who may be provided with the assistance of such other persons as the City Council may direct in order to carry out the following duties and responsibilities:

1. Approve and issue all building permits and occupancy certificates when compliance is made with this ordinance.
2. Conduct inspections of buildings, structures and uses of land to determine compliance with the provisions of this ordinance.
3. Receive, file and forward to the Board of Zoning Adjustment the records in all appeals for variances.
4. Maintain permanent and current records of the Zoning Ordinance including but not limited to, all zoning maps, amendments, special use permits, variances, appeals and applications thereof and records of hearings thereon.
5. Prepare and have available in book, pamphlet or map for each year.
 - a. The compiled text of the Zoning Ordinance and amendments thereto, including all amendments adopted through the preceding December 31; and
 - b. A zoning map or maps, showing the zoning districts, divisions and classifications in effect on the preceding December 31.
6. Whenever the Zoning Administrator shall find that any of the provisions of this ordinance have been or are being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He/she may order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings, structures or additions or alterations thereto; discontinuance of any illegal work being done; or take any other appropriate action authorized by this ordinance to insure compliance with, or to prevent violation of its provisions.

10.2 BUILDING PERMITS REQUIRED

10.21 GENERAL: No building or other structure shall be erected, moved, added to or structurally altered without a building permit first having been issued by the Zoning Administrator. No building permit shall be issued unless the proposed construction or use is in conformance with all of the provisions of this ordinance and with all other applicable codes, regulations and laws of the City of Ravenna and with all orders, and variances lawfully issued by the Board of Adjustment. A building permit shall not be required for agricultural (nonresidential) buildings or structures in the "AGR" Agricultural Residential District or for improvements which have a value of one thousand dollars (\$1,000) or less. Construction must begin within ninety (90) days of issuance of the permit. The building permit will be valid for a period of two (2) years.

10.22 APPLICATION FOR BUILDING PERMIT: All applications for a building permit shall be accompanied by a plot plan showing the location, ground area, height and bulk of all present and proposed structures, additions, parking areas and site improvements; the actual dimensions and shape of the lot lines; the uses to be built upon; the building lines in proposed structures or additions; and any other reasonable and pertinent information as may be required by the Zoning Administrator or the proper enforcement of this ordinance.

10.23 APPROVAL OR DISAPPROVAL OF PERMIT: The Zoning Administrator shall examine all applications for building permits, including plans, specifications and documents filed therewith and shall either approve or disapprove such application within thirty (30) days of receipt of same. Upon approval and receipt of required fees, the Zoning Administrator shall promptly issue the building permit and shall affix his/her signature to the permit and the plans and mark the plans "Approved." Upon disapproval of the application, the Zoning Administrator shall refuse to issue the permit and shall state in writing on the plans the reasons for disapproval, affix his/her signature and mark the plans "Disapproved."

10.24 APPEAL FROM APPROVAL OR DISAPPROVAL: An appeal from approval or disapproval of any application shall be made to the Board of Zoning Adjustment in writing within ten (10) days after the determination of the Zoning Administrator has been filed.

10.3 CERTIFICATION OF OCCUPANCY REQUIRED

10.31 GENERAL: No building, structure or land shall be used or occupied, in whole or in part, nor shall any change be made in the use or type of occupancy of an existing building or structure requiring a building permit, nor shall any change be made in the use of land, except to any use which is primarily agricultural, unless a certificate of occupancy shall be issued by the Zoning Administrator in accordance with this ordinance.

10.32 TEMPORARY CERTIFICATE: Upon request, the Zoning Administrator may issue a partial certificate of occupancy for a period not to exceed ninety (90) days, for a building or structure or part thereof, before the entire work covered by the building permit shall have been completed, provided such portion or portions as have been completed may be occupied safely without endangering life or the public welfare.

10.33 APPLICATION FOR CERTIFICATE OF OCCUPANCY: All applications for certificate of occupancy shall be made by the owner or his/her agent and shall be accompanied by an affidavit of the owner, registered architect, licensed professional engineer, or superintendent of construction who shall state that he has examined the approved plans of the structure, that said structure has been erected in accordance with the approved plans and that it complies with this ordinance and all local code and resolutions/ordinances governing building construction. The application and affidavit shall be filed with the Zoning Administrator.

10.34 ISSUANCE OF CERTIFICATE OF OCCUPANCY: Before issuing a certificate of occupancy, the Zoning Administrator shall examine all buildings, structures or sites for which an application has been filed for a building permit to construct, enlarge, alter, repair, remove, demolish, or change the use or occupancy. The Zoning Administrator shall maintain a record of all examinations and inspections, together with a record of findings of violations of the law.

A certificate of occupancy shall be deemed to authorize, and is required for, both initial and continued occupancy and use of the building or land to which it applies, and shall continue in effect so long as such building or land is used as authorized in the certificate of occupancy.

10.4 SCHEDULE OF FEES

The schedule of fees shall be established for this Zoning Ordinance by the City Council. The schedule of fees shall be posted in the office of the Zoning Administrator and may be altered or amended only by the City Council. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE 11

AMENDMENT

11.1 GENERAL

The City Council may from time to time supplement, change or generally revise the boundaries or regulations contained in this ordinance. A proposal for such amendment may be initiated by the City Council, Planning Commission or upon application of the owner of the property affected. A filing fee established by the City Council is required for each application to be considered by the Planning Commission.

11.2 SUBMISSION TO PLANNING COMMISSION

All such proposed amendments shall first be submitted to the Planning Commission for recommendation and report. Upon the development of tentative recommendations, the Planning Commission shall hold a public hearing thereon and shall cause an accurate written summary to be made of proceedings, and shall give notice in like manner as that required for the original zoning recommendations. Such notice shall fix the time and place for such hearing and contain a statement regarding the proposed changes in regulations or restrictions or in the boundary of any district.

If such proposed amendment is not a general revision of an existing provision of this ordinance, and will affect specific property, it shall be designated by legal description and general street location and in addition to such publication notice, written notice of such proposed amendment shall be mailed to all owners of lands located within three hundred (300) feet of the area proposed to be altered in an opportunity granted to interested parties to be heard.

11.3 AMENDMENT CONSIDERATION AND ADOPTION

The procedure for the consideration and adoption of any such proposed amendments shall be in like manner as that required for the consideration and adoption of the ordinance except herein before or herein after modified. For action on zoning amendments, a quorum of the Planning Commission is more than one-half (1/2) of all the members. A vote either for or against an amendment by a majority of all the Planning Commission members present constitutes a recommendation of the commission; whereas a vote either for or against an amendment by less than a majority of the Planning Commission present constitutes a failure to recommend.

When the Planning Commission submits a recommendation of approval or disapproval of such amendment, the City Council, if it approves such recommendation, may either adopt such recommendation by the ordinance or take no further action thereof as appropriate. In the event the Planning Commission

submits a failure to recommend, the City Council may take such action as it deems appropriate. Upon receipt of a recommendation of the Planning Commission which the City Council disapproves, the said governing body shall return such recommendation to the Planning Commission with a statement specifying the basis for disapproval, and such recommendation shall be considered in like manner as that required for the original recommendation returned to the Planning Commission. If such amendment shall affect the boundaries of any district, the ordinance shall define the change or the boundary as amended, shall order the Official Zoning Map(s) to be changed to reflect such amendment, and shall amend the section of the ordinance incorporating the same and reincorporate such Map as amended.

11.4 PROTEST

Regardless of whether or not the City Council approves or disapproves a proposed zoning amendment or fails to recommend, if a protest against such amendment be filed in the office of the City Clerk within fourteen (14) days after the date of the conclusion of the public hearing pursuant to said publication notice, duly signed and acknowledged by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending one hundred (100) feet therefrom, or of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, such amendments shall not become effective except by the favorable vote of two-thirds (2/3) majority of the City Council.

ARTICLE 12

COMPLAINTS, PENALTIES, REMEDIES

12.1 COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Administrator. He/she shall record properly such complaint, immediately investigate, and take action thereon as provided by these regulations.

12.2 PENALTIES

The owner or agent of a building or premises in or upon which a violation of any provisions of this ordinance has been committed or shall exist or lessee or tenant of an entire building or entire premises in or upon which such violation shall exist, shall be guilty of a misdemeanor. Each and every day that such violation continues after notification shall constitute a separate offense.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

12.3 REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained; or any building, structure or land is used in violation of these regulations the appropriate authorities of the City may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

ARTICLE 13

SUBDIVISION REGULATIONS

13.1 **PURPOSE**

The purpose of these regulations is to provide for the orderly development of Ravenna and its environs; to prescribe standards for the laying out of subdivisions in harmony with the comprehensive plan; for the coordination of streets and utilities within subdivisions with other existing or planned streets and utilities; for coordination of subdivisions with other features of the comprehensive plan to provide for adequate open space for traffic, recreation, light and air; and for the distribution of population and traffic in such a manner so as to create conditions favorable to health, safety, convenience or prosperity, all in accordance with applicable state statutes.

The purpose of these regulations is to provide standards and specifications with respect to provisions for the proper location and width of streets, building lines, open spaces, safety, recreation; and, for the manner in which streets will be graded and improved; and, the extent to which water, sewer and other utility services shall be provided; and, to provide for the approval of preliminary plats and final plats and endorsement thereof by the Ravenna, Nebraska Planning Commission and by the Mayor and City Council. No final plat of a subdivision shall be approved and accepted by the Ravenna City Council unless it conforms to the provisions of these regulations.

13.2 **APPLICABILITY**

Any plat, hereafter made, for each subdivision or part thereof lying within the jurisdiction of this Ordinance, shall be prepared for approval and recorded as herein prescribed. The regulations contained herein shall apply to the subdivision of a lot, tract, parcel of land into two or more lots, tracts, or other division of land for the purpose of sale or development, whether immediate or future, including the re-subdivision or re-platting of land or lots, except that the division of land when the smallest parcel created is more than ten (10) acres in area shall be exempt from these regulations. Further, the regulations set forth by this ordinance shall be minimum regulations which shall apply uniformly throughout the jurisdiction of this ordinance except as hereafter provided.

1. Each separate principal use/building within the jurisdiction of this Ordinance shall be situated on a separate and single subdivided lot of record unless otherwise provided in Ordinance.

2. No subdivision of land shall be permitted within the jurisdiction of this Ordinance unless a plat is approved in accordance with the provisions of this ordinance. Further, no lot in a subdivision may be sold, transferred or negotiated to sell, no permit to erect, alter, or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision unless a final plat has been approved by the Ravenna City Council and recorded with the Buffalo County Register of Deeds.
3. These regulations shall not apply to the following:
 - a. To a subdivision of land whereby the smallest parcel created or remaining is more than ten (10) acres.
 - b. The subdivision of burial lots in cemeteries.
 - c. A change in the boundary between adjoining lands which does not create an additional lot or does not result in a nonconformity of an existing lot.

13.3 PROCEDURES

1. Pre-Application Meeting. Prior to the subdivision of any land, the subdivider or subdivider's agent shall prepare a sketch plan and shall discuss informally with the City Clerk the property proposed for subdivision, with reference to these subdivision regulations and procedures, zoning regulations and controls, and the city's comprehensive and major street plans.
2. Plat Submission Requirements. The subdivider shall submit to the City Clerk eleven (11) copies of the preliminary plat and supplemental material specified, with written application for conditional approval, at least ten (10) days prior to the regular meeting of the Ravenna Planning Commission at which the request will be heard.
3. Fees. Fees structures are determined by the City.
4. Scale and Preliminary Plat Contents. Preliminary plats shall be a scale of one (1") inch to one hundred (100') feet, and shall be prepared with the following information:
 - a. Name, location, acreage, owner and designer of subdivision with legal description as shown by land records.
 - b. Present and proposed zoning.
 - c. Date, north point and graphic scale.
 - d. Location of property lines, roads, existing utilities with size of lines, and other underground installations and easement.
 - e. Names of adjoining properties or subdivisions.
 - f. Proposed utility system, including water, sewer and paving.
 - g. Dimensions and lot lines.
 - h. Location of proposed drainage.
 - i. Contours at two (2) feet minimum intervals at 1" = 100' scale.

- j. Proposed improvements and grading concepts.
 - k. Location of existing buildings.
 - l. Proposed easements, dedications and reservations of land required.
5. Notification of Improvement Schedule. Subdivider shall indicate by a letter when improvements as required will be provided.
 6. Notification of County Planning Commission. The City shall notify the Buffalo County Planning Commission of any proposed subdivision plat and provide the Commission with all available materials on the proposed plat, when such proposed plat lies partially or totally within the extraterritorial subdivision jurisdiction being exercised by that Municipality in such County. The Commission shall be given four (4) weeks to officially comment on the appropriateness of the design and improvements proposed in the plat. The review period shall run concurrently with subdivision review activities of the City after the Commission receives all available material for a proposed subdivision plat.
 7. Notification of School Board. At least ten (10) days prior to the Ravenna Planning Commission meeting at which the preliminary plat is to be considered for approval, the Planning Commission shall submit a copy of the proposal to the School Board of each School District which the proposed development affects, and shall notify the School Board of the meeting date. Copies of the plat may be submitted to any other agency which may be affected.
 8. Approval or Rejection. After review of the preliminary plat and negotiations with the subdivider, the Ravenna Planning Commission shall reject or conditionally approve the preliminary plat, within thirty (30) days after the official meeting at which the plat was considered.
 9. Approval is Conditional. Approval of a preliminary plat shall not constitute approval of the final plat; it shall be deemed an expression of approval or conditional approval of the submitted plat, as a guide for the preparation of the final plat, which will be subject to further consideration by the Ravenna Planning Commission and the Ravenna City Council. Any conditional approval of the preliminary plat shall be effective for a period of one (1) year unless an extension is granted by the Planning Commission.
 10. Public Works Plan: Upon approval of the Preliminary Plat by the Ravenna Planning Commission and Ravenna City Council, the approved Preliminary Plat will be forwarded to City Engineer for preparation of a Public Works Plan. Said Public Works Plan will outline the improvement needs, in conjunction with the City's present utility, drainage and street system and tentative costs.

11. Final Plat Submission Requirements. Final plats, showing entire concept, shall be submitted to the City Clerk within one (1) year of approval of the preliminary plat, unless an extension is granted by the Planning Commission. The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and State statutes; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.
12. Scale and Final Plat Contents. One (1) original mylar and five (5) copies of the final plat and other exhibits required for approval shall be submitted. The final plat shall be drawn in ink on mylar and shall be at a scale of one (1') inch to one hundred (100') feet or larger. The final plat shall show the following:
 - a. Date, title, name and location of subdivision.
 - b. Streets and street names, lots, setback lines, lot numbers, etc.
 - c. Graphic scale and north arrow.
 - d. Monuments (ferrous) 1/2" diameter, minimum 24" minimum length
 - e. Dimensions, angles and bearings, and complete legal description of the property.
 - f. Sufficient survey data to reproduce any line on the ground.
 - g. Names of adjoining subdivisions.
 - h. Location and dimensions of any easements.
 - i. Purpose for which sites are dedicated or reserved, and the transfer of ownership of the same.
 - j. Certification by surveyor as to accuracy of survey and plat.
 - k. Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted.
 - l. Certification recording the approval by the Planning Commission.
 - m. Certification recording the approval by the City Council and the acceptance of any dedications.
13. Supplementary Data Required. The final plat shall be accompanied by:
 - a. Public Works Plan of all required public improvements, approved by an Engineer.
14. Professional Assistance. The City Council or the Planning Commission may request such professional assistance as it deems necessary to properly evaluate the plats submitted.

15. Planning Commission Recommendations. The Planning Commission shall reject or approve the final plat and have prepared a recommendation to the City Council recommending rejection or approval. All reasons for recommending rejection shall be clearly stated. Notification of approval or rejection by the Planning Commission or City Council shall be given the subdivider within sixty (60) days after submission of the final plat to the Planning Commission.

16. Administrative Subdivision. In the event that a proposed subdivision does not involve the platting and dedication of streets, extension of utility systems, change in subdivision class and type, change in zoning district, change in surface drainage, and will not result in the creation of more than three (3) lots of record, the subdivider may apply for administrative subdivision under the provisions of this section. The utilization of the administrative subdivision does not relieve the subdivider of its obligation to comply with Section 16.1: Streets, Alleys, Sidewalks and Driveways; and Section 16.2: Utility and Drainage Facilities of the Subdivision Regulations. The procedure for such application will be as follows:
 - a. Application will be made to the City Council and the City Council may act or may at their option refer the application to the Planning Commission. In the event it is referred to the Planning Commission, the procedures outlined under the final plat provisions shall be followed.
 - b. The subdivider shall submit an original and eleven (11) copies of the plat. The original shall be drawn in ink on tracing cloth, mylar, or similar material, and shall be at a scale of 1 'to 100 or larger. The plat shall contain the following:
 - i. Date, title, name, and location of the subdivision.
 - ii. Names and locations of abutting streets and lots identifying street names and lot and block numbers.
 - iii. Identification of the new lot and block numbers and set back lines.
 - iv. Graphic scale and true north point.
 - v. Monuments.
 - vi. Dimensions, angles and bearings and complete legal description of the property.
 - vii. Sufficient surveying data to reproduce any line on the ground.
 - viii. Location, dimensions, and purposes of any existing easements.
 - ix. Certification by surveyor certifying to the accuracy of the survey and plat.
 - x. Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted.

- c. The plat shall be accompanied by:
 - i. Protective covenants in form for recording if such are desired by the subdivider.
 - ii. For subdivisions adjoining or touching the boundaries of Ravenna's Corporate Limits; a tract or area for which annexation proceedings have been commenced; an approved subdivision which touches or adjoins Ravenna's Corporate Limits, a petition signed by the owner or owners requesting annexation to the City.
 - iii. Utility easements signed by the owner or owners to permit all lots created access to all utilities available in the City, including but not limited to, sanitary sewer, storm sewer, water, electrical, telephone, and cable television.

13.4 SUBDIVISION IMPROVEMENT PROCEDURE

1. Subdivision Improvements Guarantees. The subdivider shall pay for all improvements required for the subdivision.

In lieu of requiring the payment of all improvements, the City Council may enter into an agreement with the subdivider whereby the subdivider shall guarantee to complete all improvements required by this Ordinance in a manner satisfactory to the City Council. To secure this agreement, the subdivider shall provide, fifty (50%) percent of actual bid cost of project within seven (7) days of the City bid letting.

2. Inspection and Certification. The City or other authorized person shall regularly inspect construction of required improvements for defects. Upon completion of the improvements, the City or other authorized person shall file with the City Council a statement either certifying that the improvements have been completed in the specified manner or listing defects in those improvements which do not meet the requirements of the approved improvement plans and specifications.

13.5 DEDICATION OF PUBLIC LAND

1. At the time of final plat approval by the City Council, the owners shall be required to dedicate to the public use all streets, alleys, easements, and buffer strips as required by the City Council and these Regulations. Acceptance of dedicated land shall be recorded in the minutes of the City Council.
2. Subdividers of 'Commercial' type subdivisions may be required to dedicate land for off- street parking as determined necessary by the City Council.

13.6 ANNEXATION AND RECORDING OF PLAT

1. Subdivision Annexation of Adjoining or Contiguous Properties. All subdivisions or additions laid out adjoining or contiguous to the corporate limits shall be included within the same and become a part of the municipality for all purposes whatsoever, upon approval of and acceptance by Resolution of the City Council.
2. Subdivision Annexation: Petition for Annexation. Any subdivision in which there are lands dedicated to the City or any subdivision serviced by public utilities shall be annexed to the City. Before approval for the final plat is given, the Municipal Body shall receive a Petition for annexation from the owners of the subdivided properties.
3. Subdivision Annexation: Adoption Plan by Resolution. The City Council desiring to annex land under the authority of this section shall first adopt both a resolution stating that the City is considering the annexation of the land and a plan for extending City services to the land. The resolution shall state:
 - a. The time, date and location of the public hearing required below;
 - b. A description of the boundaries of the land proposed for annexation; and
 - c. That the plan of the City for extension of City services to the land proposed for annexation is available for inspection during regular business hours in the office of the City Clerk.

The plan adopted by the City Council shall contain sufficient detail to provide reasonable persons with a full and complete understanding of the intentions of the City for extending City services to the land proposed for annexation. The plan shall:

- a. State the estimated cost impact of providing the services to such land.
- b. State the method by which the City plans to finance the extension of services to the land and how any services already provided to the land will be maintained.
- c. Include a timetable for extending service to the land proposed for annexation, and
- d. Include a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the City, the proposed boundaries of the City after annexation and the general land-use pattern in the land proposed for annexation.

A public hearing on the proposed annexation shall be held within sixty days following the adoption of the resolution to allow the City Council to receive testimony from interested persons. The City Council may recess the hearing, for good cause, to a time and date specified at the hearing.

A copy of the resolution providing for the public hearing shall be published in the official newspaper or the City at least once not less than ten days preceding the date of the public hearing. A map drawn to scale delineating the land proposed for annexation shall be published with the resolution. A copy of the resolution providing for the public hearing shall be sent by first-class mail, following its passage, to the school board of any school district in the land proposed for annexation.

13.7 VARIANCES

1. Granting of Variances; Conditions. The Ravenna City Council may grant variances from the provisions herein, but only after determining that:
 - a. There are unique circumstances or conditions affecting the property,
 - b. The variance is necessary for the reasonable and acceptable development of the property in question,
 - c. The granting of the variance will not be detrimental to the public welfare or injurious to the adjacent property.
2. Recording of Plat. In no case shall the requirement of filing and recording a plat for subdivision be waived.
3. Planned Development. The Council may also grant reasonable variances, if the subdivider concurrently submits an application for, and obtains approval of, a planned development. The subdivider shall indicate where the plans vary from the requirements of this Article and shall present sufficient evidence to support the request, indicating why the request will not be detrimental to the public health, safety and welfare.

13.8 PUBLIC SITES AND OPEN SPACES

1. Recreation Standards. The Ravenna Planning Commission may require that land be dedicated for parks and playgrounds or other recreation purposes. Such areas shall be shown and marked on both the preliminary and final plat, as "Dedicated for Park and/or Recreation Purpose". The developer shall dedicate all such recreation areas to the City of Ravenna as a condition of final subdivision plat approval. The Commission may require that the recreation area be located at a suitable place on the edge of the subdivision so that additional land may be added at such time as the adjacent land is subdivided. In no case shall an area of less than one (1) acre be reserved for recreation purposes if it will be impractical or impossible to secure additional lands in order to increase its area.

2. Recreation Sites. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield, or for other recreation purposes; and shall be improved by the developer to the standards required by the Planning Commission, which improvements shall be included in the performance bond. A recreation site shall have a total frontage on one (1) or more streets of at least one hundred feet (100'), and no other dimension of the site shall be less than one hundred feet (100') unless it is for a designated linear park. The Planning Commission may refer any subdivision proposed to contain a dedicated park to the Ravenna Park Board for a recommendation. All land to be reserved for dedication to the City of Ravenna for park purposes shall have prior approval of the City Council and shall be shown marked on the plat "Dedicated for Park."

13.9 AMENDMENTS

Any provision herein from time to time may be amended, supplemented, changed, modified or repealed by the Governing Body according to law. Provided, however, that such amendments, supplements, changes, modifications or repealed provisions shall not become effective until after study and report and recommendations of the Planning Commission.

ARTICLE 14

COMMUNICATION TOWER REGULATIONS

14.1 **CONDITIONAL USE PERMIT REQUIREMENT.** Notwithstanding anything to the contrary contained herein, in all instances a Conditional Use Permit which fulfills the minimum and special requirements mentioned herein, must be obtained with the affirmative vote of City Council before any radio, television, personal wireless services or facilities may be constructed or operated within the jurisdiction of the City.

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the Federal government with the authority to regulate towers and antennas.

14.2 **MINIMUM REQUIREMENTS.**

1. The placement of wireless communication antennas or towers must comply with the following requirements:
 - a. The antennas or tower will not interfere with the purpose for which the property is intended.
 - b. The antennas or tower will have no significant adverse impact on surrounding private property.
 - c. The user must obtain all necessary land use approvals and permits.

14.3 **SPECIAL REQUIREMENTS.**

1. The placement of wireless telecommunication antennas or towers on water tower sites will be allowed only when the following additional requirements are met:
 - a. The applicant's access to the facility will not increase the risks of contamination to the City's water supply;
 - b. There is sufficient room on the structure and/or on the grounds to accommodate the applicant's facility;
 - c. The presence of the facility will not increase the water tower or reservoir maintenance cost to the City; and
 - d. The presence of the facility will not be harmful to the health of workers maintaining the water tower or reservoir.

2. In no case shall towers or antennas be allowed in designated prairie or other conservation or wildlife area unless they are to be installed in areas, which currently contain tower facilities or antennas, and in no case shall towers or antennas be allowed in areas without road access to the base of the tower, antenna support structure or facilities.
3. Tower setbacks shall be measured from the property line of the parcel on which it is located to the base of the tower. The setback shall not be less than one hundred ten percent (110%) of the tower height as measured from the ground level.
4. Towers shall have a color generally matching the surroundings or background that minimizes their visibility, unless a different color is required by the FCC or FAA.
5. No signals, lights or signs shall be permitted on towers unless required by the FCC or the FAA. No banners or similar devices or materials may be attached to the towers, antenna support structure or antennas.
6. Ground level equipment, buildings, and the tower base shall be screened from public streets and residentially zoned properties and shall not encroach in the building setback. Landscaping shall be required to screen as much of the support structure as possible. The City may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing building, and other equipment is housed inside an existing structure, landscaping shall not be required.

In the event the use of any tower or antenna has been discontinued for a period of sixty (60) consecutive days, the tower or antenna shall be deemed to be abandoned. Upon such abandonment, the operator of the tower or antenna shall dismantle and remove the tower or antenna. If such tower or antenna is not removed within said sixty (60) days from the date of abandonment, the City may remove such tower or antenna, in accordance with applicable law, at the facility owner's expense.

ARTICLE 15

WIND ENERGY SYSTEM REGULATIONS

15.1 GENERAL STANDARDS. All Wind Energy Systems (WES) located within the Extra Territorial Jurisdiction of the City of Ravenna shall conform to the following general standards:

1. Clearance of rotor blades or airfoils for commercial/utility Wind Energy Systems must maintain a minimum of twenty (20) feet of clearance between their lowest point and the ground. Noncommercial WES shall have a minimum clearance of twelve (12) feet between their lowest point and the ground.
2. On site signage shall be limited to identification signs not to exceed six (6) feet and high voltage warning signs.
3. All wind turbines part of a commercial/utility WES shall be installed with a monopole tower.
4. All commercial/utility WES shall obtain a FAA permit and comply with all aviation warning requirements established by the FAA regulations and permit.
5. All commercial/utility WES shall be white, grey or other neutral non obtrusive, non-reflective color. Blades may be black in order to facilitate deicing.
6. All on site communication and transmission feeder lines installed as part of the commercial/utility WES shall be underground.
7. Commercial/utility WES shall not exceed fifty (50) dba at the nearest occupied dwelling.
8. Commercial/utility WES shall obtain FCC permits where necessary and provide evidence of permit approval.
9. The commercial/utility WES, at the time of application for a conditional use, shall identify all county roads to be used for construction and maintenance of a WES. The conditional use applicant in coordination with the Ravenna Street Commissioner shall conduct a road condition survey and written report prior to construction. The conditional use applicant shall be responsible for restoration of the road(s) and bridges to preconstruction standards as established in the report. The applicant shall be responsible for

the cost of retaining outside engineering firm(s) to evaluate road condition and cost for restoration if so determined by the Planning Commission.

10. The commercial/utility WES applicant shall be responsible for immediate repair of damage to drainage or irrigation systems stemming from construction, operation or maintenance of the WES.
11. Solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as oils, lubricants and solvents shall be removed from the site promptly and disposed of in accordance with all applicable local, State and Federal regulations.
12. A commercial/utility WES shall provide a decommissioning plan to the City Council at the time application is made. The plan shall include the method or means of removing the WES and accessory facilities, parties responsible for removal and site cleanup, evidence of a damage insurance liability policy, schedule for removal not to exceed ninety (90) days from approval of the plan. The applicant shall set aside three-fourths (3/4) of one percent (1%) of each towers' cost for future decommissioning upon approval of the application by the City Council. The funds are to be placed in a cash escrow account with a local bank.
13. A Conditional Use Permit for a commercial/utility WES shall be reviewed each year on the anniversary of issuance. A Conditional Use Permit for a commercial/utility WES shall be considered null and void if the WES has not begun within one (1) year following issuance of the WES Conditional Use Permit or produced energy for one (1) year, unless a plan is submitted to the Planning Commission outlining the steps and schedule for returning the WES to service.
14. A contractual agreement referred to as a Developers Agreement between the City Council and the commercial WES developer shall be created and made part of the Conditional Use Permit. The agreement shall detail road improvements, road reconstruction, additional right-of-way needs, location of transmission lines, easements, bond and payment requirements.

15.2 NONCOMMERCIAL WIND ENERGY SYSTEMS. All noncommercial wind energy systems located within the Extra Territorial Jurisdiction of the City of Ravenna shall conform to the following standards:

1. Shall be systems installed to provide for full or partial onsite consumption of utility supplied electricity.

2. Setbacks: Where allowed, Noncommercial WES shall be located in the rear yard of any Residential Districts; further, all towers shall adhere to the setbacks found in Table 2 within this Chapter.
3. Tower Height: In all districts except the Agricultural Residential District tower heights shall not exceed thirty (30) feet. Any tower exceeding thirty (30) feet shall be required to submit an application for conditional use. In the Agricultural District there is no height limitation except that imposed by FAA regulations.
4. Noncommercial WES shall not exceed fifty (50) dba, as measured at the closest neighboring inhabited dwelling unit. Temporary exceptions may include severe wind storms or power outages requiring higher demand.
5. Compliance with this Ordinance:
 - a. All noncommercial WES will require a permit.
 - b. Permit application will include an engineered drawing showing compliance with nationally recognized building codes. The permit shall include standard drawings of the tower structure, turbine structure, footings, guy wire anchors and a professional engineers stamp.
 - c. Evidence of notification to the servicing utility informing the utility that the noncommercial WES will be connected to the utilities grid.
 - d. Evidence that noncommercial WES, when located within one thousand three hundred and twenty (1,320) feet of any waters of the United States, has complied with the requirements found in Checklist 1 below.

15.3 METEOROLOGICAL TOWERS. All meteorological towers located within the Extra Territorial Jurisdiction of the City of Ravenna shall conform to the following standards:

1. Shall be towers which are erected primarily to measure wind speed, direction, and record other data relevant to the site of a commercial WES.
2. Meteorological towers shall be sited according to Table 1 within this Chapter.
3. Meteorological towers shall be a conditional use and follow the same process as outlined in this Ordinance.
4. Meteorological towers, permanent or temporary, in excess of two hundred (200) feet in height, shall meet all FAA requirements and shall be required to apply for a permit prior to construction. Meteorological towers less than two hundred (200) feet in height shall have the guy wires clearly marked with devices common to overhead transmission lines and shall be required to apply for a permit prior to construction.
5. Setbacks: All meteorological towers shall adhere to the setbacks established in Table 2 below.

15.4 COMMERCIAL/UTILITY WIND ENERGY SYSTEMS. All commercial/utility wind energy systems located within the Extra Territorial Jurisdiction of the City of Ravenna shall conform to the following standards:

1. Commercial/utility WES shall be permitted as conditional uses within the districts as seen in Table 1 below.
2. The request for a Conditional Use Permit shall include the following:
 - a. Name(s) of project applicant.
 - b. Name(s) of project owner.
 - c. Legal description of the project.
 - d. Documentation of land ownership or lease of the property.
 - e. Site plan showing property lines, setbacks, proposed accessory buildings, wind turbine locations, transmission lines, adjacent subdivisions, homes or other structures, county and service roads, legend and scale, signature of surveyor or engineer.
 - f. Narrative description of the project including number, type, generating capacity, tower height, rotor diameter, total height of all wind turbines including meteorological towers, height of transmission lines and capacity, lastly proposed users of project.
 - g. Overview map of the area showing topography, location of WES owned or not owned by the applicant, public or private airfields within one mile of the proposed WES and other communication towers.
 - h. An acoustical report that certifies the WES will meet the noise requirements of this ordinance.
 - i. Evidence that other tower owners or lessees have been notified of the proposed WES and there will not be interference in communications.
 - j. An Environmental Assessment Worksheet shall be prepared by a qualified environmental engineering firm when a commercial WES is located within avian migratory routes. The Environmental Assessment Worksheet shall contain an avian assessment, map of the migratory routes and recommended mitigation practices.
 - k. A decommissioning plan as required by this Ordinance.
 - l. Meteorological and commercial/utility towers located within one (1) mile of any waters of the United States shall submit an Environmental Assessment Worksheet from the U.S. Environmental Protection Agency. Further a Conditional Use Permit shall not be issued until the applicant has completed Checklist 2 below.
 - m. There shall be a flicker/strobe effect study provided.

3. Aggregated Projects:
 - a. Aggregated projects may be jointly submitted as a single application and reviewed as a single application, including public notices, public hearing and subsequent approvals or denials.
 - b. Permits may be issued and recorded separately.
 - c. Aggregated projects proposed shall be considered conditional uses and follow the requirements of this Ordinance.
4. Joint projects will be assessed as one project.
5. Setbacks: All commercial/utility towers shall adhere to the setbacks found in Table 2 below.

CHECKLIST 1
Small Wind Energy Systems

	U.S. Fish and Wildlife Service
	Nebraska Game and Parks Commission
	Nebraska State Historical Society
	Nebraska Public Power District
	City of Ravenna Utilities

CHECKLIST 2
Commercial Wind Energy Systems

	U.S. Fish and Wildlife Service
	U.S. Army Corps of Engineers
	Nebraska Department of Aeronautics/Federal Aviation Agency (FAA)
	Nebraska Game and Parks Commission
	Nebraska State Historical Society
	Nebraska Department of Natural Resources
	Nebraska Department of Roads
	Nebraska Public Power District
	City of Ravenna Utilities

TABLE 1

Zoning District	Meteorological Tower	Non-Commercial WES	Commercial WES
Agriculture Residential District (AGR)	Conditional Use	Conditional Use	Not Permitted
Residential Single-Family District (R-1)	Not Permitted	Not Permitted	Not Permitted
Residential Single and Multi-Family District (R-2)	Not Permitted	Not Permitted	Not Permitted
Residential Mobile Home/Single and Multifamily District (R-3)	Not Permitted	Not Permitted	Not Permitted
Central Commercial District (C-1)	Not Permitted	Not Permitted	Not Permitted
Highway Commercial District (C-2)	Conditional Use	Conditional Use	Not Permitted
Industrial District (I)	Permitted	Conditional Use	Conditional Use

TABLE 2

	Wind Turbine, Non Commercial	Commercial and Utility WES	Meteorological Towers
Property Lines	1.1 times the total height.	½ blade diameter or 150', whichever is greater	1.1 times the tower height
All Road Rights-of-Way**	1.1 times the total height.	½ blade diameter or 150', whichever is greater	1.1 times the tower height
Other Public or Private Utility Easements	1.1 times the total height.	½ blade diameter or 150', whichever is greater	1.1 times the tower height
Public and Private Airfields	Per FAA regulations	Per FAA regulations	Per FAA regulations
Irrigation Canals	1.1 times the total height.	½ blade diameter or 150', whichever is greater	1.1 times the tower height

*The setback for dwelling units shall be reciprocal in that no dwelling unit shall be constructed within the same distance required for a common Wind Energy System.

**The setback shall be measured from any future Rights-of-Way if a planned change or expanded right-of-way is known.

ARTICLE 16

STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS, UTILITY AND DRAINAGE FACILITIES, AND ADDITIONAL IMPROVEMENTS

16.1 STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS

1. Streets. The arrangements, character, extent, width, grade and location of all streets shall conform to the comprehensive development plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. Street Extension. The street layout of the proposed subdivision shall provide for the continuation of appropriate projection of streets and alleys already existing in areas being subdivided. Where, at the determination of the City Council, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the City Council deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius of at least fifty (50) feet. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.
3. Dedication of Right-of-Way for New Streets. The dedication of right-of-way for new streets measured from lot line to lot line shall be as shown on the comprehensive development plan. All streets classified as arterial streets by the comprehensive development plan shall have all points of access approved by the City Council. Marginal access streets may be required by the City Council for subdivisions fronting on arterial streets.
4. Dedication of Right-of-Way for Existing Streets. Subdivisions platted along existing streets shall dedicate additional right-of-way if necessary to meet the minimum street width requirements set forth in this Article. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one (1) side of an existing street, one half of the required right-of-way width, measured from the center line of the existing roadway, shall be dedicated.
5. Intersections. Streets shall intersect as nearly as possible at an angle of 90 degrees. Street curb intersections shall be rounded by radii of at least twenty (20) feet. When the smallest angle of street intersection is less than 75 degrees, the City Council may require curb radii of greater length. Wherever necessary to permit the construction of a curb having a desirable radius without reducing the sidewalk at a street corner to less than normal width,

the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such curb construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access to an arterial street within one hundred and fifty (150) feet of the right-of-way of any street which intersects such arterial street on the side on which such lot or parcel is located.

6. Widths, Grades and Sight Distance Requirements. Right-of-way widths, pavements widths, grades and sight distance requirements shall be as follows:

TYPE	R.O.W.	PAVEMENT	GRADE	MINIMUM SIGHT DISTANCE ON CURVES
Arterial Street**	*100'	48'	8%	350'
Marginal Access Streets (Frontage)	40'	30'	8%	250'
Collector Streets	*66'	36'	8%	250'
Local Streets	60'	36'	10% Av.	150'
Alleys	20'	12' residential	No max.	None
		20' commercial	No max.	None
Cul-de-sac streets	50' radius (no fire hydrant); 55' radius (fire hydrant at center)	36' width & 45' radius	10% Av.	150'

* Streets in these classifications shall be designed and graded to the full right-of-way widths stated

**Determined by State Standards

The horizontal alignment on all streets except in unusual cases as determined by the Ravenna Planning Commission shall be as follows:

STREET TYPE	CENTERLINE RADII OF HORIZONTAL CURVES
Arterial Streets	400' Minimum
Collector Streets	300' Minimum
Local Streets	200' Minimum

7. Marginal Access Streets (Frontage). Where a subdivision abuts or contains an existing or proposed arterial street, the City of Ravenna may require access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Where the proposed subdivision abuts upon or contains an existing or proposed arterial street or highway or which traffic volumes and vehicular speeds warrant special safety considerations, the City may require that marginal access streets be provided in order that no lots front on such existing or proposed arterial street or highway.

Where a subdivision borders on or contains a railway right-of-way or limited access highway right-of-way, the City may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

8. Street Jogs. Street jogs with center line offsets of less than one hundred fifty (150) feet shall be prohibited. Cul-de-sacs, minor terminal or dead-end streets or courts which are designed so as to have one end permanently closed shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having a radius at the outside of the right-of-way of at least fifty (50') feet.
9. Street Names. Proposed streets which are in alignment with other already existing and named streets shall bear the names of such existing streets. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing street, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, lane, road, pike, highway, parkway or similar suffix. Whenever a street alignment changes direction more than 45 degrees without a return to the original alignment within a distance of five hundred (500') feet, then the name of the street shall be changed at the point of curvature. Whenever a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac. To avoid duplication and confusion, the proposed names of all streets shall be approved by the designated City Engineer prior to such names being assigned or used.
10. Private Streets and Reserve Strips. There shall be no private streets platted within a subdivision. There shall be no reserve strips in a subdivision except where their control is definitely vested in the City or County under conditions approved by the Council as authorized herein.

11. Street Surfacing. The streets in the proposed subdivision shall be paved, with Portland Cement concrete and integral curbs
12. Blocks. Except in unusual circumstances, the maximum length of blocks shall be 600 feet.
13. Street Name Signs. Street name signs, of a type in use throughout the City of Ravenna, shall be erected by the subdivider at all intersections.
14. Alleys. Alleys shall be provided to give access to the rear of all lots used for commercial and industrial purposes. Minimum right-of-way width of an alley shall be twenty (20') feet. Alley intersections and sharp changes in alignment shall be prohibited. Alley surfacing shall be gravel.

Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate facilities at the dead-end, as determined by the Ravenna City Council. Alleys need not be provided in residential areas where the subdivider produces evidence of easements which are satisfactory to the City Council.
15. Sidewalks. Sidewalks shall be provided and shall be constructed of Portland cement concrete. Sidewalk thickness shall be not less than four (4') inches and sidewalk width not less than four (4') feet. Sidewalks shall be built within one foot of property lines and shall be in compliance with standards of the Americans with Disabilities Act.
16. Driveways. Driveways shall have a maximum grade of ten (10%) percent. Driveways and curb cuts shall be located not less than three (3') feet from the side lot lines. Curb cuts for straight curbs and the flare for rolled curbs shall be three (3') feet wider than the driveway pavement on each side.
17. Street and Walkway Lighting. The street lights shall be installed by the City of Ravenna. Such lights shall be located at each street intersection.

16.2 STREET, UTILITY AND DRAINAGE FACILITIES

1. Sewer and Water. All sewer, water, drainage facilities and streets shall be designed in accordance with City Engineer Specifications. Drawings and specifications shall be developed by City Engineer and constructed under City supervision.

The cost of providing this engineering service and construction will be the responsibility of the owner or developer of the tract to be subdivided or by agreement with the City.

2. Erosion Control. The subdivider shall be required to provide for the control for greater than one (1) acre developed erosion of areas of the subdivision which are disturbed in accordance with the NPDES Construction Site Stormwater Permit.
3. Electric, Gas, and Telephone Improvements.
 - a. All water, sewer and drainage utilities shall be installed prior to gas, electric or telephone service.
 - b. Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, street lighting, and communications conductors may be installed underground at the option of the City Council.
 - c. Overhead secondary utility lines, where installed shall be located at the rear of all lots.
 - d. Whenever a sanitary sewer line and electric and/or telephone line is each placed underground in the same utility easement, the following provisions shall be applicable:
 - i. The total easement width shall not be less than fifteen (15') feet, and
 - ii. The sanitary sewer line shall be installed within three (3') feet of the easement, and the electric and/or telephone line shall be installed within three (3') feet of the opposite side of the easement.
 - e. Relocation of existing utilities are at the cost of the subdivider.

16.3 ADDITIONAL IMPROVEMENTS.

1. Extensions to Boundaries. The subdivider may be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Ravenna City Council.
2. Off-site Extensions. If street or utilities are not available at the boundary of a proposed subdivision, and if the Council finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a Municipal expense until some future time, the subdivider may be required, prior to the approval of the final plat, to obtain necessary easements or right-of-way and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land.

ARTICLE 17

LEGAL STATUS PROVISIONS

17.1 SEPARABILITY

Should any article, section or provisions of these regulations be declared by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of this ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

17.2 PURPOSE OF CATCH HEADS

The catch heads appearing in connection with the foregoing sections are inserted simply for convenience, to serve the purpose of any index and they shall be wholly disregarded by any person, officer, court or other tribunal in construing the terms and provisions of these regulations.

17.3 REPEAL OF CONFLICTING ORDINANCES

All other ordinances and regulations in conflict with this ordinance are hereby repealed to the extent necessary to give these regulations full force and effect.

17.4 EFFECT DATE

This ordinance shall take effect and be in force from and after its passage and publication according to law.

ARTICLE 18
SIGN REGULATIONS

18.1 APPLICABILITY

Any sign shall, by definition, be a structure. No land or building or structure shall be used for sign purposes except within the stipulated districts listed in the Sign Regulations specified herein. All signs legally existing at the time of passage of these regulations may remain in use under the conditions of legal non-conformance. Signs in legal non-conformance shall not be enlarged, moved, lighted, or reconstructed; however, the change of the advertising display shall not be restricted except as previously stated. After the effective date of this Regulation, no sign shall be erected, enlarged, constructed or otherwise installed without first obtaining a building permit, and a building permit shall be legally issued only when in compliance with this sign regulation. All signs shall be constructed in such a manner and of such materials that they shall be safe and substantial. Scale drawings of the sign and manner of supports shall be furnished to the Zoning Administrator in application for a sign, permit for all signs.

18.2 CLASSIFICATION OF SIGNS

1. Advertising Sign. A sign which directs the attention of the public to any goods, merchandise, property, business, service, entertainment or amusement conducted or produced which is bought or sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located or to which it is affixed.
2. Bulletin Board Sign. A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcement of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.
3. Business Sign. A sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.
4. Construction Sign. A temporary sign indicating the names of the architects, engineers, landscape architects, contractors and similar artisans involved in the design and construction of a structure, complex or project. This sign is permitted only during the construction period and only on the premises on which the construction is taking place.

5. Identification Sign. Sign giving the name and address of a building, business, development or establishment. Such signs may be wholly or partly devoted to a readily-recognized symbol.
6. Name Plate Sign. A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, a professional status.
7. Real Estate Sign. A sign pertaining to the sale or lease of a lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof on which the sign is located.

18.3 STRUCTURAL TYPES

1. Awning, Canopy or Marquee Sign. A sign that is mounted on, painted on, or attached to, an awning, canopy or marquee. No such signs shall project above, below or beyond the awning, canopy or marquee.
2. Ground Sign. Any sign placed upon, or supported by, the ground independent of the principal building or structure on the property, where the bottom edge of the sign is less than six (6) feet above the ground.
3. Pole Sign. Any sign placed upon, or supported by, the ground independent of the principal building or structure on the property where the bottom edge of the sign is six (6) feet or more above the ground level.
4. Projecting Sign. A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
5. Wall Sign. A sign fastened to or painted on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than 12 inches from such building.
6. Roof Sign. A sign totally supported on the roof of a structure. Roof signs shall not project more than 12 inches beyond the face of the building.

18.4 GENERAL STANDARDS

1. Gross Area of Sign. Gross area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign, exclusive of the base on which it is mounted or from which it is suspended. If more than one side of a sign is utilized as a sign, then only the largest side shall be computed and shall be counted as a portion of the gross area. On lots where more than one sign is located, the total gross area of all the signs shall not exceed the maximum gross area permitted by this regulation. For computing

the gross area of any wall sign which consists of letters mounted or painted on a wall, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters.

2. Sign Height. Sign height shall be measured from the ground elevation at the base of the sign to the highest element of the sign.
3. Illuminated Signs. A sign designed to give forth artificial light or designed to reflect light derived from any source:
 - a. Illuminated signs shall be designed as to reflect or direct light away from any residential dwelling district.
 - b. Lighted signs in direct vision of a traffic signal shall not be in red, amber or green illumination.
4. Flashing or Moving Signs. Any illuminated sign on which the artificial light is not constant in intensity or color at all times shall be considered as a flashing sign. For the purpose of this regulation, any revolving, rotating, moving, animated, signs with moving lights or signs which create the illusion of movement shall be considered as a flashing sign.
 - a. Flashing signs shall not be permitted in any district.
 - b. A sign which displays the current time and/or temperature by use of intermittent lighting shall not be deemed a flashing sign if the lighting changes are limited to text indicating time, temperature or other public messages. Such sign shall not in any case exceed 32 square feet in area.
5. Accessway or Window. No sign shall block any required accessway or window.
6. Signs on Trees or Utility Poles. No sign shall be attached to a tree or utility pole whether on public or private property.
7. Metal Signs. Signs constructed of metal and illuminated by any means requiring internal wiring or electrically-wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine (9) feet. Accessory lighting fixtures attached to a non-metal frame sign shall also maintain a clearance of nine (9) feet to grade. No metal ground sign shall be located within eight (8) feet vertically and four (4) feet horizontally of electric wires or conductors in free air carrying more than 48 volts, whether or not such wires or conductors are insulated or otherwise protected.
8. Traffic Safety.
 - a. No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic or railroad control sign, signal or device, or where it may interfere with, mislead, or confuse traffic.

- b. Any sign located within three (3) feet of a driveway or within a parking area shall have its lowest elevation at least ten (10) feet above the curb level; however, in no event shall any sign except wall signs and awnings, canopy or marquee signs be placed so as to project over any public right-of-way.
 - c. Under no circumstances shall any sign be placed in the sight triangle as defined by this regulation.
9. Lineal Street Frontage. In those districts where gross sign area is allocated based on lineal street frontage and the tract or parcel is adjacent to more than one street, the lineal street frontage shall be computed as follows:
- a. For those tracts or parcels located on collector or arterial streets as designated in the Major Street Plan of the Comprehensive Plan, the lineal street frontage shall be the distance of that property line abutting the collector or arterial street.
 - b. For those tracts or parcels not located on a major street, the lineal street frontage shall be one-half the sum of all the street frontages.
10. Portable Signs. Portable signs shall be permitted on a temporary basis in only the "C-1", and "C-2" Districts, subject to the following conditions:
- a. Portable signs shall not be placed on public right-of-way.
 - b. An applicant may utilize a portable sign for a period of not more than seven consecutive days and shall be permitted to utilize a portable sign a maximum of four times per calendar year.
 - c. No portable sign shall be utilized without first obtaining a building permit from the Zoning Administrator.
 - d. A portable sign shall contain no more than 32 square feet of advertising space, including all sides of the sign.

18.5 EXEMPTIONS

1. Total Exemptions. The following signs shall be exempt from the requirements of this Article, except for the provisions of Section 18.4.
- a. Flags or emblems of a governmental or of a political, civic, philanthropic, educational or religious organization, displayed on private property.
 - b. Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossing and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
 - c. Memorial signs, and tablets displayed on public or private property.
 - d. Small signs, not exceeding three (3) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and other similar signs.
 - e. Score boards in athletic stadiums.

- f. Political campaign signs, not exceeding four (4) square feet in area, may be displayed for a period beginning on the last day of the statutory filing period and ending one-week after the general or special election. Political signs may remain up between the primary and general elections except that signs for candidates who lost in the primary and signs that become deteriorated or partially destroyed shall be removed.
 - g. Temporary signs for the sale of household goods at a residence (garage sales) for a period not to exceed three (3) days.
2. Exemptions from Building Permit. The following signs are exempt from the building permit section of this Article, but shall comply with all of the other regulations imposed by this Article.
- a. Name plate signs not exceeding two (2) square feet in gross area accessory to a single-family or two-family dwelling.
 - b. Bulletin board signs not exceeding 100 square feet in gross area accessory to a church, school or public or non-profit institution.
 - c. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.
 - d. Real estate signs not exceeding six (6) square feet in area.
 - e. Construction signs not exceeding sixteen (16) square feet in area.

18.6 DISTRICT REGULATIONS

1. "AGR" Agriculture Residential District. "R-1" Residential Single Family District. "R-2" Residential Single and Multifamily District, and "R-3" Residential Mobile Home/Single and Multifamily District.
- a. Functional Types Permitted.
 - i. Business signs pertaining to a home occupation and subject to the sign requirements of the home occupation section of this regulation.
 - ii. Bulletin board signs.
 - iii. Construction signs.
 - iv. Identification signs.
 - v. Name plate signs.
 - vi. Real estate signs.
 - b. Structural Types Permitted.
 - i. Ground signs.
 - ii. Wall signs.
 - c. Number of Signs Permitted: One sign per zoning lot.
 - d. Maximum Gross Area:
 - i. Business signs - home occupations only: 2 square feet.
 - ii. Bulletin board and Identification signs: 100 square feet.
 - iii. Construction signs: 32 square feet.
 - iv. Name plate signs: 2 square feet.
 - v. Real estate signs: 6 square feet, provided that one sign not more than 100 square feet in area announcing the sale of lots and/or

houses in a subdivision may be located on said development. Said sign shall be removed at the end of three years or when seventy-five (75) percent of the lots have been sold, whichever occurs sooner.

- e. Maximum Height: 15 feet.
- f. Required Setback: No sign shall be placed closer to the front property line than the distance of the required front yard.
- g. Illumination: Bulletin boards and identification signs may be indirectly illuminated with incandescent or fluorescent lighting.

2. "C-1" General Business District, "C-2" Highway Business District and "I" Industrial District.

- a. Functional Types Permitted.
 - i. Advertising signs.
 - ii. Bulletin board signs.
 - iii. Business signs.
 - iv. Construction signs.
 - v. Identification signs.
 - vi. Name plate signs.
 - vii. Real estate signs.
- b. Structural Types Permitted.
 - i. Awning, canopy or marquee signs.
 - ii. Ground signs.
 - iii. Pole signs.
 - iv. Projecting signs.
 - v. Wall signs.
- c. Number of Signs Permitted.
 - i. Awning, canopy or marquee signs and wall signs: No limitations.
 - ii. Ground signs and pole signs: Two per zoning lot.
 - iii. Projecting signs: One per zoning lot.
- d. Maximum Gross Surface Area: Four (4) square feet for each lineal foot of street frontage, provided no single sign shall exceed a gross surface area of 400 square feet.
- e. Maximum Height: 30 feet.
- f. Required Setback: None, except that advertising signs shall maintain the same setback that is required for principal structures.
- g. Illumination: Illuminated signs shall be permitted.

18.7 PROHIBITED SIGNS

Signs shall not be erected or maintained in such a manner as to obscure, or otherwise physically interfere with an official traffic sign, signal or device, or in such a manner as to obstruct or interfere with a driver's view of approaching, merging or intersecting traffic. This shall also mean pedestrian traffic on sidewalks. All road signs shall be maintained in a neat and presentable condition. The erection or maintenance of the following signs shall not be permitted:

1. Signs advertising activities that are illegal under Federal, State, or local laws or regulations.
2. Obsolete signs.
3. Signs that are broken or needing substantial repair.
4. Signs that are not securely affixed to a structure.
5. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaches to intersections.
6. Signs erected or maintained upon trees or utility poles.
7. Movable signs which are painted, printed, or mounted and which are visible from the traveled way of any Federal-Aid Primary Highway.
8. Signs in officially designated scenic areas or in parkland which are visible from the traveled way of any Federal-Aid Primary Highway.