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ARTICLE FOUR

ZONING DISTRICT REGULATIONS

401 Purpose

Article Four presents the Zoning District Regulations. Zoning Districts are established in the Zoning Ordinance to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

402 Establishment of Districts

The following base districts and overlay districts are hereby established. Table 4-1 displays the purposes of these districts.

<u>ZONING DISTRICTS</u>	<u>DISTRICT NAMES</u>
AG	Agriculture District
AT	Agricultural Transition District
R1	Low Density District
R2	High Density District
MH	Mobile Home District
C1	Central Business District
C2	Highway Services District
I1	Urban Industrial District
I2	Industrial Park District

403 Application of Districts

A base district designation shall apply to each lot or site within the village and its planning jurisdiction. A site must be in one base district.

404 Hierarchy

References in the Zoning Ordinance to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial base zoning districts established in Section 402, and shall represent a progression from the AG Agricultural District as the least intensive to the I Industrial District as the most intensive.

405 Development Regulations

For each Zoning District: Purposes are set forth in Table 4-1; Uses permitted are set forth in Table 4-2; and Site Development Regulations are presented in Table 4-3.

Supplemental Regulations may affect specific land uses or development regulations in each zoning district.

406 Zoning Map

- I. Adoption of Zoning Map

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Boundaries of zoning districts established by this Zoning Ordinance shall be shown on the Zoning Map maintained by the Village Clerk. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of, and concurrent with this Ordinance. Said Zoning Map shall be prominently displayed in the council chambers and/or an area accessible to the public at Verdigre Village Hall.

### 2. Changes to the Zoning Map

The Zoning Map may be changed from time to time by ordinance, following the procedure set forth by Article Twelve. Such changes shall be reflected on the Zoning Map. The Village Clerk shall keep a complete record of all changes to the Zoning Map.

### **407 Interpretation of District Boundaries**

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

1. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.
2. Where district boundaries are indicated as within street or alley, railroad, or other identifiable rights-of-way, the centerline of such rights-of-way shall be deemed the district boundary.
3. Where a district boundary divides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map.
4. The Village Council shall determine any other uncertainty regarding district boundaries not covered in this section.

### **408 Vacation of Streets and Alleys**

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former centerline.

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### Purposes of Zoning Districts

Symbol	Title	Purpose
AG	Agricultural District	The AG District provides for and preserves the agricultural and rural use of land, while accommodating very low density residential development generally associated with agricultural uses. This district is designed to maintain complete agricultural uses within the Verdigre extra-territorial jurisdiction.
AT	Agricultural Transition District	This district is intended for traditional agricultural uses around the perimeter of the community, excluding confined feeding operation expansion or future development. Possible uses in this area include: existing agricultural uses to be grandfathered, low intensity agricultural uses, rural residential housing clusters, public facilities, and recreational areas. This zoning district provides a buffer zone to minimize conflicts between urban and rural land uses.
R1	Low Density Residential	This zone provides for conventional single-family residential development and compatible civic uses, including religious assembly, child care, and parks and recreation. A modular or manufactured home set permanently on a foundation is considered a conventional single-family house. Uncovered or unscreened outdoor storage of material or automobiles is not allowed in this or other residential zones.
R2	High Density Residential	This district provides for medium density residential environments, incorporating a variety of housing types, including moderate density single-family, duplex, and townhouse development. The multiple-family uses by Conditional Use Permit include: Apartments, condominium, multi-family townhouses and other types of large multi-family developments would be allowed in addition to the residential uses of the other residential districts. The district integrates some appropriate non-residential uses such as offices to permit the development of mixed use neighborhoods.
MH	Mobile Home District	This district will apply to areas that permit mobile homes in addition to conventional single-family dwellings. Mobile Home Parks and Mobile Home Subdivisions would be allowed in this district.
C1	General Business District	This district will apply to the downtown and will permit buildings to be built to the property line of lots. Allowed uses will include commercial, civic, residential, and light industrial uses. The grouping of uses is designed to strengthen the town center's role as a center for trade, service, and civic life.
C2	Highway Services District	This district accommodates a variety of commercial uses, including those which are oriented to automobile services. This district may include commercial uses that are oriented to services, including automotive services, and larger retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. Warehousing, storage, and personal storage units would be appropriate in this district. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts.
I-1	Urban Industrial District	This zone will designate areas for industrial or storage uses with relatively limited environmental effects. The district is designed to allow low-impact industrial uses on existing lots within the village

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center with lot coverage and setback regulations designed to facilitate development, retention and expansion of industrial uses. Screening of industrial zones along any common boundaries with residential uses will be required.

### I-2 Industrial Park District

This zone will designate areas for industrial or storage uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring facilities are served with adequate parking and loading facilities. Screening of industrial zones along any common boundaries with residential uses will be required.

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### 409 AG – Agricultural District

Intent: The (AG) Agricultural District is established for the purpose of preserving agricultural pursuits and resources that are compatible with the urban type uses of a village. It does allow limited ownership of livestock, but is not intended for commercial livestock operations.

Permitted Uses:

1. Residential dwellings, including manufactured homes, on less than forty acres in accordance with density requirements.
2. Farming, pasturing, truck gardening, and orchards, including the sale of products raised on the premises, provided that no livestock feedlot or yard shall be established.
3. Type I and Type II livestock facilities as defined in Article 3, Section 303 in conjunction with raising crops, pasturing or natural feeding.
4. Residential dwellings, including manufactured homes, on forty or more acres for use by the owners and their families, tenants, and employees.
5. Railroads, not including switching, terminal facilities or freight yards.
6. Public overhead and underground local distribution utilities.
7. Utility structures and buildings.
8. Roadside stands offering the sale of agriculture products produced on the premises.
9. Livestock sales.
10. Emergency Residential Services, Safety Services, and Utilities.
11. Public parks and campgrounds.
12. Stables or Riding Schools, and Veterinary Services, providing no structure or building used to house horses or other animals is located closer than one-hundred feet (100') too any residential use or drinking water well, and no less than three-hundred feet (300') to any neighboring residence.
13. Amateur Radio Towers.

Permitted Conditional Uses:

1. Roadside stands offering the sale of agriculture products produced elsewhere.
2. Private parks, including country clubs, golf courses (not miniature), swimming pools, and campgrounds.
3. Group and Retirement residential uses.
4. Educational institutions, including public and private primary education facilities, public and private secondary education facilities, public and private college and universities, and vocational, business or trade schools
5. Cemeteries, private clubs, limited day care services, detention facilities, group care facilities, group homes, health care facilities (not including hospitals), maintenance facilities, public assembly facilities, and religious assembly facilities.
6. Water supply and storage facilities, wastewater treatment, sewage disposal, and solid waste disposal facilities.
7. Agricultural sales and/or services, equipment rental and/or sales, equipment repair services, short-term vehicle storage, and bed and breakfast establishments.
8. Off-street parking.
9. Agricultural industries, construction yards, custom manufacturing, recycling collection, recycling processing, extraction and mining of natural resources, enclosed and open warehousing.
10. Airports, heliports, railroad facilities, truck terminals.
11. Alternative energy production, broadcasting towers, wireless communication towers, construction batch plants, and wind energy conservation facilities.
12. Home Occupations.
13. Convenience Stores.
14. Commercial auction yards and barns.
15. Feed mills.
16. Auto wrecking yards, junk yards, salvage services, and scrap processing yards licensed by the State of Nebraska.
17. Storage and distribution of anhydrous ammonia, fuel, fertilizer, and other chemicals.
18. Spreading of manure or liquid animal waste from another county or jurisdiction.

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Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, including a mobile home when a permanent dwelling is under construction, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Private swimming pool, tennis courts and other similar facilities in conjunction with a residence.
6. Storage or parking of legally licensed and operating vehicles, boats, campers, trailers, and agricultural machinery on a working farm.
7. Kennels (Private)
8. Kennels (Commercial) and Pet Services providing no structure or building used to house dogs or cats is located closer than one-hundred feet (100') to any residential use or drinking water well, and no less than three-hundred feet (300') to any neighboring residence.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Residential Dwelling	3 acres	300 ft.	*	**	***	35 feet
Other Permitted Uses	3 acres	300 ft.	*	**	***	35 feet
Permitted Conditional Uses	20 acres	600 ft.	*	**	***	35 feet
Accessory Buildings	-	-	*	**	***	35 feet

\* Front yard setback shall be fifty feet (50') when abutting a State Highway or County Road, or shall be thirty-five feet (35') when abutting any other street or road, including private roads.

\*\* Side yard setback shall be fifty feet (50') when abutting a State Highway or County Road, or shall be thirty-five feet (35') when abutting any other street or road, including private roads, and shall be seven feet (7') from interior property lines.

\*\*\* Rear yard setback shall be fifty feet (50') when abutting a State Highway or County Road, or shall be thirty-five feet (35') when abutting any other street or road, including private roads, and shall be twenty-five feet (25') from interior property lines.

Other Applicable Provisions:

1. The following uses shall be located a minimum of one-thousand-three-hundred-twenty feet (1,320') from any adjacent residential, commercial, industrial, or public use, as measured from the nearest point on the lot line.
  - a. Commercial auction barns or yards and livestock sales.
  - b. Commercial production and husbandry of poultry, fish, and small animals.
  - c. Commercial feedlots or confined feeding operations.
  - d. Mining and extraction of natural resources.
  - e. Feed mills.
  - f. Veterinarians' offices and hospitals, and boarding kennels, applicable only to any structure or building used to house horses or other animals.
  - g. The raising and care of animals for 4-H, Future Farmers of America (FFA) or other rural/school organizations.
  - h. Auto wrecking yards, junk yards, salvage yards, and scrap processing yards.
  - i. Storage and distribution of anhydrous ammonia, fuel fertilizer, and other chemicals.

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2. No new residential, commercial, industrial, or public use shall be located nearer than one-thousand-three-hundred-twenty feet (1,320') to any existing use listed in Number One (1.) above.
3. Any feedlot or confined feeding operation operating at the time of adoption of this ordinance in the AG – Agricultural District shall be “Grandfathered” and allowed to continue to operate. However, the feedlot or confined feeding operation may not expand to a larger class size as defined by the Nebraska Department of Environmental Quality.

410 AT – Agricultural Transition District

Intent: The (AT) Agricultural Transition District is intended to permit a transitional district between medium-impact agricultural land uses and the urban land uses associated with a city or village.

Permitted Uses:

1. Farming, pasturing, truck gardening, and orchards, including the sale of products raised on the premises, provided that no livestock feedlot or yard shall be established.
2. Single family dwellings including manufactured homes.
3. Type I livestock facilities as defined in Article 3, Section 303.
4. Health care facilities.
5. Limited day care services.
6. Religious assembly facilities.
7. Emergency residential services.
8. Publicly owned and operated parks and recreation facilities other than campgrounds.
9. Safety services.
10. Amateur Radio Towers.

Permitted Conditional Uses:

1. Type II livestock facilities as defined in Article 3, Section 303.
2. Group and Retirement residential uses.
3. Privately owned and operated parks and recreation facilities including public or privately operated campgrounds.
4. Educational institutions, including public and private primary education facilities, public and private secondary education facilities, public and private college and universities, and vocational, business or trade schools.
5. Cemeteries, private clubs, limited day care services, detention facilities, group care facilities, group homes, convalescent services, hospitals, guidance services, cultural services, postal facilities, and public assembly facilities.
6. Public utilities including substations, distribution centers, regulator stations, pumping stations, equipment buildings, garages, towers, water supply and storage facilities, including but not limited to, wastewater treatment, sewage disposal, and other similar service uses.
7. Kennels (Commercial), Pet Services, and Veterinary Services, providing no structure or building used to house horses or other animals is located closer than one-hundred feet (100') too any residential use or drinking water well, and no less than three-hundred feet (300') to any neighboring residence.
8. Broadcasting towers, wireless communication towers, construction batch plants, and wind energy conservation facilities.
9. Off-street parking.
10. Gaming Facilities.
11. Convenience Stores.
12. Bed and breakfast establishments.
13. Home Occupations.
14. Spreading of manure or liquid animal waste from another county or jurisdiction.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Private swimming pool, tennis courts and other similar facilities in conjunction with a residence.
6. Landscaping pursuant to this ordinance.
7. Kennels (Private) providing no structure or building used to house animals is located closer than one-hundred feet (100') too any residential use or drinking water well, and no less than three-hundred feet (300') to any neighboring residence.



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8. Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Residential Dwelling	3 acres	300 feet	25 feet	*	10 feet	35 feet
Other Permitted Uses	5 acres	300 feet	35 feet	*	10 feet	35 feet
Permitted Conditional Uses	10 acres	600 feet	35 feet	*	10 feet	35 feet
Accessory Buildings	-	-	25 feet	*	6 feet	20 feet

\*Side yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be six feet (6') from interior property lines.

Other Applicable Provisions:

1. Any feedlot or confined feeding operation operating under a Conditional Use Permit at the time of adoption of this ordinance in the AG – Agricultural District shall be “Grandfathered” and allowed to continue to operate and may renew the existing Conditional or Special Use Permit. However, the feedlot or confined feeding operation may not expand to a larger class size as defined by the Nebraska Department of Environmental Quality.

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**411 R1 – Low Density Residential**

Intent: The (R1) Low Density District is intended to permit an increased density of residential development in a single family environment.

Permitted Uses:

1. Single family detached dwellings including manufactured homes.
2. Public and private schools.
3. Limited day care services.
4. Religious assembly facilities.
5. Emergency residential services.
6. Publicly owned and operated parks and recreation facilities other than campgrounds.
7. Safety services.

Permitted Conditional Uses:

1. Single family attached dwellings.
2. Group and Retirement residential uses.
3. Public utilities including substations, distribution centers, regulator stations, pumping stations, equipment buildings, garages, towers, water supply and storage facilities, including but not limited to, wastewater treatment, sewage disposal, and other similar service uses.
4. Cemeteries, private clubs, limited day care services, guidance services, health care facilities, convalescent services, hospitals, cultural services, postal facilities, and public assembly facilities.
5. Educational institutions, including public and private primary education facilities, public and private secondary education facilities, public and private college and universities, and vocational, business or trade schools.
6. Amateur Radio Towers.
7. Home Occupations.
8. Bed and breakfast establishments.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Private swimming pool, tennis courts and other similar facilities in conjunction with a residence.
6. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Single Family dwelling, detached	10,000 sq. ft.	50 feet	15 feet	*	10 feet	35 feet
Single Family attached	10,000 sq. ft. per unit	50' per unit	15 feet	**	10 feet	35 feet
Other Permitted and Conditional Uses	10,000 sq. ft.	100 feet	25 feet	*	10 feet	35 feet
Accessory Buildings	-	-	25 feet	*	6 feet***	20 feet

\*Side yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be six feet (6') from

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interior property lines.

\*\* Party walls shall have a zero lot line setback and shall be on the property line separating both dwellings. The opposite side yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be twelve feet (12') from interior property lines.

\*\*\* If an alley is located at the rear of the lot, the accessory rear yard setback may be reduced to three feet (3').

412 R2 – High Density Residential

Intent: The (R2) High Density District is intended to permit an increased density of residential development to include two-family units, as well as other compatible uses.

Permitted Uses:

1. Single family detached dwellings including manufactured homes.
2. Single family attached dwellings.
3. Two-family dwellings.
4. Bed and breakfast establishments.
5. Group and Retirement residential uses.
6. Convalescent services and hospitals.
7. Public and private schools.
8. Limited day care services and general day care services.
9. Religious assembly facilities.
10. Emergency residential services.
11. Publicly owned and operated parks and recreation facilities other than campgrounds.
12. Safety services.
13. Amateur radio towers.

Permitted Conditional Uses:

1. Multiple Family Residential dwellings.
  - a. The common wall between attached units shall be on the side lot line separating the two lots and shall not be subject to side yard requirements providing there are no doors, windows, vents or other openings in the common wall.
  - b. Not more than ten (10) units shall be attached in this district.
  - c. No unit shall have a depth greater than four (4) times its width.
  - d. Any exterior wall, which is not a common wall, must meet all yard requirements.
  - e. Each lot must have direct access to a public street.
  - f. The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.
  - g. The application for such conditional use must include a plat plan with the general location of buildings, parking areas, driveways, fences and other structures, the location of easements and utility lines, the number and type of all dwelling units, and the property lines within the proposed development.
2. Lodging.
3. Public utilities including substations, distribution centers, regulator stations, pumping stations, equipment buildings, garages, towers, water supply and storage facilities, including but not limited to, wastewater treatment, sewage disposal, and other similar service uses.
4. Cemeteries, private clubs, limited day care services, health care facilities, medial offices, convalescent services, hospitals, general offices, financial services, cultural services, postal facilities, maintenance facilities, and public assembly facilities.
5. Public and private campgrounds and commercial outdoor recreation facilities.
6. Personal improvement services.
7. Pet services.
8. Detention facilities.
9. Home occupations.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Private swimming pool, tennis courts and other similar facilities in conjunction with a residence.
6. Landscaping pursuant to this ordinance.

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Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Single Family dwelling, detached	2,200 sq. ft.	50 feet	25 feet	*	10 feet	35 feet
Single Family attached	2,400 sq. ft. per unit	50' per unit	25 feet	**	10 feet	35 feet
Condominiums and Townhouses	2,500 sq. ft. per unit	25' per unit	25 feet	**	10 feet	35 feet
Multi-Family Dwelling	Per unit					
1-Story	4,000 sq. ft.	100'	30 feet	**	25 feet	45 feet
2-Story	2,500 sq. ft.	100'	30 feet	**	25 feet	45 feet
3-Story	1,750 sq. ft.	100'	30 feet	**	25 feet	45 feet
Other Permitted and Conditional Uses	8,000 sq. ft.	75 feet	25 feet	*	10 feet	45 feet
Accessory Buildings	-	-	25 feet	*	6 feet***	17 feet

\*Side yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be six feet (6') from interior property lines.

\*\* Party walls shall have a zero lot line setback and shall be on the property line separating both dwellings. The opposite side yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be thirty-five feet (15') when abutting any other street or road, including private roads, and shall be seven feet (6') from interior property lines.

\*\*\* If an alley is located at the rear of the lot, the accessory rear yard setback may be reduced to three feet (3').

414 MH – Mobile Home District

Intent: The (MH) Mobile Home District is intended to permit mobile home development on leased or owned property in areas where a mobile home park or subdivision is appropriate, and where such development is recognized as being in the best interests of the Village. The MH District is a floating zone district. Although the specific conditions within this district are predetermined, the location of a proposed district must be carefully reviewed to assure that the strict conditions are met.

Permitted Uses:

1. Single family detached dwellings including manufactured homes.
2. Single family attached dwellings.
3. Two-family dwellings.
4. Multiple Family Residential dwellings
5. Mobile home dwellings.
6. Limited day care services and general day care services.

Permitted Conditional Uses:

1. Government administration.
2. Public utilities including substations, distribution centers, regulator stations, pumping stations, equipment buildings, garages, towers, water supply and storage facilities, including but not limited to, wastewater treatment, sewage disposal, and other similar service uses.
3. Cemeteries, private clubs, postal facilities, maintenance facilities, religious assembly facilities, and safety facilities.
4. Home occupations.
5. Amateur radio towers.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Signs legal under this ordinance.
3. Parking legal under this ordinance.
4. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements:

1. A mobile home development shall have a lot area of not less than three (3) acres. No mobile homes or other structures shall be located less than sixty feet (60') from the road centerline when contiguous to or having frontage to a County Road or State Highway. The setback on all other property lines shall be fifteen feet (15') and these areas shall be landscaped. The minimum lot depth in a mobile home development shall be two-hundred feet (220').
2. Each lot provided for occupancy of a single mobile home dwelling shall have as area of not less than four thousand square feet (4,000 sq. ft.), excluding road right-of-way, and a width of not less than forty feet (40'). Each individual lot shall have:
  - a. Side yard setback shall not be less than five feet (5'), except that on corner lots, the setback for all buildings shall be a minimum of twenty-five feet (25') on the side abutting a street/road.
  - b. Front yard setback shall not be less than twenty five feet (25').
  - c. Rear yard of not less than fifteen feet (15').
3. There shall be a minimum livable floor area of five-hundred square feet (500 sq. ft.) in each mobile home.
4. Height of the buildings shall be:
  - a. Maximum height for principal uses shall be thirty-five feet (35').
  - b. Maximum height for accessory uses shall be ten feet (10').
5. Each lot shall have access to a hard surfaced drive not less than twenty-four feet (24') in width, excluding parking.
6. A sidewalk or walkway no less than four feet (4') in width must be installed along any interior streets within the development. This walkway may be paved, graveled, or covered in wood chips, and must be separated from the roadway by a minimum distance of ten (10') feet. This area may be used to calculate the required front yard setback.

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7. Community water and sewer disposal facilities shall be provided at the cost of the developer with connections to each lot, in accordance with design standards for the Village. The water supply shall be sufficient for domestic use and for fire protection.
8. Service buildings, including adequate laundry and drying facilities and common toilet facilities for mobile homes which do not have these facilities within each unit may be provided. **Storm shelters will also be provided in case of an emergency.**
9. Not less than ten percent (10%) of the total development area shall be designed and used for park, playground and recreational purposes.
10. Each mobile home dwelling shall be provided with a paved patio or equivalent, other than parking spaces, of not less than one-hundred-fifty square feet (150 sq. ft.).
11. If located on a State Highway or County Road, the mobile home development shall have not more than two (2) direct accesses to said road.

### Plan Requirements:

1. A complete plan of any new or expansion of an existing mobile home development shall be submitted showing:
  - a. A development plan and grading plan of the development.
  - b. The area and dimensions of the tract of land.
  - c. The number, location, and size of all mobile home spaces.
  - d. The area and dimensions of the park, playground and recreation areas.
  - e. The location and width of roadways and walkways.
  - f. The location of service buildings and any other proposed structures including swimming pools.
  - g. The location of water and sewer disposal facilities.
  - h. Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home development.
2. All lots must be platted in accordance with the Subdivision Regulations of the Village of Verdigre.
3. Financial Responsibility: Each application for a mobile home development shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.
4. Completion Schedule: Construction must begin on any approved mobile home development within one year of the date of approval by the Village Board. Such construction shall be completed within two years of approval, unless otherwise extended by the Board.
5. All other uses and provisions of the Verdigre mobile home development regulations are incorporated herein by reference.

**415 C1 -- General Business District**

Intent: The (C1) General Business District is intended to establish standards that will foster commercial development in the existing downtown will benefit the retail trade, business, cultural, and social activities of the entire community.

Permitted Uses:

1. Downtown Residential
2. Civic Uses including: government administration, clubs, college and universities, cultural services, general day care services, guidance services, health care (excluding hospitals), parks and recreation, postal facilities, primary education facilities, public assembly facilities, religious assembly facilities, safety services, secondary education facilities, and utilities.
3. Office Use Types including: general offices, financial services, and medical offices.
4. Commercial Use Types, other than those uses defined in Adult Establishments, including:
  - a. Business support services.
  - b. Business or trade schools.
  - c. Cocktail lounges and bars, not including uses defined in Adult Establishments.
  - d. Indoor commercial recreation.
  - e. Communications services.
  - f. Construction sales and services.
  - g. Consumer services.
  - h. Convenience storage.
  - i. Convenience stores.
  - j. Food sales (grocery stores).
  - k. Funeral services.
  - l. Retail services.
  - m. Laundry services.
  - n. Liquor sales.
  - o. Lodging.
  - p. Personal improvement services.
  - q. Pet services.
  - r. Research services.
  - s. Restaurants.
  - t. Surplus sales.
  - u. Veterinary services for small animals only with no outdoors boarding or kennel facilities.
5. Off-Street parking.
6. Passenger transportation excluding airports.
7. Amateur radio towers.
8. Warehousing of non-hazardous materials.

Permitted Conditional Uses:

1. Convalescent Services.
2. Limited day care services.
3. Group care facilities and group homes.
4. Hospitals.
5. Maintenance facilities.
6. Agricultural sales and services.
7. Auction yards and barns.
8. Auto rental/sales services.
9. Auto services including convenience stores with limited fuel sales and gas stations.
10. Equipment rental/sales.
11. Equipment repair services.
12. Body repair.
13. Dry Cleaners and establishments with one dry cleaning unit having a capacity not to exceed 35 pounds per cycle using nonflammable or non-explosive solvents.
14. Broadcasting towers.
15. Vehicle storage (short-term).



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16. Bed and breakfast establishments.
17. Home occupations.
18. Manufacturing of non-hazardous products.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Permitted Uses	3,000 sq. ft.	25 feet	0 feet	*	**	45 feet
Permitted Conditional Uses	3,000 sq. ft.	25 feet	0 feet	*	**	45 feet
Accessory Buildings	-	-	0 feet	*	**	20 feet

\* None, except Side Yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be fifteen feet (15') when adjacent to any residential district.

\*\* None, except that when adjacent to any residential district, the Rear Yard setback shall be twenty-five feet (25').

Use Limitations:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within fifteen feet (15') of such residential district.
2. When adjacent to any residential district, any construction shall provide a six foot (6') high permanent screen in order to minimize impacts on residentially zoned property pursuant to this ordinance.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. When adjacent to a public alley or undeveloped platted public right-of-way, the width of the alley or right-of-way shall be included in computing the minimum rear yard setback.

416 C2 – Highway Services District

Intent: The (C2) Highway Services District is intended to establish standards that will foster and maintain a specific area of commercial development that will benefit the entire community and enhance the highway corridor approaching Verdigre.

Permitted Uses:

1. Downtown Residential
2. Civic Uses including: government administration, clubs, college and universities, general day care services, guidance services, health care, hospitals, maintenance facilities, parks and recreation, postal facilities, primary education facilities, public assembly facilities, religious assembly facilities, safety services, secondary education facilities, and utilities.
3. Office Use Types including: general offices, financial services, and medical offices.
4. Commercial Use Types, other than those uses defined in Adult Establishments, including:
  - a. Business support services.
  - b. Business or trade schools.
  - c. Cocktail lounges and bars, not including uses defined in Adult Establishments.
  - d. Indoor commercial recreation.
  - e. Communications services.
  - f. Construction sales and services.
  - g. Consumer services.
  - h. Convenience storage.
  - i. Convenience stores.
  - j. Food sales (grocery stores).
  - k. Funeral services.
  - l. Retail services.
  - m. Laundry services.
  - n. Liquor sales.
  - o. Lodging.
  - p. Personal improvement services.
  - q. Pet services.
  - r. Research services.
  - s. Restaurants.
  - t. Surplus sales.
  - u. Trade services.
  - v. Veterinary services for small animals only with no outdoors boarding or kennel facilities.
5. Off-Street parking.
6. Passenger transportation excluding airports.
7. Amateur radio towers.

Permitted Conditional Uses:

1. Horticulture, feeds mills, and produce stands.
2. Townhouses, multiple family residential, group residential and retirement residential uses.
3. Convalescent services.
4. Cultural services.
5. Limited day care services.
6. Detention facilities.
7. Group care facilities and group homes.
8. Agricultural sales and services.
9. Auction yards and barns.
10. Auto rental/sales services.
11. Auto services including convenience stores with fuel sales and gas stations.
12. Equipment rental/sales.
13. Equipment repair services.
14. Body repair.
15. Dry Cleaners and establishments with one dry cleaning unit having a capacity not to exceed 35 pounds per cycle using nonflammable or non-explosive solvents.

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16. Outdoor commercial recreation facilities.
17. Gaming facilities in accordance with the statutes of the State of Nebraska.
18. Construction yards.
19. Custom manufacturing employing less than ten employees including print shops.
20. Light industry employing less than ten employees.
21. Recycling collection and processing in an enclosed environment (does not include drop off areas).
22. Enclosed and open warehousing subject to screening requirements.
23. Railroad facilities and truck terminals.
24. Alternative energy production not including the manufacturing of flammable fuels.
25. Broadcasting and wireless communication towers.
26. Vehicle storage (short-term).
27. Bed and breakfast establishments.
28. Home occupations.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000 sq. ft.	100 feet	30 feet	*	**	45 feet	25%
Permitted Conditional Uses	10,000 sq. ft.	100 feet	30 feet	*	**	45 feet	25%
Accessory Buildings	-	-	30 feet	*	**	45 feet	25%

\* Side Yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be fifteen feet (15') when adjacent to any residential district.

\*\* The Rear Yard setback shall be twenty-five feet (25'). With buildings three stories or greater having a rear yard setback of thirty feet (30').

Use Limitations:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within fifteen feet (15') of such residential district.
2. When adjacent to any residential district, any construction shall provide a six foot (6') high permanent screen in order to minimize impacts on residentially zoned property pursuant to this ordinance.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. All developments shall include access roads and an interior circulation system.

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**417 II – Urban Industrial District**

Intent: The (II) Urban Industrial District is intended to establish standards for areas within the core city for industrial, wholesaling, and storage activities, to preserve land for the expansion of the basic economic activities, to free these areas from intrusion by incompatible land uses, and to ensure that and conduct activities that create low to moderate hazards to adjacent properties.

Permitted Uses:

1. Agricultural Uses including: horticulture, feed mills including grain storage and elevators.
2. Civic Uses including: government administration, clubs, detention facilities, maintenance facilities, parks and recreation, postal facilities, safety services, and utilities.
3. Commercial Use Types, other than those uses defined in Adult Establishments, including:
  - a. Long-term and short-term vehicle storage with proper screening.
  - b. Communications services.
  - c. Construction sales and services.
  - d. Convenience storage.
  - e. Surplus sales.
  - f. Trade services.
  - g. Veterinary services
4. Off-Street parking.
5. Industrial Use Types including:
  - a. Agricultural industries.
  - b. Construction yards.
  - c. Custom manufacturing.
  - d. Light industry.
  - e. Recycling services including collection and processing.
  - f. Salvage services including junk yards with license from the State of Nebraska.
  - g. Enclosed and open (with proper screening) warehousing.
6. Railroad facilities and truck terminals.
7. Broadcasting, wireless communication and amateur radio towers.

Permitted Conditional Uses:

1. Auto rental/sales services.
2. Auto services including convenience stores with fuel sales and gas stations.
3. Auto Body repair.
4. Equipment rental/sales.
5. Equipment repair services.
6. Dry Cleaners and establishments with one dry cleaning unit having a capacity not to exceed 35 pounds per cycle using nonflammable or non-explosive solvents.
7. Alternative energy production including flammable fuels and wind energy conservation devices.
8. Construction batch plants.

Permitted Accessory Uses:

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
3. Signs legal under this ordinance.
4. Parking legal under this ordinance.
5. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height
Permitted Uses	5,000 sq.	100 feet	15 feet <sup>1</sup>	*	5 feet	60 feet

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	ft.					
Permitted Conditional Uses	5,000 sq. ft.	100 feet	15 feet <sup>1</sup>	*	5 feet	60 feet
Accessory Buildings	-	-	-	*	5 feet	60 feet

<sup>1</sup> 15' Front Setback applies only when use is adjacent to residential zoning districts. Front Setback when adjacent to commercial to industrially zoned areas is 5'.

\* Side Yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be five feet (5') to interior lot lines.

Any established setbacks at the time of adoption of this amendment shall not be deemed nonconforming.

Use Limitations:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within fifteen feet (15') of such residential district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, pursuant to this Ordinance.
2. When adjacent to any residential district, any construction shall provide a six foot (6') high permanent screen in order to minimize impacts on residentially zoned property pursuant to this ordinance.
3. No outdoor storage.
4. Exterior lighting fixtures shall be shaded so no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

**418 I2 – Industrial Park District**

Intent: The (I2) Industrial Park District is intended to establish standards for areas suitable for industrial, wholesaling, and storage activities, to preserve land for the expansion of the basic economic activities, to free these areas from intrusion by incompatible land uses, and to ensure that users of this land conduct activities that create low to moderate hazards to adjacent properties.

Adult Entertainment Facilities are included in the Zoning district. The intent of the Verdigre Zoning Ordinance in including these uses in this district is not to prohibit these uses, but to regulate the secondary effects of these uses within the community.

Permitted Uses:

1. Agricultural Uses including: horticulture, feed mills including grain storage and elevators, and livestock sales barns or yards.
2. Civic Uses including: government administration, clubs, detention facilities, maintenance facilities, parks and recreation, postal facilities, safety services, and utilities.
3. Commercial Use Types, other than those uses defined in Adult Establishments, including:
  - h. Long-term and short-term vehicle storage with proper screening.
  - i. Communications services.
  - j. Construction sales and services.
  - k. Convenience storage.
  - l. Surplus sales.
  - m. Trade services.
  - n. Veterinary services
4. Off-Street parking.
5. Industrial Use Types including:
  - a. Agricultural industries.
  - b. Construction yards.
  - c. Custom manufacturing.
  - d. Light industry.
  - e. Recycling services including collection and processing.
  - f. Salvage services include junk yards with license from the State of Nebraska.

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- g. Enclosed and open (with proper screening) warehousing.
- 6. Railroad facilities and truck terminals.
- 7. Broadcasting, wireless communication and amateur radio towers.

### Permitted Conditional Uses:

- 1. General and limited day care services as an accessory use.
- 2. Agricultural sales and services.
- 3. Auction yards and barns.
- 4. Auto rental/sales services.
- 5. Auto services including convenience stores with fuel sales and gas stations.
- 6. Equipment rental/sales.
- 7. Equipment repair services.
- 8. Body repair.
- 9. Business, vocational and trade schools when in conjunction with industrial applications.
- 10. Dry Cleaners and establishments with one dry cleaning unit having a capacity not to exceed 35 pounds per cycle using nonflammable or non-explosive solvents.
- 11. Heavy Industry.
- 12. Resource extraction.
- 13. Passenger transportation excluding airports.
- 14. Alternative energy production including flammable fuels and wind energy conservation devices.
- 15. Construction batch plants.
- 16. Putrescible landfills (subject to licensing by the State of Nebraska)..
- 17. Adult Entertainment establishments, provided:
  - a. No Adult business shall be closer than 1,000 feet to any similar use and no closer than 1,000 feet to a residential district or use, religious uses, educational uses and recreational uses. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult business, residential district or use, religious use, educational uses and recreational use.
  - b. Said businesses shall be screened along adjoining property lines as to prevent any direct visual contact of the adult business at the perimeter.
  - c. Doors, curtains and any other means of obstruction to the opening of all booths and other preview areas, including but not limited to Adult Novelty Businesses, Adult Motion Picture Arcades, Adult Mini-Motion Picture Theaters, and Adult Motion Picture Theaters shall be removed and kept off at all times during the execution of this permit. Failure to comply with this condition shall result in revocation of the Conditional Use Permit.
  - d. No adult business shall be open for business between the hours of twelve midnight (12:00 am) and 6:00 a.m.
  - e. The proposed location, design, construction, and operation of the particular use adequately safeguard the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
  - f. Such use shall no impair an adequate supply of light and air to surrounding property.
  - g. Such use shall not unduly increase congestion in the streets or public danger of fire and safety.
  - h. Such use shall not diminish or impair established property values in adjoining or surrounding property.
  - i. Such use shall be in accord with the intent, purpose, and spirit of this Ordinance and the Comprehensive Development Plan of Verdigre, Nebraska.
  - j. Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structure, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls, the location and type of landscaping, and the location, size and number of signs.
  - k. An adult business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen (18) years of age is allowed on the premises. This section shall not be construed to prohibit the owner from establishing an older age limitation for entering the premises.
  - l. Prohibited Activities of Adult Businesses are as follows:
    - i. No adult business shall employ any person under eighteen (18) years of age.

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- ii. No Adult business shall furnish any merchandise or services to any person who is under eighteen (18) years of age.
- iii. No adult business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct in or about the premises which is prohibited by this Ordinance or any other laws of the State.
- iv. No part of the interior of the adult business shall be visible from the pedestrian sidewalk, walkway, street, or other public or semi-public area.

Permitted Accessory Uses:

- 1. Buildings and uses customarily incidental to the permitted and conditional uses.
- 2. Temporary buildings, incidental to construction work where such buildings or structures are removed upon completion of work.
- 3. Signs legal under this ordinance.
- 4. Parking legal under this ordinance.
- 5. Landscaping pursuant to this ordinance.

Lot, Setbacks, and Height Requirements: The lot, setback and height requirements shall be as follows:

Use	Lot Area	Lot Width	Front Yard	Side yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000 sq. ft.	100 feet	30 feet	*	25 feet	60 feet	35%
Permitted Conditional Uses	10,000 sq. ft.	100 feet	50 feet	*	25 feet	60 feet	35%
Accessory Buildings	-	-	-	*	25 feet	60 feet	20%

\* Side Yard setback shall be twenty-five feet (25') when abutting a State Highway or County Road, or shall be fifteen feet (15') when abutting any other street or road, including private roads, and shall be five feet (5') to interior lot lines.

Use Limitations:

- 1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within fifteen feet (15') of such residential district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, pursuant to this Ordinance.
- 2. When adjacent to any residential district, any construction shall provide a six foot (6') high permanent screen in order to minimize impacts on residentially zoned property pursuant to this ordinance.
- 3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
- 4. Exterior lighting fixtures shall be shaded so no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5. All developments shall include access roads and an interior circulation system.