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ARTICLE SIX - SUPPLEMENTAL REGULATIONS

601 Off-Street Parking

1. Applicability

Off-street parking shall be provided for any new building constructed; for new uses or conversions of existing buildings; or for enlargements of existing structures.

2. Exemptions

Any use within the C2 Central Business District is exempt from the off-street parking requirements provided by Section 603. Any off-street parking facility constructed in the C2 District after the effective date of this Ordinance must comply with the design standards set forth in this Article.

602 Schedule of Off-Street Parking Requirements

Parking facilities for each use shall be provided in accord with the minimum requirements set forth in Table 6-1.

1. Computation

- a. When a computation of required parking results in a fraction of 0.5 or greater, the requirement should be rounded up to the next whole number.
- b. Unless otherwise indicated, parking requirements are based on gross floor area. Gross floor areas for the purpose of this calculation exclude any interior space used for the parking or loading of vehicles.
- c. When parking requirements are computed on the basis of capacity, capacity shall be determined by the building code in effect for the Village of Platte Center at the time the use is established.

2. Multiple Use Sites and Adjustments

- a. For sites with more than one use, the parking requirement shall be the sum of spaces required for each use, except as provided below.
- b. The Board of Adjustment may authorize an adjustment in the total parking requirement for separate uses located on the same site or for separate uses located on adjoining sites and served by the same parking facility. The Board shall consider at least the following criteria in determining approval of such an adjustment:
 - i. The characteristics and time of operation of each use, and differences in projected peak parking demand.
 - ii. Potential reduction in total expected vehicle movements afforded by multiple uses of the parking facilities.
 - iii. Functional design of the development and its parking facilities.
 - iv. Evidence of a written agreement that provides for the joint use of parking facilities.

03 Parking Facility Location

1. Residential Parking

- a. Off-street parking for residential uses shall be located on the same lot or site as the use.
- b. Off-street parking areas other than parking in driveways for any residential uses shall be at least six feet from any main building; and shall not be located within a required front yard or street side yard.

2. Non-residential Parking

Off-street parking for non-residential uses shall be located on the same lot or site as the use, or within 300 feet of that use if the parking site is within a zoning district that permits the Off- Street Parking use type. Control of ownership or use rights to the remote off-street parking must be demonstrated as a condition of permission.

Table 6-1: Minimum Off-Street Parking Requirements

Agricultural Use Types	
Horticulture	1 space per 1,000 square feet of sales area.
Crop Production	No requirement.
Animal Production	No requirement.
Commercial Feedlots	No requirement.
Residential Use Types	
Single-Family Residential	2 spaces per dwelling unit.
Duplex Residential	2 spaces per dwelling unit.
Two-Family Residential	2 spaces per dwelling unit.
Multi-Family Residential	1.5 spaces per efficiency or 1-BR unit; 2 spaces per other units; 1 space per 2 units for elderly housing.
Group Residential	1 space for each two residents
Mobile Home Residential	2 spaces per dwelling unit.
Retirement Residential	1 space per independent living unit; 1 space for each 3 units of assisted living
Civic Use Types	
Administration	1 space for 300 square feet.
Cemetery	No requirement.
Clubs	1 space per 4 person capacity in largest assembly space
Colleges and Universities	1 space for every 4 students based on average enrollment during previous 5 years
Convalescent Services	1 space for 4 beds.
Cultural Services	1 space per 500 square feet of public area.
Day Care Services	1 space per 5 person capacity + 1 space per employee of largest shift.
Group Care Facility	1 space per 4 person capacity + 1 space per employee of largest shift.
Group Home	1 space per 4 person capacity + 1 space per employee of largest shift.
Guidance Services	1 space per 300 square feet.
Health Care	1 space per 300 square feet + 1 space per employee of largest shift.
Hospitals	1 space per 2 beds.
Maintenance Facilities	See Schedule A.
Parks and Recreation	No requirement.
Postal Facilities	See Schedule A.
Primary Education	1 space per employee of max shift
Public or Religious Assembly	1 space per 4 person capacity in largest assembly space
Secondary Education	1 space per employee of max shift + 1 space for each 3 11th and 12th grade students. Religious Assembly 1 space per 4 person capacity in largest assembly area.

Table 6-1 Continued: Minimum Off-Street Parking Requirements

Safety Services	1 space per employee of maximum shift + 1 stall per 1,000 sq. ft.
Utilities	1 space per employee of maximum shift.
Commercial Use Types	
Agricultural Sales/Service	See Schedule A.
Auto Rental and Sales	See Schedule A.
Auto Service*	4 times service capacity.
Body Repair*	5 spaces per repair stall.
Business Support Services	1 space per 500 square feet.
Campground	1 space per camping unit.
Cocktail Lounge	1 space per 200 square feet.
Commercial Recreation	1 space per 2 person capacity.**
Communication Services	1 space per 500 square feet.
Construction Sales	See Schedule A.
Consumer Services	1 space per 200 square feet.
Convenience Storage	1 space per 20 storage units.
Equipment Sales/Service	See Schedule A.
Food Sales (All Types)	1 space per 200 square feet.
Retail Services	1 space per 200 square feet.
Liquor Sales	1 space per 200 square feet.
Lodging, Bed and Breakfast	1 space per unit + 1 space for each 200 square feet of public meeting area.
Personal Improvement	1 space per 200 square feet.
Personal Services	1 space per 500 square feet.
Pet Services	1 space per 500 square feet.
Restaurants (Drive-in)	1 space per 50 square feet of customer service area.
Restaurants (General)	1 space per 3 person capacity in dining area.
Stables/Kennels	1 space per employee + 1 stall per 5,000 sq. ft. of site area.
Surplus Sales	See Schedule A.
Veterinary Services	1 space per 500 square feet.

* Auto Service and Body Repair subject to other restrictions applicable under this ordinance:
See Section 3: Use Types - "Vehicle Storage"; also, Section 3: Supplemental Use Regulations, "Outdoor Storage."

** This standard may be reduced by up to 20% at the discretion of the Zoning Administrator, if site plan review demonstrates that circulation and loading patterns accommodate adequate space for queuing and temporary parking by users during the peak hours of operation.

Table 6-1: Minimum Off-Street Parking Requirements

Office Use Types	
General Offices	1 space per 300 square feet.
Medical Offices	3 spaces per staff doctor or dentist.
Miscellaneous Use Types	
Broadcasting Tower	No requirement.
Non-Putrescible Landfill	No requirement.
All Landfills	No requirement.
Industrial Use Types	
Agricultural Industries	See Schedule A.
Light Industry	See Schedule A.
General Industry	See Schedule A.
Heavy Industry	See Schedule A.
Railroad Facilities	See Schedule A.
Resource Extraction	1 space per employee on largest shift.
Salvage Services	See Schedule A.
Warehousing	See Schedule A.
Construction Yards	See Schedule A.

Schedule A

This schedule sets forth minimum off-street parking requirements for uses with elements that have different functions and operating characteristics

Function of Element	Requirement
Office or Administration	1 space per 300 square feet.
Indoor Sales, Display or Service Area	1 space per 500 square feet.
Outdoor Sales, Display or Service Area	1 space per 2,000 square feet.
Equipment Servicing or Manufacturing	1 space per 1,000 square feet.
Indoor or Outdoor Storage or Warehousing	1 space per 5,000 square feet.

604 Parking for People with Disabilities

Each off-street parking facility shall provide the number of parking spaces set forth in Table 6-2 designed and designated for use by people with disabilities. Parking spaces shall be van-accessible. Design criteria and dimensions are set forth in the Off-Street Parking Design Standards and the requirements of the Americans with Disabilities Act. Parking facilities for single-family, duplex, two-family, and mobile home residential uses are exempt from this requirement.

Table 6-2: Accessible Parking Requirements

Number of Stalls	Number of Required Access Spaces	Number of Stalls	Number of Required Spaces
1-25	1	201-300	7
25-50	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 stalls over 1,000
151-200	6		

Van Accessible Stalls: One in every eight accessible spaces, but not less than one, shall be served by an access with a minimum width of 96 inches and shall be designated as "Van Accessible."

605 Off-Street Parking Design Standards

1. Dimensions

- a. Standard parking stalls shall be 9 feet wide and 18 feet long.
- b. Parking facilities may provide up to 40% of their total stalls as designated compact stalls. Compact parking stalls shall be a minimum of 8.5 feet wide and 16 feet long.
- c. Spaces designated for the handicapped shall have a minimum width of 12 feet. Each handicapped space shall provide a barrier free route to an accessible building entrance, which shall not require users to walk or wheel behind parked cars. Such spaces shall be designated with an upright sign exhibiting the universal symbol for accessibility by the handicapped. All such spaces shall be designed in compliance with the standards of the Americans with Disabilities Act.

2. Pavement and Drainage

- a. Off-street parking facilities shall be hard surfaced and/or maintained with materials sufficient to prevent mud, dust, or loose material. Rock and gravel are not allowable surface materials.
- b. Off-street parking facilities shall be designed and built to prevent the free flow of water onto adjacent properties or public rights-of-way.

3. Landscape and Screening Requirements

Unless otherwise noted, each unenclosed parking facility of over 3,000 square feet shall comply with the following regulations:

- a. Each unenclosed parking facility shall provide a minimum landscaped buffer of ten feet along any street property line.
- b. Each parking facility that abuts a residential district shall provide a ten 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 feet in height for the length of the common boundary. A grade change, terrace, or other site feature that 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 of over 4,500 square feet within a street yard shall provide interior landscaped area equal to no less than 5 percent of the total paved area of the parking facility. Parking facilities within the Industrial District shall be exempt from this requirement.

4. Entrances and Exits

- a. Adequate access to each parking facility shall be provided by means of clearly defined and limited driveways or access points. Such driveways shall be designed to direct non-residential traffic away from residential areas.
- b. Parking facilities other than driveways for single-family, duplex, two-family, or mobile home residential uses must permit vehicles to enter streets in a forward position.

5. Safety Features

- a. Parking facilities shall be designed to provide visibility of and between pedestrians and vehicles when circulating within or entering or leaving the facility; and shall not create blind, hidden, or hazardous areas.
- b. Circulation patterns shall be designed in accord with accepted standards of traffic engineering and safety.

6. Lighting

Any lighting used to illuminate any off-street parking area shall be arranged to direct light away from adjoining properties in any residential district.

7. Maintenance

All parking facilities shall be maintained to assure the continued usefulness and compatibility of the facility. Acceptable maintenance includes keeping the facility free of refuse, debris, and litter; maintaining parking surfaces in sound condition; and providing proper care of landscaped areas.

8. Adjustment

For uses subject to Conditional Use Permit approval, the Village Board may adjust the minimum requirements of this section, in order to provide design, usability, attractiveness, or protection to adjoining uses in a manner equal to or greater than the minimum requirements of this Article.

606 Off-Street Loading

1. Loading Requirement

Any use which involves the receipt or distribution of freight, merchandise, supplies, vehicles, or equipment as part of its typical operation shall provide and maintain adequate space for off-street loading and circulation. Loading areas shall be designed to avoid undue interference with the public use of streets and sidewalks.

2. Schedule of Loading Spaces

Loading spaces for each use requiring them shall be provided in accord with the minimum requirements set forth in Table 9-3.

Table 6-3: Off-Street Loading Requirements

Gross Floor Area of Use (square feet)	Number of Required Loading Spaces
5,000 or less	None
5,001 - 25,000	1
25,001 - 75,000	2
75,001 - 150,000	3
Over 150,000	4 plus one for each additional 100,000 SF

3. Design Standards

- a. Each loading space shall be at least 10 feet wide by 50 feet long, with a vertical clearance of at least 14 feet.
- b. Off-street loading spaces shall be hard surfaced and/or maintained with materials sufficient to prevent mud, dust, or loose material. Rock and gravel are not allowable surface materials.

- c. Off-street loading areas are subject to the landscaping and buffering requirements for parking facilities set forth in this Article.

607 **Parking for Personal and Recreational Vehicles**

1. Applicability

This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include: passenger cars; vans; pick-up trucks; camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle; trailers less than twenty feet in length, and boats. Trucks, tractor cab units, trailers, recreational vehicles, and vehicles over ten tons gross empty weight shall be defined as heavy commercial vehicles.

2. Location of Parking

- a. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
- b. Parking of personal vehicles is permitted on a paved driveway (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way.
- c. Parking of personal vehicles within an interior side yard is prohibited.
- d. Parking of personal vehicles may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if the Zoning Administrator determines that such parking conforms to the provisions of the Zoning Ordinance, meets the following conditions:
 - i. The parking space is provided on a paved surface connected by a paved surface to a dedicated public right-of-way and/or alley.
 - ii. The paved parking does not exceed the maximum impervious coverage limit for the lot.
- e. Heavy commercial vehicles, including tractor cab units weighing more than 10 tons gross empty weight, agricultural equipment, and recreational vehicles shall not be parked on any lot within the R1, R2, and MH residential zoning districts for a period of more than 24 consecutive hours, except as provided below.

3. Special Provisions for Recreational Vehicles and Boats

Where permitted, parking and storage of recreational vehicles and boats is subject to the following additional conditions:

- a. Recreational vehicles and boats must be maintained in a clean, well-kept state.
- b. Recreational vehicles and boats equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
- c. The vehicle may be used by non-paying guests for a maximum of three consecutive days or fourteen days during any calendar year.
- d. Recreational vehicles and boats may not be permanently connected to utility lines.

- e. Recreational vehicles and boats may not be used for the storage of goods, materials, or equipment other than those items which pertain to the use of the vehicle.
- f. Vehicles longer than 20 feet may be parked or stored within the TA district if situated within rear yards or interior side yards behind the required front yard setback.

608 SIGN REGULATIONS

The Sign Regulations provide standards for communicating information in the environment of the Village of Platte Center and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the village's attractive appearance; to provide for adequate business identification, advertising, and communication of information; and to encourage the fair enforcement of sign regulations.

609 Definition of Terms

The following definitions shall be used for terms contained in this chapter that are not otherwise defined in the Platte Center Municipal Code or in this Zoning Ordinance.

1. **Abandoned Sign:** A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
2. **Attached Sign:** A sign which is structurally connected to a building or depends upon that building for support.
3. **Auxiliary Design Elements:** Terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
4. **Awning and Awning Sign:** A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
5. **Banner:** Material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement.
6. **Building Marker:** An historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
7. **Business Center Identification Sign:** A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access.
8. **Canopy:** A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter.
9. **Canopy Sign:** A sign which is attached or made an integral part of a canopy.
10. **Clearance:** The distance from the bottom of a sign face elevated above grade and the grade below.
11. **Detached Sign:** A sign which is self-supporting and structurally independent from any building.
12. **Directional Sign:** A sign which serves only to designate the location or direction of any area or place.
13. **Double-Faced Sign:** A sign consisting of no more than two parallel faces supported by a single structure.

14. Frontage: The length of a property line of any one premises abutting and parallel to a public street, private way, or court.
15. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than 3 feet.
16. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
17. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
18. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
19. Monument Sign: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least 75 percent of the width of the sign.
20. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
21. Nonconforming Sign: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
22. Pole Sign: An on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
23. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
24. Premise Identification Sign: An sign which pertains to the use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premises; and other information relative to the conduct of the use.
25. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
26. Projecting Signs: A sign other than a wall sign that is attached to and projects from a building face.
27. Residential Sign: A small detached or attached sign located on a residential premise, conveying a message communicated by the owner of the property.
28. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
 - a. Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
 - b. Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
29. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.

30. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
31. Street Facade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.
32. Temporary Signs: A sign, flag, banner, pennant, or valance constructed of light weight materials which is not permanently attached to building or land, and which is intended for display for a limited period of time.
33. Wall Sign: A sign attached to and parallel with the side of a building.
34. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.
35. Zone Lot: A parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.

610 General Sign and Street Graphics Regulations

Compliance

Each sign or part of a sign erected within the zoning jurisdiction of the Village of Platte Center must comply with the provisions of this chapter and of other relevant provisions of the Village of Platte Center's Municipal Code; and relevant building codes including the:

Uniform Building Code.

National Plumbing Code.

National Electric Code.

Rules and Regulations Relating to the Control of Advertising in Areas Adjacent to the Interstate and Federal Aid Primary Highways (Nebraska Department of Roads)

Resolution of Conflicting Regulations

This chapter is not meant to repeal or interfere with enforcement of other sections of the Village of Platte Center's Municipal Code. In cases of conflicts between Code sections, State or Federal Regulations, the more restrictive regulations shall apply.

Prohibited Signs

The following signs are prohibited in all zoning districts.

1. Signs painted on or attached to rocks, trees, or other natural objects.
2. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
3. Signs on or overhanging public property or public right-of-way, unless specifically authorized by the appropriate public agency.
4. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.

5. Abandoned signs. Any abandoned sign must be removed within six months of date of abandonment.
6. Portable signs, including signs painted, mounted, or printed on parked vehicles and trailers, except as provided below.
7. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.
8. Signs advertising activities that are illegal under Federal, state, or local laws and regulations.

Exempt Signs

The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

1. Bulletin boards for religious assembly or school uses, provided that they have a maximum sign area of 20 square feet and are not located in a required sign setback.
2. Real estate signs.
3. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.
4. Seasonal decorations for display on private or public property.
5. On-premise construction signs.
6. One temporary sign per zoned lot for grand openings or special events, provided that such sign remains in place for a maximum of seven days.
7. Works of graphic art painted or applied to building walls which contain no advertising or business identification messages.
8. Residential signs under 2 square feet in size.
9. Neighborhood or subdivision identification signs under 50 square feet.
10. Street numbers.
11. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.

Temporary and Civic Signs

1. Temporary or portable signs for grand openings, sales, and special events are permitted in Commercial and Industrial zoning districts, subject to the following requirements:
 - a. Such signs are subject to the permit procedures set forth in this section.
 - b. The size of such signs does not exceed the limitations set forth in Table 6-6.
 - c. No more than one such sign is permitted at any single premises.
 - d. Temporary or portable signs may be present at any single premises for a maximum of 30 days per year.

2. Temporary signs for non-profit civic campaigns or events, political campaigns, or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this Article, subject to the following requirements:
 - a. Such signs are subject to the permit procedures set forth in this section.
 - b. Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than 7 days after the date of the event or election.
 - c. The maximum size of such signs is 10 square feet when located in any residential and C-2 Limited Commercial zoning district; and 100 square feet in any other zoning district.

Buffers

No sign other than on-premise directional signs shall be placed within any buffer required by Article Eight, Landscaping and Screening Regulations, except buffers adjacent to intervening major streets.

Vision-Clearance Area

No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of forty feet (40') from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet.

611 General Regulations: Basic Design Elements for On-premise Signs

Wall Signs and Graphics

Wall signs and graphics are subject to the following general regulations.

1. A wall sign shall not extend more than thirty inches (30") from the wall to which it is attached.
2. A wall sign must be parallel to the wall to which it is attached.
3. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
4. A wall sign may not extend beyond its building's roof line.
5. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than eighteen inches (18"). Such a wall sign shall provide minimum clearance of eight feet, six inches.
6. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.
7. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

Projecting Signs and Graphics

Projecting signs and graphics are subject to the following general regulations.

1. The maximum projection of any projecting sign in the C-3 District shall be as follows:
 - a. Four feet (4') over public sidewalks less than twelve feet (12') wide;

- b. Six feet (6') over public sidewalks twelve feet (12') wide or more, or over private property.

No projecting sign in any other district may project by more than 24 inches into a required setback.

2. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
3. Each projecting sign must maintain at least the following vertical clearances:
 - a. Eight (8) feet, six (6) inches over sidewalks; except that a canopy may reduce its vertical clearance to seven (7) feet, six (6) inches;
 - b. Ten (10) feet outside of parking areas or driveways, but within three feet (3') of such areas; or within fifty (50) feet of the right-of-way lines formed by a street intersection;
 - c. Fourteen (14) feet over parking lots;
 - d. Eighteen (18) feet over alleys or driveways.
4. No projecting sign extending three feet (3') or more from a property line may be located within twenty-two feet (22') of any other projecting sign extending three feet or more from a property line.
5. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.

Pole Signs

Pole signs, where permitted, are subject to the following general regulations:

1. Each pole sign must maintain at least the following vertical clearances:
 - a. Eight (8) feet, six (6) inches over sidewalks; except that a canopy may reduce its vertical clearance to seven (7) feet, six (6) inches;
 - b. Ten (10) feet outside of parking areas or driveways, but within three feet (3') of such areas; or within fifty (50) feet of the right-of-way lines formed by a street intersection;
 - c. Fourteen (14) feet over parking lots;
 - d. Eighteen (18) feet over alleys or driveways.
2. Permitted pole signs may revolve at a rate not to exceed six (6) revolutions per minute.

Roof Signs

Roof signs are subject to the following regulations:

1. Where permitted, integral roof signs may be used interchangeably with wall signs.
2. Integral roof signs may not exceed the permitted height for pole signs.
3. An integral roof sign must be mounted parallel to the wall of the building that it faces.

General Regulations: Other Design ElementsIllumination

1. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.

Marquees and Marquee Signs

1. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

Banners

1. A banner sign projecting from a building may not exceed the wall height of the building.
2. Maximum projection for any banner is five feet (5') with a minimum clearance of ten feet (10').
3. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or one-hundred-twenty (120) square feet.

Clocks

For the purposes of this chapter, clocks are not considered a moving sign.

613 Specific Regulations for Zoning Districts

This Section sets forth regulations and design standards for signs and graphics for each zoning district.

614 Method of Measurement for RegulatorsMaximum Permitted Sign Area

Maximum permitted sign area for a premises is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties with frontage on more than one street or private way, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

Sign Area

1. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
2. The area of double-faced signs is calculated on the largest face only.
3. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
4. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.

Height

The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.

Setback

The setback of a sign is measured from the property line to the supporting frame, mast, pole or base of the sign.

615 Permitted Sign Types by Zoning Districts

Table 6-4 sets forth the sign types permitted within each zoning district of the Village of Platte Center.

616 Auxiliary Design Elements

Table 6-5 sets forth auxiliary design elements permitted within each zoning district of the Village of Platte Center.

617 Maximum Permitted Sign Area

Table 6-6 sets forth the maximum sign area permitted within each zoning district of the Village of Platte Center.

618 Permitted Signs by Numbers, Dimensions, and Location

Table 6-7 sets forth the maximum permitted numbers of signs per premise; the maximum permitted dimensions of each sign; and the required setbacks for detached signs.

619 General Permit Procedures

Applicability

Any installation, modification, or expansion of any sign which is not exempt from the provisions of this Article shall be subject to the following permit procedure prior to installation.

Maintenance of Valid Sign Permit

The owner of a property containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zoned lots. A sign permit may be revoked if the sign is not maintained in good condition.

Sign Permit Applications

All applications for sign permits shall be submitted to the Zoning Administrator in accordance with application specifications established by the Zoning Administrator.

Application Fees

Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the Village Board from time to time by resolution.

Action

Within ten (10) working days of the submission of a complete application for a sign permit, the Zoning Administrator shall either:

1. Issue the sign permit, if the sign conforms to the provisions of this Article.

2. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform to the requirements of this Article.

Permit Expiration

If a sign is not constructed in accordance with an approved permit within six (6) months of the date of approval, such permit shall lapse.

Assignment of Sign Permits

A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

620 Nonconforming Signs

1. All permanent signs in place and lawfully established on the effective date of this Ordinance shall be considered as legal nonconforming signs. The copy of such a sign may be changed from time to time, provided that the sign area shall not be enlarged beyond the sign area in existence on the effective date.
2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this Article.
3. For business centers pre-existing on the effective date of this Ordinance which do not conform to the total permitted sign area provisions of this Article, individual signs may be replaced, modified, or substituted prior to December 31, 2011. Each sign shall conform to the applicable regulations for individual signs and shall be installed so as to reduce the total amount of the nonconformance.

621 Discontinuance of Nonconforming Signs

Within any zoning district, all on-premise signage must comply fully with the provisions of this Ordinance, unless otherwise provided, within fifteen years of the effective date of this Ordinance.

Table 6-4: Permitted Signs by Type and Zoning Districts

Sign Types	AG	RT	R1	R2	R3	MH	C1	C2	C3	I
Detached Signs										
Residential	P	P	P	P	P	P	P	N	N	N
Premise Identification	P	P	P(C)	P	P	P	P	P	P	P
Directional	P(C)	P(C)	P(C)	P	P	P(C)	P	P	P	P
Ground	P	P	P	P	P	P	P	P	P	P
Pole	N	N	N	N	N	N	N	N	P	P
Attached Signs										
Awning	N	N	S	P	P	P	P	P	P	P
Banner	N	N	N	N	N	N	P	P	P	P
Building Marker	P	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	P	P	N	P	P	P	P
Premise Identification	P	P(C)	P(C)	P	P	P	P	P	P	P
Directional	P(C)	P(C)	P(C)	P	P	P	P	P	P	P
Marquee	N	N	N	N	N	N	P	P	P	P
Projecting	N	N	N	N	N	N	N	P	P	P
Roof, Integral	N	N	N	N	N	N	P	P	P	P
Roof, Above Peak	N	N	N	N	N	N	N	N	N	P
Wall	P	P	P	P	P	P	P	P	P	P
Window	N	N	N	N	N	N	P	P	P	P
Miscellaneous										
Flag	P	P	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N	N	N	N

P: Permitted for All Uses P(C): Permitted for Civic Use S: Permitted by Special Permit N: Not Permitted

Table 6-5 Permitted Signs by Type and Zoning Districts

Sign Types	AG	RT	R1	R2	R3	MH	C-1	C-2	C-3	I-1
Design Element										
Illumination										
Indirect	P(C)	P(C)	P(C)	P(C)	P(C)	P(C)	P	P	P	P
Direct	N	N	N	N	N	N	N	N	N	N
Internal	P(C)	P(C)	P(C)	P	P(C)	P(C)	P	P	P	P
Neon	N	N	N	N	N	N	P	P	P	P
Flashing	N	N	N	N	N	N	N	N	N	N
Flame	N	N	N	N	N	N	N	N	N	N
Bare Bulb	N	N	N	N	N	N	N	N	N	N
Other										
Electronic Information	N	N	N	N	N	N	P	P	P	P
Moving	N	N	N	N	N	N	P	N	P	P
Rotating	N	N	N	N	N	N	P	N	P	P

P: Permitted for All Uses

P(C): Permitted for Civic Uses

N: Not Permitted

Table 6-6: Permitted Signs by Maximum Permitted Area and District

This Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:

Zoning District	AG	RT R1 MH	R2	C1	C2	C3	I
Square Feet of Signage Linear Foot of Frontage	NA	NA	NA	1.0	1.50	1.5	1.5
Maximum Total Square Feet	Note 1	Note 2	Note 2	300 Note 3	300 Note 4	400 Note 4	400 Note 4

Note 1:

One-hundred (100) square feet for civic or commercial uses, two (2) square feet for residential uses, including home occupations.

Note 2:

Forty-eight (48) square feet for project identification signs for multi-family or mobile home developments and for non-residential uses when permitted; thirty-two (32) square feet for civic uses, two (2) square feet for residential uses, including home occupations.

Note 3:

Maximum limits apply to non-residential premises only. On premises with primary residential use, seventy-five (75) square feet for project identification signs for multi-family developments, two (2) square feet for residential uses, including home occupations.

Note 4:

One additional Business Center Identification Sign with a maximum area of one-hundred-fifty (150) square feet is permitted subject to the regulations set forth by Table 6-6.

Table 6-7: Permitted Signs by Numbers, Dimensions, and Location

Each individual sign shall comply with the regulations for maximum quantity, maximum size, minimum setbacks, and height limits shown in this table:

Zoning District	AG	TA R-1 MH	R-2	C-2	C-3	C-1	I-1 I-2
Detached Signs Number Permitted Per Premise	1	1	1	1	1	NA	NA
Per Feet of Frontage	NA	NA	NA	NA	NA	1 per 20'	1 per 20'
Maximum Size* (sq. ft.)	100*	x	x	100	100	100	150
Maximum Height (feet) of Structure Above Ground	20	10	10	15	20	20	20
Front Yard Setback (feet)	10	5	10	10	0	0	0
Side Yard Setback (feet) Attached Signs	10	10	10	10	0	5	0
Maximum Size* (sq. ft.)	100	x	x	100	150	150	200
% of Street Facade	NA	NA	NA	20%	20%	20%	25%

See Table 6-6 for maximum sign sizes.

Note 1:

In addition to its total permitted sign area, each premises used for a business center may have one detached Business Center Identification sign, subject to the following conditions:

1. The maximum area for a Business Center Identification sign shall be one-hundred-fifty (150) square feet.
2. No Business Center Identification sign shall be within three-hundred (300) feet of any other center identification sign or within one-hundred-fifty (150) feet of any other detached sign on the same or adjacent premises.
3. The sign shall display no more than the name and location of the business center.
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this Article.

622 Wireless Communication Tower

Intent:

The Communications Act of 1934, as amended by the Telecommunications Act of 1996 (the Act), grants the Federal Communications Commission (FCC) exclusive jurisdiction over certain aspects of telecommunications services. This section is intended to regulate towers, telecommunications facilities and antennas in the Village in conformance with the Act without prohibiting or tending to prohibit any person from providing wireless telecommunications services, telecommunications facilities, towers and antennas in the Village, to protect residential areas and land uses from potential adverse impact of installation of towers and antennas through careful design, siting, and camouflaging, to promote and encourage shared use/collocation of towers and other antenna support structures rather than the construction of additional single use towers, to avoid potential damage to property caused by towers, telecommunications facilities and antennas by ensuring such structures are soundly and carefully designed, constructed, modified, maintained, repaired and removed when no longer used or are determined to be structurally unsound and to ensure that towers and antennas are compatible with surrounding land uses.

Definitions:

All terms in this Section which are not specifically defined herein shall be constructed in accordance with the Communications Act of 1934, the Telecommunications Act of 1996 and the Rules and Regulations of the

Federal Communications Commission (FCC). As used in this Section, the following terms shall have the following meanings:

1. Antenna: A device, designed and intended for transmitting or receiving television, radio, or microwave signals, direct satellite service (including direct-to-home satellite service), and/or video programming services via multi-point distribution services.
2. Antenna Support Structure: Any building or structure other than a tower which can be used for location of telecommunications facilities.
3. Applicant: Any person that applies for a Tower Development Permit.
4. Application: A process by which the owner of a tract of land within the zoning jurisdiction of the Village submits a request to develop, construct, modify, or operate a tower upon such tract of land. The term application includes all written documentation, verbal statements, and representations, in whatever, formal forum, made by an applicant to the Village concerning such request.
5. Conforming Commercial Earth Station: A satellite dish which is two meters or less in diameter and is located in an area where commercial or industrial uses are generally permitted under this regulation.
6. Engineer: Any engineer qualified and licensed by any state or territory of the United States of America.
7. Owner: Any person with a fee simple title or a leasehold exceeding ten (10) years in duration to any tract of land within the zoning jurisdiction of the Village who desires to develop, construct, modify, or operate a tower upon such tract of land.
8. Person: Any person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.
9. Satellite Dish Antenna: An antenna consisting of a radiation element intended for transmitting or receiving television, radio, microwave, or radiation signals and supported by as structure with or without a reflective component to the radiating dish, usually circular in shape.
10. Stealth: Any telecommunications facility, tower, or antenna which is designed to enhance compatibility with adjacent land uses, including, but not limited to, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and towers designed to look other than a tower, such as light poles, power poles and trees.
11. Telecommunications Facilities: shall mean any cables, wires, lines, wave guide, antennas, or any other equipment or facilities associated with the transmission or reception of communications which a person seeks to locate or has installed upon or near a tower or antenna support structure. However, telecommunications facilities shall not include:
 - a. Any Conforming Commercial Earth Station antenna that measures six feet (6') or less in diameter which is located on real estate zoned AG,RT,R1,R2,R3,MH, C1,C2, C3, or I.
 - b. Any earth station antenna or satellite dish antenna of three feet (3') or less in diameter, regardless of zoning applicable to the location of the antenna.
12. Tower: A self-supporting lattice, guyed, or monopole structure which supports Telecommunications Facilities. The term Tower shall not include non-commercial amateur radio operators' equipment as licensed by the FCC or structure supporting an earth station antenna serving residential premises or dwelling units exclusively.
13. Tower Development Permit: A permit issued by the Village upon approval by the Village Board of an application to develop a tower within the zoning jurisdiction of the Village. Such permit shall continue in

full force and effect for so long as the tower to which it applies conforms to this Section. Upon issuance, a Tower Development Permit shall be deemed to run with the land during the permits duration and may be transferred, conveyed, and assigned by the applicant to assigns and successors-in-interest.

14. Tower Owner: Any person with an ownership interest of any nature in a proposed or existing tower following the issuance of a Tower Development Permit.

Locations of Towers and Construction Standards:

1. Towers shall be permitted conditional uses of land in only three (3) districts where specifically listed and authorized in this regulation.
2. No person shall develop, construct, modify or operate a tower upon any tract of land within the zoning jurisdiction of the Village prior to approval of its application for a Tower Development Permit by the village Board and issuance of this permit by the Village. Applicants shall submit their application for a Tower Development Permit to the Zoning Office and shall pay a filing fee.
3. All towers, telecommunications facilities and antennas on which construction has commenced within the zoning jurisdiction of the Village after the effective date of this regulation shall conform to the Building Codes and all other construction standards set forth by the Village. County, federal, and state law and applicable American National Standards Institute (ANSI). Upon completion of construction of a tower and prior to the commencement of use, an engineer's certification that the tower is structurally sound and in conformance with all of the aforementioned applicable regulatory standards shall be filed in the Zoning Office.

Applications to Develop a Tower:

1. Name, address, and telephone number of the owner and if applicable, the lessee of the tract of land upon which the tower is to be located. Applicants shall include the owner of the tract of land and all persons having an ownership interest in the proposed tower. All applicants shall execute the application.
2. The legal description and address of the tract of land on which the tower is to be located.
3. The names, addresses and telephone numbers of all owners of other towers or useable antenna support structures within a one (1) mile radius of the proposed tower, including publicly and privately owned towers and structures.
4. An affidavit attesting to the fact that the applicant has made diligent but unsuccessful efforts to obtain permission to install or collocate the applicants telecommunications facilities on a tower or useable antenna support, or written technical evidence from an engineer that the applicant's telecommunications facilities cannot be installed or collocated on another tower or usable antenna support structure.
5. Written technical evidence from an engineer that the proposed tower will meet the established Building Code, and all other applicable construction standards set forth by the Village Board and federal and state and ANSI standards.
6. Color photo simulations showing the proposed location of the tower with a photo-realistic representation of the proposed tower as it would appear viewed from the nearest residentially used and/or zoned property and nearest roadway, street or highway.
7. Descriptions and diagrams of the proposed tower, telecommunications facilities and/or antenna, manufacturer's literature, appurtenances such as buildings, driveways, parking areas, and fences or other security enclosures with significant detail to allow persons reviewing the application to understand the kind and nature of the proposed facility.

8. A performance bond in the amount of fifty-thousand dollars (\$50,000) for the expenses of removal and disposal of the tower.

Tower Development Permit Procedure:

After receipt of an application for a Tower Development Permit, the Zoning Administrator shall schedule a public hearing before the Planning Commission, following all statutory requirements for publication and notice, to consider such application. The Planning Commission shall receive testimony on the Tower Development Permit and shall make a recommendation to the Village Board. Upon the completion of the Planning Commission Public Hearing the Zoning Administrator shall schedule a public hearing before the Village Board, following all statutory requirements for publication and notice, to consider such application and the recommendation of the Planning Commission. Notice, for each Public Hearing shall be made at least one (1) time and at least ten days prior to such hearing. In addition, the Zoning Administrator shall cause a notice to be posted in a conspicuous place on the property on which action is pending. The Planning Commission and Village Board may approve the Tower Development Permit as requested in the pending application with any conditions or safeguards it seems reasonable and appropriate based upon the application and/or input received at the public hearing or deny the application. In all zoning districts in which towers are a permitted conditional use of land, the Tower Development Permit shall be deemed a conditional use permit for said tract of land.

Setbacks and Separation of Buffer Requirements:

1. All towers up to fifty feet (50') in height shall be setback on all sides a distance equal to the underlying setback requirement in the applicable zoning district. Towers in excess of fifty feet (50') in height shall be set back an additional one foot (1') for each on foot (1') of tower height in excess of fifty feet (50'). The height of the tower shall be measured from the grade at the foot of the base pad to the top of any telecommunications facilities or antennas attached thereto. Setback requirements shall be measured from the base of the tower to the property line of the tract of land on which it is located.
2. Towers exceeding one hundred feet (100') in height may not be located in any residentially zoned district. Further, such towers shall also be separated from all residentially zoned districts, and any other occupied structures other than those utilized by the tower owner, by a minimum of two hundred feet (200') or one hundred percent (100%) of the height of the proposed tower, whichever is greater.
3. Towers of one hundred feet (100') or less in height may be located in residentially zoned districts provided said tower is separated from any residential structure, school, church, and/or occupied structures other than those utilized by the tower owner, by a minimum of one hundred percent (100%) of the height of the tower.
4. Towers must meet the following minimum separation requirements from other towers:
 - a. Monopole tower structures shall be separated from all other towers, whether monopole, self-supporting lattice, or guyed by a minimum of seven-hundred-fifty feet (750')
 - b. Self-supporting lattice or guyed towers shall be separated from all other self-supporting lattice or guyed towers by a minimum of one-thousand-five-hundred feet (1,500').

Structural Standards for Towers:

The *Structural Standards for Steel Antenna Towers and Antenna Supporting Structures*, 1991 Edition (ANSI/EIA/TIA 222-E-1991) is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are in hereinafter deleted, modified, or amended by regulations and set forth in this Article of the Zoning Regulations.

Illumination and Security Fences:

1. Towers shall not be artificially lighted except as required by the Federal Aviation Administration (FAA). In cases where there are residential uses/zoned properties within a distance of three-hundred percent (300%) of the height of the tower, and tower subject to this Section shall be equipped with dual mode lighting.
2. All self-supporting lattice or guyed towers shall be enclosed within a security fence or other structure designed to preclude unauthorized access. Monopole towers shall be designed and constructed in a manner which preclude to the extent practical, unauthorized climbing of said structure.

Exterior Finish:

Towers not requiring FAA painting or markings shall have an exterior finish which enhances compatibility with adjacent land uses, subject to review and approval by the Planning Commission and Village Board as part of the application process. All towers which must be approved as a conditional use shall be design with stealth features unless stealth features are impractical or the cost of such features represents an undue burden on the applicant.

Landscaping:

All tracts of land on which towers, antenna support structures, telecommunications facilities are located shall be subject to the landscaping requirements of the Village.

Maintenance, Repair or Modification of Existing Towers:

All towers constructed or under construction on the date of approval of this regulation may continue in existence as a non-conforming structure and may be maintained or repaired without complying with any of the requirements of this Section.

Non-conforming structures or uses may not be enlarged or the degree of nonconformance increased without complying with this Section, including applying for and obtaining a Tower Development Permit. Any modification or reconstruction of a tower constructed or under construction on the date of approval of this regulation shall be required to comply with the requirements of this Section including applying for and obtaining a Tower Development Permit. Said application shall describe and specify all items which do not comply with this Section and may request, subject to final review and approval of the Village Board, an exemption from compliance as a condition of the Tower Development Permit.

Inspections:

As a condition of a Tower Development Permit, the applicant shall grant to the Village the right to conduct inspection of towers, antenna support structures, telecommunications facilities and antenna upon reasonable notice to the tower owner or operator to determine compliance with this Section and to prevent structural and equipment failures and accidents which may cause damage, injuries or nuisances to the public. Inspections may be made to determine compliance with the Village's Building Codes and any other construction standards set forth by the Village, federal and state law or applicable ANSI standards. Applicant shall also grant permission to any employee of the Village or other duly appointed independent representative of the Village, to enter onto the property of applicant for the purpose of conducting such inspection.

Maintenance:

The towers, antenna support structures, telecommunications facilities and antennas shall at all times be kept and maintained in good condition, order and repair so that the same does not constitute a nuisance to or a danger to the life or property of any person or the public.

Abandonment:

1. The tower owner shall be required to notify the Zoning Administrator of any periods of nonuse or abandonment of the tower facility.
2. If any tower shall cease to be used for a period of one (1) year, the Zoning Administrator shall notify the tower owner that the site will be subject to determination by the Zoning Administrator that the site has been abandoned. Upon issuance of written notice to show cause by the Zoning Administrator, the tower owner shall have thirty (30) days to show by a preponderance of evidence that the tower has been in use or under repair during the period of apparent abandonment. In the event the tower owner fails to show that the tower shall have seventy-five (75) days, thereafter to dismantle and remove the tower. In the event the tower is not dismantled and removed, the tower shall be declared a public nuisance by the Zoning Administrator, or his/her designee nuisance pursuant to authority of the Nebraska State Statutes and Village of Platte Center codes, and charge the costs thereof against the real estate on which the tower is located or the owner of record of the said real estate.

Satellite Dish Antennas, Regulation:

1. In residentially zoned districts, satellite dish antennas may not exceed a diameter of ten feet (10').
2. Single family residences may not have more than one (1) satellite dish antenna over three feet (3') in diameter.
3. Multiple family residences with ten (10) or less dwelling units may have no more than one (1) satellite dish antenna over three feet (3') in diameter. Multiple family residences with more than ten (10) dwelling units may have no more than two (2) satellite dish antennas over three feet (3') in diameter.
4. In residential zoning districts, satellite dish antennas shall not be installed in the required front yard setback or side yard setback area.
5. All satellite dish antennas installed within the zoning jurisdiction of Platte Center, upon adoption of this regulation, shall be of a neutral color such as black, gray, brown, or such color as will blend with the surrounding dominant color in order to camouflage the antenna.

623 Fences

No fences shall be constructed within the zoning jurisdiction of the Village of Platte Center unless a permit therefore is approved and issued by the Zoning Administrator, except for non-electrified fencing in an AG-Agricultural district for agricultural purposes. All fencing in the zoning jurisdiction of Platte Center shall be constructed in conformance with the following requirements:

1. The height limitation for fences shall be six feet (6') above ground level except as provided herein.
2. A fence constructed within a front yard of a residential lot and/or vegetation used as a barrier, screen, or fence within a front yard of a residential lot shall not exceed forty-two inches (42") in height.
3. Where it demonstrated that for security purposes the perimeter fencing around a plant or building located in an area zoned as an Industrial District must not be higher than eight feet (8') in height may be approved through a Conditional Use Permit.
4. Fences constructed along and parallel to lot lines separating a residentially zoned lot from property located in a Commercial or Industrial District shall not exceed eight (8') in height.
5. Fences constructed along and parallel to rear and side lot lines adjoining arterial streets, as designated by the Nebraska Department of Roads, shall not exceed six (6') in height.

6. Fences located within a front or side yard of a residential lot must qualify within the definition of an open fence, except that solid fences may be constructed along a side lot line parallel and adjacent to the lot line that is adjacent to a Commercial or Industrial District. A solid fence may be constructed in a side yard parallel and adjacent to the lot line that is adjacent to a street, but no closer to the street as the allowed side yard setback.
7. No fence or vegetation shall be situated or constructed in such a way as to obstruct the vehicular traffic or otherwise create a traffic safety hazard.
8. The use of barbed wire in the construction of any fence is prohibited except:
 - a. Perimeter security fencing of buildings constructed in an Industrial District. The plans and specifications for any such fencing must be approved by the Zoning Administrator before commencement of construction.
 - b. Farm fencing constructed for agricultural purposes.
9. All fences shall be maintained in good repair.
10. All fences shall be located inside the boundaries of the property upon which constructed except where two (2) adjacent property owners pursuant to a written agreement filed with the Village at the time of applying for a fence permit, agree to build one (1) fence on the common lot line of adjacent side yards or back yards.
11. Electric fences may not be constructed or maintained within the Village of Platte Center or within its extraterritorial jurisdiction except in the AG-Agricultural District. An owner or lessee or such property may, upon application to the Village and approval by the Zoning Administrator, maintain electrified fencing provided same shall not be energized to the extent that it is capable of causing bodily harm to persons, be they children or adults, or to animals. Before the Zoning Administrator shall approve any electrified fencing, he shall determine that non-electric fencing will not adequately protect the owner's property and the owner's application for approval of electrified fencing shall set forth in detail the reasons why non-electrified fencing will not adequately protect his property.
12. The finished surface of all fencing shall face toward adjoining property or street frontage. However, in the case of two (2) or more property owners wishing to share a common fence line between their properties, said property owners shall jointly determine upon which side of the common fence line the finished face of the fence shall be placed. Such determination shall be consistent for the entire length of the common fence line.
13. Any existing fence constructed pursuant to a permit issued and approved by the Village of Platte Center which was in conformity with the prior provisions of this section and which was in place as of said date, may remain without change in accordance with this section notwithstanding same may be in conflict with one (1) or more provisions of this section as amended; provided, however, and replacement or change of said existing fence or addition of a new fence, must hereby meet the requirements of this section as amended hereby.
14. All non-portable swimming pools, with a depth of which is greater than twenty-four inches (24"), must be enclosed at ground level by a six foot (6') high fence in which no opening shall permit the passage of a six inch (6") diameter sphere. All gates must have locking hardware to prevent access when not in use.

624 Storage of Parking of Vehicles, Boats, Campers and Trailers

Motor Vehicle Storage:

No lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the Village of Platte Center shall be used for any of the following:

1. the storage or keeping of motor vehicles not having a properly issued current motor vehicle registration and current motor vehicle license plate properly displayed; provided, however, that following shall not constitute a violation of this subparagraph.
2. The storage of unlicensed and/or unregistered motor vehicles except in a fully enclosed garage.
3. The storage or keeping of operable off-highway farm or industrial vehicles except on tracts zoned Agriculture or I-Industrial and used in agricultural or industrial activity conducted on said premises.
4. The storage, keeping or abandonment of parts, including scrap metals, from motor vehicles or machinery, or parts thereof, except in enclosed buildings or garages or where otherwise authorized by the Platte Center zoning regulations.
5. Parking, storage, or keeping, other than in a fully enclosed garage, of any non-operable motor vehicle on any lot zoned residential, provided, however, that automobiles that are non-operable solely because of repair work being done thereon may be parked on residential lots within the Platte Center zoning jurisdiction occupied by the owner of said automobile, under the following conditions:
 - a. The automobile is owned by the owner of the premises and registered to him/her at that address.
 - b. The period of said repair work does not exceed ten (10) days in duration.
 - c. Said repair work is at times conducted on a hard surface driveway; and
 - d. No more than one (1) automobile in need of repair is situated on the premises at the same time.
6. No motor vehicle as defined by section 60-301 of Nebraska State Statutes shall be parked in the front or rear yard of any lot zoned residential except on paved driveways or other hard surfaced areas as designed and provided for in Article 2.
7. Any motor vehicle stored or kept in violation of the provisions hereof may be removed by the Village. All towing, storage and other costs of removal pursuant to this section shall be solely at the expense of the owner of the premises from which the vehicle is situated, and if the owner of the premises is different than the occupier of the premises, then both owner and occupier shall be jointly and severally liable. In addition, the Village, upon certifying the same to the county treasurer, shall have a lien against the premises in the full amount of such removal costs, together with interests at the highest legal rate that the Village is authorized to collect on special assessments.

Boats, Campers and Trailers:

1. No boat, camper, trailer or any combination thereof as defined by section 60-301 of Nebraska State Statutes shall be parked in the front or rear yard of any lot zoned residential except on paved driveways or other hard surfaced areas as designed and provided for in Article 2; provided that:
 - a. Boats, campers, trailers or any combination thereof not exceeding two (2) may be parked in the side or rear yard of lots zoned residential from October through April of each year without being parked on a hard surface. A camper or boat situated on a trailer shall be considered as one vehicle.

- b. Said boats, campers and trailers together with accessory structures shall not occupy more than thirty-five percent (35%) of the required rear yard.
2. Any boat, camper, or trailer stored or kept in violation of the provisions hereof may be removed by the Village. All towing, storage and other costs of removal pursuant to this section shall be solely at the expense of the owner of the premises from which the vehicle is situated, and if the owner of the premises is different than the occupier of the premises, then both owner and occupier shall be jointly and severally liable. In addition, the Village, upon certifying the same to the county treasurer, shall have a lien against the premises in the full amount of such removal costs, together with interests at the highest legal rate that the Village is authorized to collect on special assessments.

625 Landscaping and Screening Standards

Purpose:

The Landscaping and Screening Regulations provide additional guidance on the development of sites within Platte Center by addressing landscaping and screening requirements. They are designed to improve the appearance of the community; buffer potentially incompatible land uses from one another; and conserve the value of properties within the Village of Platte Center.

Applicability:

The provisions of this section shall apply to all new development on each lot or site upon application for a building permit, except for the following:

1. Reconstruction or replacement of a lawfully existing use or structure following a casualty loss.
2. Remodeling, rehabilitation, or improvements to existing uses or structures which do not substantially change the location of structures, parking, or other site improvements.
3. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than 20 percent. Where such additions or enlargements are 20 percent or greater, these provisions shall apply only to that portion where the new development occurs.
4. Agricultural Buildings, structures and uses.

Landscaping Requirements:

Landscaping shall be required adjacent to each street property line and within front yards as shown in Table 6-8.

Landscaping Materials and Installation Standards:

1. **Restricted List of Plant Materials:** No plant material on the Restricted List of Plant Material shall be used to fulfill landscape requirements. This list is provided through the office of Weed Control. These plants are restricted from use because of disease, maintenance, or suitability.
2. **Use of Inorganic Landscaping Materials:** No artificial trees, shrubs, plants or turf shall be used to fulfill the minimum requirements for landscaping. Inorganic materials, such as stone or decorative pavers, may be used provided that such material does not comprise more than 35% of the minimum required landscaped area. Other concrete and/or asphalt pavement surfaces may not be used within the minimum required landscaped area, except for walkways less than 5 feet in width.

Table 6-8: Required Landscape Depth

Zoning District	Depth of Landscaping Adjacent Street Property Line
AG – Agricultural	35 feet
RT – Residential Transition	35 feet
R1 – Single Family Residential	NA
R2 – Medium Density Residential	20 feet
R3 – Multiple Family Residential	15 feet
MH – Mobile Home	35 feet
C1 – Light Commercial	15 feet
C2 – Central Business District	No requirement
C3 – Highway Services	10 feet
I – Industrial	10 feet

Buffer Provisions:

These provisions apply when use is established in a more intensive zoning district (District A) which is adjacent to a less intensive zoning district (District B). The owner, developer, or operator of the use within District A shall install and maintain a landscaped buffer on his/her lot or site, as set forth in this section. Buffer requirements apply only to those districts indicated in Table 8-2. Buffers are not required of single-family, 2-family, duplex, or townhouse use types in the more intensive zoning district.

1. The buffer dimensions set forth in Table 6-9 apply to zoning districts which share a common lot line or are adjacent but separated by an intervening alley.

Table 6-9: Buffer Requirements (in feet)

District A (More Intensive District) Note 3	District B (Less Intensive Adjacent District)				
	AG (Note 1)	RT (Note 1)	R-1 (Note 1)	R-2 (Note 1)	MH (Note 1)
AG, TA		Note 2	Note 2	Note 2	Note 2
R-2	10	10	10 + 5 feet for each story over one	---	10
C1	20	20	20	15	20
C3	20	20	20	15	20
I	30	30	30	30	30

Notes to Table 6-9:

- Note 1:** Applies to residential and civic uses previously established in the zoning district.
- Note 2:** May be subject to screening requirements only as set forth in Section 624.
- Note 3:** Buffer requirements do not apply to single-family, duplex, or townhouse residential uses established in District A

2. When a street separates adjacent zoning districts requiring a buffer, the size of the buffer shall be one-half the required buffer set forth in Table 6-9.
3. Each required buffer must be entirely landscaped and free of paved areas, access ways, storage, or other disturbances.

Screening Standards:

1. Application

Screening is required between adjacent zoning districts indicated in Table 6-9 when one or more of the following conditions in the more intensive zoning district is directly visible from and faces toward the boundary of the less intensive zoning district.

- a. The rear elevation of buildings.
- b. Outdoor storage areas or storage tanks, unless otherwise screened.
- c. Loading docks, refuse collection points, and other service areas.
- d. Major machinery or areas housing a manufacturing process.
- e. Major on-site traffic circulation areas or truck and/or trailer parking.
- f. Sources of glare, noise, or other environmental effects.
- g. Any use in an AG or TA District involving a business, service, or process not completely enclosed in a structure that abuts or is located across a street or alley from a residential or civic use in an TA, R-1, R-2, or MH District.

2. Opaque Barrier

A six foot opaque barrier shall be provided which visually screens the conditions listed in Section 806 (a) from less intensive uses as follows:

- a. A solid wood and/or masonry fence or wall at least six feet in height.
- b. A landscaping screen, using evergreen or deciduous materials, capable of providing a substantially opaque, hedge-like barrier and attaining a minimum height of six feet within three years of planting.
- c. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts.
- d. Any combination of these methods that achieves a cumulative height of six feet.

3. Location of Screening Wall

- a. A screening wall or fence shall be installed no closer to the less intensive zoning district than one-half the width of the required buffer.

4. Screening: Effect on Drainage

Screening shall not adversely affect surface water drainage.

5. Permitted Interruptions of Screening

Screening may be interrupted to provide access drives to service areas or for loading purposes to buildings. Such breaks or interruptions shall not exceed 20% of the length of the required screened area.

Tree Plantings:

In any landscaped area required by the Minimum Depth Requirements, the Buffer Requirements, or the Parking Lot Interior Landscaping Requirements, one tree of an approved species with a minimum caliper size of two inches shall be planted and maintained for each 500 square feet of required landscaped area. Existing trees approved for preservation shall be counted toward satisfaction of this requirement.

General Provisions:

1. Time of Application:

The provisions contained in this Article shall be applied for each individual lot or site when an application for a building permit on such lot is made.

2. Maintenance of Required Landscaping:

Upon installation of required landscape materials, each owner shall take appropriate actions to ensure their continued health and maintenance. Required landscaping that does not remain healthy shall be replaced consistent with this Article.

3. Obstruction of View:

Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, or sidewalk.

4. Earth Berm Locations:

All earth berm locations shall be reviewed by the Public Works Director, or his/her designee to determine how the berms shall relate to drainage and public utilities.

5. Exceptions:

A development may continue to comply with the buffer and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with buffer or screening provisions.

626 Wind Energy Systems

In any zoning district, a conditional use permit may be granted to allow wind energy conversion system, including such devices as wind charger, windmill, or wind turbine; subject to the following conditions:

1. The distance from any tower or support base to any tower support base of another wind energy device under other ownership shall be a minimum of five (5) rotor distances, figured according to the size of the largest rotor.
2. The wind energy system operation shall not cause interference to the television and radio reception on adjoining property.
3. To limit climbing access to the tower, a fence six feet (6') high with a locking portal shall be placed around the tower base or the tower climbing apparatus shall be limited to no more than twelve feet (12') from the ground, or the tower may be mounted on a roof top.
4. The setback distances from all lot lines to any tower support base shall be determined according to the setbacks listed in Table 6-10:

Table 6-10: Wind Energy Setbacks (in feet)

Rotor Diameter	Setback Distance	Minimum Lot Area¹
5 feet	100 feet	1.0 Acre
10 feet	165 feet	2.5 Acres
15 feet	220 feet	4.5 Acres
20 feet	270 feet	6.75 Acres
25 feet	310 feet	9.0 Acres
30 feet	340 feet	10.75 Acres
35 feet	365 feet	12.25 Acres

¹ Where there are several towers under single ownership, the minimum lot areas may be adjusted down provided the minimum setback distances are met on all perimeter units. In addition, the landing areas for all internal towers and rotors shall be within the property owned by the operator.

5. Data pertaining to the machine's turbine safety and stability shall be fixed with the application. Such data shall include turbine safety and acceptance results from tests by a qualified individual or organizations based upon standards set by the U. S. Department of Energy (DOE), Electric Power Research Institute (EPRI) Utility Wind Turbine Verification Program.
6. The application shall provide covenants, easements, or similar documentation from the abutting owners providing access to wind sufficient for it adequate operation, unless adequate accessibility to the wind is provided on the site.