

An aerial photograph of Omaha, Nebraska, with various urban design implementation measures overlaid in different colors. The measures are concentrated in a central corridor and spread out to the north and south. The colors include shades of green, yellow, orange, red, purple, and blue. The Missouri River is visible at the bottom of the image.

omaha by design

Gateway

Girl's and Boys Town

Miracle Hills

Crossroads

Midtown

North Omaha

South Omaha

Downtown

Urban Design Element
Implementation Measures



Preface

Omaha, only better.

The story begins with the tale of two Wal-Marts.

When city council members balked at the proposed design plans for two new stores—the first at 99th and Blair High Road and the second at 132nd and L streets—the company architect said Wal-Mart designs its stores to meet the local community standard and city code. At that point, city leaders realized they needed to take substantive action if the appearance of Omaha was to improve. First, they identified the need to establish a community standard. Second, they identified the need to make changes to Omaha’s zoning and subdivisions codes, which dictate a city’s appearance.

Omaha’s residents have played an important role in addressing these two needs. They have expressed their desire for a better city—a place that respects its natural environment, fosters civic pride and celebrates the diversity of its neighborhoods. This desire is reflected in Omaha’s new community standard—the Urban Design Element, which lays out a framework for changing the quality of development in Omaha while protecting and enhancing the city’s natural environment.

The implementation of the Urban Design Element has positioned Omaha to become the first city of its size to develop and implement a comprehensive urban design plan. It will change the appearance of Omaha, resulting in long-term improvements to the city’s streetscapes, signage, landscaping, building design, pedestrian networks and public spaces. It also will improve the connections between the city’s neighborhoods, commercial centers and civic districts.

How to use this document

The implementation measures of the Urban Design Element consist of:

- Proposed amendments to the zoning code;
- Proposed amendments to the subdivision code; and
- New municipal code provisions.

This information is reflected in two components: code sections and the Urban Design Article. The code sections include Areas of Civic Importance, Civic Place Districts, Mixed-Use Districts, Major Commercial Corridors, Neighborhood Conservation and Enhancement Districts, Walkable Residential Neighborhoods and Industrial Gateways. The Urban Design Article includes the actual urban design standards and guidelines.

These two components, while presented in separate formats, are interdependent. A chart on page 12 cross references which standards and guidelines in the Urban Design Article apply to each of the code sections.

On June 21, 2007, the entire package of proposed implementation measures will be available on the web at www.omahabydesign.org.

Contents



In order to help the user understand the intent and details of the implementation measures, Omaha by Design has prepared one-page summaries that outline the major code sections and Urban Design Article standards and guidelines. In addition, each code section summary shows which of the Article’s standards and guidelines apply to it and where to access them in the code.

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New and Revised Code Sections

ACI

Areas of Civic Importance



A city is like a quilt, as its whole is made up of many individual pieces.

CP

Civic Place Districts



In a city's case, these "pieces" are parcels of land. Zoning codes are the primary means of regulating these parcels. Usually grouped into broad categories but subdivided according to density and intensity of activity, zoning codes are applied to specific geographic areas and dictate how the land can be used. As a result, any effort to change the pattern of this civic quilt must include changes to its zoning codes.

MU

Mixed-Use Districts



The code sections summarized on pages 5 through 9 are overlay districts—areas in which a zoning designation supersedes the zoning for individual lots.

MCC

Major Commercial Corridors



Upon approval of the implementation measures, city planning staff will meet with property owners affected by the new overlay districts as they are created.

NCE

Neighborhood Conservation and Enhancement Districts



WRN

Walkable Residential Neighborhoods



Areas of Civic Importance



The Fishbone



S. 24th Street

Every city has its strip or its loop—an important axis of commercial development and civic use that helps define its physical form. Omaha’s main axis of development is Dodge Street, with important offshoots at 10th, 24th, 72nd, 144th and 180th streets. This local formation, dubbed “The Fishbone,” is the basis for the **Areas of Civic Importance (ACI)** designation (§55-609 to §55-617). Its goal is to improve the overall quality of design throughout the city.

The ACI designation is a zoning overlay. A number of guidelines in the Urban Design Article will apply to all developments in ACI, superseding their existing zoning designations. The precise application of the guidelines will vary according to the selected area’s land-use patterns and geographic characteristics as identified by the City of Omaha Planning Department. They will be developed in consultation with the owners of businesses and homes in that area.

The essential goal of the ACI designation is to preserve and strengthen a sense of place in image-forming parts of the city. While these are predominantly located in The Fishbone, other areas may be considered for ACI designation.

The following Urban Design Article guidelines will apply to ACI:

Sidewalk areas (§55-924); **build-to/set-back lines** (§55-925); **ground-level transparency** (§55-926); **service area screening** (§55-927); **green parking areas** (§55-928); **parking structures** (§55-929); **site and building access** (§55-930); **neighborhood connectivity** (§55-931); **location of utilities** (§55-932); **signs** (§55-933); **retaining walls** (§55-934); **large retail building design guidelines** (§55-935); **general retail building design guidelines** (§55-936).



Civic Place District

Midtown Crossing at Turner Park



Midtown Crossing at Turner Park, a \$250 million mixed-use development currently under construction, will transform the look and feel of midtown Omaha. It also will help forge a new image for the entire city, one that respects its natural environment, fosters civic pride and celebrates the diversity of its neighborhoods.

The **Civic Place (CP) District** (§55-627 to §55-636) designation will safeguard or improve image-forming sites like Midtown Crossing at Turner Park, whether public or private. CP Districts will be largely located within Areas of Civic Importance (ACI) and will play a large role in determining the area's design character. Turner Park is one of six CP Districts identified along Omaha's main axis of development. The CP District, a zoning overlay, can be initiated by the mayor, the City of Omaha Planning Department, or a majority of residents and business owners in the proposed district. A plan for the district must be prepared by the planning department or a private organization. The CP District application will then be submitted to the Omaha Planning Board and Omaha City Council for approval, which will consider the designation based on the existence of special site characteristics or requirements, as well as the need for public improvements and zoning to guide future development in the area.

The following Urban Design Article guidelines will apply to CP Districts:

Sidewalk areas (§55-924); **build-to/set-back lines** (§55-925); **ground-level transparency** (§55-926); **service area screening** (§55-927); **green parking areas** (§55-928); **parking structures** (§55-929); **site and building access** (§55-930); **neighborhood connectivity** (§55-931); **location of utilities** (§55-932); **signs** (§55-933); **retaining walls** (§55-934); **large retail building design guidelines** (§55-935); **general retail building design guidelines** (§55-936); **tower locations/min.-max. façade heights** (§55-634[a]); **important buildings** (§55-634[b]); **building design/architectural guidelines** (§55-634[c]); **significant vistas** (§55-634[d]); **public spaces** (§55-634[e]).

Mixed-Use District



Aksarben Village



After 50 years of segregating land uses, planners and developers are responding to popular demand for quality urban centers that incorporate spaces for living, working and shopping in a pedestrian-oriented environment. Such developments already are planned for Omaha, with Aksarben Village, Midtown Crossing at Turner Park and North Downtown (NoDo) heading the list. The proposed **Mixed-Use (MU) District** (§55-561 to §55-565) designation will make it easier to build these kinds of centers in Omaha by adding a formal option to the city's zoning code.

MU Districts are zoning districts generally initiated by developers at their own discretion, a practice that will continue with the new designation. In order to have a site zoned as mixed use, projects will be required to meet certain criteria, including minimum requirements for individual uses, the presence of pedestrian-friendly streets and other measures intended to make such centers attractive to potential residents, business owners and customers. These items must be addressed in the site plan that developers are already required to submit to the city for approval.

The following Urban Design Article guidelines will apply to MU Districts:

Sidewalk areas (§55-924); **build-to/set-back lines** (§55-925); **ground-level transparency** (§55-926); **service area screening** (§55-927); **green parking areas** (§55-928); **parking structures** (§55-929); **site and building access** (§55-930); **neighborhood connectivity** (§55-931); **location of utilities** (§55-932); **signs** (§55-933); **retaining walls** (§55-934); **large retail building design guidelines** (§55-935); **general retail building design guidelines** (§55-936); **mixing of uses** (§55-564[c]); **circulation systems** (§55-564[d]); **plazas, public places, and buildings** (§55-564[e]); **green corners** (§55-564[f]); **stormwater detention areas** (§55-564[g]); **required open space** (§55-564[g]).



Major Commercial Corridor

North 90th Street “before”



North 90th Street “after”



Commercial strips, a common sight across the country, are more known for their convenience than their aesthetic appeal. **The Major Commercial Corridor (MCC)** (§55-681 to §55-688) designation will make Omaha’s commercial corridors more visually appealing by holding them to a higher standard of design.

The MCC is a zoning overlay district. Certain guidelines will apply to all new development or redevelopment projects in a MCC. Compliance with urban design guidelines must be addressed in a proposed project’s site plan.

A prime example of a MCC is 90th Street from Blondo to Crown Point. As shown in the rendering above left, the corridor has neither landscaping nor an actual sidewalk, and pedestrians, over time, have created their own walking path in the grassy area. The rendering above right shows how the MCC designation can transform that same stretch of street into a visually appealing place to shop and conduct business.

The following Urban Design Article standards will apply to MCC:

Service area screening (§55-927); **green parking areas** (§55-928); **parking structures** (§55-929); **site and building access** (§55-930); **location of utilities** (§55-932); **signs** (§55-933); **retaining walls** (§55-934); **large retail building design guidelines** (§55-935); and **general building design guidelines** (§55-936).

Neighborhood Conservation & Enhancement District



Loveland



50th & Underwood



Loveland



Neighborhoods are the lifeblood of any city, reflecting the character of their residents. They are the building blocks of civic life, adding distinctiveness to the larger city and providing opportunities for interaction. The **Neighborhood Conservation & Enhancement (NCE) District** (§55-602 to §55-608) designation will help conserve the unique characteristics of established neighborhoods and commercial areas while enhancing the aesthetic qualities of newer neighborhoods and commercial areas.

NCE districts will be citizen-initiated. The City of Omaha Planning Department or a private organization will prepare a plan on behalf of a majority interest of residents and/or business owners in the proposed district. Plans will be submitted to the Omaha Planning Board and Omaha City Council. These entities will consider the NCE designation based on the existence of distinctive building features, land-use patterns and landscape characteristics in need of protection, or a demonstrated need for specific urban design standards to enhance the character of existing development.

The following Urban Design Article guidelines will apply to NCE districts:

Large retail building design guidelines (§55-935); **general retail building design guidelines** (§55-936).

The following Urban Design Article guidelines may apply or be adapted to NCE districts:

Sidewalk areas (§55-924); **build-to/set-back lines** (§55-925); **ground-level transparency** (§55-926); **service area screening** (§55-927); **green parking areas** (§55-928); **parking structures** (§55-929); **site and building access** (§55-930); **location of utilities** (§55-932); **signs** (§55-933); **retaining walls** (§55-934).



Walkable Residential Neighborhoods

Leytham



Recent studies have shown that Americans feel increasingly disconnected from their communities, and the consequences of this disconnection are far-reaching. Some cities have attempted to address this issue by encouraging denser housing developments that are pedestrian-friendly and designed for active use. The **Walkable Residential Neighborhood (WRN)** (§55-208 to §55-215) designation will bring this concept to suburban parts of Omaha, offering homeowners a safer, more appealing outdoor environment that encourages physical activity and social interaction.

The WRN will be voluntarily initiated by developers. It sets out site development standards that are modeled after old style, pedestrian-oriented neighborhoods such as Benson and Dundee. While the current zoning codes tend to separate uses, the WRN encourages a mix of uses so that people can walk from their homes to shops, libraries and other civic amenities. The intent is to stimulate new residential development patterns in Omaha that contain a mix of housing types like the State Street Project at 168th and State streets.

The WRN is intended as a separate zoning option—it is not an overlay. It carries several criteria that developers must meet regarding the set-back of units from the public right-of way, the width of lots and the height of buildings. Projects will be approved on the basis of meeting these quantitative guidelines as well as the overall quality of the site plan.

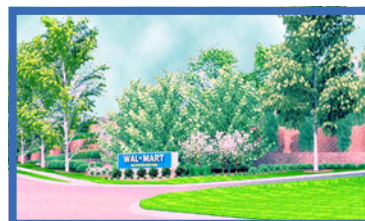
Urban Design Article

A new major component of the zoning code is the Urban Design Article. It contains the design standards and guidelines that are intended to implement the Urban Design Element of the city's master plan.

The applicability chart on the following page lists the Article's 24 broad standards and guidelines, along with the new and revised code sections to which they apply. For example, the standards and guidelines for sidewalk areas apply in Areas of Civic Importance, Civic Place Districts, Neighborhood Conservation & Enhancement Districts (voluntarily) and Mixed-Use Districts.

Omaha by Design has prepared summaries for six of the most frequently used standards and guidelines in the Urban Design Article. They appear on pages 13 through 18 of this document.

Each of the summaries also contains a listing of which specific sections of the code apply to it.



Large Retail Building Design

Build-to/Set-back Lines

Ground-level Transparency

On-Premise Signage

Retaining Walls

Green Parking Lots



Applicability Chart

Urban Design Article Provision	New & Revised Code Sections					Special Permit Review	
	ACI	CP ¹	NCE	IG	MCC	MU	Large Retail Building in Industrial
Sidewalk areas (§ 55-924)	•	•	⊙			•	
Build-to/Set-back lines and zones (§55-925)	•	•	⊙			•	
Ground-level transparency (§ 55-926)	•	•	⊙			•	
Service area screening (§ 55-927)	•	•	⊙		•	•	
Green parking areas (§ 55-928)	•	•	⊙		•	•	
Parking structures (§ 55-929)	•	•	⊙		•	•	
Site and building access (§ 55-930)	•	•	⊙		•	•	
Neighborhood connectivity (§ 55-931)	•	•	⊙			•	
Location of utilities (§ 55-932)	•	•	⊙	•	•	•	
Signs (§ 55-933)	•	•	⊙	•	•	•	
Retaining walls (§ 55-934)	•	•	⊙		•	•	
Large retail building design guidelines (§ 55-935)	•	•	•		•	•	•
General building design guidelines (§ 55-936)	•	•	•		•	•	
Tower locations; min/max. façade heights (§ 55-634(a))		•					
Important buildings (§ 55-634(b))		•					
Building design/architectural guidelines (§ 55-634(c))		•					
Significant vistas (§ 55-634(d))		•					
Public spaces (§ 55-634(e))		•					
Mixing of uses (§ 55-564(c))						•	
Circulation systems (§ 55-564(d))						•	
Plazas, public places and buildings (§ 55-564(e))						•	
Green corners (§ 55-564(f))						•	
Stormwater detention areas (§ 55-564(g))						•	
Required open space (§ 55-564(h))						•	

Legend: • – Applicable., ⊙ – NCE district provisions may address these elements of urban design.

¹ Standards and guidelines for each CP district shall be found in the CP zoning plan.

Large Retail Building Design



Wal-Mart at 72nd & Pine



Many Americans shop at Wal-Mart and Target. Because of their “footprint,” these large retail stores were once built exclusively in rural areas and on the suburban fringes of large cities. Within the past several years, however, large retailers have made significant inroads into America’s cities, including Omaha. The large retail **building design guidelines** (§55-935) will ensure that these buildings are designed in harmony with their urban context.

The guidelines focus on the exterior architecture of large retail buildings. Important provisions include the screening of exterior mechanical and waste collection equipment and service docks. The central concept, however, is the breaking up of long stretches of wall into more visually pleasing, human-scale sections. This can be achieved through the use of windows, entrance pavilions or projections, and variegated masonry.

These guidelines are not intended to establish a uniform template for large retail building design. As other communities have successfully proven, it is possible to have the best of both worlds—large retailers and quality urban design.

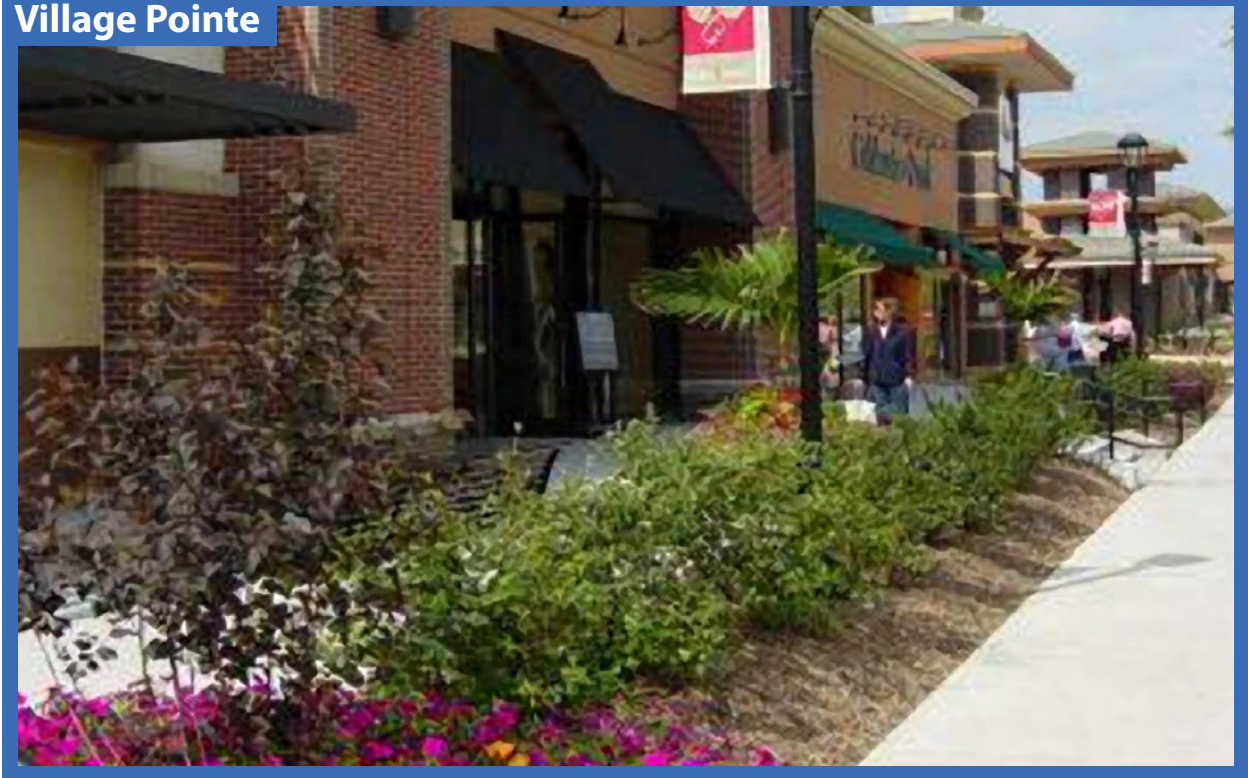
New and revised code sections to which the large retail building design guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636);
Neighborhood Conservation & Enhancement (NCE) Districts (§55-602–§55-608);
Major Commercial Corridors (MCC) (§55-681–§55-688); **Mixed-Use (MU) Districts** (§55-561–§55-565).



Build-to/Set-back Lines

Village Pointe



A new wave of development across the country has renewed the public's interest in walkable, street-oriented retail districts. In the metro area, the new Village Pointe and Shadow Lake shopping centres exemplify this increasingly popular concept. The **build-to/set-back** guidelines (§55-925) will clarify and standardize the city's expectations for a building's relationship to the public right-of-way.

The goal of the build-to/set-back guidelines is to ensure that buildings are placed in a manner that creates a consistent street yard featuring a sidewalk of sufficient size and a landscaped plot that separates the sidewalk from the street. Mixed-Use (MU) Districts and Areas of Civic Importance (ACI) receive specific attention, with individual building set-back distance ranges established for each.

New and revised code sections to which the build-to/set-back guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636); **Mixed-Use (MU) Districts** (§55-561–§55-565).

New and revised code sections to which the build-to/setback guidelines may apply:

Neighborhood Conservation & Enhancement (NCE) Districts (§55-602–§55-608).

Ground-level Transparency



Hy-Vee at 156th & West Maple Road



Windows are a key ingredient in creating welcoming spaces in urban and suburban areas. People respond to windows. They add life and visual interest to a building, allowing those inside to see the activity taking place on the street and vice versa. Windows are also a prime means of advertising a product and attracting customers. That's why the Urban Design Article encourages the use of windows in its guidelines on **ground-level transparency** (§55-926).

Transparency is critical in pedestrian-oriented, mixed-use areas. The guidelines require that a percentage of the façade of any building within 10 feet of a sidewalk on a public street or internal main street (designated within mixed-use developments) is transparent. Features that count toward the transparency requirement include display cases, doors and fully functional windows.

New and revised code sections to which the ground-level transparency guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636);
Mixed-Use (MU) Districts (§55-561–§55-565).

New and revised code sections to which the ground level transparency guidelines may apply:

Neighborhood Conservation & Enhancement (NCE) Districts (§55-602–§55-608).



On-Premise Signage



**Wal-Mart at
16960 West Maple Road**



Signage has an interesting relationship to the built environment. On one hand, signs are essential to its survival – they advertise, guide and inform those passing by. On the other, they are often at odds with the image of that environment and the quality of the urban experience.

The **on-premise signage** (§55-933) guidelines are intended to allow for the creation of signs that mesh with their surroundings without losing their essential function. The signage guidelines address two distinct types of signs:

- Tall shopping center or business center identification signs usually placed on a pole or between two pylons; and
- Shorter “monument” signs made from higher-quality material like stone.

Currently, the ceilings for identification sign height are 30-35 feet for tall signs and 25 feet for monument signs. This produces a jarring view along Omaha’s busiest commercial corridors. (This effect can be observed in the photograph above left.)

The guidelines will limit the tallest identification signs to 25 feet and the tallest monument signs to 12 feet. This will result in a major improvement in the city’s design quality because the signs will be smaller, yet still effective, and will be made of higher quality materials.

New and revised code sections to which the signage guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636); **Neighborhood Conservation & Enhancement (NCE) Districts** (§55-602–§55-608); **Major Commercial Corridors (MCC)** (§55-681–§55-688); **Mixed-Use (MU) Districts** (§55-561–§55-565).

Retaining Walls



Wal-Mart at 72nd & Pine



Retaining walls are a common solution to problems posed by a site's terrain. These structures, however, are often out of proportion with the streetscape and surrounding features, which can be intimidating to pedestrians and motorists alike. The **retaining wall** design guidelines (§55-534) will require new retaining walls to better fit their urban surroundings by breaking up the sheer rise and adding landscaping.

The guidelines permit retaining walls next to sidewalks to reach a height of 10 feet if they are designed with a 1.5:1 depth-to-height ratio. This will produce a gradual, terraced effect like that shown in the photo above. The guidelines encourage the landscaping of these terraces to help soften the wall's appearance.

New and revised code sections to which the retaining wall guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636); **Major Commercial Corridors (MCC)** (§55-681–§55-688); **Mixed-Use (MU) Districts** (§55-561–§55-565).

New and revised code sections to which the retaining wall guidelines may apply:

Neighborhood Conservation & Enhancement (NCE) Districts (§55-602–§55-608).



Green Parking Lots

Millard West High School



Landscaping is an integral component of quality urban design, including parking lots. Throughout the country, innovative parking lot design has addressed the need for comfort and aesthetics as well as adequate space. The **green parking lots** (§55-928) guidelines will encourage this kind of innovation in Omaha by requiring parking lots to be designed “green.”

The guidelines contain three alternatives that allow for greater flexibility:

- A landscaped strip extending the full length of each row of parking;
- A wider strip for trees and larger shrubs extending the full length of alternating rows; and
- Landscaped “islands” or “peninsulas” distributed evenly throughout the parking area.

These alternatives can be pursued alone or in any combination.

New and revised code sections to which the green parking lot guidelines will apply:

Areas of Civic Importance (ACI) (§55-609–§55-617); **Civic Place (CP) Districts** (§55-627–§55-636); **Major Commercial Corridors (MCC)** (§55-681–§55-688); **Mixed-Use (MU) Districts** (§55-561–§55-565).

New and revised code sections to which the green parking lot guidelines may apply:

Neighborhood Conservation & Enhancement (NCE) Districts (§55-602–§55-608).

Design Review Board



Qwest Center Omaha



Design is open to interpretation. That's why the Urban Design Element implementation measures contain a provision establishing a **Design Review Board** (§24-87 to §24-105).

The board will provide both the city planning director and the development community with a mechanism that calls upon local expertise to help determine how various design goals and regulations in the Omaha code are met in practice.

While other municipalities have design review boards for specific districts, the Omaha Design Review Board will have jurisdiction over the entire city. It also will have public and private components. The public board will have the responsibility to review any project from a public entity or financed substantially with public funds, like Qwest Center Omaha. The private board will act largely as an appeal and consultation mechanism for developers.

This board is not intended as another layer of governmental procedure. Rather, it will function only when a project does not conform to urban design standards. The Omaha Design Review Board will then be able to recommend alternative solutions to help meet the standard.

The proposed board will include one licensed architect, landscape architect, engineer and planner, plus one citizen at large and two real estate developers. Serving terms of three years, members will bring numerous perspectives and expertise to bear in interpreting how a project can be improved to comply with the urban design standards.



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OMAHA URBAN DESIGN ELEMENT IMPLEMENTATION

Phase 3: Public Review Draft of
Implementation Measures

Prepared by Robinson & Cole, LLP in association
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Omaha by Design on behalf of the City of Omaha

Project
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JUNE 2007

**OMAHA MASTER PLAN URBAN DESIGN ELEMENT
IMPLEMENTATION MEASURES
PUBLIC REVIEW DRAFT
(6-21-07)**

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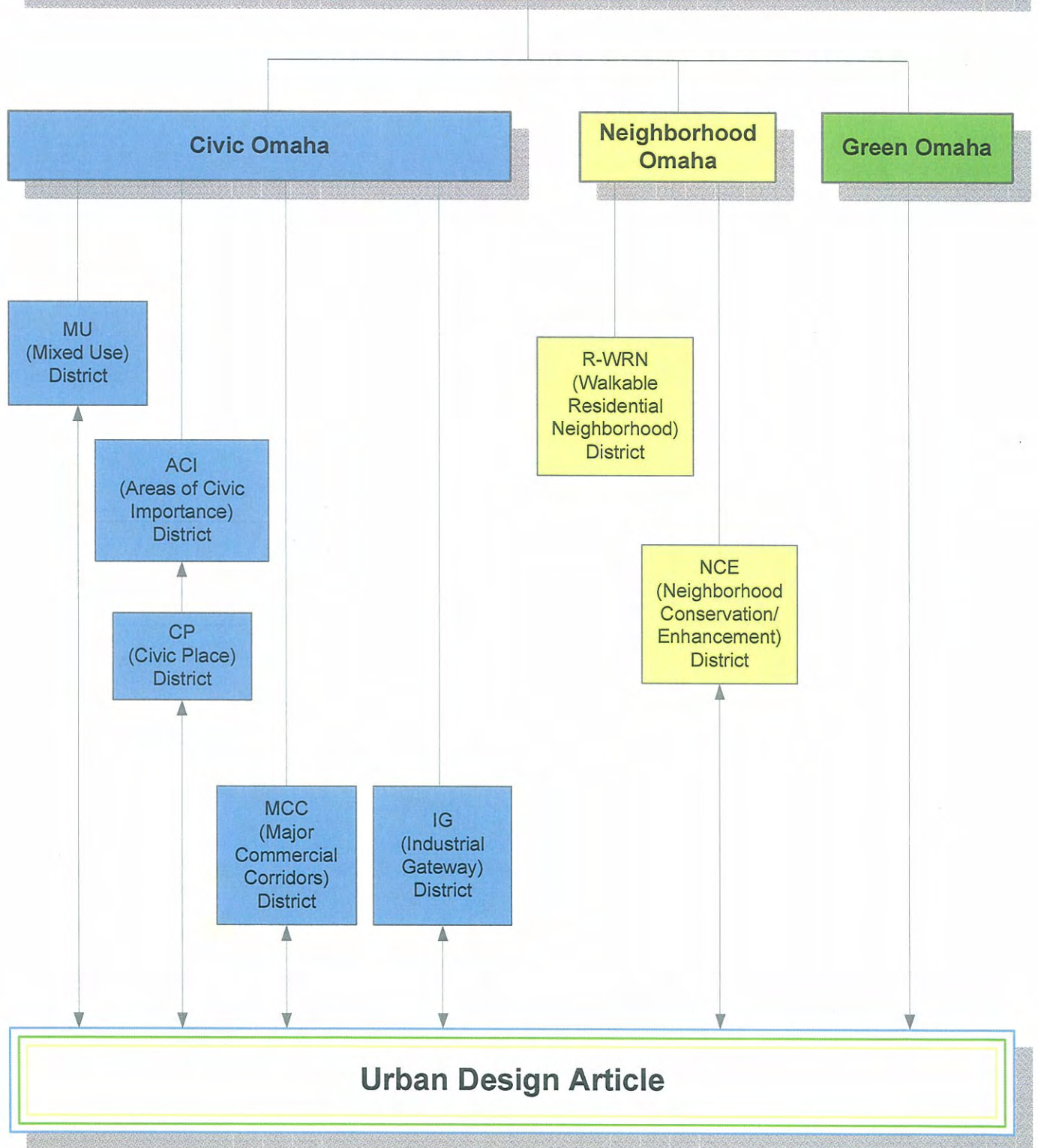
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Omaha Urban Design Element



MIXED-USE DISTRICT

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCE(S)**

**Civic Goal 5,
Policies 1 and 2,
Implementation Measures
(IMs) 1, 2 and 3**

REVISED ZONING CODE SECTIONS

Sec. 55-561. MU mixed use district.

Sec. 55-562. Purpose.

The MU mixed use district is intended to accommodate projects ~~that which~~ combine several compatible land uses into an integrated development consistent with the goals and policies of the land use and urban design elements of the city's comprehensive plan. ~~The MU district may also be used to designate parts of the city which are appropriate for a mixture of residential, commercial, office and accessory parking uses. It is the policy of the city to adopt the MU district in connection with rezoning of areas for projects that include commercial uses.~~ The MU district allows for mixing residential environments with workplaces, shops and services in a manner that encourages these residential, commercial, office and accessory uses to occur in pedestrian-oriented mixed use centers of varying build-out sizes at those intersections designated for mixed use areas rather than in continuous strips along arterial streets. Development in the MU district must also accommodate transportation systems, surrounding environments and pedestrian movement. ~~For these reasons, p~~Projects constructed in an MU district are subject to approval through the a special use permit ~~process~~ procedure in section 55-884 based on the urban design review criteria set forth in article XXII (urban design), section 55-938.

Sec. 55-563. Permitted uses.

The following use types are permitted in a project receiving approval by the city council pursuant to the special use permit procedure in section 55-884:

(a) *Residential uses.*

Multiple-family residential
Townhouse residential

(b) *Civic uses.*

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCE(S)**

**Civic Goal 5,
Policies 1 and 2,
Implementation Measures
(IMs) 1, 2 and 3**

Administrative services
College and university facilities
Community recreation
Cultural services
Day care (limited)
Day care (general)
Emergency residential care
Group home
Guidance services
Hospital services (limited)
Hospital services (general)
Local utility services
Park and recreation services
Postal facilities
Primary educational facilities
Recreational clubs
Religious assembly
Secondary educational facilities
Social clubs

(c) *Office uses.*

Financial services
General offices
Medical offices

(d) *Commercial uses.*

Automotive washing
Building maintenance services
Business support services
Business or trade school
Cocktail lounge
Communications services
Consumer convenience services
Consumer repair services
Food sales (limited)
Food sales (general)
Food sales (convenience)
Funeral services
General retail sales
Hotel/motel

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCE(S)**

**Civic Goal 5,
Policies 1 and 2,
Implementation Measures
(IMs) 1, 2 and 3**

Indoor entertainment
Liquor sales
Pawnshop services
Personal improvement services
Personal services
Pet services
Restaurant (drive-in)
Restaurant (limited)
Restaurant (general)
Service station
Veterinary services

(e) *Uses subject to certain restrictions.* Any of the following uses may be allowed when:

- (1) The location of the use is specifically designated on the site plan and detailed design plans, as required for a conditional or special use permit (sections 55-883, or 55-884) are submitted for each designated site as a part of the development plan.
- (2) The location is designated with a major amendment to the development plan when submitted with a detailed design plan, as required by a conditional or special use permit (sections 55-883, or 55-884) for each designated site.

a. *Civic uses.*

Group care facility
Public assembly
Safety services

b. *Commercial uses.*

Agricultural sales and service
Automotive rentals
Auto repair services
Automotive sales
Convenience storage
Construction sales and service
Exterminating services
Indoor sports and recreation

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCE(S)**

**Civic Goal 5,
Policies 1 and 2,
Implementation Measures
(IMs) 1, 2 and 3**

Laundry services
Outdoor sports and recreation
Research services
Surplus sales

c. *Parking.*

Parking structure
Surface parking

d. *Industrial uses.*

Custom manufacturing
Light industrial
Warehousing and distribution (limited)

e. *Transportation uses.*

Transportation terminal

f. *Miscellaneous uses.*

Broadcasting tower
Wind energy conservation system

**Sec. 55-564. Site development standards and guidelines
regulations; application for approval.**

All projects in an MU district are subject to the following site
development standards and guidelines.

(a) *Urban design standards.* Each project located on a site or
lot in an MU district shall comply with the urban design standards set
forth at the following sections:

(1) *Sidewalk areas.* Article XXII (urban design), section 55-
924.

(2) *Build-to/set-back lines and zones.* Article XXII (urban
design), section 55-925(a), (b) and (e).

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- (3) Ground-level transparency. Article XXII (urban design), section 55-926.
- (4) Screening of service areas. Article XXII (urban design), section 55-927.
- (5) Green parking areas. Article XXII (urban design), section 55-928.
- (6) Parking structures. Article XXII (urban design), section 55-929.
- (7) Site and building access. Article XXII (urban design), section 55-930(a) and (b).
- (8) Neighborhood connectivity. Article XXII (urban design), section 55-931.
- (9) Location of utilities. Article XXII (urban design), section 55-932.
- (10) Signs. Article XXII (urban design), section 55-933.
- (11) Retaining walls; landscape berms. Article XXII (urban design), section 55-934.

Special Community Value

(b) *Building design guidelines.* All projects in an MU district are subject to the following building design guidelines:

- (1) Large retail building design guidelines. Article XXII (urban design), section 55-935.
- (2) General building design guidelines. Article XXII (urban design), section 55-936.

(c) *Mixing of uses.* All projects in an MU district shall include a mix of uses in accordance with the following provisions:

- (1) At least ten percent (10%) of the aggregate area of any MU district shall be used for office uses. This requirement can be met by agreement between individual mixed-use districts

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Civic Goal 5,
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at an intersection. Existing office developments at an intersection in excess of the 10% requirement can be credited to adjacent mixed-use developments at the intersection to help meet the 10% minimum requirement, provided the total minimum percentage of land devoted to office use is at least 10% of the area of the combined developments. In the event that the project provides for at least one (1) multi-story, multi-use building, a lower percentage of office uses will be allowed. In such cases, the multi-story, multi-use building must contain a total square footage equal to 1/8th of the otherwise required 10% office site area.

(2) No more than twelve percent (12%) of the aggregate area of any MU district may be used for free-standing fast food restaurants. This requirement can be met by agreement between individual mixed-use districts at an intersection. Existing developments with less than 12% of their land devoted to free-standing fast food restaurants can be aggregated with adjacent mixed-use developments at an intersection to allow for additional free-standing fast food restaurants in the adjacent developments, provided the total percentage of land devoted to this use does not exceed 12% of the area of the combined developments. In no event shall the land devoted to free-standing fast food restaurants at any one corner exceed 18%.

(3) Uses which include drive through operations shall be designed in such a way as not to inhibit, block or restrict the pedestrian network within the development and primary pedestrian access to the building. Specifically, stacking space for vehicles must be sufficient so that vehicles waiting in line will not block sidewalks. Driveway crossings of areas designated as pedestrian plazas will also not be allowed.

(4) Commercial uses shall be allowed as incidental uses within the area set aside for office uses only if located within multi-story buildings.

(d) *Circulation systems.* In addition to the sidewalk area requirements of article XXII (urban design), section 55-924, all

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projects in an MU district shall comply with the following standards related to pedestrian systems:

- (1) Projects shall be designed for pedestrians as well as automobiles.
- (2) Projects shall include a system of sidewalks and pedestrian pathways providing for clear and direct connections between the entrances of all buildings and adjacent developments, including, without limitation, residential developments. All internal main streets and internal streets shall include sidewalks on both sides.
- (3) Buildings located on lots adjacent to perimeter streets must have access to both the perimeter and internal sidewalk system.
- (4) Internal main street and internal street intersections shall be designed to facilitate pedestrian movement. Corner nodes or similar devices shall be used to define on-street parking areas and to limit the width of pedestrian crossings to be the same as the width of the traveled lanes. Pedestrian crossings shall be distinguished from other driving surfaces through the use of paving materials such as brick or colored concrete pavers or colored concrete, or equivalent approved by the public works and planning departments, provided that any such colored concrete shall be colored throughout, not surface applied such as paint or stain.
- (5) Lots abutting an internal street shall be limited to one unshared access from any internal street system.
- (6) Internal main streets and internal streets shall not exceed twenty-five feet in width, except where additional width is provided to accommodate on-street parking or where the internal main street or internal street connects to an arterial street, or where turning movements are needed and are approved by the public works department.
- (7) Traffic calming techniques such as on-street parking, corner nodes and bollards shall be utilized, where appropriate.

Special Community Value

Special Community Value

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- (8) Projects located adjacent to parks and trails shall make pedestrian connections to such parks and trails.
- (9) Internal streets shall meet the landscaping requirements for streets set forth in section 53-9. All internal streets shall be lined with street trees spaced at intervals not more than forty (40) feet on center. Where parking lots and drive-through lanes are located adjacent to internal streets, the landscaped area adjacent to such streets shall be at least twenty-two and one-half (22 ½) feet in width. (see Figure 55-925(1)). In such cases trees located between the curb and sidewalk and trees located between the sidewalk and parking lot or drive-through paving shall be spaced at intervals not more than fifty (50) feet on center.
- (10) Adequate off-street bicycle access, and bicycle parking areas with racks secured to the ground and providing space sufficient to accommodate bicycles 7 feet in length and 2 feet in width, shall be provided.
- (11) Documentation shall be obtained from Metro Area Transit indicating whether a bus service is required for the project and, if so, how that bus service will be accommodated.
- (12) Exceptions to pedestrian system standards: In cases where sites present exceptionally difficult terrain, site configuration or similar problems, alternative pedestrian systems will be considered provided such systems meet the intent of the circulation system standards outlined in this section (Sec. 55-564(d)).

(e) *Plazas, places and buildings.* All projects in an MU district shall provide at least one location where buildings are grouped together to form a distinctive space and focal point for public access and pedestrian activity. Either contained within or immediately adjacent to the space shall be area of sufficient size suitable for community gatherings. The pedestrian-oriented space created by the grouping of buildings shall be located no farther than ¼-mile from any location in the MU district, and shall include decorative lighting and paving patterns (brick, stone or colored or patterned concrete), landscaping and seating areas, a portion of which shall be shaded through the use of tree cover or permanent structure(s) such as a trellis

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or canopy. Planters and beds of perennial flowering plants shall be incorporated into the landscaping for the public space. In addition, one of the two following types of features shall be provided in this space:

- (1) Water feature such as a fountain; or
- (2) Sculpture or other artwork.

Land Use Element

In those cases where a sculpture or other artwork is proposed on private property, before such a sculpture or artwork is approved, the planning director shall consult with the public art commission. Where a sculpture or artwork is proposed on public property, the sculpture or artwork must be approved by the public art commission.

See Figure 55-564(1) – Grouped Buildings,, located at the end of these draft amendments to the existing Mixed Use district.

(f) Green corners. All projects in an MU district located at the intersection of arterial streets shall provide a landscaped area at the intersection which shall extend approximately equal distances along each arterial street. The landscaped area shall be framed by adjacent buildings, structures or landscaping.

- (1) Minimum area. The amount of landscaped area required at each corner shall be 5000 square feet/quadrant, with a maximum dimension along each street of 80 feet measured along the property line.
- (2) Clear area. A minimum of 40% of each green corner shall be included within a “clear area” where plant materials must be less than 30 inches in height. The 40% clear area shall include a “sight triangle” that extends a minimum dimension along each arterial street of 35 feet measured along the property line.

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- (3) Permitted sign locations and types. One business center sign in addition to those described in section 55-933(c) shall be permitted to be located adjacent to green corners only as shown on Figure 55-564(2), and shall not be permitted within the area of the green corner. Business center signs adjacent to green corners shall be monument signs no more than six feet in height as measured from average grade to the highest point of the sign structure, including any structural elements of the sign such as pillars or posts and shall contain no tenant advertising. All signs shall be constructed of masonry materials and have a masonry base. Internally illuminated signs are not allowed. This additional business center sign will not be allowed when a business center sign described in section 55-933(c) is located within 50 feet of the green corner.
- (4) Building setbacks. There shall be no required minimum building setback from a green corner.
- (5) Landscaping. Green corners shall be landscaped using a combination of over story and under story trees, shrubs and annual and perennial flowers to frame the green corner and define the edges of the green corner that are opposite the streets. Landscaping shall be arranged to preserve the 40% clear area required by section 55-564(f)(2), above. The minimum number of over story and under story trees shall be one tree for every 1000 square feet of green corner.
- (6) Grade separated intersections. Alternative designs that meet the size requirement and intent of the green corner regulations will be considered on a case by case basis for projects in MU districts that abut grade separated intersections. Developments that abut grade separated intersections will be allowed to arrange for the placement of an equivalent amount of landscaping at the public right-of-way provided the developer of the project reaches an agreement with the Nebraska Department of Roads and obtains the approval of the public works department.
- (7) Notwithstanding anything contained in subsection (f)(1) through (6), an off-premises sign which is both existing and legally conforming immediately prior to the effective date

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of adoption of an MU district for the property on which such sign is located (provided, that the MU district is first made applicable to that property on some date after the effective date of this subsection (f)), shall continue to be deemed legally conforming, so long as it continues to comply with all other applicable provisions of this code.

See Figure 55-564(2) – Green Corner, located at the end of these draft amendments to the existing Mixed Use district.

(g) Stormwater detention areas. Areas in any project in an MU district required for stormwater detention shall be designed as visually appealing open space.

- (1) Stormwater detention areas that are steep-walled, pit-like and require fencing for safety shall be screened from view with landscaping, berms, solid fencing or some combination of these features so that the detention area is not casually visible from adjacent plazas, open space, roadways or parking lots as shall any detention area steep enough to require a fence around the majority of the basin.
- (2) Stormwater detention areas with engineered slopes greater than 3 to 1 shall be heavily landscaped.
- (3) Stormwater detention areas that are accessible to pedestrians and meet the design standards required for open space may be included in the 10 percent open space requirement set forth in section 55-564(h), below. This section 55-564(g) does not prohibit use of underground detention areas.

(h) Required open space. In addition to any required landscaping, all projects in an MU district shall provide a minimum amount of paved or unpaved open space, which may include plazas, parks, pedestrian pathways, lakes or similar types of park-like features, equal to 10 percent of the total proposed non-residential square footage.

Sec. 55-565. Minimum area; application for approval;

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modifications.

(a) *Minimum area.* The minimum area of any MU-~~mixed-use~~ district is three acres.

(b) *Special use permit.* All projects in the MU-~~mixed-use~~ district shall be subject to approval by the city council, through ~~following~~ the special use permit procedure set forth in section 55-884 using the criteria set forth at article XXII (urban design), section 55-938. Such approval may be granted for a comprehensive development plan in lieu of individual structures, provided that any subsequent structures or developments are consistent with such development plan.

(c) *Applications.* Applications for approval shall include at least the following information:

- (1) A detailed site map, including:
 - a. A boundary survey.
 - b. Site dimensions.
 - c. Contour lines at no greater than five-foot intervals.
 - d. Adjacent public rights-of-way, public transportation routes, and pedestrian systems.
 - e. Description of adjacent land uses.
 - f. Utility service to the site and easements through the site.
 - g. Description of other site features, including drainage, soils or other considerations that may affect the development of the site.
- (2) A development plan, including:
 - a. A site layout, including location of proposed buildings, internal streets (including internal main streets, internal streets and internal access streets), perimeter streets, build-to/set-back lines on streets, parking, open space

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and other facilities.

- b. Location, design and capacity and design of parking facilities.
 - c. Description of use of individual buildings.
 - d. Description of all use types included in the project and maximum floor areas devoted to each general use.
 - e. Maximum height of buildings.
 - f. Schematic location and design of open space on the site, including a landscaping plan.
 - g. Vehicular and pedestrian circulation, including relationship to external transportation systems.
 - h. Schematic building elevations and sections, as necessary to describe the project.
 - i. Grading plans.
 - j. Proposed sewer and utility improvements.
 - k. Location, sizes and types of proposed signs.
- (3) Specific proposed site development standards for the project, including:
- a. Maximum floor area ratio(s).
 - b. Front, side and rear yard build-to/set-backs.
 - c. Maximum height.
 - d. Maximum building and impervious coverage.
 - e. Supplemental dDesign standards applicable to the project.
- (4) A traffic impact analysis, if required by the public works

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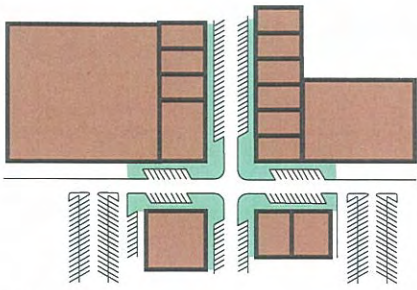
director, completed according to standards and requirements on file with the city clerk.

(d) *Amendment to development plan.* The planning director is authorized to approve an amendments to an approved development plan, provided that:

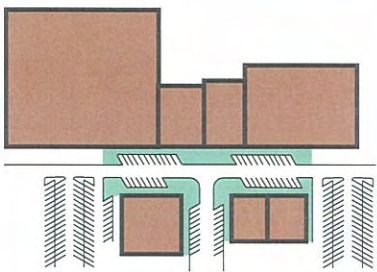
- (1) A written request for amendment is filed with the planning director, along with information describing stating the exact nature of the proposed amendment.
- (2) The amendment is consistent with the provisions of this section.
- (3) The amendment does not alter the approved site development regulations of the development plan and does not materially alter other aspects of the development plan, including traffic circulation, mixture of use types and physical design.
- (4) Any proposed amendment not conforming to these provisions of this section 55-565(d) must be resubmitted to the planning board and the city council. Prior to submittal of a proposed amendment to the planning board, either the applicant or the planning director may request the urban design review board to review and provide a recommendation on the issue of whether it requires resubmittal to the planning board and city council. After taking such recommendation into consideration, the planning director shall determine whether the proposed amendment must be resubmitted to the planning board and city council.

(e) *Building, development permits.* The permits and inspections division shall issue building or development permits consistent with the provisions of the approved development plan and any amendments thereof.

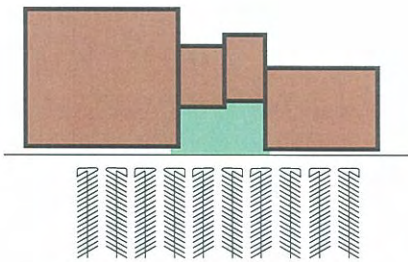
Grouped Buildings



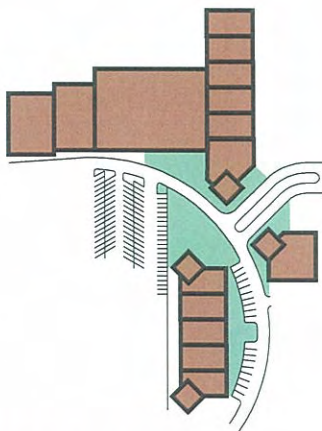
Main street



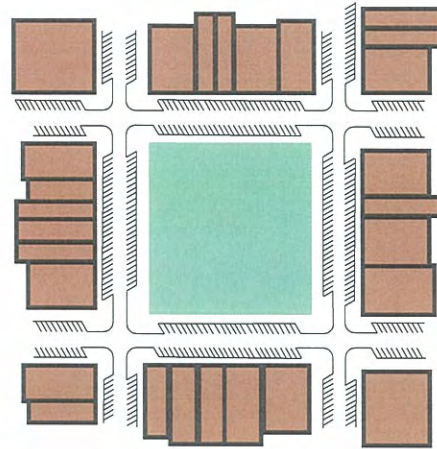
Main street - T intersection



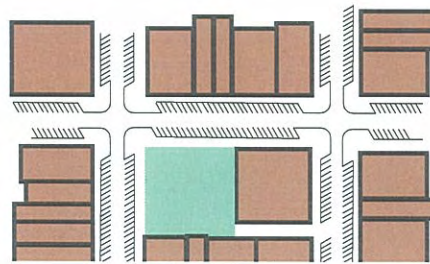
"Notch"




3 building arrangement

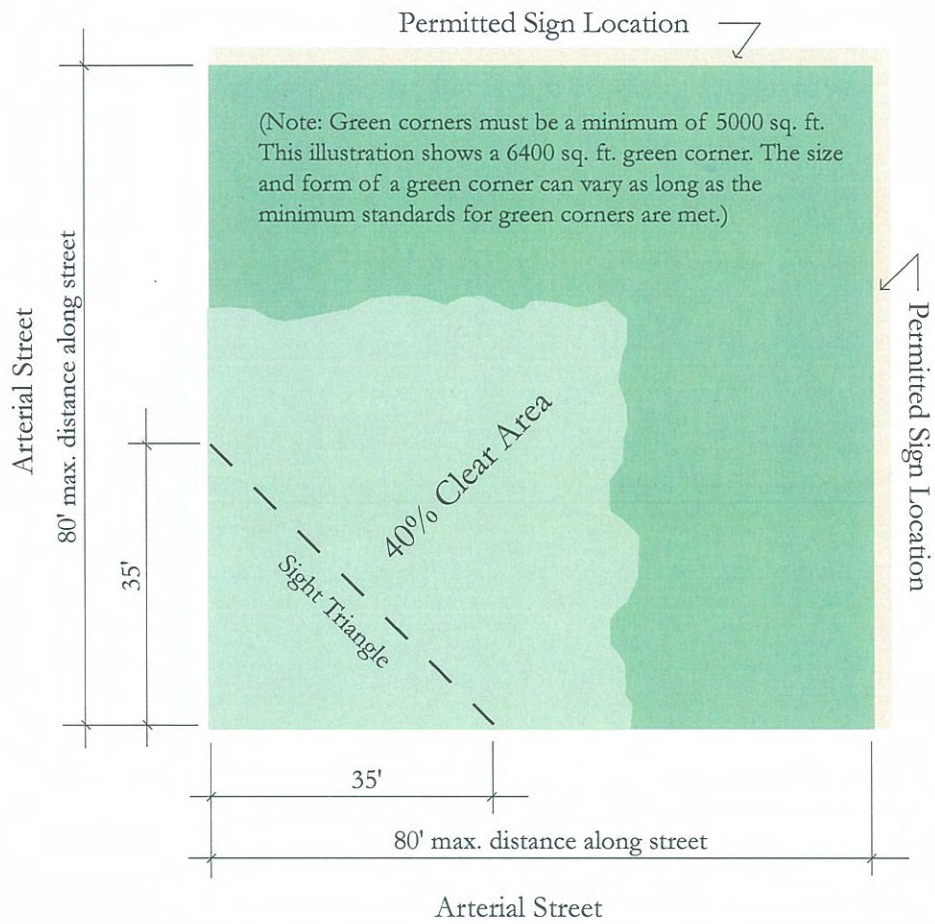


Town square



Town square variation

 A landscaped plaza or park-like area



Green Corner

Figure 55-564(2)

AREAS OF CIVIC IMPORTANCE (ACI)

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

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NEW ZONING CODE SECTIONS

Sec. 55-609. ACI areas of civic importance districts.

Sec. 55-610. Purpose.

The ACI areas of civic importance overlay district is intended to implement the urban design element of the city's comprehensive plan by creating four overlay district types for those parts of the city which, because of their characteristics, uses, design or period of development, are also of primary importance in shaping the city's physical image (to be known as the "ACI-1," "ACI-2," "ACI-3," and "ACI-4" districts):

- (a) *ACI-1 district (downtown-like)*
- Buildings and building entrances relate directly to the street;
 - Parallel or diagonal on-street parking or the potential for on-street parking;
 - Pedestrian-oriented to a large degree;
 - Strong uniform building line;
 - Very little or no off-street parking between the building and the street;
 - Vehicular access to site is allowed directly from arterial street; and
 - Width of pavement of the arterial is relatively narrow; pedestrian can cross without much difficulty; buildings relate to one another across the arterial.
- (b) *ACI-2 district (urban)*
- Buildings and building entrances relate directly to the street;
 - Some parallel or diagonal on-street parking; potential exists for on-street parking;
 - Historically pedestrian-oriented, street car era areas;
 - Relatively strong uniform building line;
 - Generally no off-street parking between the building and the street;
 - Vehicular access to site is allowed directly from arterial

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- street; and
 - Width of pavement of the arterial is similar to ACI-1, but there is less on-street parking and the through traffic is faster moving making it more difficult for pedestrians to cross the arterial than in ACI-1; some relationship between buildings across the arterial, but not as strong as in ACI-1.
- (c) *ACI-3 (mix of urban and suburban)*
- Buildings and building entrances relate to parking lots;
 - No on-street parking;
 - More auto-oriented than pedestrian-oriented;
 - Irregular building line;
 - Buildings set back from property line;
 - Off-street parking between the building and the street;
 - Vehicular access to site is allowed directly from arterial street; and
 - Width of pavement of the arterial varies considerably in ACI-3 type areas; pedestrians can cross arterial without too much difficulty in some ACI-3 areas, while it might be quite difficult in those areas with very wide pavement widths; generally buildings do not relate to one another across the arterial.
- (d) *ACI-4 (suburban)*
- Buildings and building entrances relate to interior streets and parking lots, not to the arterial street;
 - No vehicular or pedestrian access to buildings from the arterial street;
 - No direct access to buildings and off-street parking from the arterial street; vehicular access to building sites and parking is from internal main streets, internal streets or internal access drives;
 - Predominately auto-oriented; pedestrian consideration is limited to when a sidewalk is located adjacent to the arterial;
 - Irregular building line;
 - Width of pavement of the arterial is very wide; very difficult for pedestrians to cross arterial; buildings do not relate to one another across the arterial.

Where appropriate, the ACI-1, ACI-2, ACI-3 and ACI-4 districts are referred to collectively as the “ACI districts.” The objective of the

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ACI districts is to preserve and promote the development of these areas of civic importance in ways that enhance the physical image of the city. When the ACI districts are created through the process outlined in this section, they shall be delineated as generally described and mapped in the urban design element of the comprehensive plan of the city. The boundaries of the ACI districts shall be established or amended using the procedure applicable to amendments to the boundaries of zoning districts.

Sec. 55-611. Applicability.

(a) *ACI district boundaries.* The provisions of these sections 55-609 through 55-617 shall apply to any project on a lot or site in an ACI district.

(b) *Conflict of provisions.* Where the provisions of these sections 55-609 through 55-617 conflict with the provisions of any other sections of this chapter, the provisions of these sections 55-609 through 55-617 shall control.

Sec. 55-612. Permitted uses.

Use types permitted in the ACI districts are the same as those permitted in the underlying base zoning district(s).

Sec. 55-613. Urban design site plan approval.

Urban design site plan approval pursuant to article XXII (urban design), section 55-937 is required for all projects located in the ACI districts.

Sec. 55-614. Urban design standards.

A project located on a site or lot in the ACI-1 district, ACI-2 district, ACI-3 district or ACI-4 district shall comply with the urban design standards applicable to that district as set forth at the following sections:

(a) *Sidewalk areas.* Article XXII (urban design), section 55-924.

(b) *Build-to/set-back lines.* Article XXII (urban design), section 55-925(a), (c) and (e).

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(c) *Ground-level transparency.* Article XXII (urban design), section 55-926.

(d) *Screening of service areas.* Article XXII (urban design), section 55-927.

(e) *Green parking areas.* Article XXII (urban design), section 55-928.

(f) *Parking structures.* Article XXII (urban design), section 55-929.

(g) *Site and building access.*

(1) Shared Access. Article XXII (urban design), section 55-930(c)(1).

(2) Overall. Article XXII (urban design), section 55-930(a), (c)(2) and (c)(3).

(h) *Neighborhood connectivity.* Article XXII (urban design), section 55-931.

(i) *Location of utilities.* Article XXII (urban design), section 55-932.

(j) *Signs.* Article XXII (urban design), section 55-933.

(k) *Retaining walls; landscape berms.* Article XXII (urban design), section 55-934.

Sec. 55-615. Building design guidelines.

Each project located on a site or lot in an ACI district is subject to the following building design guidelines:

(a) *Large retail building design guidelines.* Article XXII (urban design), section 55-935.

(b) *General building design guidelines.* Article XXII (urban design), section 55-936.

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Sec. 55-616. Applicability of Urban Design Standards and Guidelines to Changes to Existing Development.

Proposed changes to existing structures located on sites in the ACI districts shall be subject to the standards and guidelines set forth in sections 55-614 and 55-615 in the following manner:

(a) *Total reconstruction.* Any project which involves the total reconstruction of any existing structure on a site, as a result of a decision to redevelop the site, shall be subject to the standards and guidelines in sections 55-614 and 55-615. Any project which involves the total reconstruction of any existing structure on a site as a result of a casualty loss shall be subject only to the guidelines in section 55-615.

(b) *Other change involving issuance of a building permit.* Any change to a project that does not constitute a total reconstruction as provided in section 55-616(a) shall be subject to each urban design standard and guideline set forth in sections 55-614 and 55-615 to the extent that such change to the project concerns each such urban design standard or guideline.

(c) *Exception.* Notwithstanding the provisions of section 55-616(b), above, ordinary maintenance and repairs of an existing structure or site shall not be subject to the standards and guidelines set forth in sections 55-614 and 55-615.

(d) *Ordinary maintenance and repairs.* For the purposes of this section 55-616, the term "ordinary maintenance and repairs" means improvements necessary to replace deteriorated elements of existing structures or of a site when made without substantially changing the size, shape, configuration or style of the structure or site.

(e) *Changes involving development agreements.* Any existing or proposed structure or site covered by an existing development agreement shall be covered by site development or building design guidelines established by that agreement. If the development agreement covering the structure does not include building design guidelines, then the standards and guidelines set forth in sections 55-614 and 55-615 shall apply. Any modifications to any such structures or sites that require a major amendment shall be subject to those standards and guidelines set forth in sections 55-614 and 55-615 to the extent that the sections are applicable to the amendment.

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Sec. 55-617. Off-premises Signs in the ACI Districts.

In addition to the provisions regarding signs set forth in this code, the following standards shall apply to off-premises signs in the ACI district. From and after the date on which any ACI District regulations apply to a specific lot or site, no new permits for off-premises signs on that lot or site shall be granted except as follows:

(a) *Existing conforming signs.* Any existing off-premises advertising sign that conformed to the provisions of this code in effect immediately prior to the applicability of any ACI district shall remain and continue to be deemed conforming, so long as it continues to comply with all provisions of this code in effect immediately prior to the applicability of any ACI district.

(b) *Replacement of conforming signs.* Upon application by the owner of a conforming sign on a lot or site in an ACI District to replace such sign, a permit shall be issued to the applicant for such replacement so long as (a) such replacement sign is either (i) located on the same parcel or (ii) on adjacent parcel, with a special use permit subject to certain conditions set forth in Sec. 55-617(b)(1-5) below, and (b) such replacement sign conforms with all provisions of this code. A special use permit for relocation of a conforming sign shall be issued provided that such relocation will not significantly and adversely affect the following:

- (1) traffic safety;
- (2) significant vistas;
- (3) visibility of surrounding property;
- (4) other signage on surrounding property; and
- (5) site access or traffic circulation on a site.

(c) *Non-conforming signs not made conforming.* The foregoing provisions of this section 55-617 are not intended and shall not be interpreted or applied so as to make any non-conforming sign conforming.

CIVIC PLACE DISTRICT

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 2,
Policies 1-2
IMs 1-3

NEW ZONING CODE SECTIONS

Sec. 55-627. CP civic place district.

Sec. 55-628. Purpose.

The CP civic place overlay district is intended to implement the urban design element of the city's comprehensive plan by defining a civic place within an ACI district that has such a major role in forming the image of the city that it requires public improvements, zoning and place-specific requirements to guide future development in that area.

Sec. 55-629. Applicability.

(a) *CP district.* The provisions of these sections 55-627 through 55-636 shall apply to any project in an approved CP district upon application for a building permit.

(b) *Conflict of provisions.* Where the provisions of these sections 55-627 through 55-636 conflict with the provisions of any other sections of this chapter, the provisions of these sections 55-627 through 55-636 shall control.

Sec. 55-630. Permitted uses.

Use types permitted in a CP district shall be the same as those permitted in the underlying base zoning district(s).

Sec. 55-631. Creation of district.

The creation of a new CP district shall comply with the following requirements:

(a) *Minimum area.* Each CP district shall include a contiguous area of at least 10 acres, including intervening streets, alleys and private ways.

(b) *CP zoning plan and public improvements plan.* Each CP district shall be accompanied by a CP zoning plan and a public improvements plan.

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 2,
Policies 1-2
IMs 1-3

(c) *Procedure for creation and adoption of a CP district.* The procedure for creation and adoption of a CP district shall comply with the provisions in section 55-636.

Sec. 55-632. Urban design site plan review.

All projects in a CP district shall be subject to urban design site plan approval pursuant to article XXII (urban design), section 55-937.

Sec. 55-633. Minimum site and building design standards.

The site and building design standards and guidelines applicable to all projects in the ACI districts under section 55-614 and 55-615 shall apply to all projects in an adopted CP district, except for the following:

(a) *Build-to/set-back lines.* At least 70 % of any building facade facing a build-to/set-back line shown on the CP zoning plan accompanying an approved CP district shall be located along that build-to/set-back line.

(b) *Site and building access.* Curb cuts for parking and service areas and access drives, and physical entrance/exit points for structures shall be permitted only in those places specifically mapped in the accompanying CP zoning plan for an adopted CP district.

Sec. 55-634. Supplemental urban design standards and guidelines.

An adopted CP zoning plan shall incorporate supplemental urban design standards and guidelines for the following:

(a) *Tower locations; minimum and maximum façade heights.* Locations for appropriate tall buildings, as well as minimum and maximum façade heights, may be set for certain lots or sites as shown on the CP zoning plan accompanying an approved CP district.

(b) *Important buildings.* Buildings of particular importance may be identified and specific restrictions applied to enhance the relationship of new structures to such buildings as shown on the CP zoning plan accompanying an approved CP district.

(c) *Building design and architectural guidelines.* All building

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 2,
Policies 1-2
IMs 1-3

facades visible from a public street may be subject to building design and architectural guidelines set forth in the CP zoning plan accompanying an approved CP district. Highly visible building elevations, or portions thereof, may be subject to specific architectural guidelines in the CP zoning plan.

(d) *Significant vistas.* Standards protecting specific significant vistas may be established as shown on the CP zoning plan accompanying an approved CP district.

(e) *Public spaces.* New public spaces, including squares, parks and other open areas, may be mapped and the relationship of structures thereto may be determined as shown on the CP zoning plan accompanying an approved CP district.

Sec. 55-635. Building and other permits.

Building or other permits issued by the permits and inspections division for development in a CP district shall be consistent with the provisions of the adopted CP district and the approved CP zoning plan.

Sec. 55-636. Procedure for creation of district.

(a) *Initiation.* The creation of a CP district may be initiated by the mayor, planning director, planning board, city council or a majority of property owners within the proposed CP district.

(b) *Contents.* An application for creation of a CP district shall include:

- (1) A statement describing the special characteristics and requirements of the proposed district.
- (2) A map indicating the boundaries of the proposed CP district, specifying the base district(s) included within these boundaries.
- (3) Materials prepared by the planning department described in section 55-636(c).

(c) *Planning department application materials.* The planning department's application materials shall include the following:

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

**Civic Goal 2,
Policies 1-2
IMs 1-3**

- (1) A detailed district map, including:
 - a. District boundaries.
 - b. Contour lines at no greater than five-foot intervals.
 - c. A street and property map showing existing buildings in addition to existing property lines.
 - d. A map of the underlying zoning districts related to specific parcels.
 - e. Utility service to the district and easements through the site.
 - f. Description of other district features, including drainage, soils or other considerations that may affect the further development of the district.

- (2) A proposed CP zoning plan addressing the following urban design and building design elements: (a) sidewalk areas, as discussed in article XXII (urban design), section 55-924, (b) ground-level transparency, as discussed in article XXII (urban design), section 55-926, (c) screening of service areas, as discussed in article XXII (urban design), section 55-927, (d) green parking areas, as discussed in article XXII (urban design), section 55-928, (e) parking structures, as discussed in article XXII (urban design), section 55-929, (f) neighborhood connectivity, as discussed in article XXII (urban design), section 55-931, (g) location of utilities, as discussed in article XXII (urban design), section 55-932, (h) signs, as discussed in article XXII (urban design), section 55-933, (i) retaining walls and landscape berms, as discussed in article XXII (urban design), section 55-934, (j) location and design of existing and proposed public spaces, (k) existing and proposed streets with dimensions of roadway and sidewalk areas, (l) identification of important existing buildings that are likely to remain throughout any further development, (m) height controls for buildings, (n) building placement controls including build-to/set-back lines and other requirements, (o) location of permitted

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 2,
Policies 1-2
IMs 1-3

curb cuts for parking and service access, (p) identification of significant vistas and provisions for design controls for set-backs to preserve these vistas, (q) elevation controls, including requirements for special attention to the design of buildings that terminate vistas, and (r) sign allocation and placement.

- (3) A public improvements plan which includes the description and schedule for any street improvements and public park or open space planned for the district.

(d) *Procedural steps.* The following procedural steps are required to establish a CP district.

- (1) The CP district application accompanied by the CP zoning plan and a public improvements plan shall be transmitted to the planning board.
- (2) The planning board, after proper notice pursuant to section 55-891, shall hold a public hearing and act upon district application and plans.
- (3) The planning board may recommend amendments to the district application and plans.
- (4) The recommendation of the planning board, together with that of the planning director, shall be transmitted to the city council for final action.
- (5) The city council, after proper notice pursuant to section 55-891, shall hold a public hearing and act upon the plans and the CP district ordinance.
- (6) An ordinance adopting a CP district shall require a favorable vote of five members of the city council for approval if the planning board recommends denial of the ordinance. The city council may amend such ordinance, provided at least five councilmembers vote to do so.

(e) *Designation.* Each CP district shall be shown on the zoning map, identified sequentially by order of enactment with reference to the enacting ordinance.

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 2,
Policies 1-2
IMs 1-3

(f) *Protest.* Any protest against a CP district shall be made and filed as provided by R.R.S. 1943, § 14-405, and amendments thereto.

Sec. 55-637. Applicability of site development standards and guidelines to changes to existing development.

Proposed changes to existing structures located on sites in the CP district shall be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-631 through 55-636 in the following manner:

(a) *Total reconstruction.* Any project which involves the total reconstruction of any existing structure on a site, as a result of a decision to redevelop the site, shall be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-631 through 55-636. Any project which involves the total reconstruction of any existing structure on a site as a result of a casualty loss shall be subject only to the said standards and guidelines which govern building design.

(b) *Other change involving issuance of a building permit.* Any change to a project that does not constitute a total reconstruction as provided in section 55-637(a) shall be subject to each standard and guideline contained in, or adopted pursuant to, sections 55-631 through 55-636, to the extent that such change to the project concerns each such standard or guideline.

(c) *Exception.* Notwithstanding the provisions of section 55-637(b), above, ordinary maintenance and repairs of an existing structure or site shall not be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-631 through 55-636.

(d) *Ordinary maintenance and repairs.* For the purposes of this section 55-637, the term “ordinary maintenance and repairs” means improvements necessary to replace deteriorated elements of existing structures or of a site when made without substantially changing the size, shape, configuration or style of the structure or site.

(e) *Changes involving development agreements.* Any existing or proposed structure or site covered by an existing development agreement shall be covered by site development or building design guidelines established by that agreement. If the development

NEW ZONING TEXT

**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 2,
Policies 1-2
IMs 1-3**

standards and guidelines contained in, or adopted pursuant to, sections 55-631 through 55-636, to the extent that the sections are applicable to the amendment.

MAJOR COMMERCIAL CORRIDORS

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 4,
Policies 2-4
IMs 2

NEW ZONING CODE SECTIONS

Sec. 55-681. MCC major commercial corridor district.

Sec. 55-682. Purpose.

The MCC major commercial corridor overlay district is intended to implement the urban design element of the city's comprehensive plan with regard to the city's existing continuous commercial areas. In particular, the purpose of the MCC district is to improve the design of development in major commercial areas in order to foster a coherent image and provide a safe and manageable environment for motorists and pedestrians. The MCC district implements this purpose by requiring urban design site plan review for new development with reference to design criteria for building placement, elevations and landscaping.

When the MCC districts are created through the process outlined in this section, they shall be delineated as generally described in the urban design element of the comprehensive plan of the city. The boundaries of the MCC district shall be established or amended using the procedure applicable to amendments of the boundaries of zoning districts.

Sec. 55-683. Applicability.

(a) *MCC district boundaries.* The provisions of these sections 55-681 through 55-688 shall apply to any project on a lot or site in the MCC district.

(b) *Conflict of provisions.* Where the provisions of these sections 55-681 through 55-688 conflict with the provisions of the other sections of this chapter, the provisions of these sections 55-681 through 55-688 shall control.

Sec. 55-684. Permitted uses.

Use types permitted in the MCC district are the same as those permitted in the underlying base zoning district(s).

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 4,
Policies 2-4
IMs 2

Sec. 55-685. Urban design site plan approval.

All projects located in the MCC district shall be subject to urban design site plan approval pursuant to article XXII (urban design), section 55-937 (urban design site plan approval).

Sec. 55-686. Urban design standards.

Projects located on a site or lot in the MCC district shall comply with site development standards for the following urban design elements:

- (a) *Screening of service areas.* Article XXII (urban design), section 55-927.
- (b) *Green parking areas.* Article XXII (urban design), section 55-928.
- (c) *Parking structures.* Article XXII (urban design), section 55-929.
- (d) *Site and building access.* Article XXII (urban design), section 55-930(a) and (d).
- (e) *Location of utilities.* Article XXII (urban design), section 55-932.
- (f) *Signs.* Article XXII (urban design), section 55-933, except the provisions of section 55-933(a).
- (g) *Retaining walls; landscape berms.* Article XXII (urban design), section 55-934.

Sec. 55-687. Building design guidelines.

Each project located on a site or lot in an MCC district is subject to the following building design guidelines:

- (a) *Large retail building design guidelines.* Article XXII (urban design), section 55-935.
- (b) *General building design guidelines.* Article XXII (urban design), section 55-936.

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Civic Goal 4,
Policies 2-4
IMs 2

Sec. 55-688. Applicability of Urban Design Standards and Guidelines to Changes to Existing Development.

Proposed changes to existing structures located on sites in the MCC district shall be subject to the standards and guidelines set forth in sections 55-686 and 55-687 in the following manner:

(a) *Total reconstruction.* Any project which involves the total reconstruction of any existing structure on a site, as a result of a decision to redevelop the site, shall be subject to the standards and guidelines in sections 55-686 and 55-687. Any project which involves the total reconstruction of any existing structure on a site as a result of a casualty loss shall be subject only to the guidelines of section 55-687.

(b) *Other change involving issuance of a building permit.* Any change to a project that does not constitute a total reconstruction as provided in section 55-688(a) shall be subject to each urban design standard and guideline set forth in sections 55-686 and 55-687 to the extent that such change to the project concerns each such urban design standard or guideline.

(c) *Exception.* Notwithstanding the provisions of section 55-688(b), above, ordinary maintenance and repairs of an existing structure or site shall not be subject to the standards and guidelines set forth in sections 55-686 and 55-687.

(d) *Ordinary maintenance and repairs.* For the purposes of this section 55-688, the term “ordinary maintenance and repairs” means improvements necessary to replace deteriorated elements of existing structures or of a site when made without substantially changing the size, shape, configuration or style of the structure or site.

(e) *Changes involving development agreements.* Any existing or proposed structure or site covered by an existing development agreement shall be covered by site development or building design guidelines established by that agreement. If the development agreement covering the structure does not include building design guidelines, then the standards and guidelines set forth in Section 55-687 shall apply. Any modifications to any such structures or sites that require a major amendment shall be subject to the standards and guidelines set forth in Sections 55-686 and 55-687 to the extent that the sections are applicable to the amendment.

**NEIGHBORHOOD
CONSERVATION &
ENHANCEMENT DISTRICTS
(NCE)**

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCES**

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

REVISED ZONING CODE SECTIONS

Sec. 55-601. NCE neighborhood conservation/enhancement district.

Sec. 55-602. Purpose.

The NCE neighborhood conservation/enhancement overlay district is intended to ~~accommodate~~ help preserve unique pedestrian-oriented land use, urban design, and other distinctive characteristics of older established neighborhoods and commercial areas as well as to enhance more recently developed neighborhoods and commercial areas in order to implement the urban design element of the city's comprehensive plan. The NCE district, used in combination with a base district, allows ~~variations~~ changes in permitted uses and adjustments to site development regulations ~~standards that are adapted in order to respond to the needs of a specific residential neighborhood or neighborhood commercial area.~~ In addition, the NCE district may include supplementary site regulations ~~development standards and guidelines.~~ Variations allowed by an NC overlay district are based upon established by a neighborhood conservation/enhancement plan enacted-adopted by the city council as part of the city's comprehensive plan.

Sec. 55-603. Qualifications for designation; manner of designation; applicability; conflict of provisions; permitted uses.

(a) Qualifications for designation ~~Minimum area.~~ To qualify for adoption, a proposed NCE district shall satisfy the following requirements:

(1) Minimum area. Each NCE district ~~must~~ shall include a contiguous area of at least five acres, including intervening streets, alleys and private ways.

(b2) ~~Year of original development~~ Status of area at time of

REVISED ZONING TEXT

UD ELEMENT/CODE REFERENCES

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

adoption. The area included in each NCE district shall be allocated into one of the following two categories:

- a. Conservation. Areas intended to be conserved must have been recorded as a subdivision with the county register of deeds no later than 1960, at least 25 years prior to the creation of the district.
- b. Enhancement. Areas intended to be enhanced must have been recorded as a subdivision with the county register of deeds no earlier than 1961.

(b) Manner of designation. NCE districts shall be designated as follows:

- (1) NCE-C. An NCE district adopted for the primary purpose of conserving areas in a neighborhood whose subdivision(s) were recorded no later than 1960 shall be designated as “NCE-C.”
- (2) NCE-E. An NCE district adopted for the primary purpose of enhancing areas in a neighborhood whose subdivision(s) were recorded no earlier than 1961 shall be designated as “NCE-E.”

(c) Applicability. The general provisions of these sections 55-601 through 55-608 and the specific provisions adopted as part of an NCI district shall apply to any project in the NCE district.

(d) Conflict of provisions. Where the provisions of these sections 55-601 through 55-608 and the specific provisions adopted as part of an NCE district conflict with other sections of this chapter, the provisions of these sections 55-601 through 55-608 and the specific provisions adopted as part of the NCE district shall control.

(e) Permitted uses. Except as may be limited by the NCE district provisions based upon the adopted neighborhood conservation/enhancement plan, use types permitted in any NCE

REVISED ZONING TEXT

UD ELEMENT/CODE REFERENCES

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

district are the same as those permitted in the base zoning district(s) underlying the NCE district.

Sec. 55-604. Application for creation of district.

(a) *Initiation.* An application for an NCE overlay district may be initiated by the following agents:

- (1) A majority of property owners within the proposed district;
- (2) The planning board; or
- (3) The city council.

(b) *Contents.* An application for creation of an NCE district shall include the following components:

- (1) A statement of purpose, describing the reasons that the existing base zoning district or districts are not fully adaptable to the specific neighborhood.
- (2) A map indicating the boundaries of the proposed NCE district, specifying the base district(s) included within these boundaries.
- (3) A neighborhood conservation/enhancement plan prepared by or under the direction of the city planning department, identifying those areas that are to be conserved and those that are to be enhanced, consisting of maps and other graphic and written material necessary to describe land uses, distinctive neighborhood characteristics, building siting and design, pedestrian facilities, site development requirements, signage, circulation, and other existing or proposed features of the proposed NCE district. A neighborhood conservation/enhancement plan which encompasses areas zoned for non-residential use types shall include zoning

REVISED ZONING TEXT

**UD ELEMENT/CODE
REFERENCES**

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

policies for the urban design elements addressed in
Article XXII (urban design).

Sec. 55-605. Adoption of district.

The following substantive requirements, procedural steps and
protest provisions shall apply to the adoption of any new NCE district:

(a) A neighborhood conservation/improvement plan, as prepared by the city planning department, and the NCE district application shall be transmitted to the planning board.

(b) The planning board, after proper notice pursuant to section 55-891, shall hold a public hearing and act upon the plan and district application.

(c) The planning board may recommend amendments to the plan and district application.

(d) The recommendation of the planning board, together with that of the planning director, shall be transmitted to the city council for final action.

(e) The city council, after proper notice pursuant to section 55-891, shall hold a public hearing and act upon the NCE district ordinance. The neighborhood conservation/enhancement plan shall be adopted as a portion of the city's comprehensive plan.

(f) The ordinance adopting the NCE district shall include a statement of purpose, a reference to the approved neighborhood conservation/enhancement plan, and a list of modifications to the base district(s) regulation.

(g) An ordinance adopting an NCE district shall require a favorable vote of five members of the city council for approval if the planning board recommends denial of the ordinance. The city council may amend such ordinances, provided at least five councilmembers vote to do so.

REVISED ZONING TEXT

UD ELEMENT/CODE REFERENCES

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

(h) Each NCE district shall be shown on the zoning map, identified sequentially by order of enactment and referenced to the enacting ordinance.

(i) Any protest against an NCE district shall be made and filed as provided by R.R.S. 1943, § 14-405, and amendments thereto.

Sec. 55-606. Criteria for approval.

The city council may adopt an NCE district if the area meets one or more of the following criteria:

- (a) The area has distinctive building features, such as scale, size, type of construction, or distinctive building materials, that should be preserved.
- (b) The area has distinctive site planning features, such as lot platting, setbacks, street layout, alleys or sidewalks, that the base district regulations cannot accommodate.
- (c) The area has distinctive land use patterns, including mixed land uses or unique uses or activities, that the base district cannot accommodate.
- (d) The area would benefit from the adoption of new urban design criteria that would significantly enhance the character of existing and new commercial development or redevelopment in the area.
- (e)(d) The area has special natural or streetscape characteristics, such as creek beds, parks, gardens or street landscaping, that should be preserved or respected.

Sec. 55-607. Urban design standards and guidelines for areas zoned for non-residential use types; urban design site plan review.

- (a) Urban design standards and guidelines. An NCE district

REVISED ZONING TEXT

UD ELEMENT/CODE REFERENCES

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

which includes areas zoned for non-residential use types shall contain standards and guidelines for the elements described in Article XXII, modified as appropriate to address the characteristics of the area to be conserved or to be enhanced, as the case may be.

(b) *Minimum building design guidelines.* An NCE district proposed for an area which includes areas zoned for non-residential use types shall include building design guidelines consistent with the following:

- (1) Large retail building design guidelines as set forth in article XXII (urban design), section 55-935.
- (2) General building design guidelines as set forth in article XXII (urban design), section 55-936.

(c) *Urban design site plan review.* Urban design site plan approval pursuant to article XXII (urban design), section 55-937 shall be required for all projects which include non-residential use types in the NCE district.

Sec. 55-608. Building permits and other permits.

Building or other permits issued by the permits and inspections division in an NCE district shall be consistent with the adopted NCE district ordinance and the approved neighborhood conservation/enhancement plan.

Sec. 55-608.1. Applicability of site development standards and guidelines to changes to existing development.

Proposed changes to existing structures located on sites in the NCE district shall be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-604 through 55-608, in the following manner:

(a) *Total reconstruction.* Any project which involves the total reconstruction of any existing structure on a site, as a result of a

REVISED ZONING TEXT

UD ELEMENT/CODE REFERENCES

Neighborhood Goal 4,
Policy 1,
IM 1

and

Neighborhood Goal 5,
Policies 1-3,
IMs 1 and 2

decision to redevelop the site, shall be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-604 through 55-608. Any project which involves the total reconstruction of any existing structure on a site as a result of a casualty loss shall be subject only to the said standards and guidelines which govern building design.

(b) *Other change involving issuance of a building permit.*

Any change to a project that does not constitute a total reconstruction as provided in section 55-609(a) shall be subject to each standard and guideline contained in, or adopted pursuant to, sections 55-604 through 55-608, to the extent that such change to the project concerns each such standard or guideline.

(c) *Exception.* Notwithstanding the provisions of section 55-609(b), above, ordinary maintenance and repairs of an existing structure or site shall not be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-604 through 55-608.

(d) *Ordinary maintenance and repairs.* For the purposes of this section 55-609, the term “ordinary maintenance and repairs” means improvements necessary to replace deteriorated elements of existing structures or of a site when made without substantially changing the size, shape, configuration or style of the structure or site.

(e) *Changes involving development agreements.* Any existing or proposed structure or site covered by an existing development agreement shall be covered by site development or building design guidelines established by that agreement. If the development agreement covering the structure does not include building design guidelines, then the standards and guidelines contained in, or adopted pursuant to, sections 55-604 through 55-608 and which govern building design shall apply. Any modifications to any such structures or sites that require a major amendment shall be subject to the standards and guidelines contained in, or adopted pursuant to, sections 55-604 through 55-608, to the extent that the sections are applicable to the amendment.

WALKABLE RESIDENTIAL NEIGHBORHOODS

**NEW OR MODIFIED
ZONING AND SUBDIVISION CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

Neighborhood Goal 5,
Policy 2,
IMs 2 and 4

NEW ZONING CODE SECTIONS

Sec. 55-208. R-WRN walkable residential neighborhood district.

Sec. 55-209. Purpose.

The R-WRN walkable residential neighborhood district is intended to implement the urban design element of the city's comprehensive plan by establishing site development standards that help to create more walkable neighborhoods in newly developing residential and mixed-use areas of the city. The R-WRN district permits a variety of residential housing types, ranging from single-family detached and attached, to duplex, two-family, townhouse, multi-family and assisted living. Except for areas designated as MU districts, the provisions of the R-WRN are appropriate for application to transitional areas to be developed as residential districts, whether located within the city, but undeveloped, or annexed to the city pursuant to the Sanitary and Improvement District process under N.R.S.A. §§ 31-727 through 31-927.

Sec. 55-210. Permitted uses.

The following use types are permitted in the R-WRN district:

(a) *Residential uses.*

- Single-family residential (detached)
- Single-family residential (attached)
- Accessory residential
- Townhouse residential
- Multi-family residential
- Group residential
- Assisted living

(b) *Civic uses.*

- Community recreation
- Day care (limited)

**NEW OR MODIFIED
ZONING AND SUBDIVISION CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

Neighborhood Goal 5,
Policy 2,
IMs 2 and 4

Group home
Local utility services
Park and recreation services
Primary educational facilities

Sec. 55-211. Conditional uses.

The following use types are allowed in the R-WRN district, subject to approval of a conditional use permit by the planning board pursuant to section 55-883:

(a) *Civic uses.*

Administrative services
College and university facilities
Cultural services
Emergency residential care
Religious assembly
Safety services
Secondary educational facilities

Sec. 55-212. Special permit uses.

The following use types are allowed in the R-WRN district, subject to approval of a special use permit by the city council pursuant to section 55-884:

(a) *Residential uses.*

Live-work buildings

(b) *Civic uses.*

Cemetery
Day care (general)
Group care facility
Recreational clubs
Social clubs
Emergency residential care

(b) *Miscellaneous uses.*

Wind energy conservation system

**NEW OR MODIFIED
ZONING AND SUBDIVISION CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

**Neighborhood Goal 5,
Policy 2,
IMs 2 and 4**

Sec. 55-213. Site development standards.

Each site in the R-WRN district shall be subject to the following site development standards:

<i>Regulator</i>	<i>Standard</i>
Lot area	5,000 square feet minimum, except as noted in additional standards, section 55-214
Lot width	50 feet minimum, except as noted in additional standards, section 55-214
Site area/dwelling unit	2,500 square feet minimum, except as noted in additional standards, section 55-214
Floor area ratio	No restriction
Height	35 feet maximum, except as noted in additional standards, section 55-214(e)(4)
Interior side yard setback	5 feet minimum, except as noted in additional standards, section 55-214
Build-to/set-back line applicable to front yard and street side yard	60% of each façade facing a street shall be located at a line removed from and parallel to such street at a distance to be determined at the time of adoption of an R-WRN district, but in no event greater than 15 feet
Rear yard setback:	25 feet, except garage structures may be located within the

**NEW OR MODIFIED
ZONING AND SUBDIVISION CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

Neighborhood Goal 5,
Policy 2,
IMs 2 and 4

required rear yard setback area
if such structures face a one-
way rear alley and are set back
at least five feet from said alley

Sec. 55-214. Additional standards.

In addition to the standards set forth in section 55-213, certain uses and structures in the R-WRN district are subject to the following requirements:

(a) *Use of zero lot line for single-family detached dwellings.*

Within a common development, one interior side yard setback may be equal to zero for single-family detached residential use, subject to the following additional standards:

- (1) The normal side yard setback requirement shall be maintained adjacent to any lot with an existing structure not within the common development, or not otherwise designated for zero lot line use.
- (2) An easement providing for the maintenance of the zero lot line building facade shall be filed with the county register of deeds and the permits and inspections division of the planning department at the time of application for a building permit.

(b) *Single-family attached dwellings.* The minimum lot width for single-family residential attached shall be 150 feet for the entire row of attached houses and 25 feet for any one dwelling unit.

(c) *Accessory residential.* An accessory residential dwelling unit shall be subject to the following additional standards:

- (1) The accessory dwelling unit shall be not be subject to the build-to/set-back requirement of section 55-213, and shall be located to the rear of the site.
- (2) The accessory dwelling unit shall be served by a paved driveway at least ten feet in width.
- (3) The accessory dwelling unit shall not exceed 500 square feet in gross floor area.

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Neighborhood Goal 5,
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(d) *Townhouse residential.* Townhouse residential shall be subject to the following additional standards:

- (1) A minimum of three townhouse units shall be attached in any one townhouse structure.
- (2) The minimum lot area for any townhouse lot sold individually shall be 2,000 square feet.
- (3) The minimum width for any townhouse lot sold individually shall be 20 feet.

(e) *Multi-family residential.* Multi-family residential shall be subject to the following additional standards:

- (1) The average site area for all dwelling units in a multi-family residential use structure shall be 1,000 square feet.
- (2) All dwelling units in a multi-family residential structure shall be built in residential blocks that are comparable in size to blocks for other residential uses in the same R-WRN district.
- (3) Off-street parking for multi-family residential uses shall be located in structures whose doors do not face a street.
- (4) The maximum height for multi-family residential structures shall be sixty (60) feet.

(f) *Garages and driveways.* The following additional standards apply to the location and orientation of garages and driveways for all use types:

- (1) Front-facing garages shall be located at least 25 feet behind the front façade of the structure nearest the street, the location of which shall be determined by the build-to/set-back line on that block.
- (2) Driveways shall be not more than 10 feet wide from the turning radius at the curb to a distance of at least 20 feet therefrom.

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- (3) Shared driveway access for not more than two lots shall be permitted, provided that an easement providing for the maintenance of the shared access shall be filed with the county register of deeds and the permits and inspections division of the planning department at the time of application for a building permit on either lot sharing such access.
- (4) Garage doors for multi-family residential use parking structures shall not face the street.

(g) *Block Perimeter.* The maximum permitted block perimeter generally shall be 2,000 feet. For blocks which are crossed by a creek, the maximum permitted block perimeter shall be 2,400 feet, unless the block is bisected by a dedicated pedestrian walkway and the block perimeters of the resulting sub-blocks are each less than 2,400 feet.

See Figure 55-214 – Block Perimeter, located at the end of these draft amendments, for examples of 2,000-foot and 2,400-foot block perimeters.

Sec. 55-215. District location.

R-WRN districts shall be mapped only where consistent with the comprehensive plan or any plan prepared by the planning department addressing development for the area to be designated. Where possible, each new R-WRN district should be mapped in conjunction with an MU district.

SUBDIVISION CODE MODIFICATIONS

MODIFICATION: Add new definitions to section 53-4, as follows:

Sec. 53-4. Definitions.

Block: A tract or parcel of land bounded by public streets or lands, streams, railroads, unplatted lands or a combination thereof.

Street, marginal access: A local street or frontage road which is approximately

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parallel to and adjacent to or part of a major street and provides access to the abutting properties and protection from through traffic.

Street, special community: A street having special community importance and identified as a green street in the Green Streets Master Plan or as a parkway or boulevard in the Omaha Suburban Park System Master Plan adopted by the planning board and city council and maintained on file with the planning department.

Subdivider: A natural person, firm, copartnership, association or corporation who submits a proposed subdivision to the planning department.

Subdivision: The division of a lot, tract or parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development.

T intersection: The intersection of two streets at which one of the streets does not continue beyond the intersection.

Tree yard: A landscaped area between a required sidewalk and the curb of the adjoining street.

MODIFICATION: Delete and add text in section 53-8, as follows:

Sec. 53-8. Minimum design standards.

(2) *Streets and alleys.*

- (b) ~~Local residential streets and private ways should be so planned as to discourage through traffic. Cul-de-sacs are permitted shall be prohibited,~~ except where topography or other conditions justify warrant their use. Cul-de-sacs shall not be longer than 600 feet and shall terminate with a turnaround having a diameter of not more than 890 feet.
- (d) Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations or where it is found to be practicable to require the dedication of the other half when adjoining property is subdivided.
- (e) Under normal conditions streets and private ways shall be laid out so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. More than four approaches to any intersection shall be prohibited. T intersections in residential street systems are preferred locations for public open space, a pedestrian walkway, a civic building or a school, with the space or building located on axis with the centerline of the street that terminates at the T intersection.

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MODIFICATION: Modify the table at section 53-8(g) as follows:
change the minimum horizontal curve radius for local residential streets, marginal access streets, alleys and cul-de-sacs for 90-degree turns to 20 feet. Do not modify turn radii minimums for other conditions.

MODIFICATION: Add and delete text in section 53-9, as follows:

Sec. 53-9. Improvements.

(9) Sidewalks. Sidewalks, separated from the curb by a tree yard, shall be constructed, in accordance with sidewalk standards and regulations approved by the council, on both sides of all streets and private ways in the plat in accordance with section 53-9(9) hereof. A minimum tree yard of 6 ½' shall be used in conjunction with 5' sidewalks. A minimum tree yard of 7 ½' shall be used in conjunction with 4' sidewalks.

(10) Streetscape standards. Street lights, paving and other street furniture requirements shall comply with city standards.

(11) Street trees. For all streets other than special community streets, one street tree per lot per street frontage of at least 2.0" caliper shall be planted within the tree yard area between the curb and the sidewalk. For special community streets, street trees of at least 2.0" caliper shall be planted within the tree yard at intervals of not more than 40 feet on center, or as called for in a specialized landscape plan approved by the Parks Department. Street trees may be located on individual lots directly adjacent to the sidewalk if underground utilities are physically required to be located within the tree yard.

(102) Time limitations. The subdivider shall install the required improvements in compliance with the street surfacing, sanitary sewer, storm drainage and sidewalk requirements within one year after the plat has been approved by the city council, or he may post a performance bond or certified check in the amount of 100 percent of the cost of the required improvements as estimated by the city engineer guaranteeing the installation of the improvements within three years after the plat has been approved by the city council. The bond or certified check shall be released upon installation of the required improvements and approval thereof by the city engineer. Such periods may be extended by the city council upon a showing by the developer that lot sales and development do not warrant such installation. If the improvements are not completed within the specified or extended periods of time, the performance bond shall be forfeited and used by the city to complete the installation of the improvements.

(143) Civil defense warning system. If the subdivision is not within audible range of an existing civil defense warning siren, a civil defense warning system siren subject to standards and regulations established by the city civil defense director shall be installed.

(14) Green corners. All subdivisions of previously unplatted land, created after

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the effective date of this ordinance, and contemplating any residential use adjacent to the intersection of arterial streets, shall provide a landscaped area at the intersection which shall extend approximately equal distances along each arterial street.

- (a) Minimum area. The amount of landscaped area required at each corner shall be 5,000 square feet/quadrant, with a maximum dimension along each street of 80 feet.
- (b) Clear area. A minimum of 40% of each green corner shall be included within a "clear area" where plant materials must be less than 30 inches in height. The 40% "clear area" shall include a "sight triangle" that extends a minimum dimension along each arterial street of 35 feet.
- (c) Permitted sign locations and types. Only neighborhood identification signs shall be permitted to be located adjacent to or viewable from green corners. Such signs shall be located only as shown on Figure 55-564(2) in chapter 55 of this code. No signs shall be permitted to be located within the area of the green corner. Signs adjacent to green corners shall be monument signs no more than six feet in height, including any structural elements of the sign such as pillars or posts. All signs shall be constructed of masonry materials and have a masonry base. Internally illuminated signs are not allowed.
- (d) Landscaping. Green corners shall be landscaped using a combination of over story and under story trees, shrubs and annual and perennial flowers to frame the green corner and define the edges of the green corner that are opposite the streets. Landscaping shall be arranged to preserve the 40% clear area required by this subsection above. The minimum number of over story and under story trees shall be one tree for every 1000 square feet of green corner.
- (e) Grade separated intersections. Alternative designs that meet the size requirement and intent of the green corner regulations will be considered on a case by case basis for subdivisions that abut grade separated intersections. Developments that abut grade separated intersections will be allowed to arrange for the placement of an equivalent amount of landscaping in the public right-of-way provided the developer of the project reaches an agreement with the Nebraska Department of Roads and obtains the approval of the public works department.

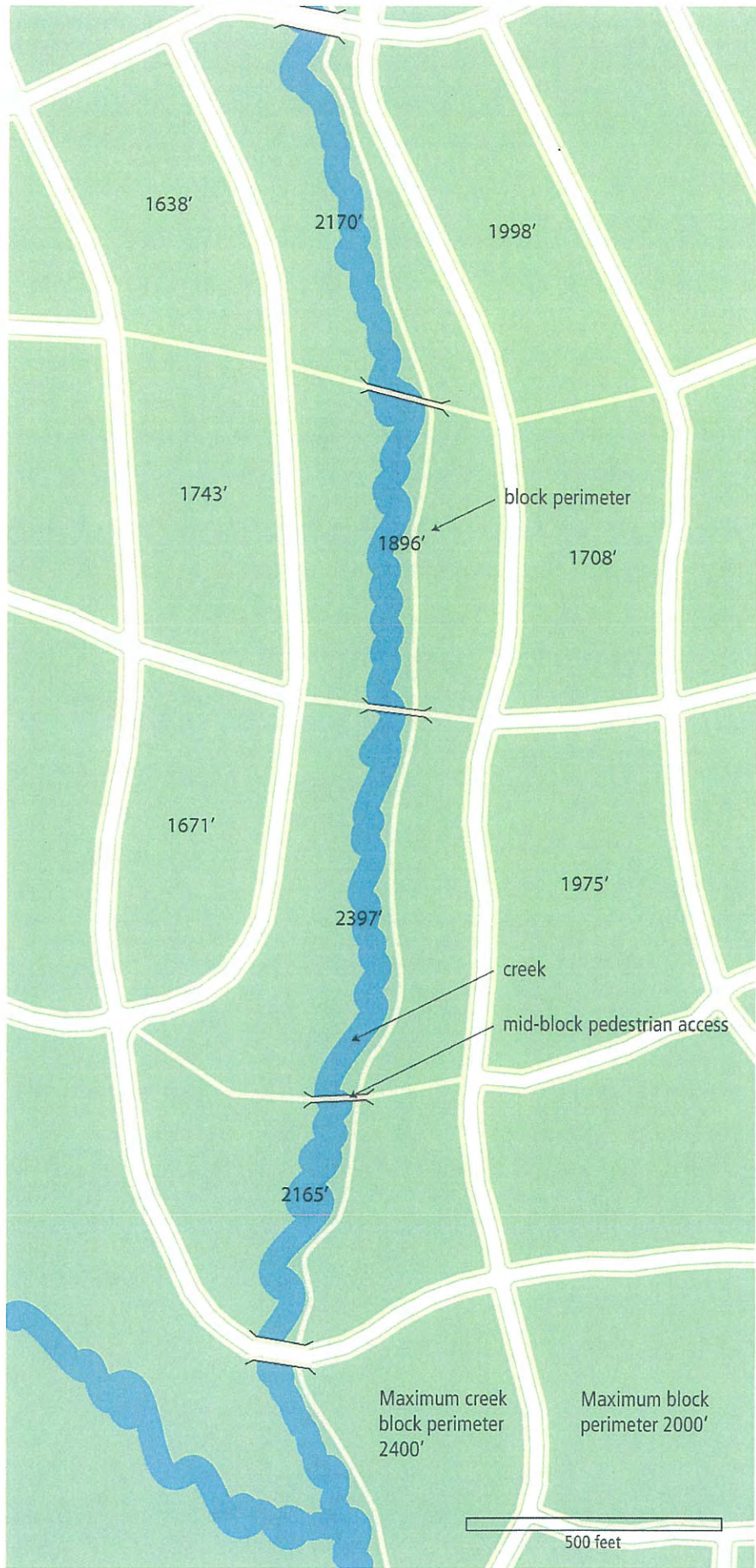


Figure 55-214
Block Perimeter

Figure 55-214

INDUSTRIAL GATEWAYS

NEW ZONING TEXT

UD ELEMENT/CODE REFERENCES

Green Goal 3,
Policy 2,
IM 3

NEW ZONING CODE SECTIONS

Sec. 55-661. IG industrial gateway district.

Sec. 55-662. Purpose.

In furtherance of the goals and policies of the urban design element of the city's comprehensive plan, the IG industrial gateway overlay district shall be applied to those areas of the city which serve as major gateways to the city in which special industrial use landscaping, screening and site development standards are appropriate.

Sec. 55-663. Applicability.

(a) *IG district boundaries.* The provisions of these sections 55-661 through 55-666 shall apply to any project on a lot or site in the IG district as shown on the zoning map.

(b) *Conflict of provisions.* Where the provisions of these sections 55-661 through 55-666 conflict with the provisions of the other sections of this chapter, the provisions of these sections 55-661 through 55-666 shall control.

Sec. 55-664. Permitted uses.

Uses permitted in the IG district shall be the same as those permitted in the underlying zoning district(s).

Sec. 55-665. Site plan approval.

Site plan approval pursuant to section 55-882 shall be required for all projects located in the IG district.

Sec. 55-666. Minimum site development standards and guidelines.

Projects located on a site or lot in the IG district shall comply with the following minimum site development standards:

(a) *Landscaping.* Any site or lot abutting an arterial or expressway within an IG district shall provide a fifteen (15) foot wide perimeter landscaped area adjacent to such arterial or expressway planted with deciduous shade trees at intervals of not less than forty

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(40) feet on center, or coniferous trees with a minimum height of six (6) feet at the time of planting at intervals of not less than twenty-five (25) feet on center.

(b) *Identification signs.* A project in the IG district shall be limited to two (2) identification signs.

(c) *Certain other signs.* Other than the identification signs permitted by section 55-666(b), above, owner identification, advertising, directional and informational signs shall be permitted on lots or sites in the IG district as provided in article XVIII of this chapter, provided that the provisions regarding pole signs and limiting the height of monument signs set forth at article XXII (urban design), section 55-933 shall also apply.

(d) *Utilities.* The provisions regarding location of utilities set forth at article XXII, section 55-932.

(e) *Screening.* Any project in the IG district shall be required to provide landscaping and screening in excess of the requirements of the underlying zoning. In no case shall the landscaped area be less than 15 feet in width or the screening less than 6 feet in height.

(f) *Building design.* All buildings in any project in the IG district shall be subject to the following design standards:

- (1) Colors/patterns. Building colors and patterns shall be uniform and consistent earth tones and grays.
- (2) Materials. Buildings shall have masonry and glass fronts with minimum 20-foot returns and masonry, glass or color-coordinated steel/aluminum sides and backs. The metallic sides or back shall not exceed 70% of the building exterior. Loading area doors shall be the same metallic substance and color as the sides or back, or if not metallic, the same color as the masonry.

Sec. 55-667. Applicability of site development standards and guidelines to changes to existing development.

Proposed changes to existing structures located on sites in the IG district shall be subject to the standards and guidelines set forth in section 55-666 in the following manner:

- (a) *Total reconstruction.* Any project which involves the total

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reconstruction of any existing structure on a site, as a result of a decision to redevelop the site, shall be subject to the standards and guidelines in section 55-666. Any project which involves the total reconstruction of any existing structure on a site as a result of a casualty loss shall be subject only to the standards and guidelines in section 55-666(f).

(b) *Other change involving issuance of a building permit.*

Any change to a project that does not constitute a total reconstruction as provided in section 55-667(a) shall be subject to each standard and guideline set forth in section 55-666 to the extent that such change to the project concerns each such standard or guideline.

(c) *Exception.* Notwithstanding the provisions of section 55-667(b) above, ordinary maintenance and repairs of an existing structure or site shall not be subject to the standards and guidelines set forth in section 55-666.

(d) *Ordinary maintenance and repairs.* For the purposes of this section 55-667, the term “ordinary maintenance and repairs” means improvements necessary to replace deteriorated elements of existing structures or of a site when made without substantially changing the size, shape, configuration or style of the structure or site.

(e) *Changes involving development agreements.* Any existing or proposed structure or site covered by an existing development agreement shall be covered by site development or building design guidelines established by that agreement. If the development agreement covering the structure does not include building design guidelines, then the standards and guidelines set forth in Section 55-666(f) shall apply. Any modification to any such structures or sites that require a major amendment shall be subject to the standards and guidelines set forth in section 55-666 to the extent that the sections are applicable to the amendment.

URBAN DESIGN ARTICLE

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ARTICLE XXII. URBAN DESIGN

Sec. 55-921. Purpose of article.

This article shall be known as the urban design article. The urban design standards and guidelines in this article are intended to implement the urban design element of the city's comprehensive plan.

Sec. 55-922. Applicability of article.

(a) *Standards and guidelines.* The provisions in sections 55-924 through 55-936 of this article shall apply to all projects in the ACI districts and the MCC district, and in any MU district, CP district, NCE district and IG district, when adopted, and as specifically required by the provisions of those districts.

See Summary Table 55-938, located at the end of this article, that indicates which provisions in this article are applicable to which new or modified zoning districts.

(b) *Review procedures.* The review procedures in sections 55-937 and 55-938 of this article shall apply to all projects in the ACI districts and the MCC district, and in any MU district, CP district, NCE district and IG district, when adopted, and as specifically required by the provisions of those districts, and when otherwise specifically required by the provisions of this chapter.

Sec. 55-923. Conflict of provisions.

Where the provisions of this article conflict with the provisions of any other sections of this chapter, the provisions of this article shall control.

Sec. 55-924. Sidewalk areas.

All lots and sites fronting on public streets in the ACI-1, ACI-2 and ACI-3 districts, and internal main streets shall have a minimum sidewalk

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area of 10 feet in width, and a minimum landscaped area of 8 feet in width. All lots and sites fronting on internal streets shall have a minimum sidewalk area of 5 feet in width. The required minimum landscaped area within the sidewalk area shall be planted with shade trees of at least 2.0" caliper at intervals of not more than 40 feet on center. This sidewalk area requirement shall not apply to the ACI-4 district and major streets which have been configured as limited access highways. Where insufficient area exists within the public right-of-way to allow for the required sidewalk area, the required sidewalk area shall be located in an easement on the adjoining property.

Sec. 55-925. Build-to/set-back lines and zones.

(a) *General standard.* Buildings shall be placed on lots in relation to their frontages in a manner that encourages a consistent street wall and provides for a usable sidewalk area and a more attractive pedestrian environment.

(b) *Build-to/set-back lines in an MU district.* The location of the build-to/set-back line shall take into consideration:

- (1) Plazas and public places created by a grouping of buildings;
- (2) The street type, district or area of the city; and
- (3) The land uses to be accommodated.

A building façade facing any internal main street with diagonal on-street parking shall be placed at a build-to/set-back line located a minimum of 50 feet and a maximum of 55 feet from the centerline of the street. A building façade facing any internal main street with parallel on-street parking shall be placed at a build-to/set-back line located a minimum of 39 feet and a maximum of 44 feet from the centerline of the street. A building façade facing any internal main street without on-street parking shall be placed at a build-to/set-back line located a minimum of 33 feet and a maximum of 38 feet from the centerline of such street or drive. When a drive-through window is located between a building façade and the street line of an internal street or internal access drive, the building façade shall be located a maximum of 60 feet from the centerline of the street. The required build-to/set-back line for projects proposed under these standards shall be reviewed by the planning director for appropriateness based on the location of the applicable MU district within the city to ensure that the location of any proposed building is in keeping with or improves the context of the existing area. When the required plaza or public place is not created on an internal main street, the build-to/set-back line shall be

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determined by the planning director.

See Figure 55-925(1) – Build-to/set-back lines and zones, located at the end of this urban design article.

(c) *Build-to/set-back lines in the ACI-1, ACI-2 and ACI-3 districts.* Buildings in the ACI-1, ACI-2 and ACI-3 districts shall be located at a build-to/set-back line measured from a baseline, defined as a line that coincides with the property-side edge of the required minimum sidewalk described in section 55-924. The following build-to/set-back dimensions apply to the ACI-1, ACI-2 and ACI-3 districts, except for portions of any ACI district where the build-to/set-back standard may be adjusted to match the historic building line. (See Table 55-925, below, for specific applicability.)

- (1) Build-to/set-back A: Building front adjacent to arterial street
 - a. Office/retail set-back from baseline: 0 feet to 10 feet. No parking or drive through lane will be permitted between the building and the sidewalk.
 - b. Non-single-family residential set-back from baseline: 5 feet to 15 feet.
 - c. Civic uses in ACI districts are subject to the build-to/set-back line standards for office/retail in this section, unless the civic use is part of an approved campus master plan.
 - d. Canopies related to service stations/convenience food sales uses shall not be considered as buildings for purposes of meeting the build-to/set-back line requirements. The area under a canopy will be considered as parking for the purposes of determining required landscaping.
 - e. When a project includes a plaza that is located between the street and the building front, the portion of the building associated with the plaza will be allowed to exceed the build-to/set-back lines standards in this section.
 - f. Single family lots or parcels in ACI districts shall be subject to the regulations of the base zoning of the lot or

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parcel.

- (2) Build-to/setback B: Building side adjacent to arterial street
 - a. Office/retail set-back from baseline: 0 feet to 10 feet. No parking or drive through lane will be permitted between the building and the sidewalk.
 - b. Non-single-family residential set-back from baseline: 5 feet to 15 feet.
 - c. Civic uses in ACI districts are subject to the build-to/set-back line standards for office/retail in this section, unless the civic use is part of an approved campus master plan.
 - d. Fifteen (15) feet of landscaping is required between any parking or drive and the baseline.
 - e. Canopies related to service stations/convenience food sales uses shall not be considered as buildings for purposes of meeting the build-to/set-back line requirements. The area under a canopy will be considered as parking for the purposes of determining required landscaping.
 - f. When a project includes a plaza that is located between the street and the building front, the portion of the building associated with the plaza will be allowed to exceed the build-to/set-back lines standards in this section.
 - g. Single family lots or parcels in ACI districts shall be subject to the regulations of the base zoning of the lot or parcel.

- (3) Build-to/set-back C: Parking between building and arterial street
 - a. Office/retail set-back from baseline: 85 feet to 90 feet.
 - b. Civic uses in ACI districts are subject to the build-to/set-back lines standards for office/retail in this section, unless the civic use is part of an approved campus master plan.
 - c. Fifteen (15) feet of landscaping is required between any

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parking, drive or structure and the baseline.

- d. Canopies related to service stations/convenience food sales uses shall not be considered as buildings for purposes of meeting the build-to/set-back line requirements. The area under a canopy will be considered as parking for the purposes of determining required landscaping.
- e. When a project includes a plaza that is located between the street and the building front, the portion of the building associated with the plaza will be allowed to exceed the build-to/set-back lines standards in this section.
- f. Single family lots or parcels in ACI districts shall be subject to the regulations of the base zoning of the lot or parcel.

(4) Build-to/set-back D: One building front adjacent to arterial street in combination with grouping of buildings away from arterial street

- a. Office/retail set-back from baseline for building adjacent to arterial: 0 feet to 10 feet.
- b. Non- single-family residential set-back from baseline for building adjacent to arterial: 5 feet to 15 feet.
- c. Civic uses in ACI districts are subject to the build-to/set-back lines standards for office/retail in this section, unless the civic use is part of an approved campus master plan.
- d. Five (5) feet of landscaping is required between any parking or drive and the baseline.
- e. Canopies related to service stations/convenience food sales uses shall not be considered as buildings for purposes of meeting the build-to/set-back line requirements. The area under a canopy will be considered as parking for the purposes of determining required landscaping.
- f. When a project includes a plaza that is located between the street and the building front, the portion of the

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building associated with the plaza will be allowed to exceed the build-to/set-back lines standards in this section.

- g. Single family lots or parcels in ACI districts shall be subject to the regulations of the base zoning of the lot or parcel.

See Figures 55-925(2) through (5) – Build-to/set-back lines and zones, located at the end of this urban design article.

- (d) *Build-to/set-back zone in the ACI-4 district.*

Build-to/set-back E: No direct access to buildings and off-street parking from arterial street; grouping of buildings on internal main street, internal street or internal access drive. Fifteen feet (15') of landscaping required between any parking, drive or structure and the property line. (See Table 55-925, below, for specific applicability.)

See Figure 55-925(6) – Build-to/set-back lines and zones, located at the end of this urban design article.

Table 55-925. Applicability Table – Sidewalks & Build-to/Set-back Situations

ACI Districts	Sidewalk & Build-to/Set-back Situations				
	A	B	C	D	E
ACI-1	R	NA	NA	NA	NA
ACI-2	P	A	A	NA	NA
ACI-3	P	P	A	A	NA
ACI-4					P

Key: R=Required; P=Preferred; A=Allowed; NA=Not Allowed.

Sec. 55-926. Ground-level transparency.

The following ground-level transparency standards shall apply to all building facades located within 10 feet of a sidewalk adjacent to a public or internal main street (each a “sidewalk-adjacent façade”):

- (a) *Minimum transparent area.* At least 25 percent of the total wall area of the first 12 feet above grade of any sidewalk-adjacent façade shall

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consist of windows, glass doors or other transparent (clear or slightly tinted) building surfaces providing an unobstructed visual connection from the outside to the inside of the building. For large retail buildings, areas that project and recede from the wall shall be included in the calculation of total wall area.

(b) *Minimum zone of transparency.* A minimum zone of transparency shall be established on a sidewalk-adjacent façade between a height of 2 feet and 8 feet above grade on these facades. At least 50 percent of the minimum transparent area shall be located in the minimum zone of transparency.

(c) *Placement of windows.* The placement of windows in the ground level of the sidewalk-adjacent façade shall be part of a proportional system that extends to any upper portions of the façade.

(d) *Glass showcases permitted.* Glass showcases or cabinets at least 3 feet in depth may be used to fulfill the foregoing minimum transparent area standard of this section 55-926.

(e) *Facades on slopes.* Sidewalk-adjacent facades adjoining slopes greater than 5 percent shall not be required to place windows within the minimum zone of transparency.

(f) *Relocation of minimum zone of transparency.* The minimum zone of transparency may be relocated and/or its height reduced, if the applicant can demonstrate that the standard provided in this section 55-926 would have a significant adverse effect upon the operation of the building to which it would be applied. In such cases, architectural enhancements which add to the visual interest of the sidewalk-adjacent facade may be allowed, in the discretion of the planning director.

(g) *Reduction in percentage of transparency.* The percentage of transparency may be decreased for street adjacent facades of buildings in residential use in the discretion of the planning director.

(h) *Corner buildings.* For a building with two or more sidewalk-adjacent facades, the principal sidewalk-adjacent façade for that building shall be determined by the planning director, and the standards set forth in this section 55-926 shall apply to that façade only.

Sec. 55-927. Service area screening.

All service access areas and uses such as trash dumpsters, utility boxes, and heating, ventilation and air conditioning equipment, shall be

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prohibited along the facades of structures facing the front lot line or shall be screened from view with a combination of berms, walls, fence enclosures, gates for access and landscaping in accordance with section 55-717. Trash dumpsters shall be screened by a masonry enclosure designed to match the building on the site.

Sec. 55-928. Green parking areas.

(a) *Purpose.* Green parking areas, as described in the urban design element of the city's comprehensive plan, are intended to help provide more shade for pedestrians and vehicles and improve the aesthetic appearance of parking areas, without negatively impacting parking area efficiency.

(b) *Dimensions.* The dimensions of parking stalls in green parking areas shall comply with the standards set forth in section 55-740(b).

(c) *Pervious landscaping within parking lots.* All parking areas shall include landscaped areas equal to not less than 7 percent of the interior parking area (including drive aisles that do not provide access to a parking stall), arranged in one or any combination of the following ways:

- (1) Alternative 1 (alternating 10-foot strips). The preferred method for meeting this standard is to provide a pervious strip no less than 10 feet in width (including the "vehicle overhang" on both sides), extending the full length of alternating parking rows. This strip may be located below the level of the adjacent parking area, allowing drainage through curb breaks, or it may be located at top of curb level. The pervious strip shall be planted with low growing plant materials and over story trees as provided in section 55-928(f).
- (2) Alternative 2 (islands/peninsulas). As an alternative, the required landscaped areas may be provided through the use of interior islands or peninsulas distributed approximately evenly throughout the interior of the parking area and including one tree for every 350 square feet of landscaped area.
- (3) Alternative 3 (5-foot strips). As a further alternative, the required landscaped areas may be provided through the use of pervious strips of 5 feet in width (including the "vehicle overhang" on both sides), extending the full length of each parking row.

For parking areas on sites that are being redeveloped and for which the applicant can demonstrate that the number of parking spaces that could be

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constructed in compliance with the provisions of this section 55-928 would not comply with the number of parking spaces required by section 55-734 of the Code, the planning director may authorize a reduction of up to 10 percent in the required number of parking spaces. In the event that an applicant for a project involving redevelopment demonstrates that the application of the standards of this section 55-928(c) would result in the loss of parking spaces necessary to accommodate the uses proposed for the redevelopment site, the planning director may authorize a reduction of up to 1.5 percent in the required percentage of pervious landscaping.

(d) *Design requirements for parking reserved for the handicapped.* The requirements set forth in section 55-740(d) shall apply to green parking areas.

(e) *Perimeter landscaping.* The perimeter of all parking areas shall be surrounded by a landscaped area as required by section 55-740(f)(4). This landscaped area shall be in addition to the interior parking area landscaping requirement set forth in section 55-928(c). In addition, all parking area perimeters adjacent to arterial streets shall provide a continuous landscaped area to a minimum height of 3 feet and a minimum depth of 15 feet. Landscaped berms, hedge rows, shrubbery or any combination may be used to fulfill this requirement. Overstory trees shall also be required as described in section 55-718.

(f) *Landscaping standards.* Areas in green parking areas that are required to be landscaped, including the pervious strip beyond the front wheel car stops required by section 55-928(c) and the perimeter landscaping required by section 55-928(e), shall be planted with shade trees at intervals of not more than 35 feet on center, and with appropriate low-growing plant materials, selected according to the Standards for Urban Landscaping, adopted by the city council and on file with the planning director, to insure the long-term viability of the pervious surface.

(g) *Other applicable requirements.*

- (1) Generally. All other requirements in section 55-740 with regard to parking areas generally shall apply to green parking areas.
- (2) Exterior lighting. Exterior lighting in green parking areas shall comply with the requirements of chapter 44 of this Code.

See Figures 55-928(1) through (5) – Illustrations of Green Parking Areas, located at the end of this urban design article.

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Sec. 55-929. Parking structures.

Parking garages shall utilize horizontal walls to screen sloping floors and vehicle bumpers that are visible from major streets. Exterior facing materials for parking structures shall be comparable to the facing materials of the principal building(s) on the same or adjoining sites. At least 50 percent of the length of the ground floor of all parking structures that are immediately adjacent to public sidewalks in the ACI-1 and ACI-2 districts, or in MU districts, and that are located in or directly adjacent to areas that consist primarily of retail storefronts, shall be occupied by retail uses that occupy at least 20% of the floor area of the ground floor and have entrances onto those public sidewalks.

See Figures 55-929(1) and (2) – Illustrations of Conforming Parking Structures, located at the end of this urban design article

Sec. 55-930. Site and building access.

(a) *General.* Site and building access shall be located and designed in a manner that provides for pedestrian activity on the street frontage of buildings while minimizing the number of vehicular access points and reducing areas of vehicle-pedestrian conflict.

(b) *Site and building access in an MU district.* In an MU district, site and building access shall be subject to the following requirements:

- (1) In general, vehicular access points to an MU district from major streets shall not be located closer than 500 feet or further than 700 feet from the centerline of the nearest intersection of major streets.
- (2) Between 500 feet and 700 feet from intersections of major streets, a right-in/right-out access point and a street shall be required that connects to the nearest perpendicular street.
- (3) Between 1,000 feet and 1,400 feet from intersections of major streets, an intersection and street with all turning movements shall connect to the nearest perpendicular street.
- (4) All access to sites and lots greater than two and one-half acres in size at any intersection quadrant shall be shown on an

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approved internal street system plan.

- (5) Pedestrian access shall be provided from all public sidewalks to the site with convenient access to building entrances.
- (6) On-street parking shall be provided on streets other than major streets as established through the special use permit process.
- (7) The internal circulation system shall distribute traffic to minimize conflict at access points.

(c) *Site and building access in the ACI districts.* In the ACI districts, site and building access shall be subject to the following requirements:

- (1) Shared access. New development on parcels and lots in the ACI districts shall be limited to a maximum of two vehicular access points, provided that the second access point is shared with the adjacent property.
- (2) ACI-3 and ACI-4 districts.
 - a. Lots abutting an internal street shall be limited to one unshared access from any internal street system unless approved by the public works and planning departments.
 - b. New vehicular access points to major streets shall be prohibited unless approved by the public works department, the planning department and, if necessary, the Nebraska Department of Roads.
 - c. Building entrances shall be visible from the street and accessible from the adjacent sidewalk.
- (3) ACI-1 and ACI-2 districts. The requirements applicable in the ACI-3 and ACI-4 districts with regard to site and building access shall apply in the ACI-1 and ACI-2 districts. In addition, vehicular entrance and access points for projects in the ACI-1 and ACI-2 districts shall be contained within a single access driveway.

(d) *Site and building access in the MCC district.* New development on parcels and lots in the MCC district shall be limited to two vehicular access points. New vehicular access points for parcels or lots that have already been developed with two or more vehicular access points shall be

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discouraged.

Sec. 55-931. Neighborhood connectivity.

New streets shall be designed to and shall connect through to adjacent streets whenever physically possible.

Sec. 55-932. Location of utilities.

New service lines for utilities such as power and data communications lines shall be located underground. To the extent feasible, new distribution lines for utilities such as power and data communications lines shall be located in a utility corridor outside of the area between the curb and the sidewalk along each street frontage.

Sec. 55-933. Signs.

In addition to the provisions regarding signs set forth in this code, the following standards shall apply:

(a) *Pole signs.* Pole signs, as defined by Section 55-822 of Article XVIII, are prohibited.

(b) *Monument signs.* The maximum height of a monument sign shall be 12 feet, including any structural elements of the sign such as pillars or posts. All monument signs shall have a masonry base.

(c) *Business center signs.* Business center monument signs may have a maximum height of 25 feet. This maximum height shall include any structural elements of the sign such as pillars or posts. Business center monument signs may provide for tenant advertising provided that no more than 60 percent of the sign area is used for such purposes, and no single tenant occupies more than 10 percent of the sign area. Business center signs are only allowed in business centers 10 acres or larger in size. One sign shall be allocated for each full-turn access to a business center (quarter and half-mile) up to a maximum of 3 signs. Business centers (10 acres or larger) that have no full turn access points will be allocated one business center sign. All business center signs shall have a masonry base.

Sec. 55-934. Retaining walls.

Retaining walls shall be subject to the following standards:

(a) *Visible and invisible retaining walls.* For purposes of this section 55-934, any retaining wall shall be considered a visible retaining

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wall unless the retaining wall is:

- (1) Not visible from adjacent properties or public roadways,
- (2) No higher than the adjacent building, and
- (3) Located such that the adjacent property is uphill from the retaining wall.

A retaining wall that has all of the foregoing characteristics shall be considered an “invisible retaining wall” for the purposes of this section 55-934.

(b) *Maximum height and separation distance.* Visible retaining walls abutting sidewalks and/or property lines shall not be more than 5 feet high and the distance between visible retaining walls shall not be less than 10 feet. As an alternative, visible retaining walls may extend to a maximum of 10 feet in height provided that a minimum 1.5 to 1.0 depth-to-height ratio is maintained between the edge of the sidewalk and /or property line and the top of any retaining wall exceeding 5 feet in height. Visible retaining walls and slopes steeper than 3.0 to 1.0 located in the public right of way shall require the approval of the Omaha Public Works Department. Invisible retaining walls shall not be more than 10 feet high. The distance between invisible retaining walls shall not be less than 5 feet. The 10-foot and 5-foot intervals should be used for landscaping that will extend both upward and downward to soften the image of the walls.

(c) *Retaining walls in landscaped buffers.* When a retaining wall is located within a required landscaped buffer at a property boundary:

- (1) If the adjacent property is downhill from the retaining wall, the landscaped buffer shall be located between the retaining wall and the adjacent property, and
- (2) If the adjacent property is uphill from the retaining wall, the landscaped buffer shall be located between the back of the retaining wall and the adjacent property.

(d) *Retaining wall materials.* Retaining walls shall be constructed of masonry and compatible in color, texture, size and scale to the masonry materials used in the elevations of buildings on the same site.

(e) *Existing retaining walls.* An existing retaining wall located within a site shall not be subject to the provisions of this section unless new development or a redevelopment or reconstruction of the existing

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development on the site makes the retaining wall visible.

See Figures 55-934(1) through (3) – Illustrations of Retaining Wall Configurations, located at the end of this urban design article.

Sec. 55-935. Large retail building design guidelines.

(a) *Findings.* The city council finds that the creation of high quality building design in large retail buildings within the city is a major goal of the urban design element of the city's comprehensive plan, and further finds that the adoption of guidelines regarding the elevations of such buildings will help to achieve this goal.

(b) *Purpose.* The purpose of these guidelines is to improve the quality of building design of large retail buildings in the city and improve the city's image as defined by its built environment. While these guidelines attempt to set forth what is generally acceptable building design for large retail buildings, the city intends by these guidelines to encourage innovation and creativity in the design of such buildings.

(c) *Definitions.* For the purposes of the guidelines set forth in this section 55-935, the following words and phrases shall have the meanings respectively ascribed to them:

Customer entrance: That part of a large retail building's exterior accommodating either access into or egress out of that building, or both access and egress, for customers of the retail establishment(s) located in the building.

Elevation: The complete façade located on any side of a building.

Large retail building: Any building used primarily for retail uses and having at least one elevation greater than 100 feet in length.

Visible elevation: Any elevation, including any elevation of less than 100 feet in length, of a large retail building which is visible from a public right of way adjacent to the property on which the building is located or from a parking lot within such property.

(d) *Guidelines.* The following review criteria apply to large retail buildings:

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- (1) Screening of Rooftop Equipment. Mechanical equipment above the surface of the roof, such as cooling towers, vent fans and vent stacks, should be screened by architectural elements such as a parapet extending upward from the perimeter wall or an architectural roof-top enclosure so that the equipment is not casually visible from adjacent public streets or from the parking lot for the building. In no case shall the parapet wall or roof top enclosure be required to exceed the height of the mechanical equipment.
- (2) Wall Materials. All large retail buildings should incorporate as a primary element on the building exterior either natural or cast stone, brick, split face or textured concrete block (CMU), fascia glass or other similar materials. All visible elevations of the building should be consistent in design and use of materials. Other materials such as concrete panels, non-textured block, architectural metal panels and artificial stucco (“exterior insulation and finish system,” or “EIFS”) may be used in combination with and or complimentary with the above referenced materials. When EIFS is used, it generally should be placed a minimum of 8 feet above grade and be applied in an articulated fashion. The placement of EIFS may be varied so as to average a minimum of 8’ above grade, but in no case shall it be placed closer than 3’ above grade.
- (3) Proportion of Height to Length of Elevations. Large retail buildings that are only one story and have walls longer than 100 feet should be designed so that the height of the wall, including the parapet, if there is one, averages not less than one tenth of the length of the wall. In the case of walls longer than 300 feet, this provision can be satisfied by providing architectural elements at the ends of the wall that meet the height criteria for the entire length of the wall, but the rest of the wall need not be taller than 30 feet.
- (4) Relating Large Retail Buildings to Sloping Sites. Grading plans for projects including one or more large retail buildings should minimize the necessity for retaining walls and preserve the natural integrity of the site topography as much as possible. Parking lots should be designed to absorb changes of grade through gentle slopes and low retaining walls within the parking area, rather than accumulating all grade changes at the site perimeter. Where the height of a building elevation changes appreciably across a site, the design should take these circumstances into account.

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- (5) Building Signs: In addition to the building sign standards set forth at sections 55-821 through 55-847, the following review criteria shall apply to signs for large retail buildings and sites:
- a. Signs on visible elevations should be limited to identification of the commercial business or businesses within the large retail building. Where signs are associated with the entrance to the commercial business the size of the sign should be in proportion to the entrance. Where the sign is placed away from the entrance or on a wall that does not have an entrance, the sign should be integrated with the design of the wall through such devices as placing the letters of the sign directly on the wall so that the wall can be seen through the lettering.
 - b. Where there are multiple retail establishments in the same large retail building, there should be a sign plan to ensure continuity of the identification signs of all the establishments in the building.
- (6) Proportion and Visibility of Entrances: Entrances in visible elevations of large retail buildings will be reviewed according to the following criteria.
- a. Entrances should be part of an architectural composition that is in scale with the entire visible elevation in which it is contained. Where there are many entrances to separate establishments, a continuous band of doors and windows along the entire visible elevation is a customary design approach. Where doors are not part of such a continuous band, the doors should be part of an entrance pavilion, projection, or comparable architectural element that incorporates the doors, and is in scale with the length and height of the whole elevation.
 - b. When there is a large retail building and other, smaller stores which are part of the same development, the smaller stores, with their separate entrances, could be placed in front of the large retail building, or along one of its sides, in order to mitigate the scale of the large building.
 - c. Where an entrance elevation is longer than 200 feet there should be more than one customer entrance, or customer

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entrances and exits should be separated, or some other device such as an arcade should be used to make the building seem as friendly and accessible as possible.

- d. When the exterior wall of a large retail building is adjacent to the sidewalk of an abutting public or interior street, there should be a customer entrance immediately accessible from the street, which may be located at the corner of the building. When such a building is adjacent to more than one street, only one street entrance need be provided.
- (7) Proportion and Organization of Windows. The following guidelines apply to windows on visible elevations of large retail buildings:
- a. Windows should be in scale with the entire elevation of which they are a part.
 - b. Windows should be part of a design and proportional system that extends to the entire visible elevation. Examples of such a system would be uniform sill and window heights, or continuous horizontal or vertical bands of windows. Windows that appear as individual openings in a masonry wall should be placed in accordance with a proportional system that can be explained by a drawing, although the system need not be expressed in the wall itself.
 - c. Where a large retail building has an elevation with a customer entrance on a parking lot with a sidewalk on the parking lot side, or the sidewalk on an internal main street, the ground-level transparency standards of section 55-926(a) shall apply to that elevation.
 - d. At least 20 percent of the minimum transparent area shall be located in the minimum zone of transparency, as delineated in section 55-926(b).
 - e. The minimum transparent area as delineated in section 55-926(a) may be reduced by 20% when a large retail building utilizes an arcade in combination with features that add visual interest to the wall. The arcade must be designed as a recess within the primary wall plane. Arcade openings in the wall plane must have the proportion and general appearance of door and window openings.

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- (8) Incorporating Canopies into the Design: Where weather protection is extended out over a sidewalk or traffic lane as a canopy at a building entrance, the canopy should be incorporated into the design of the entrance pavilion or otherwise incorporated into the architectural design of the building.
- (9) Mitigating the Effect of Long Elevations. Long walls between entrances and long walls without entrances should be kept in scale as much as possible. Arcades, colonnades, awnings and galleries are all useful devices for integrating entrances into the design of the elevation of a large retail building and keeping entire elevations in scale. Vertical and horizontal expression lines can also be used to keep the long elevations of large retail buildings in scale. Expression lines to be effective need to use a change of material or a vertical or horizontal off-set large enough to be perceived from a distance.
- (10) Screening of Loading Docks and Service Operations. Loading and service operations, including storage of waste materials, should not be visible to the public from streets or parking lots. An effective way to screen such elements is to locate them within the building perimeter, screened by doors. Doors to loading docks should not be open except when vehicles are actually entering or leaving the building. Landscaping is ordinarily not an effective screen, unless the landscaping materials are evergreen, sufficiently tall, densely planted, and properly maintained.
- (11) Screening of Exterior Mechanical Equipment. All mechanical equipment located outside a large building, such as transformers or condensers, should not be casually visible to the public from streets or parking lots. Such elements should be screened, to the extent allowed by the public utility, by locating them within a perimeter wall of comparable design and materials to the building's visible elevations and sufficiently high as to completely conceal the equipment. Landscaping used as a screen should utilize evergreens sufficiently tall, densely planted, and well maintained.

See Figures 55-935(1) and (2) – Large retail building design guidelines, located at the end of this urban design article.

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Sec. 55-936. General building design guidelines.

All projects in the ACI districts and in any MU district other than large retail building projects shall be reviewed for appropriate building design character, including treatment of facades at entrances and corners, treatment of the base and top of the building, and selection of finish materials, as part of urban design site plan review pursuant to section 55-937 for projects in the ACI districts, or pursuant to special use permit review pursuant to section 55-938(b) for projects in an MU district, as follows:

(a) *Facades.* Facades of buildings should be designed in three dimensions, and not as a façade that is seen from only one side. All facades visible from a public right of way or from access roads and parking lots within the site (each, a “visible façade”) are equally important and should be designed accordingly.

(b) *Entrances.* The location of entrances should be legible and all public pedestrian entrances should be accessible from sidewalks that connect to the public sidewalk system.

(c) *Bases of buildings.* The bases of all visible facades of the building should be designed to enable pedestrians to come close to the building. If parking occupies the ground level, it should be fully enclosed and the wall finishes should be comparable to those used in the inhabited portion of the building. Exterior mechanical equipment, such as a ventilator, should be located not less than 10 feet above the base of the building.

(d) *Rooftops.* The top of the building façade should include a parapet of a height sufficient to screen all roof-top mechanical equipment from the view of pedestrians on public streets or on sidewalks within the same site. In addition all elevator penthouses, stair towers and other elements above the roof line that are visible from a distance should be enclosed by facades that are comparable in design and quality of materials to the facades of the building itself.

(e) *Wall materials.* Except in residential use only districts, all buildings should incorporate as a primary element on the building exterior either natural or cast stone, brick, fascia glass or other similar material. All visible elevations of any building should be consistent in design and use of materials. Other materials such as concrete panels, split-face concrete block, architectural metal panels and EIFS may be used in combination with and or complementary with the above-referenced materials. When

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EIFS is used, it should also be placed a minimum of 8 feet above grade and be applied in an articulated fashion. Concrete block may be used on non-visible rear elevations.

See Figure 55-936 – Summary Illustration for General Building Design Guidelines, located at the end of this urban design article.

Sec. 55-937. Urban design site plan approval.

(a) *Purpose.* The urban design site plan review procedure provides for administrative and compliance review of plans for all proposed projects in the ACL, CP, MCC, NCE and IG districts. The procedure provides for review and evaluation of urban design-related site development standards as set forth in the provisions for those districts and in this article.

(b) *Procedure.* Unless otherwise specifically noted in this section, the procedure for urban design site plan approval shall be the same as provided for site plan approval under section 55-882. However, the procedure under section 55-882 when used for urban design site plan review shall be modified as follows:

- (1) In addition to the application requirements set forth at section 55-882(d), an application for urban design site plan review shall include plans showing, in both two and three dimensions, the elevations of all building facades in sufficient detail to review compliance thereof with the applicable urban design standards.
- (2) An application for urban design site plan approval, or amendment of the same, shall be reviewed and acted upon by the planning director pursuant to section 55-882. The planning director may approve, approve with modifications, or deny a proposed urban design site plan or a proposed amendment to an urban design site plan.
- (3) Under section 55-882(g)(4), in addition to requiring the rearrangement of structures or uses within the site under section 55-882(g)(4), the planning director may also require modifications to proposed building façade elevations to comply with applicable urban design standards and guidelines.
- (4) During the planning director's review of a proposed urban design site plan or amendment of the same under this section, either the

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applicant or the planning director may request to have the urban design review board review and provide a recommendation on the application. Such a request shall be made in writing to the urban design review board, which writing shall identify the issues to be reviewed and recommended upon. Following a hearing on the matter, the urban design review board shall provide a recommendation on the application to the planning director. The planning director shall then act on the application, taking into consideration the recommendation of the urban design review board.

- (5) An applicant aggrieved by the decision of the planning director under this section may appeal to the planning board by filing a written appeal with the planning director within 30 days of the planning director's decision. The written appeal shall identify the specific grounds for appeal. Following a hearing on the matter, the planning board may affirm, reverse or modify the planning director's decision.
- (6) An applicant aggrieved by the decision of the planning board under this section may appeal to the city council by filing a written appeal with the city clerk within 30 days of the planning board's decision. The written appeal shall identify the specific grounds for appeal. Following a hearing on the matter, the city council may affirm, reverse or modify the planning board's decision.
- (7) In rendering decisions or recommendations under this section 55-937(b), the planning director, the urban design review board, the planning board and the city council shall make their determinations under section 55-882 utilizing the criteria set forth in Table 55-938.

Sec. 55-938. Criteria for urban design-related review and evaluation.

(a) *Purpose.* The criteria for review and evaluation (*See* Table 55-938) are intended to fully implement the urban design article's standards and guidelines in cases of:

- (1) Urban design site plan review. Urban design site plan review for all projects in the ACI, CP, NCE, IG and MCC districts, as required by the provisions of those districts.
- (2) Special use permit review. For all projects in an MU district and for all special use permits required for commercial uses in areas

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zoned for industrial uses.

(b) *Evaluation.* Applications for urban design site plan review and special use permit review in MU districts as well as special use permit review for commercial uses in areas zoned for industrial uses shall be reviewed in accordance with the relevant criteria and standards set forth in Table 55-938 unless the applicability of such criteria and standards is limited by the provisions of the relevant district sections.

Table 55-938 Summary of Criteria for Review and Evaluation Under Urban Design Article

Criteria	Urban Design Site Plan Review					Special Permit Review	
	ACI	CP ¹	NCE	IG	MCC	MU	Large Retail Building in Industrial
Sidewalk areas (§ 55-924)	●	●	⊙			●	
Build-to/Set-back lines and zones (§55-925)	●	●	⊙			●	
Ground-level transparency (§ 55-926)	●	●	⊙			●	
Service area screening (§ 55-927)	●	●	⊙		●	●	
Green parking areas (§ 55-928)	●	●	⊙		●	●	
Parking structures (§ 55-929)	●	●	⊙		●	●	
Site and building access (§ 55-930)	●	●	⊙		●	●	
Neighborhood connectivity (§ 55-931)	●	●	⊙			●	
Location of utilities (§ 55-932)	●	●	⊙	●	●	●	
Signs (§ 55-933)	●	●	⊙	●	●	●	
Retaining walls (§ 55-934)	●	●	⊙		●	●	
Large retail building design guidelines (§ 55-935)	●	●	●		●	●	●
General building design guidelines (§ 55-936)	●	●	●		●	●	
Tower locations; min/max. façade heights (§ 55-634(a))		●					
Important buildings (§ 55-634(b))		●					
Building design/architectural guidelines (§ 55-634(c))		●					
Significant vistas (§ 55-634(d))		●					
Public spaces (§ 55-634(e))		●					
Mixing of uses (§ 55-564(c))						●	
Circulation systems (§ 55-564(d))						●	
Plazas, public places and buildings (§ 55-564(e))						●	
Green corners (§ 55-564(f))						●	
Stormwater detention areas (§ 55-564(g))						●	
Required open space (§ 55-564(h))						●	

NOTE: Review table with Figure 55-938 – Base Diagram Illustration of Urban Design Elements Consistent with the Standards and Guidelines of the Urban Design Article, located at the end of this urban design article.

Legend: ● – Applicable., ⊙ – NCE district provisions may address these elements of urban design.

¹ Standards and guidelines for each CP district shall be found in the CP zoning plan.

ILLUSTRATIONS

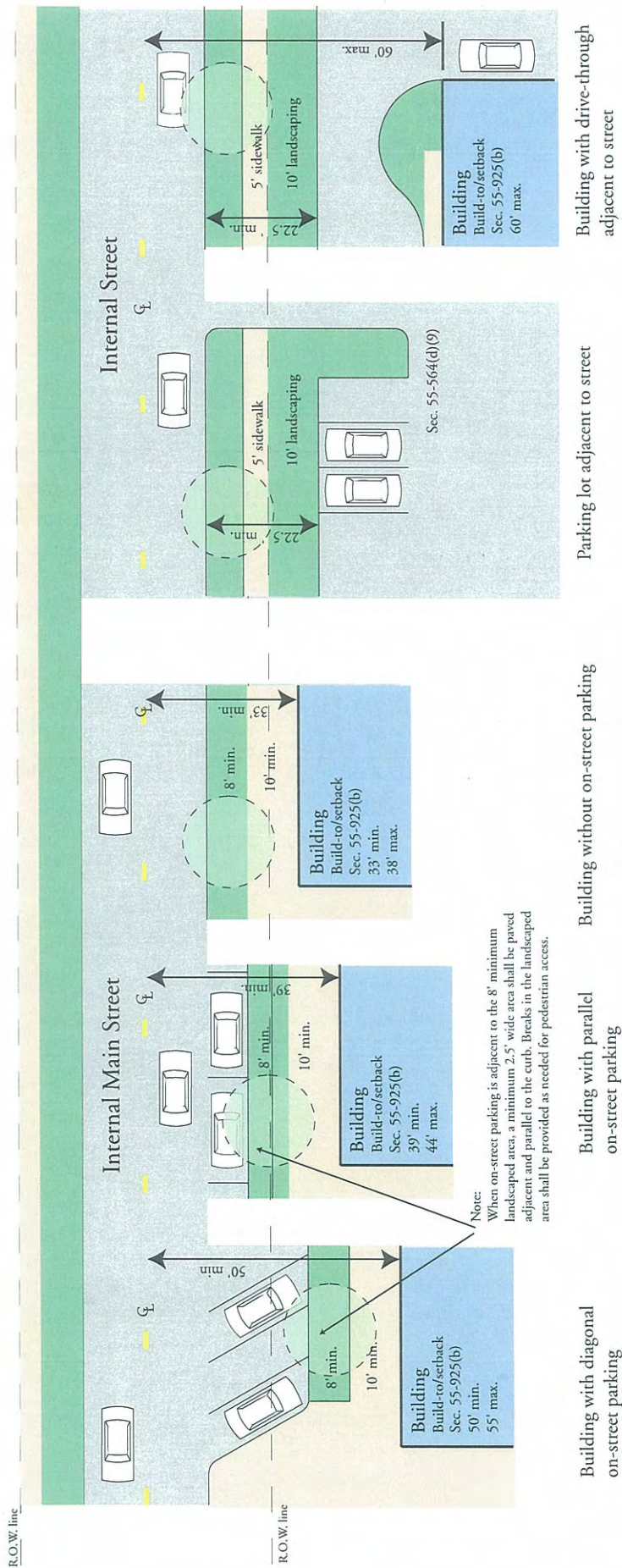


Figure 55-925(1)

A

Building Front Adjacent to Arterial Street

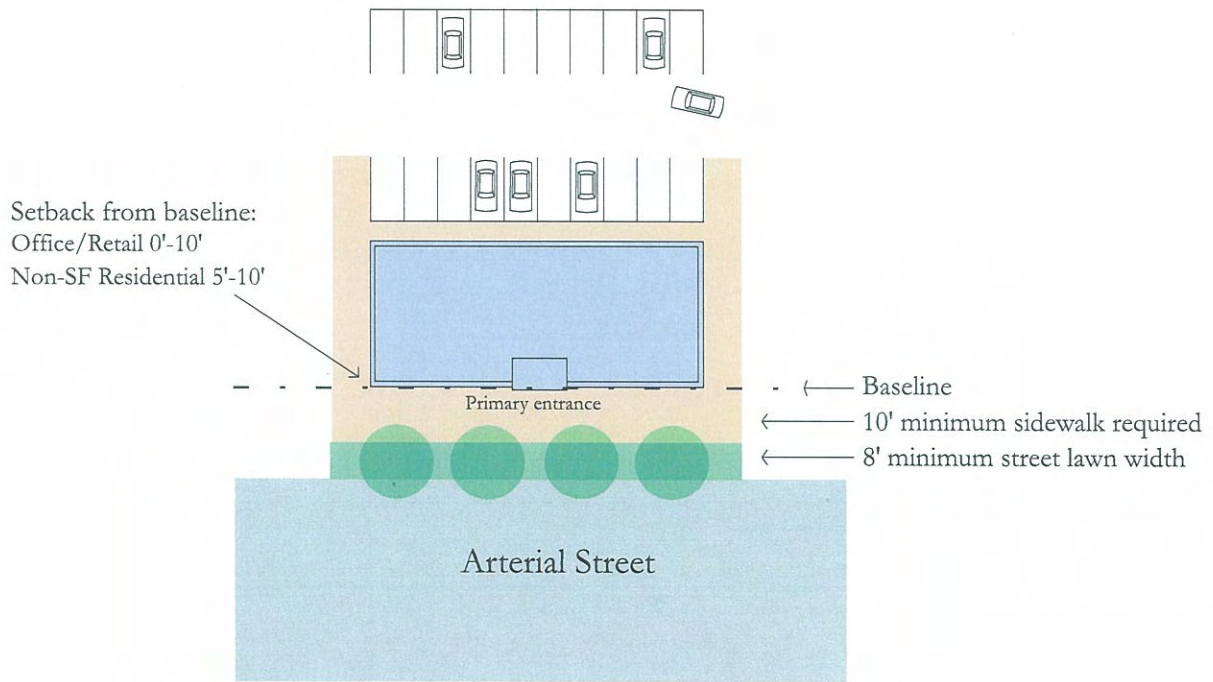


Figure 55-925(2)

B
Building Side Adjacent to Arterial Street

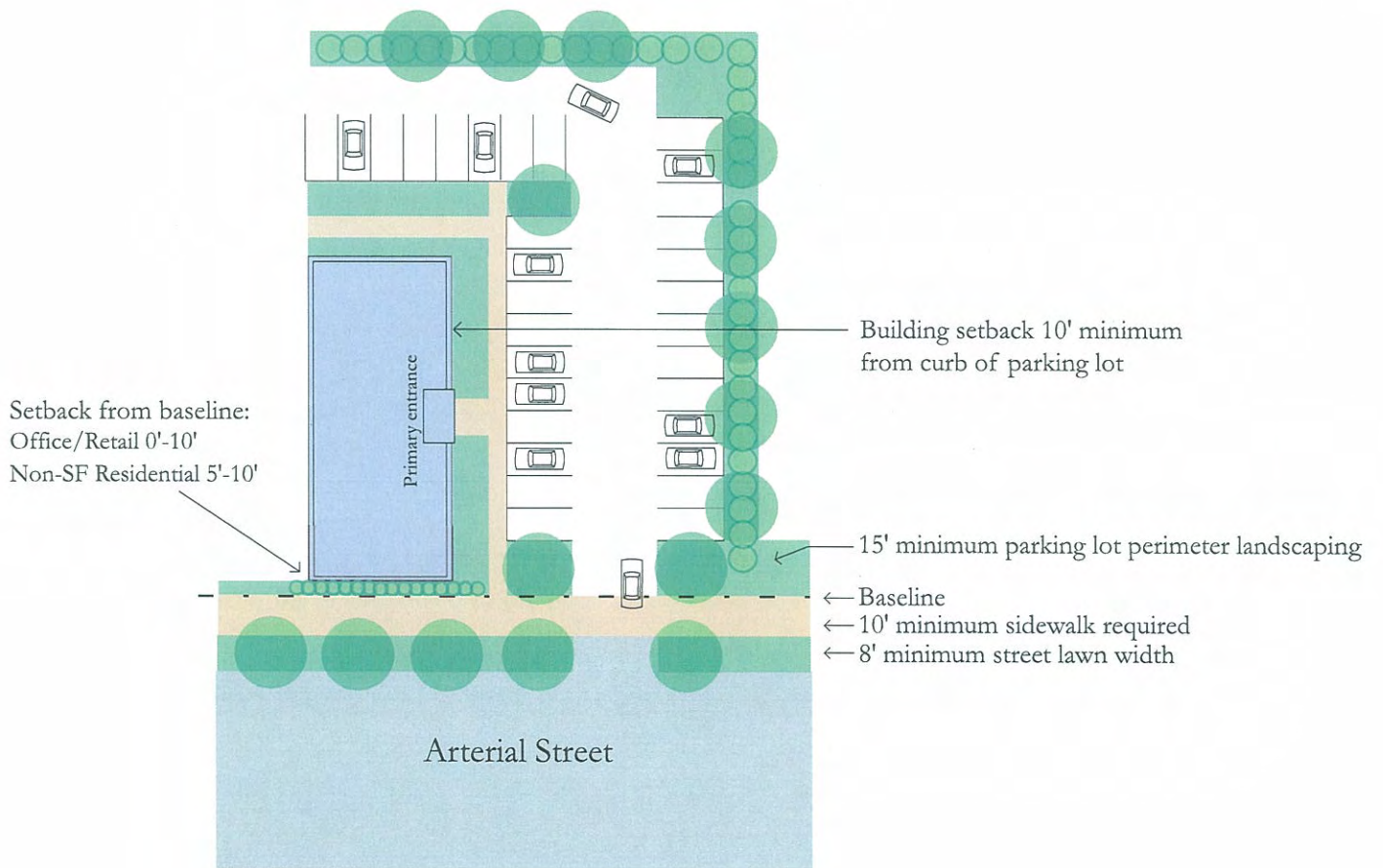


Figure 55-925(3)

C

Parking Between Building and Arterial Street

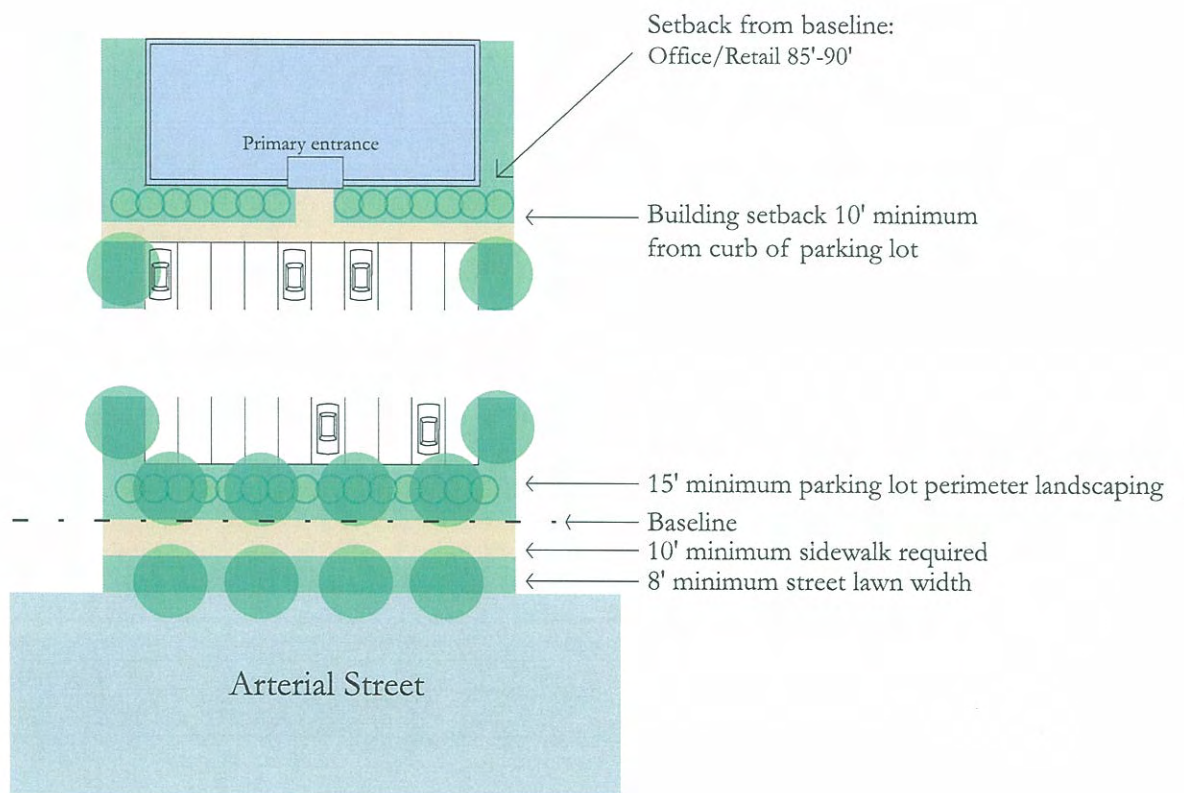


Figure 55-925(4)

D

One Building Front Adjacent to Arterial Street
in Combination With Grouping of Buildings
Away from Arterial Street

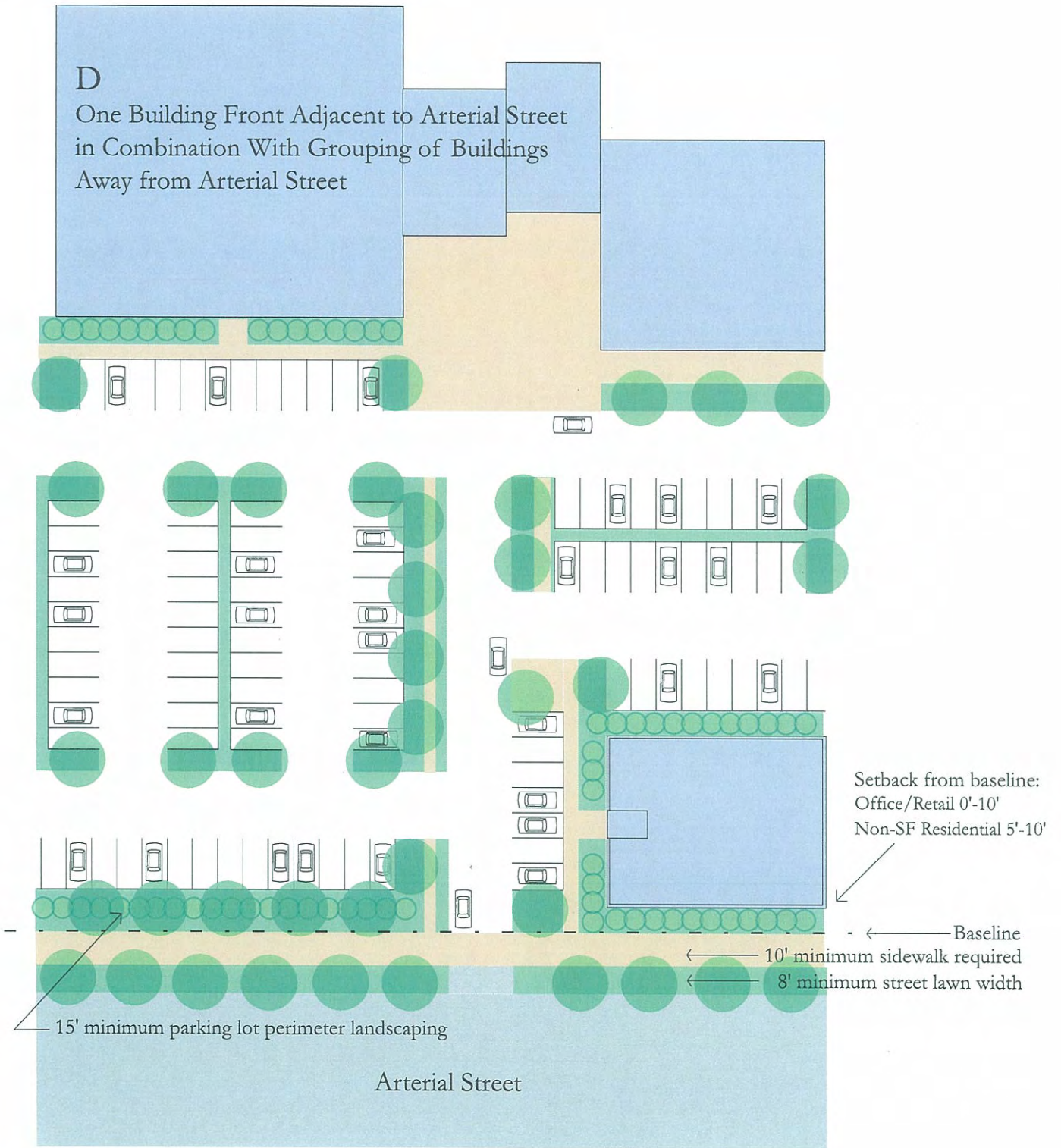


Figure 55-925(5)

E

No Direct Access to Buildings and Off-Street Parking From Arterial Street;
Grouping of Buildings on Internal Main Street, Internal Street or Internal
Access Drive

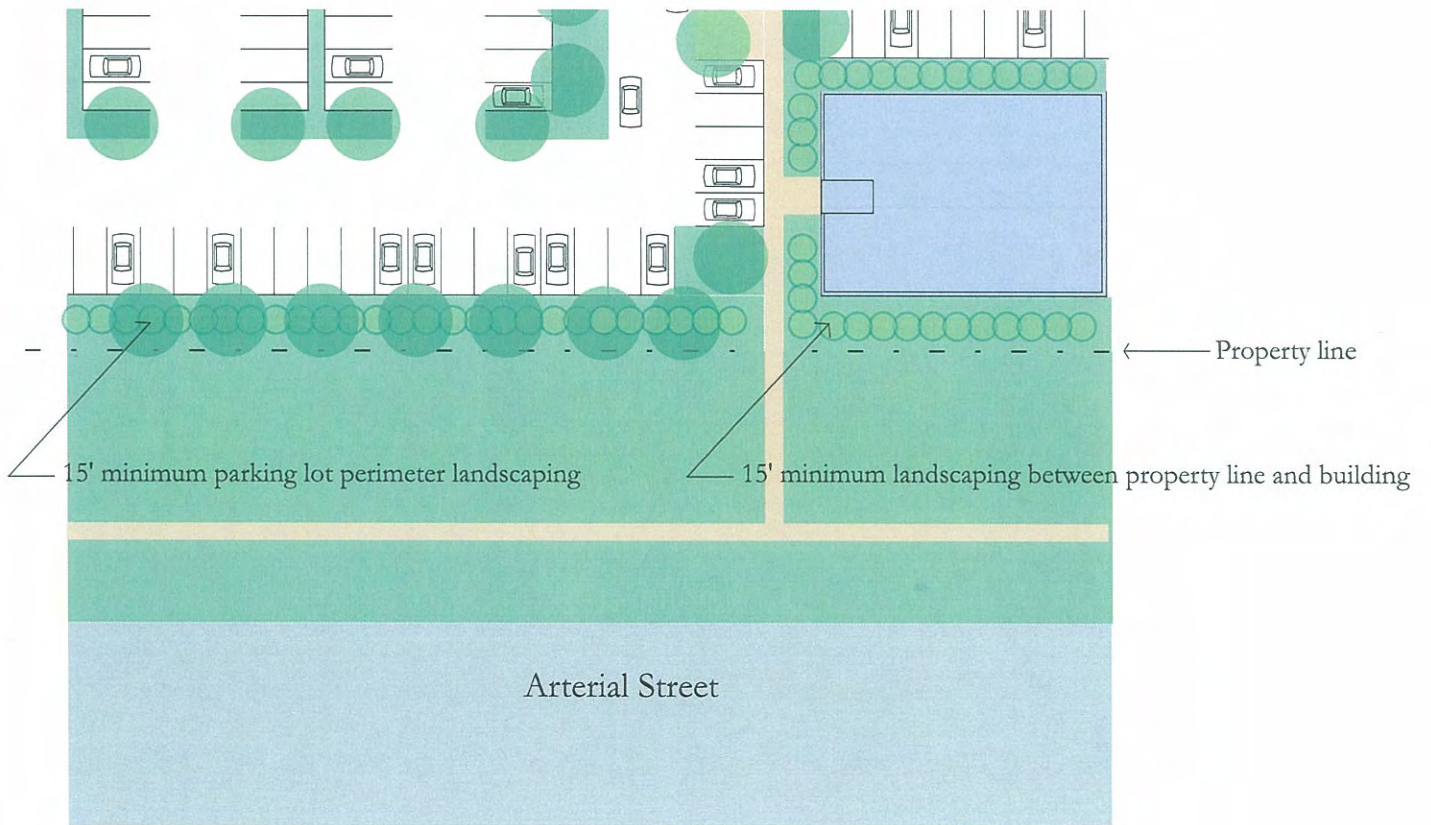
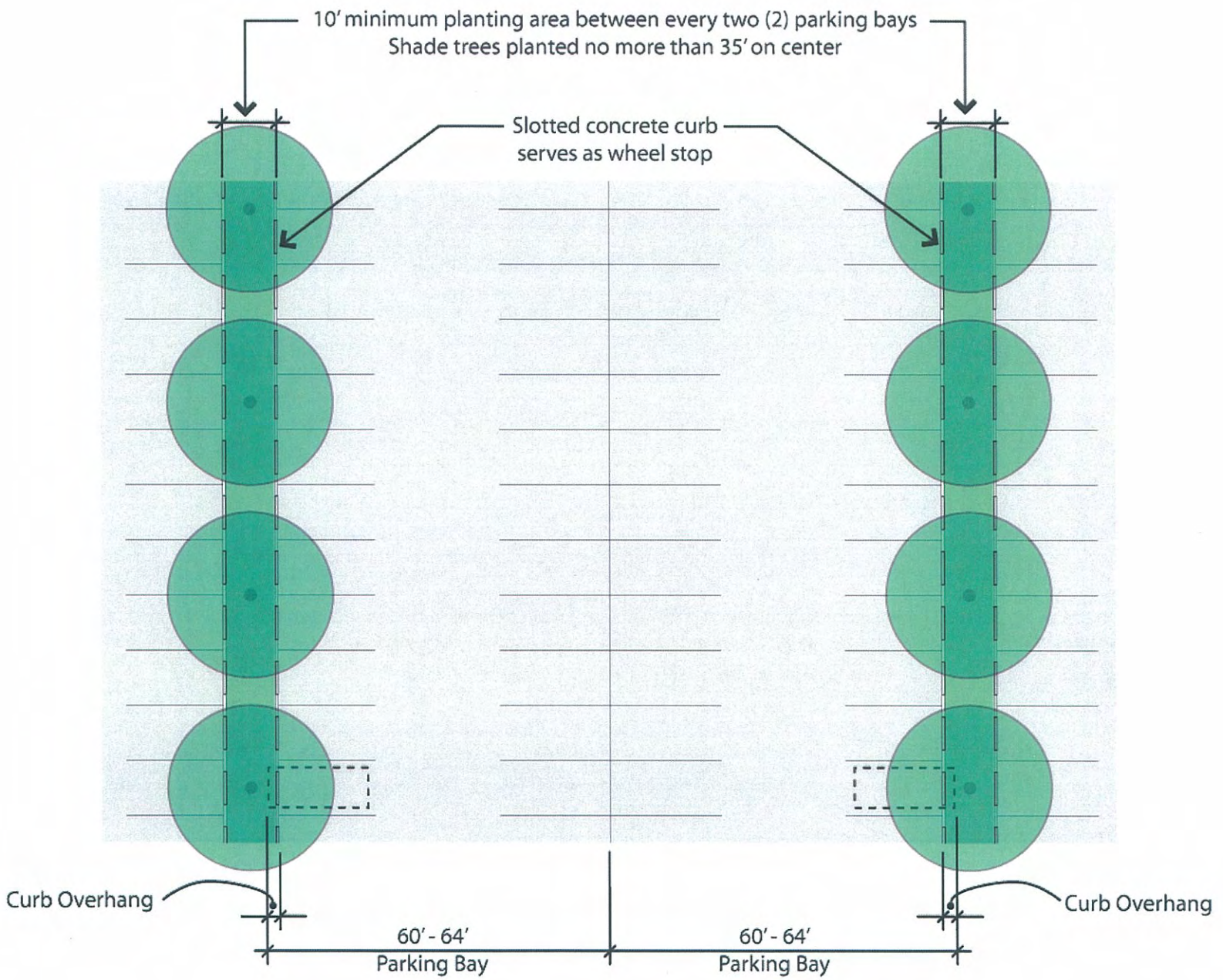
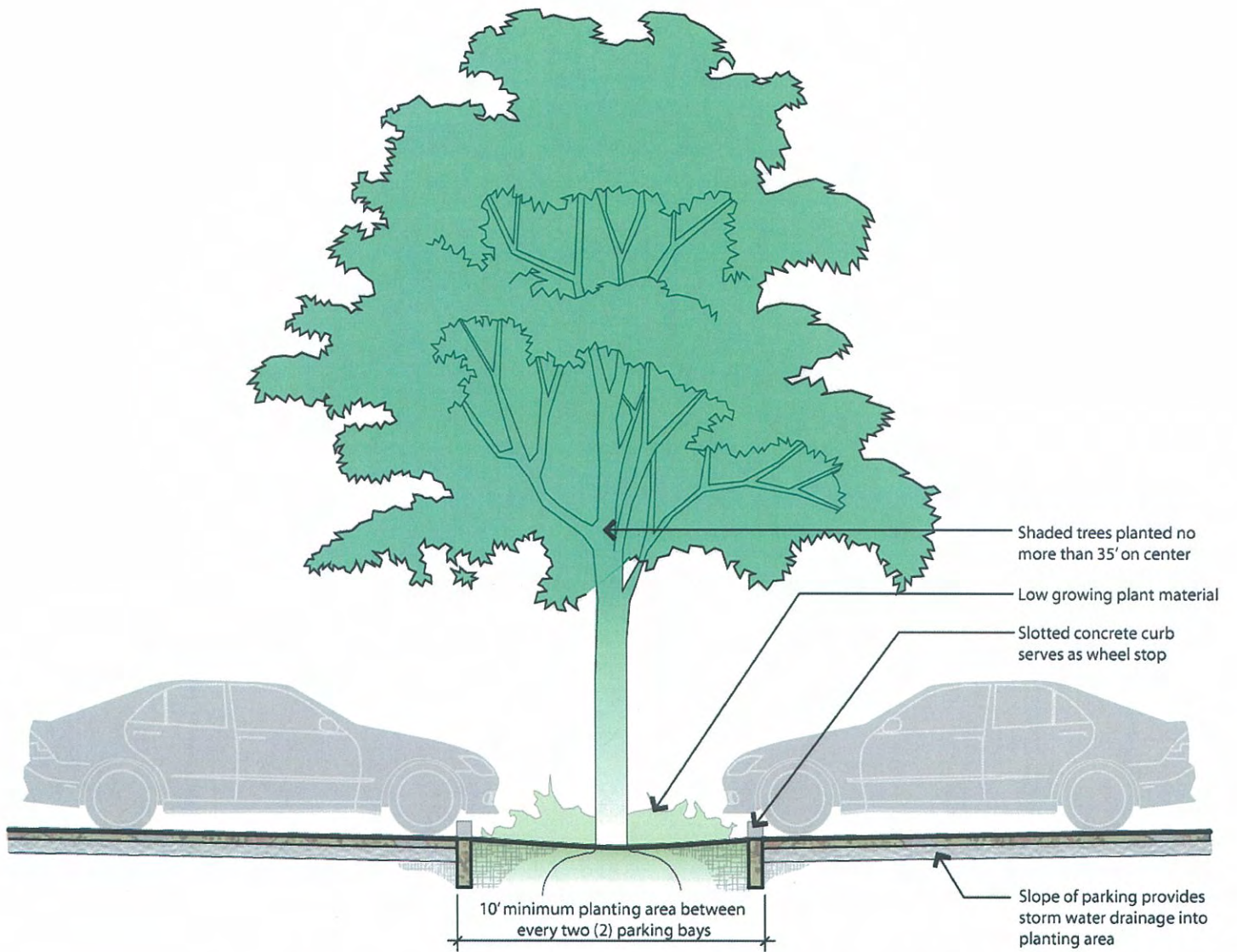


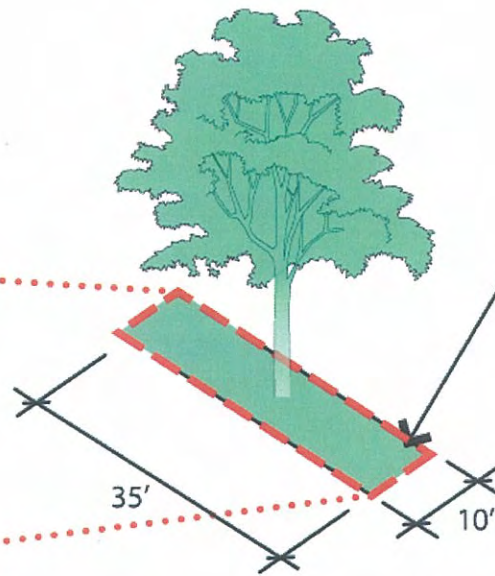
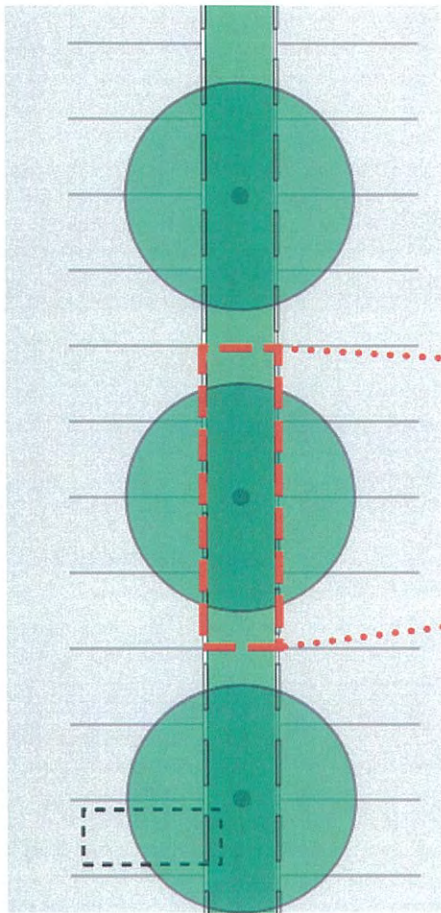
Figure 55-925(6)



Green Parking Lot – Alternative 1



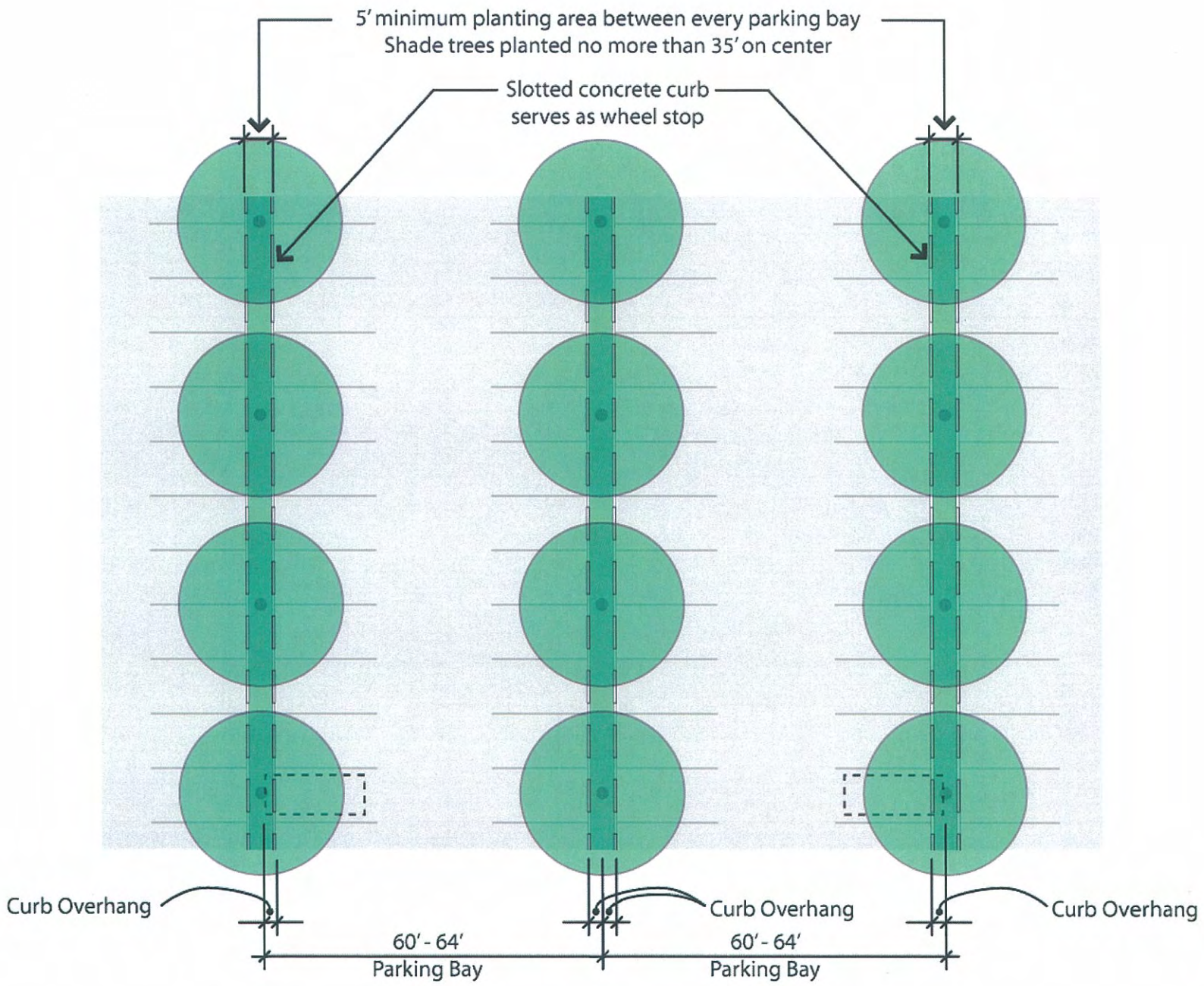
Planting Area Section – Alternative 1



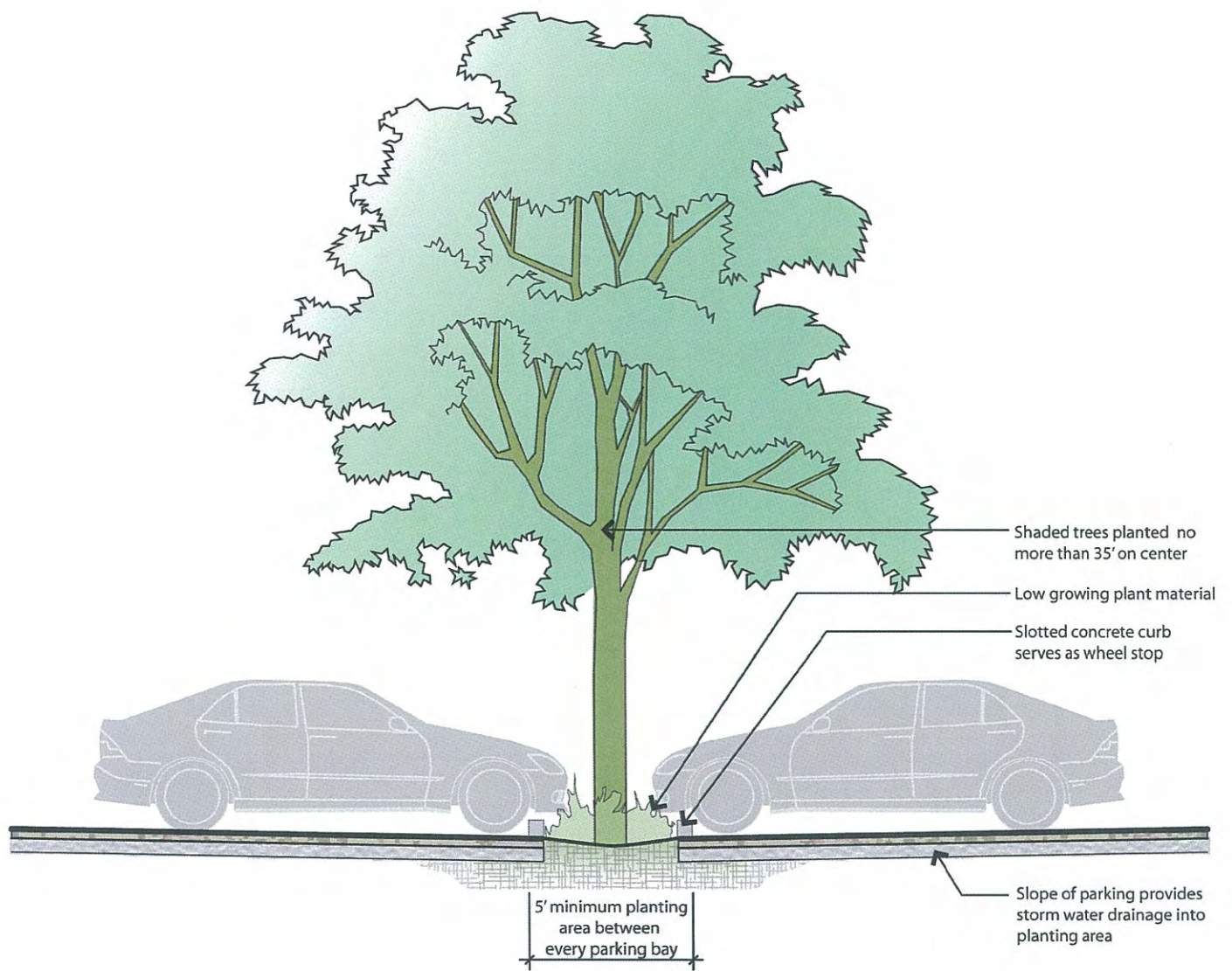
The requirement for trees and area of pervious surface in Section 55-928(c) can be satisfied by a one-for-one transfer of planted areas within the parking lot.

Tree requirement and 350 sf of associated pervious surface

Green Parking Lot – Alternative 2



Green Parking Lot – Alternative 3



Planting Area Section – Alternative 3

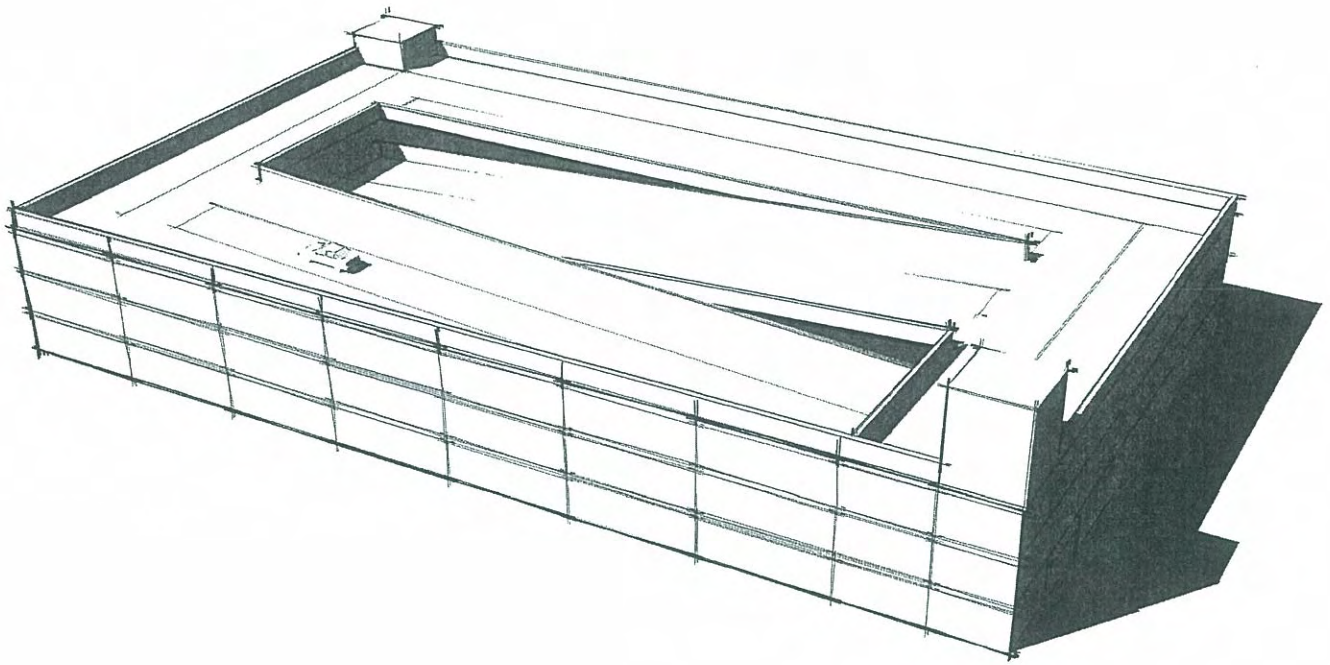


Illustration of Conforming Parking Structures

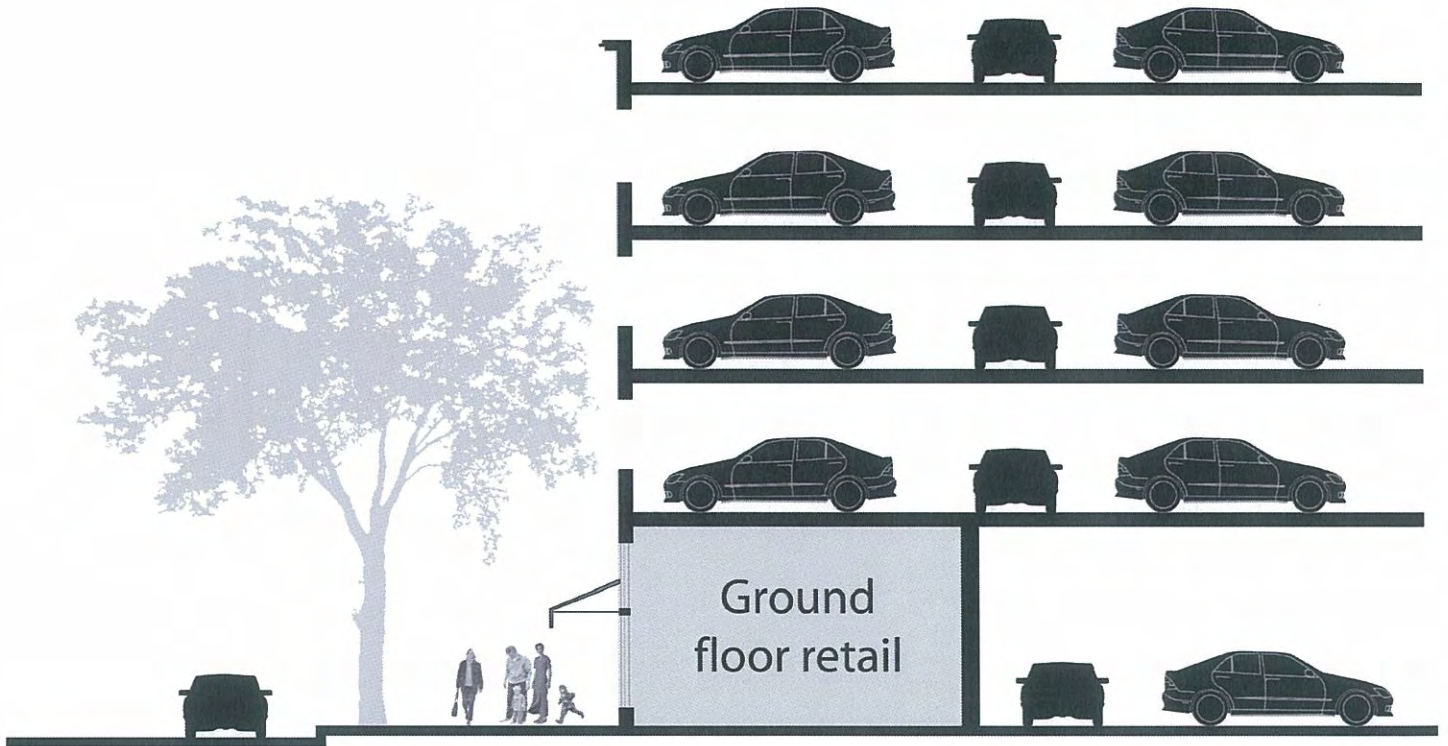


Illustration of Conforming Parking Structures

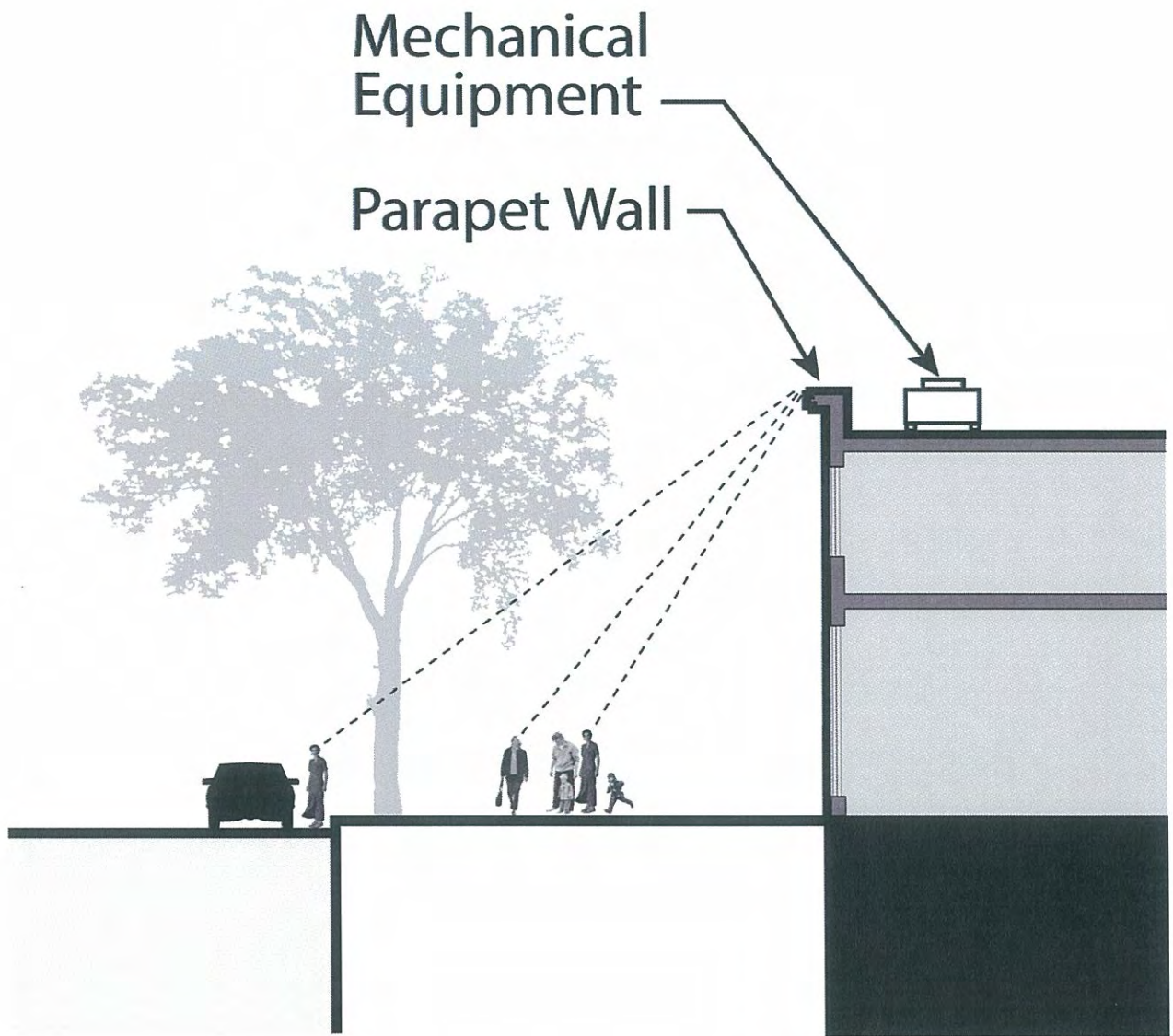
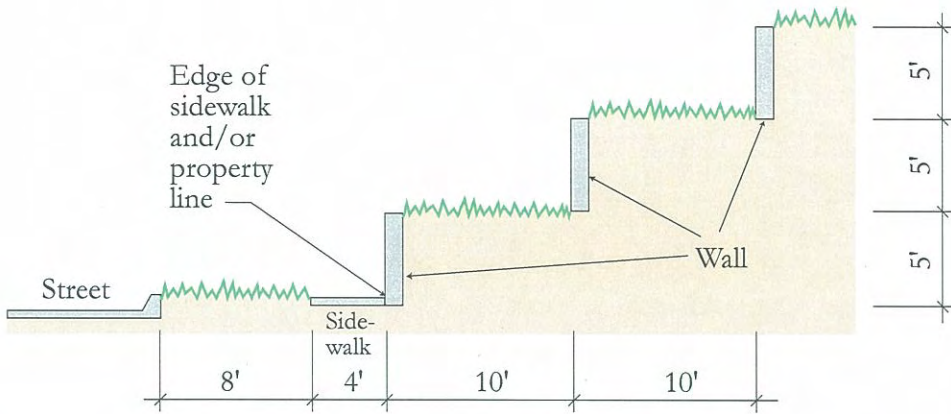
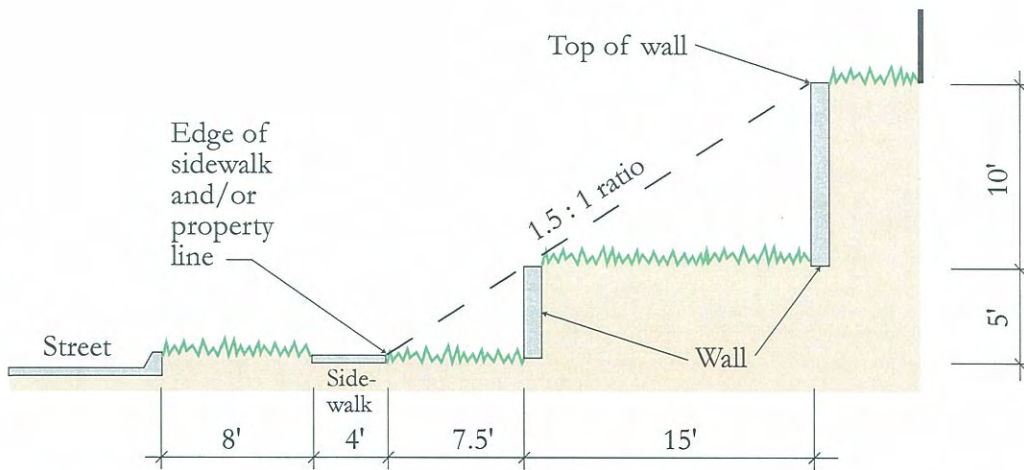


Illustration of Rooftop Mechanical Equipment Screening with Parapet Wall

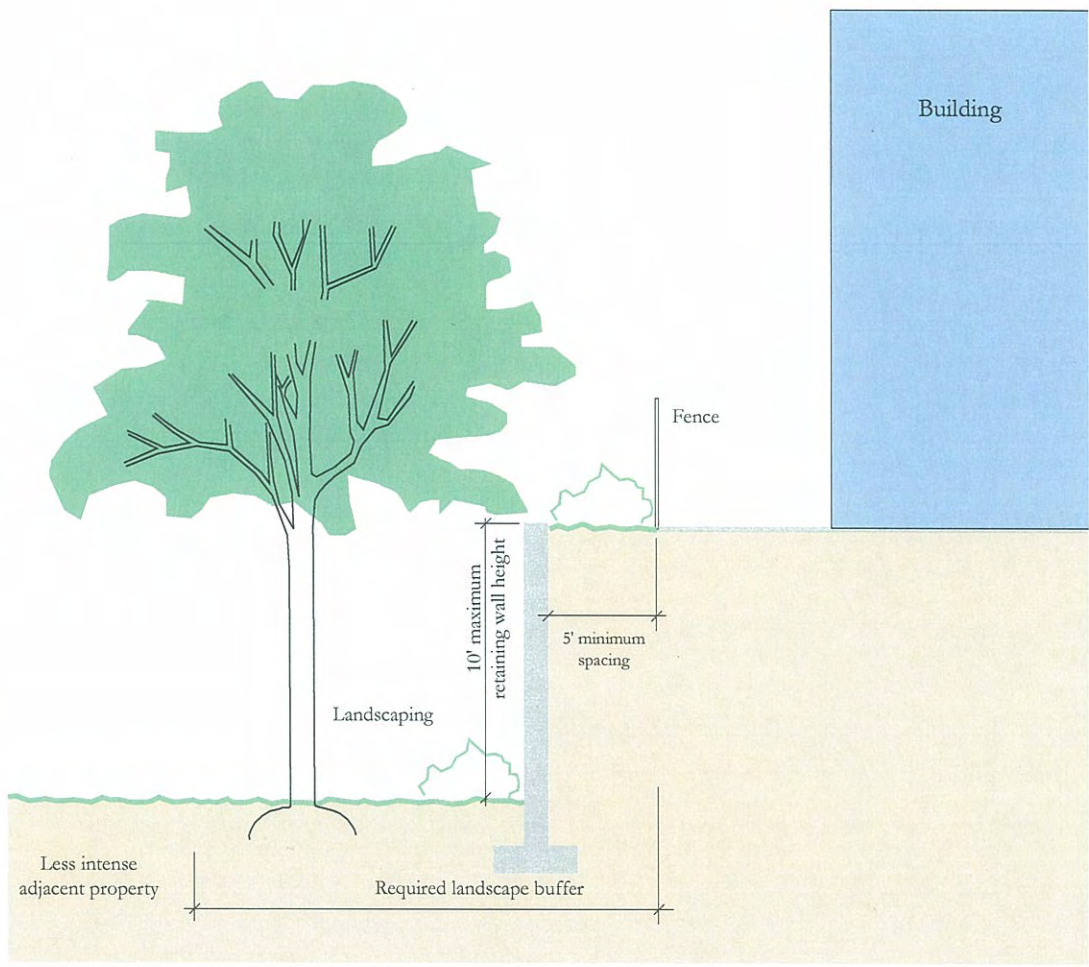


Allowed

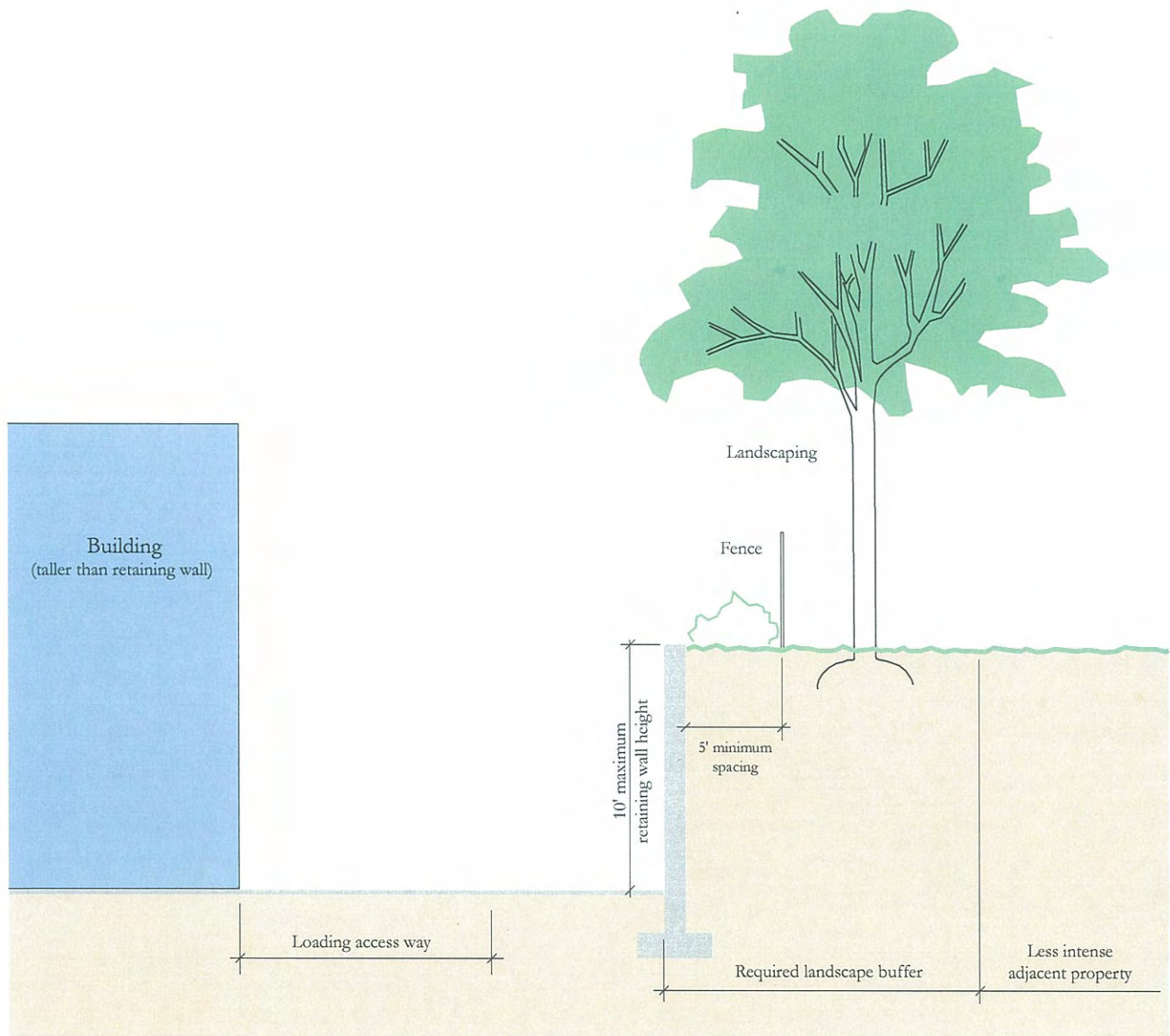


Allowed

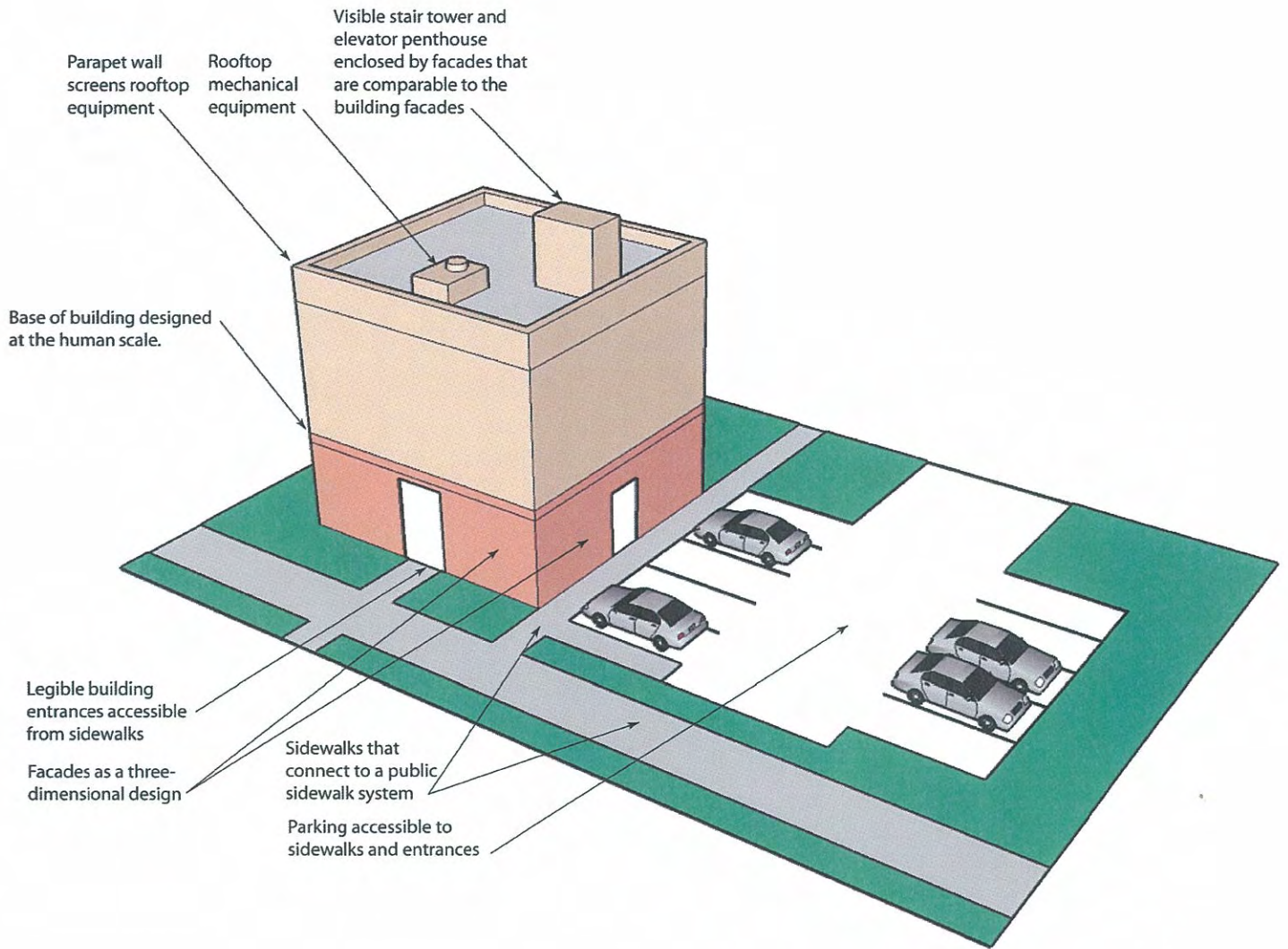
Retaining Wall Configurations



10-Foot Retaining Wall
Commercial Building on the Up-Hill Side



10-Foot Invisible Retaining Wall
Commercial Building on the Down-Hill Side



Summary Illustration for General Building Guidelines

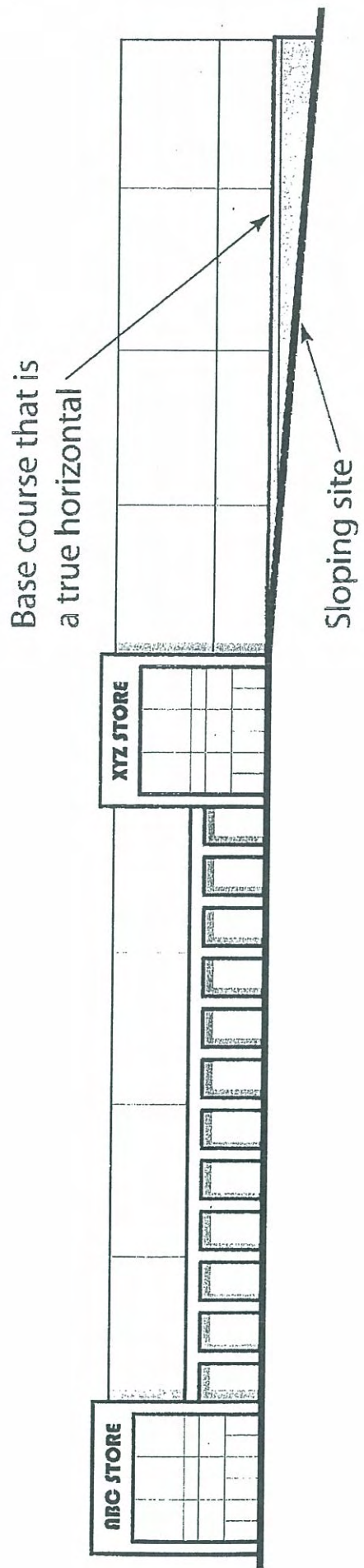
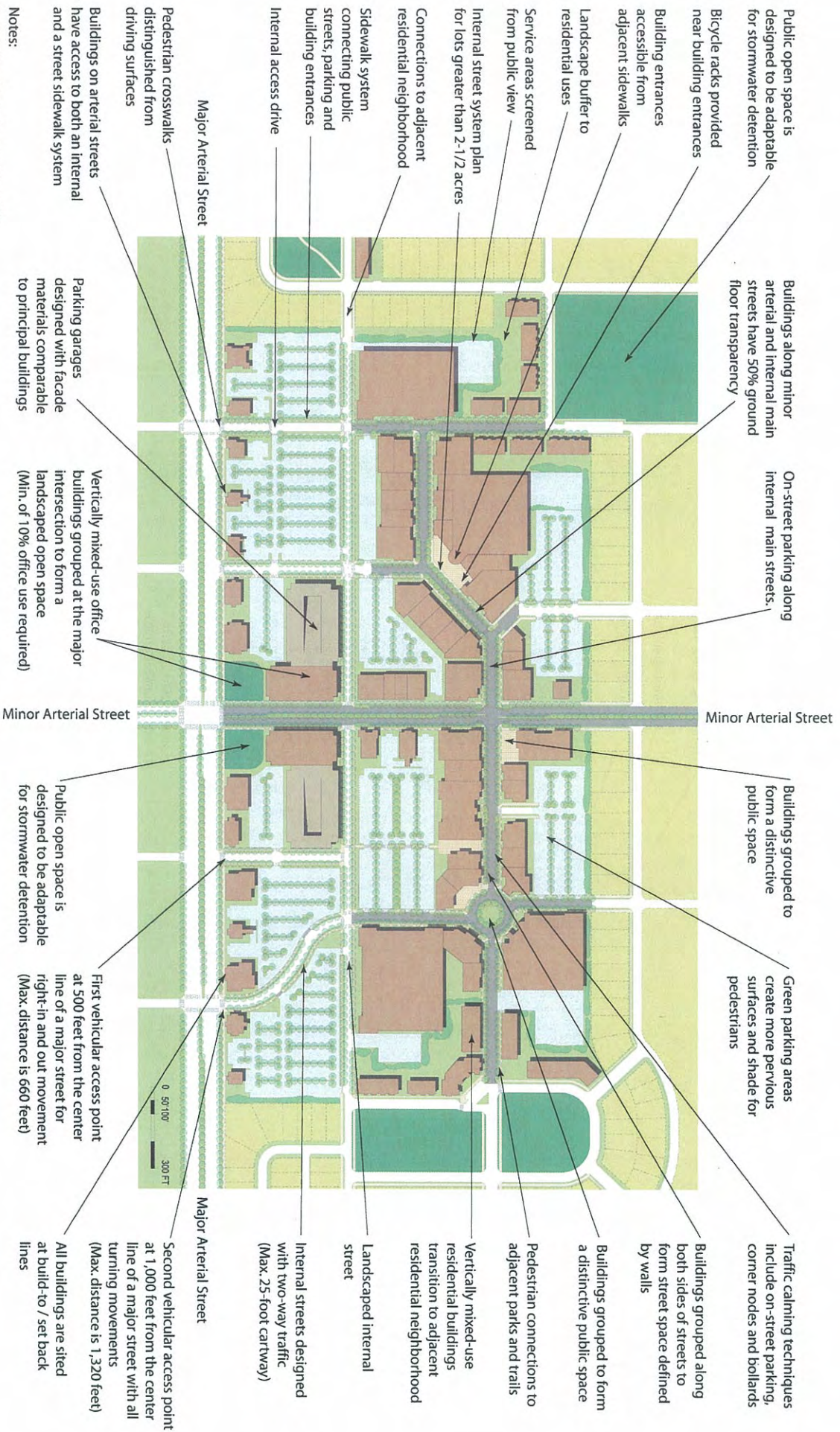


Illustration of Sloping Site Design Guideline

Figure 55-935(2)



- Public open space is designed to be adaptable for stormwater detention
- Bicycle racks provided near building entrances
- Building entrances accessible from adjacent sidewalks
- Landscaped buffer to residential uses
- Service areas screened from public view
- Internal street system plan for lots greater than 2-1/2 acres
- Connections to adjacent residential neighborhood
- Sidewalk system connecting public streets, parking and building entrances
- Internal access drive
- Major Arterial Street
- Pedestrian crosswalks distinguished from driving surfaces
- Buildings on arterial streets have access to both an internal and a street sidewalk system
- Public open space is designed to be adaptable for stormwater detention
- Buildings along minor arterial and internal main streets have 50% ground floor transparency
- On-street parking along internal main streets.
- Buildings grouped to form a distinctive public space
- Green parking areas create more pervious surfaces and shade for pedestrians
- Traffic calming techniques include on-street parking, corner nodes and bollards
- Buildings grouped along both sides of streets to form street space defined by walls
- Buildings grouped to form a distinctive public space
- Pedestrian connections to adjacent parks and trails
- Vertically mixed-use residential buildings transition to adjacent residential neighborhood
- Landscaped internal street
- Internal streets designed with two-way traffic (Max. 25-foot cartway)
- Second vehicular access point at 1,000 feet from the center line of a major street with all turning movements (Max. distance is 1,320 feet)
- All buildings are sited at build-to / set back lines
- Vertically mixed-use office buildings grouped at the major intersection to form a landscaped open space (Min. of 10% office use required)
- Parking garages designed with facade materials comparable to principal buildings
- Minor Arterial Street
- Minor Arterial Street
- First vehicular access point at 500 feet from the center line of a major street for right-in and out movement (Max. distance is 660 feet)
- Public open space is designed to be adaptable for stormwater detention
- Major Arterial Street

1. Retail parking shown at 4 : 1,000
2. Office parking shown in garages
3. Shaded streets indicate minor arterial and internal main streets

Notes:

APPENDIX 1

NEW MUNICIPAL CODE TEXT

**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 9,
Policy 3,
IM 3**

Chapter 24

PLANNING

ARTICLE III.

URBAN DESIGN REVIEW BOARD

DIVISION 1.

GENERALLY

Sec. 24-87. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them:

Board: The urban design review board of the city; or, where indicated by the context, one of the two sections of the urban design review board.

Director: The planning director of the city.

Division: The urban planning division of the planning department of the city.

Owner: The owner or his authorized agent.

Planning Board: The planning board of the city.

Private: All bodies, groups, organizations, associations, corporations, clubs, and individuals of whatever nature which are not included in the definition of "public."

Public: The state, or any municipality, county, township, board, commission, authority, or district, or any other political subdivision or public body of the state.

NEW MUNICIPAL CODE TEXT

**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 9,
Policy 3,
IM 3**

Structure: Anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground.

Sec. 24-88. Findings.

The city council finds that the creation of high quality urban and related building design is a major goal of the urban design element of the city's comprehensive plan, as adopted by the city council, and further finds that the creation of an urban design review board is an implementation measure recommended in the urban design element that is necessary for accomplishing that goal.

Sec. 24-89. Purpose of article.

The purpose of this article is to improve the quality of building design in the planning, design, development and construction of all structures in the city governed by the review duties of the urban design review board under this article.

Sec. 24-90. Urban design review board—Created.

There is hereby created the urban design review board in and for the city.

Sec. 24-91. Same—Composition; alternate members; duration

The board shall be composed of two separate sections, called the Private Section and the Public Section.

(a) The members of the Private Section of the board shall be persons residing or working in the city's jurisdiction who are interested in the quality of the city's urban design. Members of the Private Section shall be selected so as to provide representation from the following groups of experts and interested parties:

- (1) one licensed architect;
- (2) one licensed landscape architect;
- (3) one licensed engineer;
- (4) one professional planner;
- (5) one citizen at large; and
- (6) two representatives of the real estate industry in the city.

(b) The Public Section of the board shall consist of the five

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Civic Goal 9,
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members of the board from the categories listed in section 24-91(a)(1)-(5).

(c) Three alternate members shall be appointed and confirmed for service on the board. One alternate member shall meet the criteria for categories (1), (2), (3), or (4) of section 24-91(a), and shall participate on the board when any regular member from such categories cannot participate. One alternate member shall meet the criteria for category (6) of section 24-91(a), and shall participate on the board when the regular member from that category cannot participate. One alternate member shall meet the criteria for category (5) of section 24-91(a), and shall participate on the board when the regular member from that category cannot participate.

(d) One member of the planning board shall be appointed and confirmed to serve as a nonvoting ex officio member of both sections of the urban design review board.

(e) The existence of the Private Section of the board, and the powers and duties granted to that Section, shall terminate two years after the effective date of this ordinance, unless otherwise extended by resolution of the city council. The existence of the Public Section, and the powers and duties granted to that section, shall be perpetual.

Sec. 24-92. Same—Appointment of members.

The members of the board shall be appointed by the mayor, subject to confirmation by the city council.

Sec. 24-93. Same—Terms of members.

Members shall be appointed to serve three-year terms, which shall initially be staggered such that two members are appointed to one-year terms, two members are appointed to two-year terms and three members are appointed to three year terms. Members shall serve until their successors are appointed and confirmed. Members may be appointed to successive terms.

Sec. 24-94. Same—Vacancies.

In the event of a vacancy occurring in the membership of the board for any reason, an appointment shall be made to fill the vacancy in the same manner as original appointments for the unexpired term.

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**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 9,
Policy 3,
IM 3**

Sec. 24-95. Same—Compensation of members.

The members of the board shall serve without compensation.

Sec. 24-96. Same—Chairperson and vice chairperson.

The board shall elect its chairperson and vice chairperson from among its members.

Sec. 24-97. Same—Rules of procedure.

The board shall establish its own rules of procedure.

Sec. 24-98. Same—Quorum.

A majority of the members of the board shall constitute a quorum for the transaction of business.

Sec. 24-99. Same—Minimum vote.

A majority of affirmative votes of members then present and comprising a quorum shall be required for final action on any matter acted upon by the board.

Sec. 24-100. Same—Meetings.

The board shall meet at least once in each calendar month and may meet more frequently upon the call of the chairperson.

Sec. 24-101. Same—Notice.

Notice of the time, place and agenda of any meeting of the board shall be published by the board in the official newspaper of the city not less than 10 days prior to the date of such meeting. The board may also give such other notice as may be deemed desirable and practicable. The agenda may be modified as allowed by applicable state law.

Sec. 24-102. Same—Adoption of procedures.

The board may establish such procedures not inconsistent with the provisions of this article as it shall deem necessary to implement the purposes of this article.

NEW MUNICIPAL CODE TEXT

**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 9,
Policy 3,
IM 3**

Sec. 24-103. Same—Review of plans for design, development and/or modification of structures.

(a) The Private Section of the board shall review such matters as are referred to it pursuant to any relevant provision of the code, including recommended interpretations of design review regulations, standards, and guidelines, and recommendations on whether proposed amendments of development agreements are major or minor.

(b) The Public Section of the board shall review such matters as are referred to it pursuant to any relevant provision of the code, including, without limitation, plans for design, development, modification and/or construction of any above-ground structure that is built either by a public entity or with substantial public entity funding provided by a public entity. Such plans shall be presented to the Public Section of the board at least once during the design stage, at which time such section of the board shall approve, approve with conditions, or disapprove the plans. The plans shall also be presented to the Public Section of the board, for its review and approval, at least thirty (30) days before:

- (1) in the case of structures to be built by public entities: issuance of any requests for proposals for construction bids for such structure; and
- (2) in the case of structures to be built substantially with public funds: application for a building permit for such structure.

In the event that the Public Section of the board disapproves such plans at the time of either submittal, the affected public entity shall not issue its request for bid proposals for said structure or the city shall not issue a building permit for such structure, as the case may be.

Sec. 24-104. Same—Executive director.

The director of the planning department of the city shall be the executive director of the board, without the right to vote, and the planning director shall assign members of planning department staff to be the custodian of its records, to conduct official correspondence and generally to supervise the clerical and technical work directed by the board as required to administer this article.

NEW MUNICIPAL CODE TEXT

**UD ELEMENT/CODE
REFERENCES**

**Civic Goal 9,
Policy 3,
IM 3**

Sec. 24-105. Fees.

No fee shall be charged to an owner by virtue of this article which would not otherwise be required.

APPENDIX 2

**MODIFIED
ZONING CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

Modifications to Existing Zoning Code Necessary to Make the Zoning Code Consistent with the Urban Design Element Implementation Provisions (deletions are shown in ~~strikethrough~~, additions in underline):

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-15, as follows:

Sec. 55-15. B.

Block perimeter: The sum of the outside dimensions of a block, measured from the street frontages of the lots comprising the block.

Build-to/set-back: The line located a specified distance from and parallel to the front lot line upon which a specified percentage of the façade of the principal structure facing such lot line must be located.

Build-to/set-back zone: The zone located between two defined distances from and parallel to the front lot line within which a defined percentage of the façade of the principal structure facing such lot line must be located.

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-16, as follows:

Sec. 55-16. C.

Casualty loss: Loss or damage resulting from an unexpected or unforeseen accident or event, as commonly understood or defined in the insurance industry.

CP zoning plan: A plan setting forth, in graphical, tabular and/or textual formats, the specific vehicular and pedestrian access points, building locations (including, without limitation, build-to/set-back lines, minimum heights and location of parking areas) and architectural façade treatments for each of the sites or lots located within a CP civic place overlay district.

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-17, as follows:

Sec. 55-17. D.

Development plan: A plan prepared by the planning department or by the proponent of a project or series of related projects for the coordinated development of a specific area of the city.

Downtown Omaha: That portion of the city designated on Figure 4 of the land use element of the comprehensive plan as “Regional Mixed-Use Area/Downtown.”

Drive, internal access: A private way or drive that provides access to parking or buildings.

**MODIFIED
ZONING CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

See Figure 55-32 – Street and Drive Types, located at the end of section 55-32.

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-20, as follows:

Sec. 55-20. G.

Green parking area: An area used for off-street parking of vehicles that is designed to provide more shade for pedestrians and vehicles and improve the aesthetic appearance of parking areas.

Green parking space overhang: The surface area between a curb and the front edge of an off-street parking space in a green parking lot.

MODIFICATION: Insert new definition in appropriate alphabetical order in section 55-25, as follows:

Sec. 55-25. L.

Large retail building: Any building having an elevation greater than 100 feet in length and used primarily for retail uses.

MODIFICATION: Insert new definition in appropriate alphabetical order in section 55-26, as follows:

Sec. 55-26. M.

Mixed use area: Each of those areas delineated on Figure 4 of the land use element of the comprehensive plan as a “mixed use area.”

MODIFICATION: Insert new definition in appropriate alphabetical order in section 55-27, as follows:

Sec. 55-27. N.

Neighborhood conservation/enhancement plan: A plan prepared by or at the direction of the planning department for an area to be designated as an NCE neighborhood conservation/enhancement overlay district.

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-29, as follows:

Sec. 55-29. P.

Prevailing build-to/set-back line: The average distance between the street line and the facades of the buildings facing such street line along the same side of the street and the same block, weighted the widths of the lots upon which each such building is located.

**MODIFIED
ZONING CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

Project: The carrying out of any building activity (excluding interior alterations) which requires a building permit.

Public improvements plan: A plan setting forth the public improvements, including, without limitation, public streets, parking areas, utilities and streetscapes, to be undertaken by the city or the state within a CP civic place overlay district.

MODIFICATION: Insert new definitions in appropriate alphabetical order in section 55-32, as follows:

Sec. 55-32. S.

Street, internal: A public or private street that provides for pedestrian and vehicular circulation within and connection through an MU District to adjacent development.

Street, internal main: A public or private street that has buildings fronting on it and on which on-street parking is allowed.

See Figure 55-32 – Street and Drive Types, located at the end of this definition section.

MODIFICATION: Insert new definition in appropriate alphabetical order in section 55-33, as follows:

Sec. 55-33. T.

T intersection: The intersection of two streets at which one of the streets does not continue beyond the intersection.

MODIFICATION: Insert new definition in appropriate alphabetical order in section 55-34, as follows:

Sec. 55-34. U.

Urban design review board: The urban design review board of the city, created pursuant to article III of chapter 24 of the city's code.

MODIFICATION: Insert descriptions for “live-work residential” and “accessory residential” in section 55-43, as follows:

Sec. 55-43. Residential use types.

Residential use types include uses providing wholly or primarily nontransient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.

- (a) Single-family residential: The use of a site for one dwelling unit, occupied by one family, excluding a mobile home unit.

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ZONING CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

- (i) Live-work residential: The use of a dwelling unit for both residential and work-related purposes, provided that the work space is integrated into the dwelling unit and is principally used by one or more of the residents of the dwelling unit.
- (j) Accessory residential: The use of a site that is principally in single-family use for an additional dwelling unit that is subject to supplemental area, dimensional and use standards.

MODIFICATION: Insert new districts in the listing of districts at section 55-62, as follows:

<i>Map code</i>	<i>District Name</i>	<i>Section</i>
R5	Urban Family Residential District	55-201
RWRN	Walkable Residential Neighborhood District	55-208
R6	Low-Density Multiple-Family Residential District	55-221
NCE	Neighborhood Conservation/Enhancement District	55-601
ACI	Areas of Civic Importance Districts	55-609
CP	Civic Place District	55-627
FP/FW	Floodplain/Floodway Districts	55-651
IG	Industrial Gateway District	55-661
PK	Parking District	55-671
MCC	Major Commercial Corridor District	55-681

MODIFICATION: Insert new columns between R5 and R6 in (a) the table of uses set forth at Section 55-68, showing the uses described in the R-WRN district as permitted, allowed by conditional use permit or allowed by special permit; and (b) the table entitled “Site Development Regulations Summary—Agricultural and Residential Districts,” showing the dimensional regulations described in the R-WRN district.

MODIFICATION: Modify section 55-542 as follows:

Sec. 55-542. General purposes.

The special districts are included in this chapter to achieve the following objectives:

- (a) To provide sites for uses which are distinct in physical and operating characteristics from those allowed in basic residential, office, commercial or industrial districts.
- (b) To encourage innovative design of pedestrian oriented intersection mixed use

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**UD ELEMENT/CODE
REFERENCES**

projects in a manner consistent with the urban design and land use elements of the city's comprehensive plan.

- (c) To provide locations for major public facilities.
- (d) To integrate special projects into the surrounding urban environment.

MODIFICATION: Add new designations to the list of designations for Overlay Districts in section 55-581:

Sec. 55-581. PUD, NCE, ACI, MD, CP, ED, FP/FW, IG, PK, MCC.

MODIFICATION: Modify section 55-582 as follows:

Sec. 55-582. General purpose and interpretation.

(a) General purpose. Overlay districts are used in combination with base districts to modify or expand base district regulations. Overlay districts are adapted to special needs of areas of the city. They provide additional flexibility to this chapter, giving this chapter the ability to evolve as planning for specific areas continues.

The overlay districts are included in this chapter to achieve the following objectives:

- (a1) To recognize special conditions requiring regulation in specific parts of the city.
- (b2) To provide for the protection of special features in the natural and built environment of the city.
- (e3) To allow for change and adaptability in this chapter.
- (d4) To encourage comprehensive neighborhood and environmental planning in the city.
- (e5) To provide development flexibility and to encourage innovative design through comprehensively planned projects.
- (f6) To provide an array of regulating alternatives, combining maximum adaptability to projects with satisfactory control in the public interest.
- (7) To implement the goals and policies of the urban design element of the city's comprehensive plan.

(b) Interpretation. Provisions governing projects within overlay districts shall apply in addition to the regulations and standards applicable pursuant to the underlying zoning district(s). Where the regulations and standards of an underlying zoning district conflict with those of an overlay district, the standards governing the overlay district shall control.

**MODIFIED
ZONING CODE TEXT**

**UD ELEMENT/CODE
REFERENCES**

MODIFICATION: Modify Table 55-715 (STREET YARD LANDSCAPING), as follows:

<i>District</i>	<i>Minimum Equivalent Street Landscaping (As a Percent of Street Yards)</i>	<i>Minimum Depth</i>

HI	No requirement, except as required by conditional or special use permit	
AV, MU PUD, MD	As required by development plan approval	
<u>MU, ACI</u>	<u>80%</u>	<u>Entire street yard</u>
<u>NCE</u>	<u>As required by NCE district ordinance</u>	
<u>MCC</u>	<u>20%</u>	<u>Entire street yard</u>

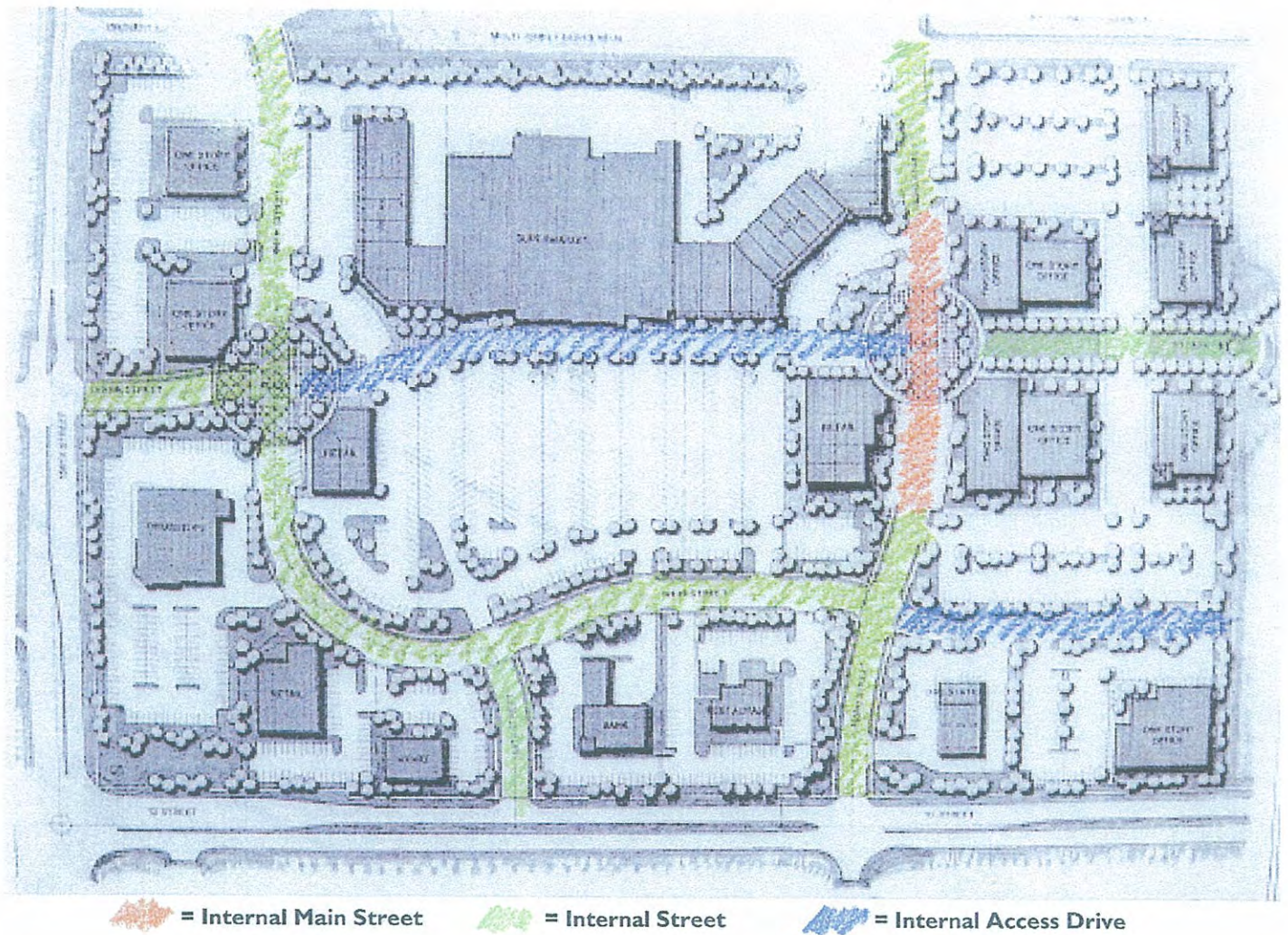
MODIFICATION: Insert a new subsection 55-844(a)(3) at the end of section 55-844(a), as follows

Sec. 55-844. Regulations for other districts; conditional and special permit uses.

- (a) *Overlay districts.*
 - (1) All uses in any overlay district shall comply with the minimum specific sign regulations of the basic underlying zoning district.
 - (2) Each development plan submitted for approval may include specific sign regulations more restrictive than those of the underlying district. The planning department will issue sign permits based upon these more restrictive regulations.

MODIFICATION: Modify the planning director, planning board and city council’s review and evaluation criteria at Table 55-885 for special permit applications seeking to allow commercial uses in any industrial zoning district by (a) adding the phrase “consistent with the urban design element of the comprehensive plan” at the end of the second sentence under “*Height and scale,*” “a. Height and bulk;” and (b) inserting a new row after “*Site development,*” “b. Parking and internal circulation,” to read “Other urban design standards and guidelines for large retail buildings in industrial districts as set forth in section 55-935.”

STREET DRIVE TYPES



Street and Drive Types

Figure 55-32