

ZONING REGULATIONS 2015

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CITY OF CAMBRIDGE, NEBRASKA

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CHAPTER 1

ARTICLE 1 **INTRODUCTION**

1-101 **SHORT TITLE**

These regulations constitute and may be referred to as “The Cambridge Zoning Ordinance”.

ARTICLE 2 **PURPOSE AND INTENT**

1-201 **PURPOSE**

In order to promote the health, safety, morals and the general welfare of the City of Cambridge, Nebraska, this is an ordinance that gives authority to the City of Cambridge to control planning and zoning within their corporate limits and within a jurisdiction beyond their corporate limits. These Zoning Regulations divide the City into districts to regulate and restrict the height, number of stories, size of buildings and other structures, the percentage of lot that may be occupied, the size of the buildings and other open spaces, the density of population, the location and use of buildings, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry and residence or other purpose; and the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.

1-202 **DESIGN**

These regulations are made in accordance with Chapter 19, Article 9 and Chapter 17, Article 10, of the Revised Statutes of the State of Nebraska, and amendments thereto, and in accordance with the Comprehensive Development Plan of the City of Cambridge and are designed to:

- A. Lessen congestion in the streets,
- B. Secure safety from fire, panic and other dangers,
- C. To promote the health and the general welfare,
- D. To provide adequate light and air,
- E. To avoid undue concentration of population,

- F. To prevent the overcrowding of land, and
- G. To facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

These regulations are set up in form by Chapter, Article, and Section. The first number shall represent the chapter, the second number shall represent the Article and the third and fourth numbers shall represent the Section.

1-203 **CONSIDERATION**

These regulations are made with reasonable consideration of the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encourage the most appropriate use of land throughout the City of Cambridge and the area lying within the City's Extra-Territorial Jurisdiction (ETJ).

ARTICLE 3
GENERAL PROVISIONS

1-301 **JURISDICTIONAL AREA**

The provisions of these regulations shall apply to all structures and land in the incorporated area of Cambridge, Nebraska; and the full jurisdiction of the City of Cambridge which includes a one-mile radial jurisdiction extending past the corporate limits of the City except on the west side of Cambridge where the jurisdiction only extends to the Furnas/Red Willow County line. The City's full jurisdiction is as shown on the Official Zoning Maps.

- A. The jurisdictional area shall be shown on the Official Zoning District Map and filed in the office of the City Clerk.
- B. All land which may hereafter be annexed to the City of Cambridge Shall be classified as "R-1" Residential district unless otherwise changed by ordinance.
- C. All land in the unincorporated area which may hereafter fall under the jurisdiction of the City of Cambridge because of an increase in the jurisdictional area shall be classified as "A-1" Agricultural District unless otherwise denoted or changed by ordinance.

1-302 CLASSES OF DISTRICT

For the purpose of these regulations, the City of Cambridge, Nebraska and the suburban area which includes a one-mile radial jurisdiction extending past the corporate limits of the City except on the west side of Cambridge where the jurisdiction only extends to the Furnas/Red Willow County line is divided into the following districts in accordance with a “Official Zoning Map – Cambridge, Nebraska” and “Official ETJ Zoning Map – Cambridge, Nebraska”:

- A. “A-1” Agricultural District
- B. “R-1” Single-Family Residential District
- C. “R-2” Multi-Family Residential District
- D. “M-P” Mobile Home Park District
- E. “C-1” General Commercial District
- F. “C-2” Highway Commercial District
- G. “I-1” Industrial District

1-303 ZONING DISTRICT MAP

Said Districts are bounded and defined as shown on a maps entitled “Official Zoning Map – Cambridge, Nebraska”, and “Official ETJ Zoning Map – Cambridge, Nebraska” adopted as a part of these regulations. The zoning maps shall be kept and maintained by the City of Cambridge and shall be available for inspection and examination by members of the public at all reasonable times as that of any public record.

1-304 EXEMPTIONS

The following structures and uses shall be exempt from the provision of these regulations:

- A. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a public utility but not including substations located on or above the ground.
- B. Retaining walls
- C. Public signs as defined in these regulations.

ARTICLE 4
RULES AND DEFINITIONS

RULES OF WORDS

In the construction of these regulations, the provisions and rules of this section shall be preserved and applied, except when the context clearly requires otherwise:

- A. Words used in the present tense shall include the future tense.
- B. Words in the singular number include the plural number, and words in the plural number include the singular number.
- C. The phrase “used for” shall include the phrases “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.
- D. The words “shall” and “must” are mandatory.
- E. The word “may” is permissive or discretionary.
- F. The word “person” includes individuals, firms, corporations, associations, governmental bodies and agencies, and all other legal entities.
- G. The word “Board” means the Cambridge Board of Adjustments.
- H. The word “Commission” shall mean the Planning Commission of Cambridge.
- I. The word “Council” shall mean the Cambridge City Council.
- J. Unless otherwise specified, all distances shall be measured horizontally.
- K. The Word “City” means City of Cambridge, Nebraska.
- L. The abbreviation N/A means not applicable.

Any word or phrase, which is defined in this article or elsewhere in these regulations, shall have the meaning as so regulations, unless such definition is expressly limited in its meaning or scope.

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts on the zoning map, the following rules shall apply:

- A. Where district boundary lines are indicated as approximately following streets and alleys, highways or railroads, such boundaries shall be construed as following the centerlines thereof.
- B. Where district boundary lines are indicated, as approximately following lot lines, or section lines, such lines shall be construed to be said boundaries.
- C. Where a boundary of a district follows a stream, lake or other body of water, said boundary line should be deemed to be at the limit of the jurisdiction of the City of Cambridge unless otherwise indicated.
- D. Where a district boundary line divides a lot, or un-subdivided property, and the dimension are not shown on the zoning map, the location of such boundary shall be as indicated upon the zoning map using the scale appearing on such map.

INTERPRETATION

- A. Minimum Requirements. In their interpretation and application, the provision of these regulations shall be held to be the minimum Requirements for the promotion of the public health, safety, morals and welfare.
- B. Overlapping or Contradictory Regulations. Except as specifically herein provided, it is not intended to repeal, abrogate, annul or in any way impair or interfere with any existing law or ordinance of the City of Cambridge, or any easement, covenant or other agreement between parties; provided, however, that where these regulations impose a greater restriction upon the use of buildings or requires larger building site areas, yards or open spaces that are imposed or required by any such other law, ordinance, easement, covenant or agreement, than the provision of these regulations shall control.
- C. Private Agreements. These regulations are not intended to abrogate, annul, enforce or otherwise interfere with any easement, covenant or any other private agreement or legal relationship; provided, however, that where the provisions of these regulations are more restrictive (or impose higher standards or requirements) than such easements, covenant or other private agreements or legal relationships, the provisions of these regulations shall govern.
- D. Unlawful Uses. The adoption of these regulations shall not be interpreted as retroactively legalizing a use or structure which was illegal under previous law.

SEPARABILITY

It is hereby declared to be the intention of the City that the provision of these regulations are separable, in accordance with the following rules:

- A. If any court of competent jurisdiction shall adjudge any provision of these regulations to be invalid, such judgement shall not affect any other provisions of these regulations.
- B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of these regulations to a particular property or structure, such judgement shall not affect the application of said provisions to any other property or structure.

CONFORMITY REQUIREMENTS

Except as otherwise provided herein, it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building is located. No building shall thereafter be erected, reconstructed, relocated or structurally altered to have a greater percentage of lot area, to accommodate or have a greater number of facilities, to have narrower or smaller yards, courts or open spaces than permissible under the limitations set forth herein for the district in which such building is located.

- A. No part of yard, or other open space required about any building, existing or hereafter provided for a building or use and necessary to meet or partially meet the requirements of this regulation, shall be included as part of a yard or other open space required for another building.
- B. No lot, held under ownership at the effective date of this regulation shall be reduced in dimension or area in relation to any building thereon so as to be smaller than that required by this regulation; if already less, the dimensions or area shall not be further reduced.
- C. No building shall hereafter be erected, reconstructed, relocated or structurally altered on any lot or parcel unless such lot or parcel faces a publicly dedicated street or right-of-way. Where a building is in existence, no such required dedicated street or right-of-way shall be vacated so as to eliminate the required access to a publicly dedicated street or right-of-way.

DEFINITIONS

1. **Abutting.** To touch, border on or be contiguous to.
2. **Abutting Owner.** Two persons or parties having property or district lines in common.
3. **Accessory Building.** A subordinate building which (1) serves a function customarily incidental to that of the main building; (2) is subordinate in area, extent, and purpose to the principal use; and (3) is located on the same lot and in the same zoning district as the principal use.
4. **Accessory Use.** A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel and in the same zoning district as the principal use. A use that contributes to the comfort, convenience, or necessity of the principal use and is subordinate in area, extent, and purpose to the principal use.
5. **Addition.** Any construction which increases the size of the building or structure in terms of site coverage, height, length, width, or gross floor area.
6. **Administrative Subdivision.** (Also known as Administrative Plat or Minor Subdivision). Any subdivision that does not result in the creation of more than three (3) lots from any single parcel of land; requires no extension of streets, sewers, utilities, or other municipal facilities; no dedication of easements, rights-of-way, or annexation; complies with all pre-existing zoning requirements; and has not been subject to a previous administrative subdivision.
7. **Adult Use, Adult Entertainment Business.** (1) Any adult bookstore, adult hotel or motel, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, an establishment providing nude dancing or other live or recorded performances, or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. (2) A business that utilizes a significant portion of its display areas to sell, rent, or lease any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the male or female genitals which predominantly pruriently, shamefully, or morbidly depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse.

8. **Adult Use, Specified Anatomical Areas.** Less than completely and opaquely covered anal region, buttock, female breasts below a point immediately above the top of the areole, human genitals, pubic region, or human male genitals in a discernible turgid state, even if completely and opaquely covered.
9. **Adult Use, Specified Sexual Activities.** (1) Human genitals in a state of sexual stimulation or arousal; or (2) acts of human masturbation, sexual intercourse, or sodomy; (3) fondling or other erotic touching of human genitals, pubic region, buttock, or female breast; or (4) excretory functions as part of or in connection with any of the activities set forth above.
10. **Agricultural Use.** A tract of land or a combination of tracts of land utilized primarily for crop production or raising of livestock.
11. **Airport.** Any area of land or water designated, set aside, used, or intended for use, for the landing and take-off of aircraft, and any appurtenant, areas designated, set aside, used, or intended for use, for airport buildings or other airport facilities, rights-of-way, or approach zones, together with all airport buildings and facilities located thereon.
12. **Alley.** A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, and has a right-of-way twenty (20) feet or less in width.
13. **Alteration.** Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered an alteration.
14. **Apartment.** A room or suite of rooms in a multiple dwelling or where more than one living unit is established in any building, Intended, designed, used or suitable for use by one or more persons as a place of residence with culinary accommodations.
15. **Approving Authority.** The City Council of Cambridge, Nebraska or its designee.
16. **Architectural Projections.** Projections extending from a structure up to and including porches, balconies, awnings, canopies, marquees, or ornamental features.
17. **Attached.** Having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway; façade wall extension; or archway.

18. **Base Zoning District.** A district established by this Ordinance which prescribes basic regulations governing land use and site development standards. No more than one (1) Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.
19. **Basement.** That portion of a building having more than one-half of its height below finished grade. This portion shall serve as a substructure or foundation for the remainder of the building.
20. **Bed and Breakfast.** A house or portion thereof where short – term lodging rooms and meals are provided. The operator of the establishment shall live on the premises or in adjacent premises.
21. **Block.** An area of land within a subdivision that is entirely bounded by streets, by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse, lake, railroad, or other significant natural or man-made barrier, and which has been designated as such on a plat for the purposes of legal description of a property.
22. **Block Face.** The property abutting one (1) side of a street and lying between the two (2) nearest intersection streets, or between the one (1) nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of Cambridge.
23. **Board of Adjustment.** That Board which has been created by the Governing Body to hear and determine appeals and variances to the zoning regulations.
24. **Boarding or Lodging House.** A building other than a hotel or motel where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals, are provided for three or more persons, but not to exceeding 60 persons.
25. **Bufferyard.** A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another.
26. **Building.** An enclosed structure, anchored to a permanent foundation, and having a roof support by columns or walls, intended, designed, used, or suitable for use for the support, enclosure, shelter, or protection of persons, animals, or property. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building. “Building” includes “structure.”

27. **Building Coverage.** The area of a site covered by buildings or roofed area, excluding allowed architectural projections.
28. **Building Envelope.** The net cubic, three (3) dimensional, space that remains for placing a structure on a site after building line, height, and bulk regulations are observed.
29. **Building, Height.** The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the peak of a gable, hip or gambrel roof.
30. **Building Line.** A building line, parallel or nearly parallel, to either the street line or the lot line not abutting the street, at a specific distance from the front, rear and side boundaries of a lot beyond which a structure cannot lawfully extend.
31. **Building – Main.** A building in which is conducted the principal use of the lot or parcel upon which it is situated. Every dwelling in the residence district is a main building.
32. **Building Official.** The person or persons designated by the governing body to administer this subdivision ordinance whether such person or persons be entitled Building Official, Building Inspector, Administrative Official, or Zoning Administrator.
33. **Building Permit.** A document that must be issued by the City prior to erecting, constructing, enlarging, altering, moving, improving, removing, converting, or demolishing any building or structure on a platted lot or parcel.
34. **Building Site.** The land area, consisting of one or more lots or parcel of land under common ownership or control, considered as the unit of land occupied or to be occupied by a main building or buildings and accessory buildings, or by a principal use or uses accessory thereto, together with such parking and loading spaces, yards and open spaces as are required by these regulations.
35. **Business.** Activities that include the exchange or manufacture of goods or services on a site.
36. **Business Center.** A building containing more than one (1) commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.

37. **Campgrounds.** Any premises where two (2) or more camping units are parked/placed for camping purposes, or any premises used or set apart for supplying to the public, camping space for two (2) or more camping units for camping purposes, which include any buildings, structures, vehicles or enclosures used or intended for use or intended wholly or in part for the accommodation of transient campers.
38. **Carwash.** An area of land and/or a structure with machine-or-and operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.
39. **Cat.** Feline species over 3 months of age.
40. **Certificate of Occupancy.** An official certificate issued by the City of Cambridge, prior to occupancy of a completed building or structure, upon finding of conformance with the applicable building code and this Ordinance.
41. **Change of Use.** The replacement of an existing use type by a new use type.
42. **Child Care Center.** A facility which is or should be licensed by the Nebraska Department of Health and Human Services.
43. **Child Care Home.** A private home providing care (for children) for compensation which is or should be licensed by the Nebraska Department of Health and Human Services.
44. **Commercial/Utility Wind Energy Systems (Large).** Shall mean a wind energy system of equal to or greater than 100 kW in total generating capacity.
45. **Commercial Venture.** An activity undertaken as a primary means of income or which provides a substantial supplement to a primary income.
46. **Common Area.** An area held, designed, and designated for common or cooperative use within a development.
47. **Common Open Space.** That undivided land in a subdivision which may be jointly owned by all property owners of the subdivision, for the benefit of the owners of the individual building sites of said development.

48. **Common Sewer System.** A sanitary sewage system in public ownership which provides for the collection and treatment of domestic effluent in a central sewage treatment plant which meets the minimum requirements of the Nebraska Department of Environmental Quality for primary and secondary sewage treatment and which does not include individual septic tanks or portable sewage treatment facilities.
49. **Common Water System.** A water system which provides for the supply, storage and distribution of potable water on an uninterrupted basis which is in public ownership.
50. **Communications Tower.** A tower, pole, or other similar structure that supports a telecommunications antenna or antenna used for the transmission or broadcast of radio, television, radar, or microwaves.
51. **Community Center.** A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreation programs generally open to the public and designed to accommodate and serve significant segments of the community.
52. **Comprehensive Plan.** The long range development plan adopted by the Cambridge City Council.
53. **Conditional Use.** A use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare.
54. **Conditional Use Permit.** A permit used to give approval of a conditional use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Conditional uses are allowed in a zoning district only at the discretion of and with the explicit permission of the Planning Commission and City Council.
55. **Condominium.** A single dwelling units in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.
56. **Convalescent Care.** (See Nursing Home.)
57. **Covenant.** Written promise or pledge.
58. **Cul-De-Sac.** A local street with only one (1) outlet and with an opposite end providing for the reversal of traffic.

59. **Culvert.** A transverse drain that channels water under a bridge, street, or driveway.
60. **Curb.** A vertical or sloping edge of a roadway, intended to define the edge of the cartway or street and to channel or control drainage.
61. **Day Care Center.** A building or place where care, supervision, custody, or control is provided for more than seven (7) unrelated children or adults for any part of a 24-hour day.
62. **Day Care Home.** A residence or building in which care, supervision, custody, or control is provided for seven (7) or less unrelated children or adults for any part of a 24-hour day. Babysitting service for seven (7) or less infants shall be considered a day care home.
63. **Development Agreement.** An agreement between the City and Subdivider whereby the Subdivider guarantees to complete all improvements and terms for payment of costs for same.
64. **District or Zone.** A section or sections of the Zoning Area for which uniform regulations governing the use of land, the height, use, area, size, and intensity of use of buildings, land, and open spaces are herein established.
65. **Dog.** Any canine species over six (6) months of age.
66. **Drive-in Service.** A type of retail sales which encourages, recognizes, or permits patrons or customers to call for service by the flashing of lights or by the parking of motor vehicles at a particular place, intended to result in a cash sale and delivery outside of the places of business to such patrons or customers.
67. **Duplex.** Any building containing exactly two dwelling units which are side by side with a common wall and roof, situated on a single lot.
68. **Dwelling.** Any building or portion thereof, not including mobile homes but including modular homes, which is designed and used exclusively for residential purposes.
69. **Dwelling Single Family.** A dwelling having accommodations for and occupied exclusively by one family.
70. **Dwelling, Single-Family Attached or Townhouse.** A portion of a dwelling having accommodations for and occupied exclusively by one family, and which is located on a separate lot of record apart from the remaining portions of the building. Each such dwelling may be sold independently of the other portions.

71. **Dwelling, Two-family.** A building or semi-detached building or portion thereof designed or occupied exclusively by two families living independently of each other.
72. **Dwelling, Multiple-family.** A building or portion thereof designed with accommodations for or occupied by three (3) or more families living independently of each other who may or may not have joint services or facilities or both. The term includes dormitories and lodging and boarding houses but does not include hotels, motels, and tourist courts.
73. **Dwelling for the Elderly and/or Handicapped.** A two-family or Multiple-family dwelling having accommodations for and occupied exclusively by elderly or handicapped residents and necessary maintenance personnel. Elderly residents are those people who are at least sixty-two (62) years of age. Handicapped Persons are those people having an impairment which is expected to be of long, continuous and indefinite duration and is a substantial limitation to their ability to live independently.
74. **Dwelling, Pole or Metal Building *or* Dwelling Accessory Building.** A metal or pole building, designed for both accessory and residential uses, having partial accommodations for living quarters. Partial accommodations for living quarters must be 45% minimum of the total floor area of the building and shall have domestic water and sanitary sewer services.
75. **Earth Sheltered Residence.** A residence designed as a complete structure below or partially below ground level, which was not intended to serve as a substructure or foundation for a building.
76. **Easement.** The right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.
77. **Engineer.** One, licensed by the State of Nebraska, designated by the Cambridge City Council to act for the City.
78. **Family.** One person or more than one person related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four unrelated persons living together as a single housekeeping unit; plus in either case, usual domestic servants, and/or resident staff. A family shall under no circumstances be construed as a boarding house, fraternity or sorority house, club, lodging house, hotel or motel.
79. **Farm.** The use of a tract of land of twenty (20) acres or more for the growing of crops, pasture, nursery, or the raising of poultry and livestock, including the structures necessary for carrying out farming

operations and the residence or residences of those owning or operation the premises, or persons employed thereon.

80. **Fascia.** A parapet-type wall used as part of the façade of a flat-roofed building and projecting no more than six (6) feet from the immediately adjacent building face. Such wall shall enclose at least three (3) sides of the projecting flat roof and return to the parapet wall or the building.
81. **Feedlot.** Any tract of land or structure, pen, or corral, wherein cattle, horses, sheep, goats, swine and poultry are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.
82. **Fence.** Any vertical structure, other than a building or plant material which is for the purpose of obstructing visual observation, or for the purpose of obstructing pedestrian, automotive or animal movement, or for the purpose of beautification, and which is attached to the ground or to a building, but excluding retaining walls.
 - a. **Open Fence:** A fence where the design contains openings that constitute not less than fifty percent (50%) of the surface area of the fence. The surface area is the product of a length of fence measured from the inside edge of one support post or column to the inside edge of the next adjacent support post or column; times the height of the same section of fence.
 - b. **Closed Fence:** A fence where the design of the fence has more than fifty (50%) percent of the surface area closed.
83. **Floodplain.** Floodplain or flood-prone area means any land area Susceptible to being inundated by water from any source.
84. **Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.
85. **Floodway Fringe.** All that land in a floodplain not lying within a delineated floodway. Land within a floodway fringe is subject to a inundation by relatively low velocity flows and shallow water depths.
86. **Floor Area, Gross.** The sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics, elevator shafts; stairwells at each story; floor space used for mechanical equipment with structural headroom of six feet, six inches or more; as measured from the exterior faces of the walls. It does not include cellars unclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this by law.

87. **Foundation.** The supporting substructure of a building or other structure, including but not limited to, basements and slabs designed to provide a structural system for transferring loads from a structure to the earth.
88. **Foundation, Permanent.** (1) A full, poured concrete or masonry foundation; (2) a poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor; (3) a floating slab for which the municipality may require an engineer's certification; (4) any foundation which, pursuant to the building code of the municipality, is permitted for other types of single-family dwellings.
89. **Frontage.** The length of the property abutting on one (1) side of a street measured along the dividing line between the property and the street.
90. **Funeral Home.** A building or part hereof used for human funeral Services, such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial; b.) the performance of autopsies and other surgical procedures; c.) the storage of caskets, funeral urns, and other related funeral supplies; and d.) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.
91. **Garage, Private.** A building for the private use of the owner or Occupant of a principal building situated on the same lot or attached to the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.
92. **Garage, Public.** A building designed and used for the storage of Personal property or automotive vehicles operated as a business enterprise with a service charge or fee being paid to the owner or operator for the parking or storage of privately owned vehicles.
93. **Garage, Repair.** (See also Service Station.) A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work.
94. **Governing Body.** The City Council of the City of Cambridge, Nebraska.
95. **Grade.** As the average finished ground level of the land around the building within the area between the building and the property line is more than five feet from the building, between the building and a line five feet from the building.
96. **Green Area.** (See Common Open Space.)

97. **Greenhouse.** A structure devoted to the cultivation and/or the protection of plants. Usually having a roof and/or sides of translucent material.
98. **Group Home.** Means a facility which houses more than five (5) but less than sixteen (16) persons. Those facilities may offer, in addition to lodging, accommodations, meals, resident support services, counseling, guidance and varying levels of medical care. Such facility shall be licensed or approved by the State of Nebraska or other appropriate agency.
99. **Group Home for the Handicapped.** (See also Family.) A dwelling shared by four or more handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the resident to live independently as possible in order to reach their maximum potential. As used herein, the term “handicapped” shall mean having 1) a physical or mental impairment that substantially limits one or more of such person’s major life activities so that such person is incapable of living independently; 2) a record of having such an impairment; or 3) being regarded as having such an impairment. However, “handicapped” shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term “group home for the handicapped” shall not include alcoholism or drug treatment centers, work release facilities for convicts or ex-convicts, or other housing facilities for serving as an alternative to incarceration.
100. **Hazardous Substances.** Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.
101. **Health/Recreation Facility.** An indoor facility including uses such as game courts, exercise equipment, locker rooms, Jacuzzi, and/or sauna and pro shop.
102. **Height.** The vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs, measured from the curb level of the building from the grade in all other cases. For all instances in this regulation the maximum height guidelines shall use the peak as the highest measuring point.

103. **Helistop – Limited Use.** Any landing area used for the taking off or landing of private helicopters for the purpose of picking up and discharging of passengers or cargo. This facility is not open to use by any helicopter without prior permission having been obtained.
104. **Hike/Bike/Pedestrian Trail.** A recreational trail prohibiting all non-emergency or public maintenance motorized vehicles.
105. **Historic District.** An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.
106. **Hobby.** An activity undertaken as a means of providing relaxation, enjoyment or a learning experience and where any income is an incidental part of the activity.
107. **Home Occupation.** An occupation carried on in a dwelling unit by the resident thereof; provided that the use is incidental and secondary to a property's primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all applicable legal requirements.
108. **Hospital.** An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured person, and licenses by state law to provide facilities and services in surgery, obstetrics, and general medical practice.
109. **Hotel or Motel.** A building or portion thereof, or a group of buildings, used as a transient abiding place which may or may not serve meals and whether such establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, motor court, tourist cabin, tourist court, or other similar designation.
110. **Impervious Coverage Area.** The total horizontal area, expressed as a percent of the entire site area, of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water. The surface water area of pools is excluded from this definition.
111. **Impervious Surface.** Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

112. **Improvement.** Street pavement or resurfacing, curbs, gutter, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related matters normally associated with the development of raw land into building sites.
113. **Inoperable Motor Vehicle.** A motor vehicle that is wrecked, dismantled, or unable to move under its own power or is impounded by a governmental agency or is not currently licensed.
114. **Intensive Livestock, Confinement Facilities/Operations.** Shall mean any building(s), lot(s), pen(s), pool(s) or pond(s) or other confined spaces, which normally are not used for raising crops or grazing animals, which are designed and/or used for on-going confined raising, feeding or management of animals for more than 180 days within any calendar year, beginning January 1st.
115. **Junk.** Old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, motor vehicles, and parts thereof.
116. **Junk Yard.** A lot, land or structure or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal, or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition and for the sale of parts thereof.
117. **kennel.** An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.
118. **Landfill.** A disposal site employing an engineering method of disposing solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day and in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.

119. **Landscaped Area.** The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
- a. Perimeter Landscaped Area. Any required landscaped area that adjoins the exterior boundary of a lot, site or common development.
 - b. Interior Landscaped Area. Any landscaped area within a site exclusive of required perimeter landscaping.
120. **Laundry, Self Service.** A business that provides home-type washing, drying and/or ironing machines for hire to be used by customers on the premises.
121. **Lean-to.** Building having three (3) sides and a roof using the wall of another building for the fourth (4th) side used for storage or a workshop.
122. **Lot.** A parcel of land shown as a unit on a recorded subdivision plat.
123. **Lot Area.** The total horizontal area within the lot lines of a lot.
124. **Lot, Corner.** A lot abutting upon two (2) or more streets at their intersection.
125. **Lot Depth.** The average horizontal distance between the front and rear lot lines.
126. **Lot, Double Frontage.** An internal lot having a frontage on two streets.
127. **Lot, Flag.** Lots or parcels that the City has approved with less frontage on a public street than is normally required. The panhandle is an access corridor to lots or parcels located behind lots or parcels with normally required street frontage.
128. **Lot, Interior.** A lot other than a corner lot which has frontage on one (1) street only.
129. **Lot Line, Front.** (See also Yard, Front.) On an interior lot, the lot line abutting a street; or, on a corner lot, the shorter lot line abutting a street; or, on a through lot, the lot line abutting the street providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to an nearest the street from which access is obtained.
130. **Lot, Rear.** The rear of a lot shall be that side opposite the front of the lot.

131. **Lot of Record.** A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.
132. **Lot, Substandard.** A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as a legally created lot on the effective date of the ordinance codified in this title.
133. **Lot, Through.** A lot having its front and rear yards each abutting on a street.
134. **Lot, Width.** The mean horizontal distance between the side lot lines, measured at right angles to the lot depth. Where side lot lines are not parallel the minimum width of a lot shall be measured at the front yard setback line, but in no case shall the front lot line be less than 35 feet in width.
135. **Manufactured Home.** A factory built single-family dwelling structure which is to be used as a place for human habitation, which bears a label certifying that it was manufactured or constructed in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280 et seq., promulgated by the United States Department of Housing and Urban Development, or a modular housing unit as defined in Section 71-1557 of the Nebraska Revised Statutes bearing a seal in accordance with the Nebraska Uniform Standards for Modular Housing Units Act, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, does not have permanently attached to its body or frame any wheels or axels, and which complies with the following architectural and aesthetic standards listed below. For the purpose of any of these regulations, manufactured home shall be considered the same as a single-family detached dwelling.
 1. Dwelling units built in compliance with the above may be placed in any zoning district where single-family dwelling units are permitted when the additional requirements outlined in Chapter 3 of this Ordinance are met.
 2. Manufactured or mobile homes which do not meet all of the standards listed in Chapter 3 of this Ordinance, may be placed in a mobile home park or as permitted by Code, provided the structure is transportable in one (1) or more sections which in the traveling mode are eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, are three hundred twenty (320) or more square feet and which are built on a permanent chassis and designed to be used as a dwelling with or without a

permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

136. **Maximum Building Coverage.** This measures the percentage of a site that may be covered by the footprint of buildings. Thus, a twenty thousand (20,000) square foot building on a forty thousand (40,000) square foot site has a building coverage of fifty percent (50%). This is a method of regulating the scale of buildings in an area.
137. **Maximum Impervious Coverage.** This measures the percentage of a site that may be covered by buildings and other surfaces and development features which prevent the penetration of water into the ground (such as driveways, porches, parking lots, and other features). Limits on impervious coverage help control the velocity and quantity of storm water runoff and provide for groundwater recharge.
138. **Medical Office.** Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar medical practitioners licensed for practice in the State of Nebraska.
139. **Mini-Warehouse.** (See Self Service Storage Facility).
140. **Minor Subdivision.** (See Administrative Subdivision).
141. **Mobile Home Park.** Any area, tract, site or plot of land where upon a minimum of two (2) mobile homes as herein defined are placed, located or maintained or intended to be placed, located or maintained for dwelling purposes.
142. **Mobile Home.** A building type designed to be transportable in one (1) or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Nebraska Department of Health or conformance to the manufactured home procedural and enforcement regulations, as adopted by the U.S. Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings.
143. **Mobile Home, Double-Wide.** A mobile home that consists of two or more sections that are transported separately and assembled at the site into one structure of a width of not less than twenty feet.

144. **Mobile Home Park.** A unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile Home Parks may include common areas and facilities for management, recreation, laundry, utility services, storage, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
145. **Mobile Home, Single-Wide.** A mobile home that consists of one section which the main body, exclusive of expansions or extensions, is sixteen feet or less in width.
146. **Mobile Home Space.** A plot of ground within a mobile home park which can accommodate one mobile home and which provides the necessary utility services for water, sewerage, and electricity.
147. **Mobile Home Subdivision.** A subdivision where individual lots are sold for the placement of manufactured or mobile homes where the lot and structure are intended, to be owned by the same party.
148. **Modular Home.** “Modular housing unit” shall mean any dwelling whose construction consists entirely of, or the major portions of its construction consists of, a unit or units not fabricated on the final site for the dwelling unit, which units are movable or portable until placed on a permanent foundation and connected to utilities. Modular housing units shall be taxed as real estate. The term “modular housing unit” shall not include a manufactured home.
149. **Monuments.** Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners and points of change in street alignment.
150. **Non-Commercial Wind Energy Systems (Small).** Shall mean a wind energy system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce onsite consumption of utility power.
151. **Nonconforming Building/Structure.** Any building or structure that does not meet the limitations on building size and location on a lot, for the district in which such building is located, for the use to which such building is being located.
152. **Nonconforming Lot.** A use or activity which lawfully existed prior to the adoption, revision, or amendment of this ordinance, but which fails by reason of such adoption revision, or amendment to conform to the use district in which it is located.

153. **Nonconforming Use.** A lawful use of land or building that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.
154. **Nursery.** An area where plants, such as trees and shrubs, are grown for transplanting, for use as stock for budding and grafting or for sale.
155. **Nursing Home – Convalescent Home.** An institution or agency licensed by the State for the reception, board, care, or treatment of three (3) or more unrelated individuals, but not including facilities for the care and treatment of mental illness, alcoholism, or narcotics addiction.
156. **Open Space.** An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes.
157. **Out Lot.** Property shown on a subdivision plat outside of the boundaries of the land which is developed and which is to be excluded from the development of the subdivision.
158. **Park.** Any public or private land available for recreation, educational, cultural, or aesthetic use.
159. **Parking Area, Public or Customer.** An area other than private parking area, street or alley, used for the parking of automobiles and available for public or semi-public use.
160. **Parking Space, Off-Street.** Off-street parking shall mean an area, enclosed or unenclosed, sufficient in size to store one automobile, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress. A surfaced area of not less than two hundred (200) square feet on private or public property, either within or outside a building, suitable in size and location to store one standard automobile.
161. **Pedestrian Ways.** A tract of land dedicated to public use, which cuts across a block to facilitate pedestrian access to adjoining streets and properties.
162. **Pervious Coverage.** Area maintained in its natural condition, or covered by material that permits infiltration or percolation of water into the ground. Any material that permits absorption of water into the ground.
163. **Planned Development.** Special development of certain tracts of land, planned and designed as a unit for one (1) or more land uses under the regulations and procedures contained in this Article.

164. **Planning Area.** The statutory zoning jurisdiction of the City of Cambridge.
165. **Planning Commission.** The appointed planning body designated by the Cambridge City Council.
166. **Plat.** Map, drawing, or chart upon which the developer's plan of subdivision (Preliminary) is presented to the City Council for approval and, after such approval, to the appropriate County Clerk for recording.
167. **Plot.** A parcel of ground.
168. **Poultry Farm.** (See Feedlot).
169. **Principal Building.** Building in which the primary use of the lot is intended.
170. **Principal Use.** The primary use and chief purpose of a lot or structure.
171. **Public Works Plan.** An improvement analysis, conducted and prepared by City Engineer, delineating what necessary sewer, water, drainage, street, storm water, floodplain, well head and easement improvements will be needed for all phases of a subdivision.
172. **Public Way.** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.
173. **Recreational Vehicle (RV) Park.** Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles for accommodating temporarily occupied living quarters for recreation or vacation purposes.
174. **Recycling Center.** A facility that is not a junk yard and in which recoverable resources are collected, stored, flattened, crushed, or bundled, essentially by hand within a completely enclosed building. (Such as newspaper, glassware, metal, cans, etc.)
175. **Restaurant.** An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes.
176. **Restaurant, Drive-in.** A retail outlet where food or beverages are sold to a substantial extent for consumption by customers in parked motor vehicles.

177. **Restaurant, Fast-food.** An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.
178. **Right - of - Way.** A strip of land, taken of dedicated for use as a public way which is occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.
179. **Road, Public.** (See also Right-of-way and Street.) All public property reserved or dedicated for street traffic.
180. **Road, Private.** (See also Right-of-way and Street) A way open to vehicular ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.
181. **Salvage or Junk Yard.** A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing fixtures, abandoned or inoperable motor vehicles or parts thereof, and other used materials are bought, sold, exchanged, stored, baled or cleaned; and places or yards for the storage of salvaged metal, materials and equipment; but not including pawn shops and establishments for the sale, purchase or storage of used cars or trucks presently in operable condition, boats or trailers presently in operable condition, and used furniture and household equipment in usable condition and not including the processing of used, discarded or salvaged material as part of manufacturing operations.
182. **School.** A facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, and high school.
183. **Screening.** The method by which a view of one site from another elements or form adjacent or contiguous development. Screening may include one or a combination of the following materials of sufficient mass to be opaque or that shall become opaque after 12 months and which shall be maintained in an opaque condition; walls, berms, or plantings.
184. **Self-Service Storage Facility.** A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

185. **Service Station.** (See also Garage, Repair) Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.
186. **Setback.** The required minimum horizontal distance between the building line and the related front, side, or rear property line.
187. **Sewers, On-Site.** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.
188. **Shed.** Free standing building not larger than ten feet by twelve feet (10' by 12') used for storage or workshop.
189. **Sidewalk.** A walkway consisting of a paved or cemented area for pedestrians; usually beside a street or roadway but within the right-of-way.
190. **Sight Triangle.** An area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of 2-1/2 feet and 10 feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the center line of the streets, 80 feet in each direction along the center line of the streets. At the intersection of major or arterial streets, the 80-foot distance shall be increased to 120 feet for each arterial leg of the intersection.
191. **Sign.** Any device which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, and advertisement or announcement which directs, attention to an object, product, place, activity, person, institution, organization, or business, but shall not include any display of governmental notice or flag.
192. **Single Family, Attached.** A dwelling having a common wall with another dwelling. The common wall is on a lot line dividing two (2) residential lots. Each dwelling may be the property of two (2) different owners.
193. **Site Plan.** A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

194. **Solid Waste Landfill.** A lot or parcel of land used primarily for the disposal, abandonment, dumping, burial or burning of garbage, sewage, trash, refuse, junk, discarded machinery or motor vehicles, or parts thereof, or other waste, and which is in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.
195. **Solid Waste Transfer Station.** A collection point for temporary storage of refuse. No processing of refuse would be allowed. The transfer station must be in conformance with the requirements of the Nebraska Department of Environmental Quality and Nebraska Department of Health and Human Service System.
196. **Storage Building.** A building or structure used, or intended to be used, for the sole purpose of storing goods and materials.
197. **Storage Container.** A reusable metal shipping container designed for worldwide surface and air movement and for storage of products.
198. **Story.** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over six feet above the average level of the finished ground surface adjoining the exterior walls of such story, or it is used for business or dwelling purposes.
199. **Street.** That area of land platted and dedicated for public use, or lawfully used, as a public thoroughfare for vehicular travel; excluding from this definition access ways commonly designated as alleys.
200. **Street, Center Line.** A line midway between street lines.
201. **Street Line.** A dividing line between a lot, tract, or parcel of land and the contiguous street. The right-of-way line of a street.
202. **Structure.** Anything constructed or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, but not including fences or public items such as utility poles, street light fixtures, and street signs.
203. **Structural Alteration.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders; any substantial change in the roof or in the exterior walls, excepting from this definition such alterations as may be required for the safety of the building.

204. **Subdivider.** The owners, developers or agents of persons or corporations affecting subdivision.
205. **Subdivision.** Subdivision shall mean the division of a lot, tract, or parcel of land into two (2) or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of ownership or building development. The term includes re-subdivision, and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.
206. **Surveyor.** Any person registered in Nebraska to practice surveying.
207. **Temporary Use.** A prospective use, intended for limited duration to be located in a zoning district not permitting such use, and not continuing a nonconforming use or building.
208. **Tiny Home.** A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts. The following measurements shall apply to all aspects of tiny homes.
- a. **Ceiling height.** Habitable space and hallways in tiny homes shall have a ceiling height of not less than six feet, eight inches (6'8"). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than six feet, four inches (6'4"). Obstructions including, but not limited to, beams, girders, ducts, and lighting shall not extend below these minimum ceiling heights. Ceiling heights in lofts are permitted to be less than six feet, eight inches (6'8").
 - b. **Lofts.** Lofts used as a sleeping or living space shall have a floor area of not less than thirty-five (35') sq. feet and be not less than five feet (5') in any horizontal dimension. Portions of a loft with a sloped ceiling measuring less than three feet (3') from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. Under gable roofs with a minimum of 50% slope, portions of a loft with a sloped ceiling measuring less than sixteen inches (16") from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.
 - c. **Loft access - stairways.** Stairways accessing a loft shall not be less than seventeen inches (17") in clear width at or above the handrail. The width below the handrail shall not be less than twenty inches (20").
 - i. **Headroom.** The headroom in stairways accessing a loft shall not be less than six feet (6'), two inches (2"), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.
 - ii. **Treads and risers.** Risers for stairs accessing a loft shall be not less than seven inches (7") and not more than twelve inches (12") in height.

Tread and depth riser shall be calculated in accordance with one of the following formulas: The tread depth shall be twenty inches (20") minus four-thirds of the riser height. The riser height shall be fifteen inches (15") minus three-fourths of the tread depth.

iv. Landing platforms. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than six feet, two inches (6'2") where the stairway meets the loft. The landing platform shall be eighteen to twenty two inches (18"-22") in depth measured from the nosing of the landing platform the edge of the loft, and sixteen to eighteen inches (16"-18") in height measured from the landing platform to the loft floor.

d. Loft access – ladders. Ladders accessing lofts shall have a rung width of not less than twelve inches (12"), and ten inch (10") to fourteen inch (14") spacing between rungs. Ladders shall be capable of supporting a 200-pound load on any rung. Rung spacing shall be uniform within 3/8 inch. Ladders shall be installed at 70 to 80 degrees from horizontal.

e. Loft guards. Loft guards shall be located along the open side of lofts. Loft guards shall be not less than thirty-six (36") inches in height or one-half of the clear height to the ceiling, whichever is less.

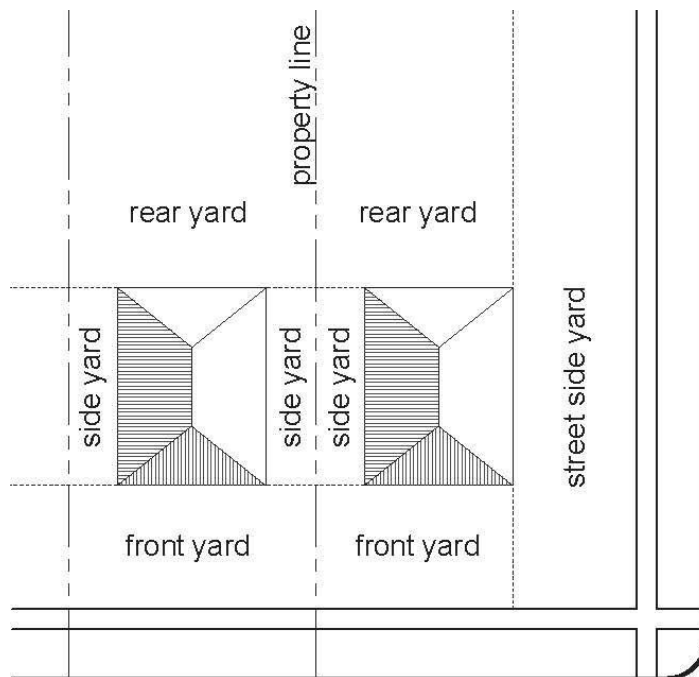
f. Emergency escape and rescue openings. To provide for emergency escape or rescue openings, tiny homes shall have an egress roof access window. Egress roof access windows in lofts used as sleeping rooms shall be installed such that the bottom of the opening is not more than forty-four inches (44") above the loft floor.

209. **Thoroughfare, Street or Road.** The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

- a. **Alley:** A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property.
- b. **Arterial Street:** A street which provides for through traffic movement between and around streets with direct access to abutting property, subject to necessary control of entrances, exits, and curb use.
- c. **Collector Street:** A street which provides for traffic movement between arterials and local streets, with direct access to abutting property.
- d. **Cul-de-sac:** A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.

- e. **Dead-end Street:** A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
 - f. **Local Street:** A street which provides direct access to abutting land and local traffic movement, whether in business, industrial or residential land.
 - g. **Marginal Access Street:** A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street or Service Road)
210. **Townhouse.** One of a group or row of not less than two (2) nor more than twelve (12) attached, single family dwellings designed and built as a single structure facing upon a street in which the individual townhouse may or may not be owned separately. For the purpose of the side yard regulations, the structure containing the row or group of townhouses shall be considered as one building occupying a single lot.
211. **Variance.** A dispensation permitted by the Board of Adjustments relieving a property owner from dimensional requirements of the zoning regulations which would cause exceptional practical difficulties or exceptional and undue hardship.
212. **Vicinity Map.** A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the City of Cambridge, in order to better locate and orient the area in question.
213. **Yard.** A space on a lot that is open, unoccupied and unobstructed by buildings or structures from the ground upward.
214. **Yard, Front.** A yard extending across the full width of the lot, the depth of which is the least distance between a front lot line and the front setback line.
215. **Yard, Rear.** A yard extending across the full width of the lot, of which is the least distance between the rear lot line and the rear setback line.
216. **Yard, Required.** The required minimum open space between the property line and the yard line. The required yard shall contain no building or structure other than the projection of the usual steps, or open porches, or as otherwise provided in these regulations.

217. **Yard, Side.** A yard extending from the front yard, or front lot line where no front yard is required, to the rear yard.



218. **Zoning.** A police power measure in which the community is divided into districts or zones within which permitted and conditional uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

219. **Zoning Administrator.** An appointed official whose primary responsibility is to enforce Zoning Regulations.

220. **Zoning District.** An area delineated on a Zoning Map for which uniform use regulations are specified.

221. **Zoning Map.** A map or maps officially enacted by the governing body as part of this ordinance showing the boundaries of a zoning district or districts, a copy or copies of which, certified to have been enacted as provided by law, is filed in the office of the City Clerk as an official record of the City.

222. **Zero Lot Line.** The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

(Ord. No. 775, 8-17-2020)

UNDEFINED WORDS

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

Article 5 **Building Permits**

1-501 Building Permits. The following shall apply to all new construction and all applicable renovations and remodels within Cambridge's Zoning Jurisdiction:

- A. It shall be unlawful to proceed with any of the following until the Municipal Clerk has issued a building permit for such work:
 1. Commence the excavation for the construction of any building or accessory buildings;
 2. Proceed to erect, construct, enlarge, demolish, or relocate any building, or any accessory buildings;
 3. Commence the moving or alteration of any buildings, including accessory buildings; or
 4. Increase or expand any impervious surface, excluding portions within the right-of-way.

- B. Issuance of a building permit.
 1. In applying to the Municipal Clerk for a building permit, the application shall be in writing on a form to be furnished by the Municipal Clerk for that purpose. Every such application shall set forth the legal description of the land upon which the construction or relocations is to take place, the nature of the use or occupancy, the principal dimensions, the estimated cost, the names of the owner, architect and contractor and such other information as may be required by the Municipal Clerk for determining whether the provisions of this Ordinance are being observed.
 2. The application, plans and specifications so filed with the Municipal Clerk shall be checked and examined by the Governing Body and, if they are found to be in conformity with the requirements of this Chapter and all other ordinances applicable thereto, the Governing Body shall authorize the Municipal Clerk to issue the said applicant a permit. Such permits shall be effective for one year from the date of approval by the Governing Body.
 3. If a building permit is refused, the Municipal Clerk shall state such refusal in writing, with the cause, and shall immediately thereupon mail notice of such refusal to the applicant at the address indicated upon the application.
 4. The Municipal Clerk shall grant or deny the permit within a reasonable time from the date the application is submitted. The issuance of a permit shall, in no case, be construed as waiving any provisions of this Ordinance.

5. Whenever there is a discrepancy between permit application procedures contained herein and those contained in any building code adopted by reference, the provisions contained herein shall govern. (Ref. 17-130 through 17-132, 17-500, 17-1001 RS Neb.)

CHAPTER 2

ARTICLE 1

“A-1” AGRICULTURAL DISTRICT

2-101 INTENT

It is the intent of this district to provide for agricultural and related uses in the manner which will facilitate the eventual conversion of the land in this district to more intensive urban uses.

2-102 PERMITTED USES.

In district “A-1” no building, structure, land or premises shall be used and no building or structure shall be hereafter erected constructed, reconstructed , moved, or altered, except for one or more of the following uses:

- A. Farming, pasturing, truck gardening, orchards and nurseries, including the sale of products raised on the premises, provided that no livestock feedlot or yard for more than twelve (12) animals shall be established unless approved as a conditional use.
- B. Horse stables and ranches.
- C. Publicly, owned or operated parks, playgrounds, golf courses, and recreational uses.
- D. Single-family dwellings.
- E. Dwelling, Pole or Metal Building *or* Dwelling Accessory Unit
- F. Churches and other places of worship.
- G. Public or private schools.
- H. Plant Nursery.
- I. Green House.
- J. Modular Homes.
- K. Manufactured homes following requirements set forth in this Ordinance.
- L. Accessory buildings and uses customarily incidental to those listed above.
- M. Storage Container
- N. Solar energy systems

(Ord. No. 775, 8-17-2020)

2-103 CONDITIONAL USES

The following conditional uses may be permitted subject to approval procedures outlined in these regulations.

- A. Cemeteries including mausoleums; provided mausoleums shall be at least two hundred (200) feet from every street line and adjoining lot lines.

- B. Hospitals and institutions of an educational, religious, charitable, or Philanthropic nature.
- C. Anhydrous ammonia storage and distribution; provided such storage and distribution shall not be within 1,320 feet of any residential district boundary.
- D. Airports and airfields.
- E. Greenhouse and nurseries.
- F. Communication Towers.
- G. Meteorological Towers.
- H. Non-Commercial Wind Energy Systems.
- I. Commercial Wind Energy Systems.
- J. Kennels – breeding and boarding.
- K. Auto wrecking yards, junk yards, salvage yards, and scrap processing yards.
- L. Other publicly owned buildings and uses not specifically listed elsewhere in this district.
- M. Earth-sheltered residences.
- N. Seasonal or temporary uses such as a recreation camp or similar enterprises.
- O. Telephone exchanges, electric substations or similar public utility uses.
- P. The extraction of minerals or raw minerals and the processing, treating or storing of such minerals or materials.
- Q. Solid waste disposal and processing sites which include landfills, incinerators, transfer stations and other similar functions.
- R. Mobile Homes.
- S. Feed and Seed Stores.

(Ord. No. 768, 10-21-2019)

2-104 INTENSITY OF REGULATIONS

- A. Minimum lot area: 3 acres.
- B. Minimum lot width and depth: 200 feet.

2- 105 HEIGHT REGULATIONS

- A. Maximum structure height; 35 feet, except that barns, silos and other agriculture structures may be of any height.

2-106 MINIMUM YARD REGULATIONS

- A. Front Yard: 50 feet
- B. Side Yard: 25 feet
- C. Street Side Yard: 50 feet
- D. Rear Yard: 100 feet
- E. Maximum Building Coverage: N/A
- F. Maximum Impervious Coverage: N/A

ARTICLE 2
“R-1” SINGLE FAMILY RESIDENTIAL DISTRICT

2-201 **INTENT**

The intent of this district is to provide for low density residential development in a manner which will encourage a strong residential neighborhood.

2-202 **PERMITTED USES**

In District “R-1” no building structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

- A. Single-Family dwellings.
- B. Two-Family dwellings; duplexes.
- C. Public parks, playgrounds, and schools.
- D. Nursing or Convalescent Homes.
- E. Hospitals.
- F. Manufactured homes following requirements set forth in this Ordinance.
- G. Churches.
- H. Modular homes.
- I. Accessory buildings, not greater than 1,250 sq. ft. in size, and uses customarily incidental to the above uses.
- J. Solar energy systems placed on primary structure

(Ord. No. 775, 8-17-2020)

2-203 **CONDITIONAL USES**

The following conditional uses may be permitted subject to approval procedures outlined in these regulations.

- A. Earth – Sheltered residences.
- B. Telephone exchanges, electric substations or other similar public utilities.
- C. Group homes.
- D. Mobile home doublewide.
- E. Medical Clinics.
- F. Multi-family dwellings.
- G. Mortuaries.
- H. Public and Private Golf Courses.
- I. Day Care Centers.
- J. Bed & Breakfast Homes.
- K. Non-profit institutions of an educational, philanthropic or charitable nature, except for penal or mental institutions.

- L. Dwelling, Pole or Metal Building *or* Dwelling Accessory Building
- M. Solar energy systems placed on accessory buildings
- N. Tiny Home
- O. Accessory buildings, not greater than 2,500 sq. ft.

(Ord. No. 775, 8-17-2020)

2-204 SITE DEVELOPMENT REGULATIONS

Regulator	Single-Family	Two-Family	Other Permitted Uses
Minimum Lot Area (sq. feet)	7,000	3,500/dwelling unit	7,000
Minimum Lot Width (feet)	50	50/dwelling unit	50
Minimum Yards (feet)			
Front Yard	25	25	25
Side Yard	7	7*	7
Street Side Yard	25	25	25
Rear Yard	20	20	20
Maximum Height (feet)	35	35	35
Maximum Building Coverage	35%	35%	35%
Maximum Impervious Coverage	45%	45%	45%

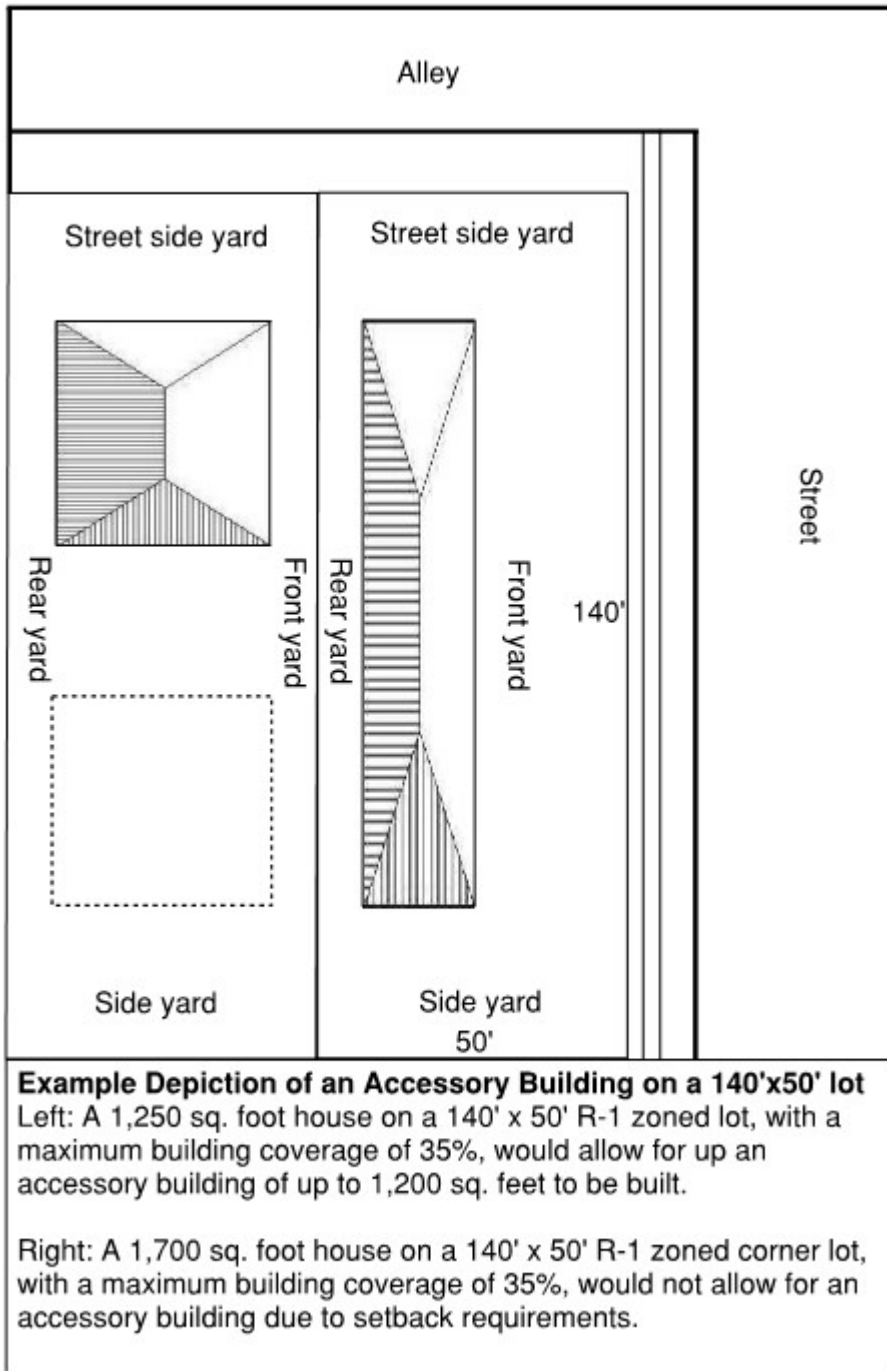
*The side yard setback between individual units of two-family dwellings may be reduced to zero, if a two-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.

**Breezeways shall not be considered a method of connecting multiple buildings together to be classified as one building.

(Ord. No. 775, 8-17-2020)

2-205 USE LIMITATIONS

- A. The following are not permitted in the R-1 zoning district:
 1. Communication Towers.
 2. Meteorological Towers.
 3. Non-Commercial Wind Energy Systems.
 4. Commercial Wind Energy Systems.
 5. Storage Container



(Ord. No. 775, 8-17-2020)

ARTICLE 3
"R-2" MULTI-FAMILY RESIDENTIAL DISTRICT

2-301 INTENT

The intent of this district is to provide for medium-to-high density residential development, including single-family, two-family and multi-family residences in a manner which will encourage a strong residential neighborhood.

2-302 PERMITTED USES

In District "R-2" no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

- A. Single-Family dwellings.
- B. Two-Family dwellings; duplexes.
- C. Multi-Family dwellings.
- D. Manufactured homes following requirements set forth in this Ordinance.
- E. Boarding and Lodging Houses.
- F. Public parks, playgrounds, and schools.
- G. Bed and Breakfast Homes.
- H. Nursing or Convalescent Homes.
- I. Hospitals.
- J. Churches.
- K. Modular homes.
- L. Accessory buildings and uses customarily incidental to the above uses.
- M. Solar energy systems placed on primary structure
- N. Accessory buildings, not greater than 1,250 sq. ft. in size, and uses customarily incidental to the above uses.

(Ord. No. 775, 8-17-2020)

2-303 CONDITIONAL USES

The following conditional uses may be permitted subject to approval procedures outlined in these regulations.

- 1. Condominiums.
- 2. Telephone exchanges, electric substations or other similar public utilities.
- 3. Group homes.
- 4. Mobile home doublewide.
- 5. Medical Clinics.
- 6. Mortuaries.
- 7. Public and Private Golf Courses.

8. Day Care Centers.
9. Non-profit institutions of an educational, philanthropic or charitable nature, except for penal or mental institutions.
10. Dwelling Unit, Pole *or* Metal Building/Dwelling Accessory Unit
11. Solar energy systems placed on accessory structures
12. Tiny Home
13. Accessory buildings, not greater than 2,500 sq. ft.

(Ord. No. 775, 8-17-2020)

2-304 SITE DEVELOPMENT REGULATIONS

Regulator	Single-Family	Two-Family	Multi-Family	Other Permitted Uses
Minimum Lot Area (sq. feet)	7,000	3,500/dwelling unit	2,200/dwelling unit	7,000
Minimum Lot Width (feet)	50	50/dwelling unit	100	50
Minimum Yards (feet)				
Front Yard	25	25	30	25
Side Yard	7	7*	15	7
Street Side Yard	25	25	30	25
Rear Yard	20	20	30	20
Maximum Height (feet)	35	35	45	35
Maximum Building Coverage	45%	45%	55%	45%
Maximum Impervious Coverage	55%	55%	65%	55%

*The side yard setback between individual units of two-family dwellings may be reduced to zero, if a two-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.

**Accessory buildings shall be considered part of the maximum building coverage percentage if attached to the primary building by the breezeway.

(Ord. No. 775, 8-17-2020)

2-305 USE LIMITATIONS

- A. The following are not permitted in the R-2 zoning district:
 1. Communication Towers.
 2. Meteorological Towers.
 3. Non-Commercial Wind Energy Systems.
 4. Commercial Wind Energy Systems.
 5. Storage Container

ARTICLE 4
"M-P" MOBILE HOME PARK DISTRICT

2-401 **INTENT**

It is the intent of this district to provide medium density mobile home park developments which are compatible with the character of the surrounding neighborhood in which they are located. Mobile home parks are considered as a residential use and should be located in areas where services and amenities are available such as those found in conventional residential areas.

2-402 **PERMITTED USES**

In District "M-P" no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

- A. Mobile homes.
- B. Public parks and recreation areas.
- C. Manufactured homes.
- D. Modular homes.
- E. Accessory buildings, not greater than 1,250 sq. ft., and uses incidental to those listed above.

(Ord. No. 775, 8-17-2020)

2-403 **CONDITIONAL USES**

The following conditional uses may be permitted subject to approval procedures outlined these regulations.

- 1. Mobile homes designed for two-families.
- 2. Telephone exchanges, electric substations or other similar public utilities.
- 3. Accessory buildings, not greater than 2,500 sq. ft.

(Ord. No. 775, 8-17-2020)

2-404 SITE DEVELOPMENT REGULATIONS

Regulator	Single-Wide	Double-Wide
Minimum Lot Area (sq. feet)	4,000	5,000
Minimum Lot Width (feet)	40	40
Minimum Yards (feet)		
Front Yard	25	25
Side Yard	7	7*
Street Side Yard	25	25
Rear Yard	20	20
Maximum Height (feet)	35	35
Maximum Building Coverage	45%	45%
Maximum Impervious Coverage	60%	60%

*The side yard setback between individual units of two-family dwellings may be reduced to zero, if a two-hour fire rated constructed common wall between units starting at the basement level and continuing through to the roof line is maintained.

2Separation between Mobile Home Units. The minimum separation between a mobile home units and an attached accessory structure and any other mobile homes units and/or accessory structure shall be 20 feet. No mobile home shall be located closer than thirty (30) feet from any building within the mobile home park except a private storage shed or garage.

2-405 USE LIMITATIONS.

The following are not permitted in the M-P zoning district:

- A. Communication Towers.
- B. Meteorological Towers.
- C. Non-Commercial Wind Energy Systems.
- D. Commercial Wind Energy Systems.
- E. Storage Container

(Ord. No. 775, 8-17-2020)

2-406 MINIMUM DESIGN STANDARDS. Each mobile home park shall be designed in accordance with the following minimum design standards:

- A. The park shall be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools of water.
- B. Mobile home parks hereafter approved shall have a maximum density of seven (7) mobile homes per gross acre.

- C. When private roadways are used, they shall be of not less than twenty- four (24) feet in width, including curbs on each side, provided, however, that no on-street parking is permitted. If parallel parking is permitted on one side of the street, the width shall be increased to thirty (30) feet; and if parallel parking is permitted on both sides of the street, the width shall be increased to thirty-six (36) feet. All private roadways shall have unobstructed access to a public street.
- D. Common walks may be required in locations where pedestrian traffic is concentrated; for example, to the entrance and to the office and other important facilities. Common walks should preferably be through interior areas removed from the vicinity of streets.
- E. All roadways and sidewalks within the mobile home park shall be paved and shall be adequately lighted at night. Sidewalks shall be four (4)-inch thick concrete, four (4) feet wide and streets shall be four (4)-inches of asphalt and four (4)-inches of base or an equivalent thereto.
- F. A community building may be provided which may include recreation facilities, laundry facilities, storm shelter, and other similar uses.
- G. No open storage of any unsightly material shall be permitted within the mobile home park and the space beneath the mobile home shall be considered open storage.
- H. Water Supply.
 - a. All mobile home parks shall be connected to a public water supply.
 - b. The individual water service connections shall be provided at each mobile home space and the size, location and installation of water lines shall be in accordance with the requirements of the City Plumbing Code.
 - c. All mobile homes shall be within 600 feet of a fire hydrant.
- I. Sewage Disposal. Individual sewer connections shall be provided for each mobile home space and shall be installed in accordance with the City Plumbing Code. All mobile home parks shall be connected to a public sewer system.
- J. The park shall be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools of water.
- K. Mobile home parks hereafter approved shall have a maximum density of seven (7) mobile homes per gross acre.
- L. Tie Downs and Ground Anchors. All mobile homes shall be secured to the ground by tie downs and ground anchors. Anchors shall be provided at least at each corner of the mobile home and each anchor, cable, or other connecting device shall be able to withstand a tension of at least 4,800 pounds.
- M. Utilities. Electric, telephone and cable television service lines shall be installed underground and shall be in accordance with City codes and utility company specifications.

- N. Refuse and Garbage Handling.
- a. Storage, collection and disposal of refuse in a Mobile Home Park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accidents, fire hazards, or air pollution.
 - b. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers. Containers shall be provided in sufficient number and capacity to properly store all refuse.
 - c. Refuse racks shall be provided for all refuse containers. Such racks shall be designed to prevent the containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.
 - d. Refuse and garbage shall be removed from the park on a regular basis. All refuse shall be collected and transported in covered vehicles or covered containers.
 - e. The park owner shall ensure that containers at all stands are emptied regularly and maintained in a usable sanitary condition.
- O. Fire Safety Standards. When liquefied petroleum gas is used in a mobile home park, containers for such gas shall be in conformance with State of Nebraska Fire Marshall requirements and shall be the liquefied petroleum gas containers approved by the United States Commerce Commission for its intended purpose, and shall be attached to the mobile home in a manner approved by the Liquefied Petroleum Gas Association. No mobile home park shall be located within the City limits unless City fire protection facilities are available and the applicant for the mobile home license, in his/her application, clearly manifests his/her intention to connect thereto before such mobile home park is occupied. Approved fire hydrants shall be located within six hundred (600) feet of each mobile home. Open fire shall not be permitted within the area of the mobile home park, except in equipment specifically designed for such purposes and approved by the Fire Chief, and in compliance with the existing regulations governing such fires.
- P. Stands and Skirts. Each manufactured home shall be placed upon a masonry or other approved blocking; and each home shall be equipped with skirts on all sides, such skirts to be material harmonious to the manufactured home structure and installed within thirty (30) days after placement of the manufactured home.
- Q. Parking. At least two (2) parking spaces for each mobile home shall be provided on each mobile home space. Such parking spaces shall be off the public street or private drive, and each space shall not be less than nine (9) feet by twenty (20) feet in size and shall be hard surfaced.

R. All State of Nebraska Health Department requirements for mobile homes and mobile home parks must be complied with.

S. Application Requirements.

- a. An applicant for "M-P" Mobile Home Park District shall prepare or cause to be prepared a preliminary Mobile Home Park Plan, drawn to a scale of not less than 1"=100', and twenty (20) copies of said Plan shall be submitted to the Planning Commission for its review and recommendations. Said Plan shall be designed in accordance with the Minimum Design Standards, and shall have contours shown at two-foot intervals.
- b. Upon approval of the preliminary Mobile Home Park Plan by the Planning Commission, the applicant shall prepare and submit a final plan which shall incorporate any changes or alterations requested. The final plan and the Planning Commission recommendation shall be forwarded to the Governing Body for their review and final action.
- c. Any substantial deviation from the approved plan shall constitute a violation of the plan. The owner of a mobile home park shall be responsible for such violations. Changes in plans shall be submitted for consideration and approval by the Planning Commission and Governing Body.

T. Duties of Owner, Manager, and Licensee Generally.

- a. The owner or manager of every mobile home park shall maintain in the near vicinity of such mobile home park, an office in which there shall be a copy of the mobile home park license and of this Chapter, and the mobile home park register.
- b. Maintain the mobile home park in a clean, orderly and sanitary condition at all times. This includes, but is not limited to, repairing or removing dilapidated fencing and replacing broken or boarded up windows.
- c. See that the provisions of this Chapter are complied with and enforced and report promptly to the proper authorities any violation of this Chapter or any other violations of the law which may come to his/her attention.
- d. Prohibit the use of any mobile home by a greater number of occupants than that for which it was designed as determined by the International Building Code.

- e. Display a map or plan of the mobile home park at all times in the office or entrances of the mobile home park, such map or plan to show accurately and clearly the current location of each mobile home lot and its number. Names or numbers of drives and abutting public streets shall be shown. Such map or plan shall be displayed and illuminated in such a fashion that it can be observed at all times of the day or night by persons seeking a particular person or family in the park.
 - f. Maintain all mobile homes owned by him/her or the park in a manner and condition that will comply with this Ordinance and all other applicable regulations for the City.
- U. Right of Entry. The officers of the City charged with enforcement of the laws of the City are hereby authorized to enter upon any premises on which any mobile home, trailer, or mobile is located or about to be located and inspect the same and all accommodations connected therewith at any reasonable time.
- V. Restriction of Animals. No dogs, cats or other domestic animals shall be permitted to run at large in the mobile home park. Such animals shall be kept in restricted enclosures on the individual mobile home space. The enclosures shall be maintained in a clean and sanitary condition at all times.
- W. License.
- a. Required. It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned or controlled by him/her, a mobile home park within the City, without first having secured a license therefor from the Council.
 - b. Application.
 - i. The application for a license required by the provisions of this division, or a renewal thereof, shall be made on printed forms furnished by the City Clerk, and shall include:
 1. The name and address of the owner.
 2. The location of the tract and such a legal description of the premises upon which the park is or will be located as will readily identify and definitely locate the premises.

- ii. If the fee to the property upon which the park is or will be located is vested in some person other than the applicant, a duly verified statement by the person in whom the fee is vested that the applicant is authorized by him/her to construct or maintain the mobile home park and make the application for license shall accompany the application.
- iii. The application shall be accompanied by four (4) copies of the specifications and mobile home park plan, in scale, one (1) copy of which shall be placed permanently on file in the office of the City Clerk, and shall show the following either existing or as proposed:
 1. The extent and area used for park purposes.
 2. Roadways and driveways.
 3. Location and number of sites or lots for mobile homes, of which there shall not be less than ten (10) such sites or lots.
 4. Location and number of any sanitary conveniences, including toilets or washrooms and equipment thereof, and utility rooms to be used by occupants of mobile homes.
 5. That there has been proper conformance with City building, zoning, plumbing and other ordinances.
 6. Method and plan of sewage disposal.
 7. Method and plan of garbage and trash removal.
 8. Plan for water supply to the lots.
 9. Plan for gas and electric supply to the lots.
 10. Screening plan when required.
- iv. The provisions of this section shall also apply to all renewal licenses.
- c. Fee. The annual license fee for a mobile home park shall be as set forth by the City of Cambridge.
- d. Compliance with Law. A license required by the provisions of this Article shall be issued only upon compliance with the provisions of this Chapter and any other applicable provisions of law.
- e. Technical Permits Required. Licenses issued under the terms of this Article shall convey no right to erect any building, to do any plumbing work or to do any electrical work, except upon a permit issued in conformity with building, electrical and plumbing codes of the City.
- f. Expiration. Every license issued under the provisions of this Article shall expire on the first (1st) day of June following the date of its issuance.

- g. Renewal. Licenses issued under the provisions of this Article shall be renewed from year to year; provided, however, application for such renewal shall be filed no later than the first (1st) day of March of each year.
- h. Revocation and Suspension. The Council is hereby authorized to revoke any license issued pursuant to the terms of this Article if, after due investigation, they determine that the holder thereof has violated any of the provisions of this Chapter or that any mobile home or mobile home park is being maintained in an unsanitary or unsafe manner or is a nuisance.

ARTICLE 5
“C-1” GENERAL COMMERCIAL DISTRICT

2-501 INTENT

The intent of this district is to provide a zone which will accommodate the broad range of retail shopping activities and service and office uses that are normally found in the core area of a City.

2-502 PERMITTED USES

In district “C-1” no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected constructed, reconstructed, and moved, or altered, except for one or more of the following uses:

1. Accessory uses.
2. Amusement places (indoors), including video games, arcades, game machines, pool halls, and other similar establishments.
3. Animal hospitals, clinics and kennels providing the establishment and runs are completely enclosed in a building.
4. Antique shops and stores, providing all merchandise is displayed and sold inside a building.
5. Apparel and accessory stores.
6. Apartments on floors other than the ground floor.
7. Art and Art supply stores.
8. Artist studio.
9. Auditoriums and similar places of public assembly.
10. Automobile accessory and supply store.
11. Automobile parking lots and garages.
12. Bait Shop.
13. Bakery and pastry shop (retail only).
14. Banks and other savings and lending institutions.
15. Barber shops, beauty shops, chiropody, massage or similar personal services.
16. Bicycle shops.
17. Books and stationary stores.
18. Bowling alleys.
19. Business and technical schools including schools for photography, dancing, and music.
20. Business machine repair, sales and services.
21. Cigar and tobacco stores.
22. Clothing and costume rental.
23. Commercial recreation centers.
24. Custom dressmaking, millinery, tailoring and similar trades.
25. Delicatessens and catering establishments.
26. Department stores.

27. Drug stores and prescription shops.
28. Dry goods and notion stores.
29. Dry cleaning and laundry establishments.
30. Fire stations, police stations and jails.
31. Fix-it shops (radio, television and small household appliances).
32. Florist and gift shop.
33. Furniture and home furnishing stores.
34. Government administrative buildings.
35. Grocery stores.
36. Hardware stores.
37. Hobby, stamp and coin shops.
38. Hotels and Motels.
39. Household appliance stores.
40. Interior decorators shops.
41. Jewelry and metal craft stores and shops.
42. Leather goods and luggage stores.
43. Library and museum (public).
44. Lock and key shops.
45. Mail order catalog stores.
46. Medical, dental and health clinics.
47. Medical and orthopedic appliance stores.
48. Meeting halls and auditoriums.
49. Messenger and telegraph service stations.
50. Music instrument sales and repair shop.
51. Newspaper offices.
52. Newsprint, job printing and printing supply stores.
53. Newsstand.
54. Offices and office buildings.
55. Office supply and office equipment stores.
56. Optician and optometrists.
57. Package liquor stores.
58. Paint and wallpaper stores.
59. Parking lots and garages.
60. Parks and open spaces.
61. Pawn shops.
62. Pet shops.
63. Photographic equipment sales and supply stores.
64. Photographic studios.
65. Picture framing studios.
66. Plumbing, heating, ventilation, air conditioning and electrical shops including related fabrication.
67. Post office.
68. Printers.
69. Private clubs and lodges.
70. Radio and television studios.
71. Restaurants, excluding drive-ins.

72. Service stations.
73. Self-services laundries and dry cleaning establishments.
74. Sewing machine shops and stores.
75. Solar energy systems.
76. Shoe stores.
77. Shoe repair shops.
78. Sporting and athletic goods stores.
79. Stores and shops for the conduct of retail and service business similar to the uses listed in this section.
80. Tailor shops.
81. Taverns.
82. Theaters.
83. Toy stores.
84. Travel bureaus.
85. Upholstery – furniture.
86. Utility company office.
87. Variety stores.
88. Watch repair shops.

(Ord. No. 775, 8-17-2020)

2-503 CONDITIONAL USES

The following conditional uses may be permitted Subject to approved procedures outlined in these Regulations.

- A. Motor vehicle repair service, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the building officials to be a safety hazard or Visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six feet and a visual density of no less than ninety percent (90%).

Motor vehicle body shop, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the Building Official to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six feet and a visual density of no less than ninety percent (90%).

- B. Storage and warehouse except for products of a highly explosive combustible or volatile nature.
- C. Communication Towers.

- D. Restricted (Adult Entertainment) Businesses
- E. Wholesale establishments, except those which handle products of a highly explosive, combustible or volatile nature.
- F. Manufacturing or fabrication establishments, which are not noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor, or some
- G. Welding and blacksmith shop.
- H. Feed and Seed Stores.
- I. Trailer Sales and Display.
- J. Storage Containers, provided that they are used only during construction and prior to the issuance of a Certificate of Occupation.

(Ord. No. 772, 6-16-2020; Ord. No. 760, 3-18-2019; Ord. No. 775, 8-17-2020)

2-504 SITE DEVELOPMENT REGULATIONS

Regulator	Permitted Uses
Minimum Lot Area (sq. feet)	None
Minimum Lot Width (feet)	None
Minimum Yards (feet)	
Front Yard	None
Side Yard	None
Side Yard Adjacent to Residential District	10
Street Side Yard	None
Side Yard Adjacent to Residential District	10
Rear Yard	None
Side Yard Adjacent to Residential District	20
Maximum Height (feet)	None

2-505 USE LIMITATIONS.

- A. The following are not permitted in the “C-1” zoning district:
 - 1. Meteorological Towers.
 - 2. Non-Commercial Wind Energy Systems.

3. Commercial Wind Energy Systems.

- B. The main floor or first level of all buildings within the “C-1” zoning district shall be used for commercial/office purposes. Floors above or below the main floor may be used for other purposes such as residential or storage.
- C. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
- D. No business establishment shall offer or sell food or beverages where consumption is primarily intended to occur in parked motor vehicles.
- E. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential district and so that no glare is visible to any traffic on any public street.
- F. All buildings and developments shall include a direct, clear, and safe pedestrian connection from adjacent public sidewalks to the entrances of buildings within the development.
- G. A bufferyard consisting of a solid or semi-solid fence, hedge or wall at least six feet, but not more than eight (8) feet high, and having a density of not less than seventy percent (70%) per square foot, shall be provided adjacent to an adjoining residential district unless the adjacent residential district and the commercial development are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner or owners of the property.

ARTICLE 6
“C-2” HIGHWAY COMMERCIAL DISTRICT

2-601 **INTENT**

The intent of this district is to provide commercial locations for uses which serve as a convenience to the traveler or require a location on a highway or arterial in order to have an efficient operation. It is further intended that the uses be of a single purpose character and not be of a nature in which people walk from store-to-store as in a nucleated center. Screening and off-street parking are required in order to reduce possible adverse effects on surrounding residential areas.

2-602 **PERMITTED USES**

In District "C-2" no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

1. Accessory uses.
2. Agricultural implement/irrigation sales and service.
3. Animal hospitals or clinics when all facilities are within an enclosed building.
4. Automobile and truck sales and service.
5. Automotive parts and accessory stores.
6. Boat sales, service and rental.
7. Bowling alleys.
8. Butcher, custom kill.
9. Car washes.
10. Child care center.
11. Churches and places of worship.
12. Construction equipment rental and sales.
13. Cultural/Convention centers.
14. Dry-cleaning and laundry establishments.
15. Fire stations.
16. Grocery stores.
17. Hotels and motels including accessory service uses, such as news• stands, messenger and telegraph stations, swimming pools (for motel guests only), and flower and gift shops.
18. Indoor skating rinks.
19. Lumber and building materials sales yards.
20. Medical Office.
21. Mini-warehouse.
22. Mobile home and trailer sales and rental, but not including the use of a mobile home as a residence.
23. Mortuaries.
24. Motorcycle sales, service and rentals.

25. Museums.
26. Nursery and garden stores.
27. Offices, professional and medical.
28. Package liquor stores.
29. Private clubs and lodges.
30. Retail.
31. Restaurants including drive-ins.
32. Self-service laundries and dry-cleaning establishments.
33. Service stations, auto-body shops, or filling stations.
34. Solar energy systems.
35. Sporting goods stores.
36. Taverns.
37. Accessory buildings and uses incidental to the uses listed above.

(Ord. No. 775, 8-17-2020)

2-603 CONDITIONAL USES

The following conditional uses may be permitted subject to approval procedures outlined these regulations.

1. Telephone exchanges, electric substations or other similar public utilities. Outdoor amusement establishments such as amusement parks, permanent carnival and kiddie parks, miniature golf and pitch and putt courses, driving ranges and other similar establishments.
2. Electric and telephone substations, regulator stations and other similar utility uses on or above the surface of the ground.
3. Commercial recreation center.
4. Recreational vehicle parks subject to the following conditions:
 - a. A recreational vehicle park shall be constructed to accommodate at least ten (10) vehicles.
 - b. Each recreational vehicle site shall be at least 900 square feet in area and the average park density shall not exceed 30 recreational vehicles per gross acre.
 - c. Provisions are made to assure surface drainage so as to prevent accumulation of stagnant water.
 - d. All internal roads shall be at least twenty (20) feet in width and shall be paved with asphalt, concrete, asphaltic concrete or other approved all-weather surfacing. Dead-end streets longer than 100 feet shall provide a turnaround area at their terminus with a radius of no less than 60 feet.
 - e. The grade of individual recreational vehicle stands shall not exceed 3 inches per 10 feet across the width of the stand.
 - f. All utilities, water and sewer connections and facilities shall be approved by the Zoning Administrator.
 - g. No vehicle may remain at a recreational vehicle park for more than thirty (30) consecutive days.

5. Contractor and electrical supply office and equipment storage yard, providing the storage yard is completely enclosed with a six-foot solid fence, wall or hedge when adjacent to a residential district.
6. Restricted (Adult Entertainment) Businesses.
7. Communication Towers.
8. Meteorological Towers.
9. Non-Commercial Wind Energy Systems.
10. Feed and Seed Stores.
11. Storage Containers, provided that they are only used during construction and prior to the issuance of a Certificate of Occupation.

(Ord. No. 762, 6-3-2019; Ord. No. 775, 8-17-2020)

2-604 SITE DEVELOPMENT REGULATIONS

Regulator	Permitted Uses
Minimum Lot Area (sq. feet)	10,000
Minimum Lot Width (feet)	100
Minimum Yards (feet)	
Front Yard	25
Side Yard	10
Side Yard Adjacent to Residential District	25
Street Side Yard	25
Rear Yard	20
Maximum Height (feet)	45
Maximum Building Coverage	60%
Maximum Impervious Coverage	80%

2-605 USE LIMITATIONS.

- A. Commercial Wind Energy Systems are not permitted in the “C-2” zoning district.
- B. Gasoline pumps, air and water services and other fixtures used in connection with automobile service stations may be located within the front yard but not less than 12 feet from the front lot-line and in any event, not less than 40 feet from the centerline of any street or road on which the service station abuts.
- C. No structure shall be used for residential purposes except by the owner or operator of the business located on the premises and except that accommodations may be offered to transient public by motels and hotels.
- D. All buildings and developments shall include a direct, clear, and safe pedestrian connection from adjacent public sidewalks to the entrances

of buildings within the development.

- E. No outdoor storage shall be permitted except for the display of merchandise for sale to the public.
- F. All business establishments shall be retail or service establishments dealing directly with consumers.
- G. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light on any property located in a residential district.
- H. No meat packing plants shall be permitted.
- I. A bufferyard consisting of a solid or semisolid fence, hedge or wall at least six (6) feet, but not more than eight (8) feet high and having a density of not less than seventy percent (70%) per square foot shall be provided adjacent to any adjoining residential district unless the adjacent residential district and the commercial development are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner and owners of the property.

ARTICLE 7
"I-1" INDUSTRIAL DISTRICT

2-701 **INTENT**

The intent of this district is to provide locations for all types of industrial uses. Some of these uses have characteristics that may create incompatibilities with adjacent uses and, therefore, will require a conditional use approval. Certain extremely obnoxious or hazardous uses will require special permission to locate in this district.

2-702 **PERMITTED USES**

In District "I-1" no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for one or more of the following uses:

- A. Accessory uses.
- B. Animal hospital or clinics.
- C. Bottling works.
- D. Building materials, storage and sales.
- E. Carpenter, cabinet, plumbing and sheeting metal shop.
- F. Contractor's office and equipment storage yard, providing the storage yard is completely enclosed with a six-foot solid fence, wall or hedge.
- G. Dog kennels.
- H. Communication Towers.
- I. Meteorological Towers.
- J. Dry cleaning and laundry plants.
- K. Feed and Seed Stores.
- L. Frozen food lockers.
- M. Greenhouse and nurseries retail and wholesale.
- N. Light manufacturing or fabrication establishments, which are not noxious or offensive by reason vibration, noise, dust, fumes, gas, odor or smoke.
- O. Machinery sales, service and storage.
- P. Mini-warehouses.
- Q. Monument sales.
- R. Motor vehicle repair/body shop, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the Zoning Administrator to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six (6) feet and visual density of no less than ninety percent (90%).
- S. Municipal storage yards.
- T. Public utility and public service uses as follows:
 - 1. Substations

- 2. Railroads
- 3. Telephone exchange, microwave towers, radio towers, television towers, telephone transmission buildings, electric power plants
- U. Service stations.
- V. Sign painting and manufacturing.
- W. Truck and rail terminals.
- X. Upholstering shops.
- Y. Warehousing or storage except for products of a highly explosive combustible or volatile nature.
- Z. Welding and blacksmith shop.
- AA. Wholesale establishments except those which handle products of highly explosive, combustible or volatile nature.
- AA. Contractor's office and equipment storage yard.
- BB. Grain elevators.
- CC. Livestock auction sales.
- DD. Manufacturing or fabrication establishments, which are not noxious or offensive by reason of vibration, noise, dust, fumes, gas, odor or smoke.
- EE. Radiator repair shop.
- FF. Storage container
- GG. Solar energy systems

(Ord. No. 775, 8-17-2020)

2-703 CONDITIONAL USES

The following conditional uses may be permitted subject to approval procedures outlined in of these regulations.

- A. Auto wrecking yards, junk yards, salvage yards and scrap processing yards subject, however, to the following:
- B. Manufacturing or storage of bulk oil, gas and explosives.
- C. Other uses which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas noise or vibration.
- D. Ready-mixed concrete and asphalt mix plants.
- E. Solid waste, disposal and processing sites which include landfills, incinerators, transfer stations and other similar functions.
- F. Stockyard and slaughter houses.
- G. Storage and warehousing of products of a highly explosive, combustible or volatile nature.
- H. Wholesale and retail establishments which handle products of a highly explosive, combustible or volatile nature.

I. Non-commercial wind energy systems.

2-704 INTENSITY OF USE REGULATIONS

BB. Minimum lot area: 10,000 square feet

CC. Minimum lot width : 100 feet

2-705 HEIGHT REGULATIONS

A. Maximum height of structure: 45 feet within 150 feet of a residential district; 75 feet when more than 150 feet from a residential district, except grain elevators shall have no height limitation.

2-706 MINIMUM YARD REGULATIONS

DD. Front Yard: 50 feet

EE. Side Yard: 0 feet

FF. Street Side Yard: 50 feet

GG. Rear Yard: 0 feet

HH. Maximum Building Coverage: 70%

II. Maximum Impervious Coverage: 90%

2-707 USE LIMITATIONS

JJ. All operations and activities shall be conducted within a building or buildings, however, storage any be maintained outside said storage area is properly screened from adjacent streets and residential areas.

KK. A bufferyard consisting of a solid or semi – solid fence or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than seventy percent (70%) per square foot, shall be provided adjacent to an adjoining residential district and the industrial district are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner or owners of the property.

LL. No outdoor storage shall be permitted except for the display of merchandise for sale to the public.

MM. No building shall be used for residential purposes except that a watchman may reside on the premises.

CHAPTER 3

ARTICLE 1

SUPPLEMENTARY DISTRICT REGULATIONS

3-101 **HEIGHT USE REGULATIONS**

Chimneys, cooling towers, elevator head-houses, fire towers, grain elevators, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers, and spires, church steeples, radio and television towers, antennas or necessary mechanical appurtenances, usually required to be placed above the roof level and not intended for human occupancy, are not subject to the height limitations contained in the District regulations. In all districts, two (2) additional feet of height above the specified height limitation shall be permitted for each one foot of additional front yard provided over the minimum requirements.

3-102 **YARD REGULATIONS.**

- A. Front Yards. The front yards in residential districts only heretofore established shall be adjusted in the following cases:
1. Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of adjacent buildings on the two sides, or
 2. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.
- B. Accessory buildings.
1. No accessory buildings or uses shall be erected or installed in any required front yard, and no detached accessory building shall be erected closer than five (5) feet to any other building.
 2. No accessory buildings or uses shall be erected or installed not closer than the permitted side yard and street side yard setback.
 3. Accessory buildings may be located in the rear yard and side yard, but shall not be closer than five (5) feet to the rear or side lot-line except that if the building has a vehicular alley entrance, the setback of the structure shall not be less than ten (10) feet from the alley line.

4. No accessory structure shall be constructed upon a lot until the construction of the main building has been started or be used for dwelling purposes.
5. The sum of all detached accessory buildings or uses shall not exceed one thousand two hundred fifty (1,250) square feet as a permitted use or two thousand five hundred (2,500) square feet as a conditional use in gross floor area and the sidewalls of said buildings shall not exceed sixteen (16) feet in height. No more than three (3) detached accessory buildings or uses shall be permitted. The detached accessory garage or carport must meet all set back requirements for its zoning district.
6. Detached accessory buildings shall be permanently anchored to a foundation.
7. Any accessory building shall have a minimum vertical rise of two and one-half (2 ½) inches in each twelve (12) inches of horizontal run and a building design that is harmonious with the character of the neighborhood. No Quonset type buildings will be permitted. No portion of any accessory building shall be covered with unpainted galvanized metal or corrugated sheets or panels. The use of galvanized tin or "strong barn" exterior walls of accessory buildings shall not be permitted.

(Ord. No. 775, 8-17-2020)

3-103 NUMBER OF STRUCTURES AND USES ON ZONING LOTS.

Where a lot or tract is used for other than a residential dwelling, more than one principal uses and structure may be located upon the lot or tract, but only when the building or buildings conform to all requirements for the district in which the lot or tract is located.

3-104 SIGHT TRIANGLE

On a corner lot in all districts, except the "C-1" General Commercial District, development shall conform to the requirements of the sight triangle as defined by this regulation.

3-105 ACCESS TO COMMERCIAL AND INDUSTRIAL DISTRICT

No land which is located in a residential district shall be used for a driveway, walkway or access to any land which is located in any Commercial or Industrial district.

3-106 HOME OCCUPATIONS

Home-based businesses and home occupations are permitted as an accessory use in residential units subject to the following regulations:

- A. Restrictions and Limitations.
 - 1. No outdoor storage of materials or equipment used in the home occupations shall be permitted.
 - 2. No alteration of the exterior of the principal residential building or accessory building shall be made which changes the character thereof as a residence. The home occupation shall be carried on entirely within the principal or accessory structures.
 - 3. No sign shall exceed sixteen (16) square feet in area and shall not be illuminated.
 - a. Signs will be used for home occupations that occupy the main floor.
 - b. Signs will be located a maximum of one foot from the house when detached and parallel to the house or if attached shall be attached parallel to the house.
 - c. No sign shall be maintained at any locations where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic or railroad control sign, signal or device, or where it may interfere with, mislead, or confuse traffic.
 - d. Approval by State of Nebraska, Department of Roads, on State Application forms must be submitted with application, if necessary for signs located on property adjacent to the highway.
 - e. The sign shall not interfere with the sight triangle for traffic or interfere with traffic view and safety.
 - f. Sign must be attractive and maintained by owner.
 - g. Design, location and size shall be approved by the Planning Commission.
 - h. If home occupation no longer exists the sign shall be removed.

4. No equipment shall be utilized that creates a nuisance due to noise or electrical interference.

B. Particular Home Occupations Permitted. Customary home occupations include, but are not limited to, the following list of occupations; provided, however, that each listed occupation is subject to the requirements of this Ordinance.

1. Art, dancing, and music schools, provided that instruction is limited to five (5) pupils at one time.
2. Professional offices for architects, engineers, planners, lawyers, accountants, bookkeepers, and similar professions.
3. Offices for realtors, insurance agents, brokers, sales representatives, and manufacturing representatives when no exchange of tangible goods is made on the premises.
4. Radio, television, phonograph, recorder, and small appliance repair service.
5. Day care homes.
6. Home crafts and hobbies such as model making, rug weaving, lapidary work, cabinet making, etc.
7. Electronics Repair.
8. Internet service, website design, website maintenance, and other related tasks.
9. Massage Therapy Parlor (appointment only).
10. Fitness/Personal Trainer (one on one).
11. Tailoring, alterations, and seamstresses.
12. Saw-filing.
13. Home party products.

- C. Particular Home Occupations prohibited. Home occupations shall not in any event, include the following:
1. Groceries – retail
 2. Equipment rental
 3. Automobile, truck and vehicle repair services.
 4. Machine shops
 5. Restaurants
 6. Any use which by its flow of vehicular traffic creates an unsafe, hazardous or congested traffic condition.
 7. Any permitted or conditional use listed in “I-1” Industrial District.

3-107 TEMPORARY USES PERMITTED

- A. Street Sales. The retail sale of merchandise not within an enclosed structure for a period not to exceed three (3) days. Street sales displays need not comply with the yard and setback requirements of these regulations, provided that no merchandise shall be displayed in the sight triangle.
- B. Christmas Tree Sales. Christmas tree sales in any business or industrial district for a period not to exceed sixty (60) days. Display of Christmas Trees need not comply with the yard and setback requirements of these regulations, provided that no trees shall be displayed within the sight triangle.
- C. Contractor’s Office. Contractor’s offices (containing no sleeping or cooking accommodations) accessory to a construction project and to continue only during the duration of such project.
- D. Real Estate Offices. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing development to continue only until the sale of lease of all dwelling units in the development.

- E. Seasonal Sales. Seasonal sale of farm produce grown on the premises in an “A-1” District. Structures incidental to such sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used. All permanent structures must comply with the front yard requirements.

- F. Carnivals and Circuses. A carnival or Circus, but only in “A-1” or “I-1” Districts, and then only for a period that does not exceed three (3) weeks. Carnivals and circuses must be approved by the City Council. Such use need not comply with the front yard requirements, provided that structures or equipment which might block the view of operators of motor vehicles on the public streets shall conform to the requirements of the sight triangle as defined by these regulations.

- G. Garage or Porch Sales. The sale of used or second-hand merchandise shall be permitted in any district providing that such use shall not exceed three (3) consecutive days in duration nor shall it occur more than twice each year at any particular location. A 2’ by 3’ sign shall be permitted during the duration of the sale.

3-108 OPEN STORAGE

The storage of salvage or scrap materials, inoperable motor vehicles, house hold goods or furniture, or business equipment or materials for more than forty-eight (48) consecutive hours shall not be allowed in any residential district unless such items are stored in a completely enclosed building.

3-109 DETERMINATION OF BUILDING SETBACK LINE

The building setback line shall be determined by measuring the horizontal distance between the property line and the existing or proposed main structure nearest the property line.

3-110 FENCES, HEDGES, AND WALLS

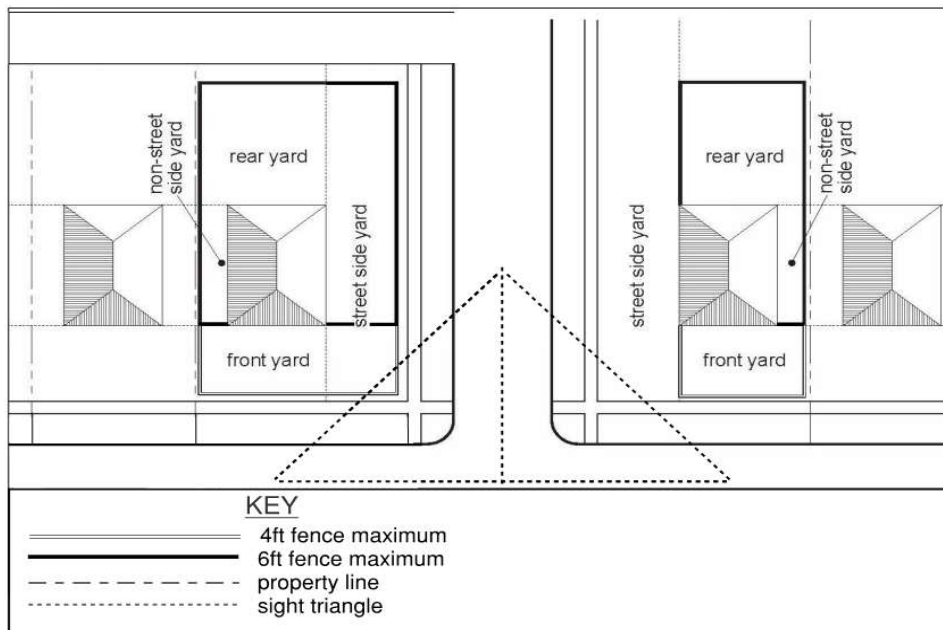
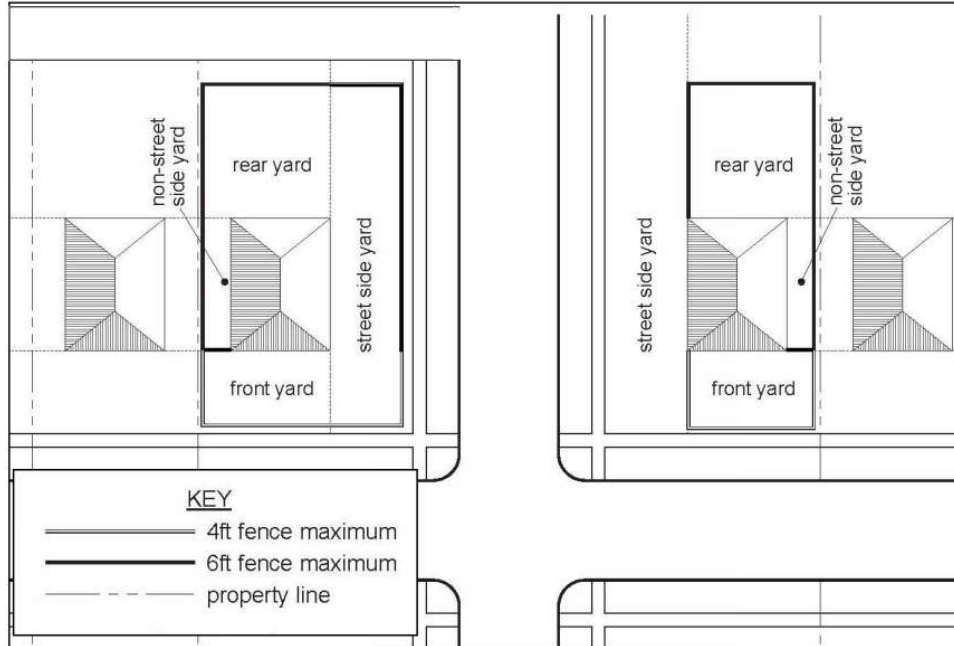
Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences within the corporate limits of Cambridge:

- A. No fence shall be constructed which will constitute a traffic hazard.

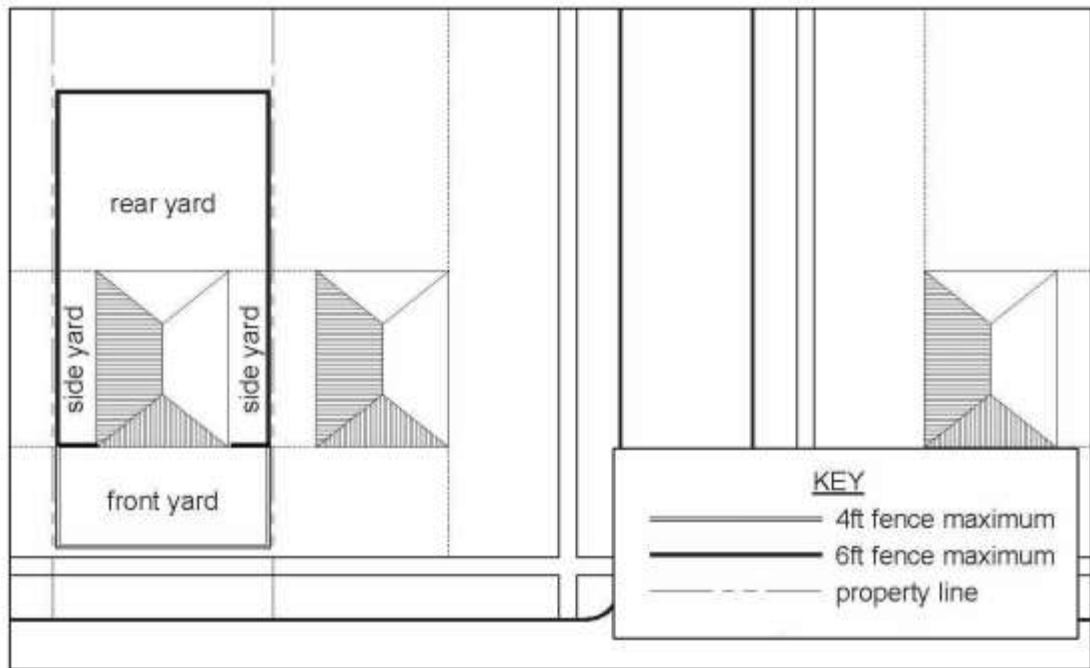
- B. It is recommended to have your property surveyed by a licensed surveyor to positively identify and mark your property lines to avoid dispute. Property owners are responsible to locate property pins prior to any permit being issued. The City of Cambridge does not mediate disagreements between owners of private property.
- C. Permit Holder is responsible for calling Diggers Hotline of Nebraska prior to start of construction. The Permit Holder is responsible for scheduling all required inspections.
- D. All fences must remain on the property and not extend beyond your property lines.
- E. Installation of a fence may not obstruct any manhole or inlet cover nor disturb or impede existing drainage pattern/swale or natural waterflow.
- F. The finished side of the fence must face to the outside of the property. Visible supports and other structural components shall face in toward the owner's property.
- G. A fence height shall be measured from the top of the fence to the lowest grade at the base of the fence.
- H. Every fence shall be maintained in a condition of reasonable repair and not be allowed to become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation. The City may order any dilapidated, dangerous, or non-conforming fence removed at the owner's expense.
- I. Any fence, hedge or wall shall provide access to utility workers for meter reading and maintenance of the utility.
- J. Electric and barbed wire fences are prohibited.
- K. No fencing shall conflict with the requirements of the clear vision area for streets and driveways. Fencing within a vision clearance shall not create a visual obstruction.
- L. Fences in a front yard shall contain openings constituting a minimum of fifty percent (50%) of the surface area and shall be situated or constructed in such a way as not to obstruct the vehicular traffic or otherwise create a traffic hazard.

- M. Fences shall not be closer than six inches (6") to any property line. Perennial plantings shall not be planted closer than two and one-half feet (2-1/2') to any property line. All setbacks for fences, hedges, and walls must be adhered to as per the zoning district's regulations, if there are different regulations outlined in said zoning district.
- N. No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals.
- O. No person shall erect or maintain any fence which will materially damage the adjacent property by obstructing the view, shutting out the sunlight or hindering ventilation or which fence shall adversely affect the public health, safety and welfare.
- P. Fences shall be constructed of commonly accepted, material for residential fences such as wood, plastic, vinyl, PVC/resin, concrete, stone, masonry, wrought iron, or chain link; shall be structurally sound; shall have a neat, professional and finished appearance.
- Q. The Planning Commission may approve other materials.
- R. Fences shall not be constructed of material not commonly used for residential fences such as non-treated or natural wood products, metal, fiberglass, barbed wire, wooden pallets, chicken wire, or corrugated metals.
- S. The maximum height for fences, hedges, and walls in any district other than the "A-1" Agricultural District shall be as follows:
 - a. Corner Lots:
 - i. Front Yard - Forty-eight inches (48") or four feet (4') in height.
 - ii. Street Side Yard – Forty-eight inches on fencing that faces front yard (48"), or four feet (4') in height, then seventy-two inches on fencing that runs to side yard or rear yard (72" Should an alley be present to the rear of the property, all fencing shall conform to the requirements of the sight triangle as defined by the Sight Triangle regulation.
 - iii. Non-Street Side Yard – Seventy-two inches (72") or six feet (6') in height from the rear property line to the front corner perpendicular to the building, then forty-eight inches (48") or four feet (4') in height.

- iv. Rear Yard – Seventy-two inches (72”) or six feet (6’) in height from corner of house to non-street side yard or perpendicularly into house and forty-eight inches (48”) or four feet (4’) in height on street side yard.



- b. Other Lots:
 - i. Front Yard – Forty-eight inches (48”) or four feet (4’) in height.
 - ii. Side Yard – Seventy-two inches (72”) or six feet (6’) in height from rear property line to the front corner of the house, then forty-eight inches (48”) or four feet (4’) in height.
 - iii. Rear Yard – Seventy-two inches (72”) or six feet (6’) in height.



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

(Ord. No. 775, 8-17-2020)

3-111 RECREATIONAL VEHICLES

Major recreational equipment such as boats, boat trailers, travel trailers, pickup campers, or coaches, motor homes, camping buses or converted trucks, tent trailers and other similar vehicles shall not be stored in a residential district except within an enclosed building, behind the front setback line, or in the side yard.

- A. On a corner lot such equipment shall be kept back of the front setback lines on both street sides.

- B. No such recreational equipment shall be utilized for living, sleeping or housekeeping purposes when parked on a residential lot or in any location not approved for such use.
- C. In those cases where compliance with the above regulation is impossible due to lack of access to a side or rear yard, the City Council may, after public hearing, issue a Conditional Use Permit to allow certain specified deviations.

3-112 RADIO AND TELEVISION TOWERS

Radio, Television, and other communication towers shall follow all regulations outlined in this Ordinance.

3-113 MANUFACTURED HOMES

All mobile/manufactured homes located outside of the “M-P” Mobile Home Park District shall meet the following standards:

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

Manufactured homes that do not meet the above requirements can be located within the “M-P” Mobile Home Park District.

3-114 ARCHITECTURAL PROJECTIONS

The following architectural projections shall not be allowed to extend into the right-of-way in any zoning district, without a Conditional Use Permit:

- A. Enclosed and unenclosed porches
- B. Roofs which cover enclosed or unenclosed porches
- C. Balconies
- D. Awnings, canopies, or marquees
- E. Ornamental features, up to and including window sills, belt courses, cornices, eaves, flues and chimneys

Allowable architectural projections into the right-of-way in the C-1 zoning district:

- A. Awnings, canopies, or marquees
- B. Ornamental features, up to and including window sills, belt courses, cornices, eaves, flues and chimneys

(Ord. No. 775, 8-17-2020)

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CHAPTER 4

ARTICLE 1

OFF STREET PARKING REGULATIONS

4 - 101 APPLICABILITY

Off -street parking and loading space, as required in this article, shall be provided for all new buildings and structures. Existing parking area previously required shall not be used to satisfy required off street parking for any new structures or additions to existing buildings, structures or use of land. Such existing parking space shall be maintained and shall not be reduced so long as the main building, structure or use remains, unless an equivalent number of such spaces are provided elsewhere as provided in this article. Except that no off street parking or loading space shall be required for any use in the “C-1” General Commercial District.

4-102 GENERAL PROVISIONS

- A. Utilization. Required accessory off-street parking facilities provided for the uses hereinafter listed shall be solely for the parking of motor vehicles in operating condition of patrons, occupants, or employees of such use.
- B. Residential Districts. Spaces shall be provided in other than the front yard in all residential districts except that in the event an attached garage is converted to a livable room of the dwelling, the parking space may occupy the existing concrete or asphalt drives when located within the required front yard.
- C. Accessory Use. Off-street parking shall be considered as an accessory use to the use for which the parking is provided.
- D. Repair Service. In the Residential Districts of “R-1”, “R-2”, and “M-P” motor vehicle repair work or service of any kind shall not be permitted in association with any unenclosed off-street parking facility.
- E. Computation. When determination of the number of off- street parking spaces required by this regulation results in a requirement of a fractional space, the fraction of one-half ($\frac{1}{2}$) or less may be disregarded, and a fraction in excess of one-half ($\frac{1}{2}$) shall be counted as one parking space.

- F. Mixed Uses. When a building or development contains mixed uses, the off-street parking requirements shall be calculated for each individual use and the total parking requirement shall be the sum of individual parking requirements.

4-103 LAYOUT AND DESIGN REQUIREMENTS

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

4-104 PLANS AND APPROVAL REQUIRED

Plans showing the layout of all required off-street parking and loading areas shall be submitted to and approved by the Zoning Administrator prior to issuance of a building permit. Before approving any parking layout, the Zoning Administrator shall satisfy him/herself that the spaces provided are usable and meet standard design criteria contained herein. All required off-street parking spaces shall be clearly marked.

4- 105 REQUIRED SPACES

Off-street parking spaces shall be provided as follows:

A. Dwelling and Lodging Uses.

1. Boarding or rooming houses: One parking space per each three sleeping rooms.
2. Dormitories, fraternities, sororities: Two parking spaces for each three occupants based on the maximum design capacity of the buildings.
3. Hotels and motels: One space per each rental unit plus one space per each two employees in the largest working shift and such spaces as are required for restaurants, assembly rooms, and other affiliated facilities provided.
4. Mobile homes: Two parking spaces per each mobile home.
5. Nursing homes, rest homes etc.: One parking space per each five beds based on the designed maximum capacity of the buildings, plus one parking space for each employee working during the largest shift in a twenty-four (24) hour period.
6. Single-family and modular dwellings: Two spaces per dwelling unit.
7. Two- family and multi-family dwellings: Two spaces per dwelling unit.
8. Dwelling units designed specifically for the elderly, one space per two dwelling units.

B. Business, Commercial, and Industrial Uses.

1. Automobile, truck, recreational vehicle and mobile home sales and rental lots: One parking space for each 3,000 square feet of open sales lot area devoted to the sale, display and rental of said vehicles, plus one parking space for each employee.
2. Automobile salvage yards: One parking space for each employee, plus one parking space for each 10,000 square feet of storage area.
3. Financial, business, and professional offices; one parking space for each 300 square feet of gross floor area.

4. Bowling alleys: Three parking spaces for each lane.
5. Carriage, express, and parcel delivery and freight terminal establishments: One parking space for each two employees in the largest working shift in a 24-hour period, plus one parking space for each vehicle maintained on the premises.
6. Automobile wash: Three holding spaces for each car washing stall plus two drying spaces for each car washing stall.
7. Funeral homes and mortuaries: One parking space for each four seats based upon the designed maximum capacity of the parlor, plus one additional parking space for each employee and each vehicle maintained on the premises.
8. Furniture and appliance stores, household equipment or furniture repair shop: One parking space for each 400 square feet of floor area.
9. Manufacturing, production, processing, assembly, disassembly, cleaning, servicing, testing, or repairing of goods, materials or products: One per three employees based upon the largest working shift in any 24-hour period.
10. Medical and dental clinics or offices: One parking space for each 100 square feet of gross floor area.
11. Restaurants, private clubs and taverns: One parking space for 2.5 seats based on the maximum designed seating capacity; provided, however, that drive-in restaurants shall have minimum of at least ten parking spaces.
12. Retail stores and shops: One space per 200 square feet of floor area.
13. Service Station: One parking space for each employee plus two spaces for each service bay.
14. Theaters, auditoriums, and places of assembly, with or without fixed seats: One parking space for each four people, based upon the designed maximum capacity of the buildings.
15. Warehouse, storage and wholesale establishments: One parking space for each four people, based upon the designed maximum capacity of the building.

16. All other business and commercial establishments not specified above: One parking space for each 300 square feet of floor area.

C. Other uses.

1. Churches: One parking space for each five seats based on upon the maximum designed seating capacity, including choir lofts.
2. Elementary, junior high and equivalent parochial and private schools: Two for each classroom.
3. High schools, colleges, universities and other similar public or private institutions of higher learning: Eight parking spaces for each classroom, plus one space for each two employees.
4. Hospitals: One parking space for each two beds, plus one parking space for each resident or staff doctor plus one space for each two employees based on the largest working shift in any 24-hour period.
5. Laundromats: One space for each two washing machines.
6. Nursery schools and day care centers, public or private: One parking space for each employee.
7. Fraternal associations and union headquarters: One parking space for each three seats based upon the design maximum seating capacity.
8. Swimming pool and clubs: One parking space for each 38 square feet of water area.
9. Trade and commercial schools: One parking space for each three students and employees.

- D. Parking for people with disabilities. Each off-street parking facility shall provide the number of parking spaces shown in the table below and shall be designed and designated for use by people with disabilities. Every eighth (8th) accessible parking space shall be van-accessible. Design criteria and dimensions shall be in compliance with the standards of the Americans with Disabilities Act (ADA). Parking facilities for single-family, duplex, two-family, and mobile home residential uses are exempt from this requirement.

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

4-106 OFF-STREET LOADING REQUIREMENTS

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

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

CHAPTER 5

ARTICLE 1 SIGN REGULATIONS

5-101 APPLICABILITY

Any sign shall, by definition, be a structure. No land or building or structure shall be used for sign purposes except within the stipulated districts listed in the Sign Uses Regulations specified herein. All signs legally existing at the time of passage of these regulations may remain in use under the conditions of legal non-conformance. Signs in legal non-conformance shall not be enlarged, moved, lighted, or reconstructed; however, the change of the advertising display shall be erected, enlarged, constructed in such a manner and of such materials that they shall be safe and substantial. Scale drawings of the sign and manner of supports shall be furnished to the Zoning Administrator in application for a sign permit for all signs.

5-102 CLASSIFICATION OF SIGNS

- A. Advertising sign. A sign which directs the attention of the public to any goods, merchandise, property, business, service, entertainment or amusement conducted or produced which is bought or sold, furnished, offered or dealt in elsewhere than on the premises where such sign is located or to which it is affixed.

- B. Bulletin Board Sign. A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected with it, and announcement of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar messages.

- C. Business Sign. A sign which directs attention to a business or profession conducted, or to products, services or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

- D. Construction Sign. A temporary sign indicating the names of the architects, engineers, landscape architects, contractors and similar artisans involved in the design and construction of a structure, complex or project. This sign is permitted only during the construction period and only on the premises on which the construction is taking place.

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

5-103 STRUCTURAL TYPES

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

5-104 GENERAL STANDARDS

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

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

- B. Sign Height. Sign height shall be measured from the ground elevation at the base of the sign to the highest element of the sign.
- C. Illuminated Signs. A sign designed to give forth artificial light or designed to reflect light derived from any source.
1. Illuminated signs shall be designed as to reflect or direct light away from any residential dwelling district.
 2. Lighted signs in direct vision of a traffic signal shall not be in red, amber or green illumination.
- D. Flashing or Moving Signs. Any illuminated sign on which the artificial light is not constant in intensity or color at all times shall be considered as a flashing sign. For the purpose of this regulation, any revolving, rotating, moving, animated, signs with lights or signs which create the illusion of movement shall be considered as a flashing sign.
- E. Access way or Window. No sign shall block any required access way or window.
- F. Signs on Trees or Utility Poles. No sign shall be attached to a tree or utility pole whether on public or private property.

G. Metal Signs. Sign constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of nine (9) feet. Accessory lighting fixtures attached to a non-metal frame sign shall also maintain a clearance of nine (9) feet to grade. No metal ground sign shall be located within eight (8) feet vertically and four (4) feet horizontally of electric wires or conductors in free air carrying more than 48 volts, whether or not such wires or conductors are insulated or otherwise protected.

H. Traffic Safety.

1. No sign shall be maintained at any location where by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic or railroad control sign, signal or device, or where it may interfere with, mislead, or confuse traffic.
2. Any sign located within three (3) feet of a driveway or within a parking area shall have its lowest elevation at least ten (10) feet above the curb level; however, in no event shall any sign except wall signs be placed so as to project over any public right-of-way.
3. Under no circumstances shall any sign be placed in the sight triangle as defined by this regulation.

I. Lineal Street Frontage. In those districts where gross sign area is allocated based on lineal street frontage and the tract or parcel is adjacent to more than one street, the lineal street frontage shall be computed as follows:

1. For those tracts or parcels located on collector or arterial streets as designated in the Major Street plan of the comprehensive Plan, the lineal street frontage shall be the distance of that property line abutting the collector or arterial street.
2. For those tracts or parcels not located on a major street, the lineal street frontage shall be one-half the sum of all the street frontages.

- J. Portable Signs. Portable signs shall be permitted on a temporary basis in only the “C-1” District, subject to the following conditions:
1. Portable signs shall not be placed on public right of way.
 2. An applicant may utilize a portable sign for a period of not more than seven consecutive days and shall be permitted to utilize a portable sign a maximum of four times per calendar year.
 3. No portable sign shall be utilized without first obtaining a sign permit from the Zoning Administrator.
 4. A portable sign shall contain no more than 32 square feet of advertising space, including all sides of the sign.

5-105 EXEMPTIONS

- A. Total Exemptions. The following signs shall be exempt from the requirements of this article, except for the provisions of Section 5-103.
1. Flags or emblems of a governmental or of a political, civic, philanthropic, educational or religious organization, displayed on private property.
 2. Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossing and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.
 3. Memorial signs, and tablets displayed on public or private property.
 4. Small signs, not exceeding three (3) square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and other similar signs.
 5. Score boards in athletic stadiums
 6. Political campaign signs, not exceeding four (4) square feet in area, may be displayed for a period beginning on the last day of the statutory filing period and ending one-week after the general or special election. Political signs may remain up between the primary and general elections except that signs for candidates who lost in the primary and general elections or signs that become deteriorated or partially destroyed shall be removed.

7. Temporary signs for the sale of household goods at a residence (garage sales) for a period not to exceed three (3) days.

B. Exemptions from Sign Permits. The following signs are exempt from the sign permit section of this Article, but shall comply with all of the other regulations imposed by this Article.

1. Name plate signs not exceeding two (2) square feet in gross area accessory to a single-family or two family dwelling.

2. Bulletin board signs not exceeding 100 square feet in gross area accessory to a church, school or public or non-profit institution.

3. Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.

4. Real Estate signs not exceeding six (6) square feet in area.

5. Construction signs not exceeding sixteen (16) square feet in area.

5-106 DISTRICT REGULATIONS

A. "A-1" Agricultural District, "R-1" Single-Family Residential District, "R-2" Multi-Family Residential District, and "M-P" Mobile Home Park District:

1. Functional Types Permitted.

a. Business signs pertaining to a home occupation are subject to the sign requirements of the home occupation section of this regulation.

b. Bulletin board signs.

c. Construction signs.

d. Identification signs.

e. Nameplate signs.

f. Real estate signs.

g. Business signs pertaining to Bed and Breakfast establishments and located on the same lot.

2. Structural Types Permitted.

a. Ground signs.

b. Wall signs

3. Number of signs Permitted: One sign per zoning lot.

4. Maximum Gross Area.
 - a. Business signs –Home occupation only: 16 square feet. Signs will be located a maximum of one foot from the house when detached and parallel to the house or if attached shall be attached parallel to the house.
 - b. Bulletin board and identification signs: 100 square feet.
 - c. Construction signs: 32 square feet.
 - d. Name plate signs: 2 square feet.
 - e. Real estate signs: 6 square feet, provided that one sign not more than 100 square feet in area announcing the sale of lots and or houses in a subdivision may be located on said development. Said sign shall be removed at the end of three years or when seventy-five (75) percent of the lots have been sold, whichever occurs sooner.
5. Maximum Height: 15 feet.
6. Required Setback: No sign shall be placed closer to the front property line than $\frac{1}{2}$ the distance of the required front yard.
7. Illumination: Bulletin boards and identification signs maybe indirectly illuminated with incandescent or florescent lighting.

B. “C-1” General Commercial District, “C-2” Highway Commercial District, and “I-1” Industrial District:

1. Functional Types Permitted.
 - a. Advertising signs.
 - b. Bulletin board signs.
 - c. Business signs.
 - d. Construction signs.
 - e. Identification signs.
 - f. Nameplate signs
 - g. Real estate signs
2. Structural Types Permitted.
 - a. Awning, canopy or marquee signs.
 - b. Ground signs.
 - c. Pole signs.
 - d. Projecting signs.
 - e. Wall signs.

3. Number of signs Permitted.
 - a. Awning, canopy or marquee signs and wall signs; No limitations
 - b. Ground signs and pole signs: Two per zoning lot.
 - c. Projection signs: One per zoning lot
4. Maximum Gross Surface Area: Four (4) square feet for each lineal foot of street frontage, provided no single sign shall exceed a gross surface area of 400 square feet.
5. Maximum Height: thirty (30) feet.
6. Required Setback: None except that advertising signs shall maintain the same setback that is required for principal structures.
7. Illumination: Illumination signs shall be permitted.

CHAPTER 6

ARTICLE 1 NONCONFORMITIES

6-101 GENERAL

Nonconformity's are of three types: nonconforming lots of record, nonconforming structures, and nonconforming uses. A definition of each type is as follows:

- A. Nonconforming Lot of Record. A lot which is part of a recorded subdivision or a parcel of land, the deed to which was recorded prior to these regulations and said lot does not comply with the lot width or area requirements of the district in which it is located.
- B. Nonconforming Structure. A structure that existed prior to the adoption of these regulations that does not comply with the lot coverage, height or yard requirements which are applicable to structures in the zoning district in which it is located.
- C. Nonconforming Use. A use of a structure or of land that lawfully existed prior to the adoption of these regulations which does not comply with the use regulations applicable in the zoning district in which it is located.

6-102 NONCONFORMING LOTS OF RECORD

The zoning Administrator may issue a Building Permit for any nonconforming lot of record provided that:

- A. Said lot is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size and width at such location would not have been prohibited by the zoning regulations.
- B. Said lot has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by the zoning regulations.
- C. Said lot can meet all yard regulations for the district in which it is located.
- D. Said lot can meet minimum sanitation requirements by either connecting to a sanitary sewer line or having adequate area to support a septic system.

6-103 **NONCONFORMING STRUCTURES**

- A. Authority to Continue, any existing structure which does not comply with the applicable intensity of use regulations and / or the applicable yard and height regulations, may be continued, as long as it remains otherwise lawful.

- B. Enlargement, Repair, Alterations. Any nonconforming structure, may be enlarged, maintained, repaired or remodeled; provided, however, that no such enlargement, maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure. Notwithstanding the above, a porch which is covered by a roof which extends into a front setback area may be enclosed but not in excess of the area covered by the existing roof

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

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

6-104 **NONCONFORMING USES.**

- A. Authority to continue. Any lawfully existing use of part or all of a structure or any lawfully existing use of all of a structure or any lawfully existing use of land which existed prior to the adoption of these regulations and does not comply with the use requirements of these regulations may be continued, so long as otherwise lawful and so long as it is not specified to be terminated by these regulations.

The authority to continue a nonconforming use applies to the use and its structure and passes with the title to subsequent owners.

- B. Ordinary Repair and Maintenance.
1. Normal maintenance and incidental repair or replacement, installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing, may be performed on any structure that is devoted in whole or in part to a nonconforming use.
 2. Nothing in these regulations shall be deemed to prevent the strengthening or restoring to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares such a structure to be unsafe and orders its restoration to a safe condition.
- C. Extension. A Nonconforming use shall not be extended, expanded, enlarged or increased either in land area or floor area.
- D. Enlargement. No structure that is devoted in whole or in part to a nonconforming use shall be enlarged or added to in any manner unless the use thereof shall thereafter conform to the regulations of the district in which it is located.
- E. Damage or Destruction. In the event that any structure that is devoted in whole or in part to a nonconforming use is damaged or destroyed, by any means, to the extent of more than sixty (60) percent of its replacement value, such structure shall not be restored unless such structure and the use thereof shall thereafter conform to all regulations of the zoning district in which it is located. When such damage or destruction is sixty (60) percent or less, no repairs or restoration shall be made unless a building permit is obtained and restoration is actually begun within one year after the date of such partial destruction and is diligently pursued to completion.
- F. Moving. No structure that is devoted in whole or in part to a nonconforming use and nonconforming use of land shall be moved in whole or in part for any distance whatever to any location on the same or any other lot, unless the entire structure and the use thereof and the use of land shall thereafter conform to all regulations of the zoning district in which it is located after being so moved. Mobile homes may be replaced on an existing utility hookup outside a mobile home park unless such hookup has not been used for the previous twelve consecutive months.

- G. Change in Use. If no external structural alterations are made which will expand the area or change the dimensions of the existing structure any nonconforming use of a structure or structure and premises may be changed or another nonconforming use as a conditional use application, provided that the City Council, after receiving the recommendation of the Planning Commission, shall find that the proposed use is as appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change the City Council, after receiving the recommendation of the Planning Commission, may require conditions and safeguards to protect surrounding areas and properties. Once such use has changed it may no longer be returned to the original use or any other less appropriate use.
- H. Abandonment or Discontinuance. When a nonconforming use is discontinued or abandoned for a period of twelve consecutive months, such use shall not thereafter be re-established or resumed and any subsequent use or occupancy of such land or buildings shall comply with the regulations of the zoning district in which such land or buildings are located.
- I. Nonconforming Accessory Uses. No use which is accessory to a principal nonconforming use shall continue after such principal use shall cease or terminate unless said accessory use is permitted in the district.
- J. Nonconforming Residential Uses. Notwithstanding the provisions of Extension or Enlargement regulations in this section, any structure which is devoted to a residential use and which is located in a business or industrial district may be remodeled, extended, expanded, and enlarged; provided that after any such remodeling, expansion or enlargement, such structure shall not be used to accommodate a greater number of dwellings or lodging units than such structure accommodated prior to any such work.
- K. Open Storage in Residential Districts. No use prohibited by the Open Storage section of this Ordinance shall be continued in any residential district for more than six (6) months past the effective date of this ordinance.

CHAPTER 7

ARTICLE 1 **PLANNING COMMISSION**

7-101 **PLANNING COMMISSION.**

The Planning Commission shall consist of five (5) members who shall represent insofar as is possible professions or occupations in the City and who shall be appointed by the Mayor, by and with the approval of three-fourths (3/4) vote of the City Council. All members of the Planning Commission shall serve without compensations and shall hold no other municipal office (beyond one Planning Commission member serving on the Board of Adjustments). The terms of each member shall be three (3) years except the two (2) members of the first Commission appointed shall serve for the term of one (1) year, two (2) for a term of two (2) years and two (2) for the term of three (3) years. All members may, after a public hearing before the City Council, be removed by the Mayor and by and with the consent of a three-fourths (3/4) vote to the Council. Reasons for removal shall include but not be limited to inefficiency, neglect of duty, malfeasance in office or other good and sufficient cause vacancies occurring otherwise than through expiration of terms shall be filled for the unexpired term by the Mayor.

7-102 **CHAIRMAN AND MEETINGS.**

The Planning Commission shall elect its chairman from its members and create and fill such other offices as it may determine. The term of the Chairman shall be one (1) year and he shall be eligible for reelection. The Commission shall hold, at a minimum, at least one (1) regular meeting during each quarter during a 12-month period, or as needed. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations which record shall be a public record.

The concurring vote of two-thirds (2/3) of the members of the Planning Commission is necessary to decide any questions upon which the Planning Commission is required to pass a recommendation onto the City Council.

7-103 **FUNDS.**

The City Council may provide the funds, equipment and accommodations necessary for the work of the Planning Commission but the expenditures of the Commission exclusive of gifts shall be within the amounts appropriated for that purpose by the City Council; and no expenditures shall be valid in excess of such amounts.

7-104 MUNICIPAL PLANNING.

- A. It shall be the function and duty of the Planning Commission to make and adopt plans for the physical development of the Municipality including any areas outside the boundaries of the Municipality which, in the Commission's judgement, bear relation to the planning of the Municipality.

- B. The Planning Commission shall from time to time recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof. It shall be part of its duties to consult and advise with public officials and agencies, public utility companies, civic educational, professional and other organizations and with citizens with relation to the protection of carrying out of the plan.

CHAPTER 8

Article 1 **BOARD OF ADJUSTMENT**

8-101 **CREATION**

A Board of Adjustment is hereby established to provide relief in situations of hardship or to hear appeals. The Board of Adjustment shall consist of five regular members, plus one additional member designated as an alternate who shall attend and serve only when one of the regular members is unable to attend for any reason.

Each member is appointed, by the Mayor and governing body, for a term of three years and removable for cause by the appointing authority upon written charges and after public hearings.

One member only of the Board of Adjustment shall be appointed from the membership of the Planning Commission, and the loss of membership on the planning commission by such member shall also result in his or her immediate loss of membership on the Board of Adjustment.

8-102 **MEETING AND VOTING.**

Meetings of the Board of Adjustment shall be held at the call of the chairperson, or in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

Any resident or property owner in the City shall have the right to appear before the Board in regard to which they have a reasonable interest in the matter to be determined. A majority of the Board shall constitute a quorum for the transaction of business.

The concurring vote of two-thirds (2/3) of the members of the Board is necessary to decide any questions upon which the Board is required to pass. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, or decision in favor of the applicant on any matter upon which the Board is required to pass.

8-103 **DUTIES.**

The Board of Adjustment is hereby authorized to:

- A. Hear appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by the officer charged with the administration of this ordinance, in the enforcement of these regulations.
- B. To hear and decide, in accordance with the provisions of any zoning regulation, requests for interpretation of the Zoning Map.
- C. To authorize, upon appeal, variances from the strict application of these regulations where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the zoning regulations; or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property.
 - 1. Requirements for granting of a variance. No such variance should be authorized by the Board unless it finds that:
 - a. Strict application of the zoning regulations will produce undue hardship.
 - b. Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity.
 - c. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
 - d. The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice.
 - e. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to these Zoning Regulations.
 - f. The granting of the variance will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of any ordinance or resolution.

2. Findings by the Board. The Board of Adjustment shall make findings that the requirements for granting a variance have been met by the applicant for a variance. A written finding of fact should be accompanied by every decision made by the Board specifying the reason of denying to accepting the request.
3. Conditions for granting of a variance.
 - a. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with these regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these regulations.
 - b. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of these regulations in the district involved, or any use expressly or by implication prohibited by the terms of these regulations in said district.
 - c. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.
 - d. The applicant shall submit a statement in writing, justifying the variance requested; indicating specifically the enforcement provisions of the zoning regulations from which the variance is requested, and outlining in detail the manner in which it is believed that this application will meet each of the six (6) requirements for granting a variance as outlined in this article.
 - e. The applicant shall submit a sketch, in duplicate drawn to scale and showing the lot or lots included in the application; the structures existing thereon; and the structures contemplated necessitating the variance requested. All appropriate dimensions and any other information which would be helpful to the Board in consideration of the application should be included.

- f. The Board may require a performance bond to guarantee the Installation of improvements such as parking lot surfacing, landscaping, etc. The amount of the bond shall be based on a general estimate of cost for the improvements as determined by the Board, and shall be enforceable by or payable to the Governing body in the sum equal to the cost of constructing the required improvements.
- g. In lieu of the performance bond requirement, the Board may specify a time limit for the completion of such required improvements and in the event the improvements are not completed within the specified time, the Board may declare the granting of the application null and void after reconsideration.

8-104 APPLICATIONS

- A. Procedure. The procedure for requesting a hearing before the Board shall be as follows:
 - 1. All applications to the Board shall be in writing on forms provided by the Board and filed with the Zoning Administrator.
 - 2. The Board shall fix a reasonable time for the hearing of an application and notice of the time, place, and subject of each hearing shall be published in a newspaper of general circulation at least ten (10) days prior to the date fixed for the public hearing.
 - 3. An application shall be accompanied by a filing fee determined by the City. A separate filing fee determined by the City shall be required for each request.
- B. Additional Requirements. In addition to the above requirements, certain applications require additional information as follows:
 - 1. Appeals and interpretations:
 - a. An application for an appeal or interpretation shall be filed within sixty (60) days after a ruling has been made by the Zoning Administrator.
 - b. A copy of the order, requirement, decision or determination of the Zoning Administrator which the applicant believes to be in error shall be submitted.
 - c. A clear and accurate, written description of the proposed use, work or action in which the appeal or interpretation is involved and a statement justifying the appellant's position.

- d. Where necessary, a plot plan, drawn to scale, in duplicate showing existing and proposed plans for the area in question shall be submitted.

8-105 **APPEALS FROM THE BOARD OF ADJUSTMENT**

Any person or persons aggrieved by any decision of the Board of Adjustment, or any officer, department or board of the City of Cambridge may present to the District Court a petition setting forth that any decision of the Board of Adjustment is illegal, in whole or in part, and specifying the grounds of the illegality. Such petitions must be presented to the Court within fifteen (15) days after the filing of the decision in the office of the City Clerk and shall follow the provisions of the Nebraska State Statutes.

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CHAPTER 9

ARTICLE 1 AMENDMENTS

9-101 GENERAL PROVISION

- A. Authority. The Governing Body of Cambridge may, by ordinance, amend, supplement, change, modify or repeal these regulations and the district boundaries. No such amendment or change shall be adopted by the City Council until the Planning Commission has held a public hearing and submitted its recommendations.
- B. Proposal of Amendments. Amendments may be initiated by the Governing Body, the Planning Commission, or upon application by the owners of the property affected. However, no person may apply for an amendment within a period of six (6) months following the denial by the City Council of the same application.
- C. Application. When the owner of the property affected initiates an amendment to the regulations or the district boundaries, an applicant for such amendment shall be obtained from the City Clerk. Said application shall be completed in its entirety and filed with the City Clerk so that a public hearing date can be established.
- D. Ownership List. The application for an amendment shall be accompanied by the ownership list obtained from an abstractor or County Records listing the legal description and the name and address of the owners of all property located within three hundred (300) feet of the boundaries of the property for which the zoning change is requested.
- E. Fees. For the purpose of wholly or partially defraying the costs of the amendment proceedings, fees shall be paid upon the filing of each application for a change of district boundaries or conditional use permit. Fees shall be determined by the City.
- F. Disposition of Amendment Proposals. Upon receipt of a proposed amendment from the City Council or an application for an amendment from the owner of the property affected, the Planning Commission shall hold a public hearing on the proposed amendment, and forward its findings and recommendations with respect to the proposed amendment to the City Council.

PLANNING COMMISSION PUBLIC HEARING.

- A. The Planning Commission shall hold a public hearing on each proposed amendment that is referred to, filed with, or initiated by it. The Planning Commission shall select a reasonable hour and place for such public hearing. And it shall hold such hearing within sixty (60) days from the date on which the proposed amendment is referred to, file with, or initiated by it. An applicant for an amendment may waive the requirement that such hearing be held within sixty (60) days.
- B. Notice of Hearing. Public notice of a hearing on a proposed amendment shall be published once in a newspaper or general circulation and at least ten (10) days shall elapse between the date of the publication and the date set for such hearing. Such notice shall state the date, time and place of the hearing and shall contain a statement regarding the proposed change in regulations or restrictions, or the zoning classification or zoning district boundaries of the property.
- C. If the proposed amendment would change the zoning classification of any property, or the boundaries of any zoning district, such notice shall contain the legal description and street address or general street location of such property, its present zoning classification, and the proposed classification.
- D. When a proposed amendment will affect the zoning classification of specific property, in addition to the publication of the notice described above, the notice shall be posted in a conspicuous place on or near the property on which action is pending. Such notice shall not be less than eighteen inches in height and twenty-four inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same shall be so posted at least ten days prior to the date of such hearing. It shall be unlawful for anyone to remove, mutilate, destroy, or change such posted notice prior to such hearing. Any person so doing shall be deemed guilty of a misdemeanor. If the record title owners of any lots included in such proposed change or within three hundred (300) feet thereof be non-residents of the municipality, then a written notice of such hearing shall be mailed by certified mail to them addressed to their last-known address at least ten (10) days prior to such hearing by the Secretary of the Planning Commission. The Planning Commission shall also send such notice to the Board of Education. The Planning Commission may give such additional notice to other persons as needed.

- E. Conduct of Hearings. The hearing shall be conducted and a record of the proceedings shall be preserved in such a manner and according to such procedures as the Planning Commission may from time to time prescribe by rule. Any interested person or party may appear and be heard at the hearing in person, by agent or by attorney. The Planning Commission may request a report on any proposed amendment from any governmental official or agency, or any other person, firm or corporation. If such a report is made, a copy thereof shall be made available to the applicant and any other interested persons and shall be available for review in the office of the City Clerk at least three (3) days before the date set for public hearing. The Planning Commission may also require such reports after such public hearing if additional information is deemed necessary. Such reports shall again be available to the applicant and any other interested persons.

9-103 **ACTION BY THE PLANNING COMMISSION.**

- A. Recommendations. Upon the conclusion of the public hearing, the Planning Commission shall prepare and adopt its recommendations and shall submit the same, together with a record of the hearing thereon, to the City Council. Said recommendations may be for approval or disapproval, or approval for less land area or a less intense zoning district, and reasons for recommendation shall be included.
- B. Amendments to Text. When a proposed amendment would result in a change in the text of these regulations, but would not result in a change of zoning classification of any specific property, the recommendation of the Planning Commission shall contain a statement as to the nature and effect of such proposed amendment.

9-104 **ACTION BY THE GOVERNING BODY**

- A. Adoption of Amendments. The Governing Body shall consider the proposed amendment at a duly advertised public hearing. Upon the receipt of the recommendation of the Planning commission and any protest petitions that have been submitted, the Governing Body shall consider the application and may approve the recommendations of the Planning Commission or take whatever action it deems necessary.

If a proposed amendment is not acted upon finally by the Governing Body within one hundred twenty (120) days after the recommendation of the Planning Commission is submitted to it, such proposed amendment shall be deemed to have been defeated and denied, unless the applicant for such amendment shall have consented to an extension of such period of time. Whenever a proposed amendment is defeated, either by vote of the Governing Body or by reason of the operation of this Section, such amendment shall not thereafter be passed without a further public hearing and notice thereof as provided by this Article.

- B. Notice of Hearing. Public notice of the City Council hearing on a proposed amendment shall be published once in a newspaper of general circulation and at least ten (10) days shall elapse between the date of the publication and the date set for such hearing. Such notice shall state the date, time and place of the hearing and shall contain a statement regarding the proposed change in regulations or restrictions, or the zoning classification or zoning district boundaries of the property.

If the proposed amendment would change the zoning classification of any property, or the boundaries of any zoning district, such notice shall contain the legal description and street address or general street location of such property, its present zoning classification, and the proposed classification.

When a proposed amendment will affect the zoning classification of specific property, in addition to the publication of the notice described above, a notice shall be posted in a conspicuous place on or near the property on which action is pending. Such notice shall not be less than eighteen inches in height and twenty-four inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon the premises that it is easily visible from the street nearest the same and shall be so posted at least ten (10) days prior to the date of such hearing. It shall be unlawful for anyone to remove, mutilate, destroy, or change such posted notice prior to such hearing. Any person so doing shall be deemed guilty of a misdemeanor. If the record title owners of any lots included in such proposed change be non-residents of the municipality, then a written notice of such hearing shall be mailed by certified mail to them addressed to their last-known addresses at least ten (10) days prior to such hearing by the City Clerk.

- C. Protest. If a written protest against a proposed amendment shall be filed in the office of the City clerk within fourteen (14) days after the date of the conclusion of the hearing on a proposed amendment by the Planning Commission, which protest is duly signed and acknowledged by the owners of twenty (20) percent or more either of the area of the lot or lots immediately adjacent on the sides and in the rear thereof extending three hundred (300) feet there from, and of those directly opposite thereto extending three hundred (300) feet from the street frontage of such opposite lots, then such proposed amendment shall not be passed except by a three-fourths (3/4) vote of the City Council.

- D. Approved Action. If the City Council approves a change, it shall adopt an ordinance to that effect. If the official zoning map has been adopted by reference, the amending ordinance shall define the change or boundary as amended, shall order the official zoning map to be changed to reflect such amendment, and shall amend the section of the ordinance incorporating the same and shall reincorporate such map as amended.

9-105 CONDITIONAL USES

- A. Definition. Conditional uses are those type of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where the product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Within the various zoning districts, conditional uses specifically listed in the district regulation, may be permitted only after additional requirements are complied with as established within this section.

- B. Procedure. The consideration of a conditional use permit application shall be handled in the same manner as a zoning amendment regarding the requirements for public hearing, notices, protests and action by the Planning Commission and Governing Body.

- C. Minimum requirements. A conditional use permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:
 - 1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.

 - 2. The proposed conditional use at the specified location will not adversely affect the welfare or convenience of the public.

3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
 4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls fences on the site, and
 - b. The nature and extent of landscaping and screening on the site.
 5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.
 6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
 7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys
- D. Additional Requirements. In granting a conditional use, the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to reduce or minimize any potential injurious effect of such conditional uses upon other property purpose and intent of these regulations.
- E. Kennels- breeding and boarding. All kennels must comply with the following minimum requirements for a conditional use permit:
1. All kennels shall be located at least 1,320 feet from a residential district.
 2. The minimum lot size shall be less than one acre.
 3. No kennel buildings or runs shall be located nearer than seventy-five (75) feet to any property line.

4. The kennel shall be completely enclosed by fencing of sufficient height to retain the dogs kept within said kennel. If necessary, fencing may be required across the top of any such kennel in order to retain a dog within the kennel. An enclosed ground area of 48 sq. ft. per dog shall be provided.

F. Auto wrecking yards, junk yards, salvage yards, and scrap processing yards. All Auto wrecking yards, junk yards, salvage yards, and scrap processing yards must comply with the following minimum requirements for a conditional use permit:

1. Shall be located at least 1,320 feet from a residential district zone.
2. The operation shall be conducted wholly within a non-combustible building or within an area completely enclosed by a fence or wall at least eight (8) feet high. The fence or wall shall be of uniform height, color and texture, and shall be maintained by the proprietor as to insure maximum safety to the public, and preserve the general welfare of the neighborhood. No scrap, junk, or other salvaged materials may be piled so as to exceed the height of this enclosing fence or wall.
3. No junk or salvaged material shall be loaded, unloaded or stored either temporarily or permanently, outside the enclosing building, fence, or wall.

G. Earth-sheltered residences. All earth-sheltered residences may be constructed as a conditional use providing the following minimum requirements are met:

1. The living area shall be provided with exterior windows or sky lights which have a glassed area of not less than ten percent (10%) of the floor area and give direct visual access to natural light and open space.
2. Lot areas, lot widths and setbacks for underground dwellings shall conform to those established by the zoning district.
3. An outdoor space of no less than 500 square feet shall be provided immediately outside one wall of the dwelling. The minimum width of the space shall be twenty (20) feet and the average grade elevation shall be no more than two (2) feet above or below the grade elevation of the floor of the dwelling.

4. All earth-covered structures shall be designed by a structural engineer and plans shall be submitted signed and sealed by a licensed structural engineer.
5. A site plan, elevations, cross sections and other necessary drawings shall be submitted to ensure that the proposed structure is compatible with the adjacent residents and the topography of the area. No site plan will be approved that creates a storm drainage or runoff problem for an adjacent property.

H. Restricted (Adult Entertainment) Businesses. All adult entertainment businesses shall be subject to the following restrictions, and no person shall cause or permit the establishment of any adult entertainment business contrary to said restrictions:

1. No adult entertainment business shall be open for business between the hours of twelve midnight (12:00 a.m.) and six (6) a.m.
2. A new adult entertainment business shall not be allowed within one thousand (1,000) feet of another existing adult entertainment business.
3. A new adult entertainment business shall not be located within five hundred (500) feet of any residentially zoned district or one thousand (1,000) feet of a pre-existing school, public park, or place of worship.
4. The provisions of this chapter shall apply to any adult entertainment businesses in existence at the time the ordinance codified in this chapter takes effect. All nonconformance shall come into compliance on or before January 1, 2016, and no such nonconforming use shall be permitted to expand in size or scope and the rights granted in this chapter shall terminate upon cessation of business, sale, or transfer of ownership of the adult entertainment business.
5. Measurement of distances. For the purpose of this chapter, measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult entertainment business to the point on the property line of such other business, school, church, public park or areas zoned for residential use which is closest to the said main entrance of such adult entertainment business.

6. No adult entertainment business shall be conducted in any manner that permits the observation of models or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use. No operator of an adult entertainment business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the premises which is prohibited by this code or any laws of the State of Nebraska or the United States.
7. No part of the interior of the adult entertainment business shall be visible from any pedestrian sidewalk, walkway, street, or other public or semipublic area.
8. An adult entertainment business shall post a sign at the entrance of the premises, which shall state the nature of the business and shall state that no one under the age of eighteen (18) years is allowed on the premises. The sign shall comply with the City's sign regulations. This section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
9. Nuisance Operation: Any adult entertainment business operated, conducted or maintained contrary to the provisions of this chapter shall be and the same is declared to be unlawful and a public nuisance, and the City Attorney may, in addition to or in lieu of prosecuting a criminal action under this chapter, commence an action or actions, proceeding or proceedings, for the abatement, removal or injunction thereof, in the manner prescribed by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such establishment and restrain and enjoin any person from operating, conducting or maintaining an adult entertainment business contrary to the provisions of this chapter.

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Chapter 10

ARTICLE 1 COMMUNICATION TOWER REGULATIONS

10-101 CONDITIONAL USE PERMIT REQUIREMENT.

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

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

10-102 MINIMUM REQUIREMENTS.

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

10-103 SPECIAL REQUIREMENTS.

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

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

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

Chapter 11

ARTICLE 1

WIND ENERGY SYSTEM REGULATIONS

11-101 **GENERAL STANDARDS.** All Wind Energy Systems (WES) located within the Extra Territorial Jurisdiction of the City of Cambridge shall conform to the following general standards:

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

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

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

11-102 NONCOMMERCIAL WIND ENERGY SYSTEMS. All noncommercial wind energy systems located within the Extra Territorial Jurisdiction of the City of Cambridge shall conform to the following standards:

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

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

11-103 METEOROLOGICAL TOWERS. All meteorological towers located within the Extra Territorial Jurisdiction of the City of Cambridge shall conform to the following standards:

- A. Shall be towers which are erected primarily to measure wind speed, direction, and record other data relevant to the site of a commercial WES.
- B. Meteorological towers shall be sited according to Table 1 within this Chapter.
- C. Meteorological towers shall be a conditional use and follow the same process as outlined in this Ordinance.

- D. Meteorological towers, permanent or temporary, in excess of two hundred (200) feet in height, shall meet all FAA requirements and shall be required to apply for a permit prior to construction. Meteorological towers less than two hundred (200) feet in height shall have the guy wires clearly marked with devices common to overhead transmission lines and shall be required to apply for a permit prior to construction.
- E. Setbacks: All meteorological towers shall adhere to the setbacks established in Table 2 below.

11-104 COMMERCIAL/UTILITY WIND ENERGY SYSTEMS. All commercial/utility wind energy systems located within the Extra Territorial Jurisdiction of the City of Cambridge shall conform to the following standards:

- A. Commercial/utility WES shall be permitted as conditional uses within the districts as seen in Table 1 below.
- B. The request for a Conditional Use Permit shall include the following:
 1. Name(s) of project applicant.
 2. Name(s) of project owner.
 3. Legal description of the project.
 4. Documentation of land ownership or lease of the property.
 5. Site plan showing property lines, setbacks, proposed accessory buildings, wind turbine locations, transmission lines, adjacent subdivisions, homes or other structures, county and service roads, legend and scale, signature of surveyor or engineer.
 6. Narrative description of the project including number, type, generating capacity, tower height, rotor diameter, total height of all wind turbines including meteorological towers, height of transmission lines and capacity, lastly proposed users of project.
 7. Overview map of the area showing topography, location of WES owned or not owned by the applicant, public or private airfields within one mile of the proposed WES and other communication towers.
 8. An acoustical report that certifies the WES will meet the noise requirements of this ordinance.
 9. Evidence that other tower owners or lessees have been notified of the proposed WES and there will not be interference in communications.
 10. An Environmental Assessment Worksheet shall be prepared by a qualified environmental engineering firm when a commercial WES is located within avian migratory routes. The Environmental Assessment Worksheet shall contain an avian assessment, map of the migratory routes and recommended mitigation practices.
 11. A decommissioning plan as required by this Ordinance.

12. Meteorological and commercial/utility towers located within one (1) mile of any waters of the United States shall submit an Environmental Assessment Worksheet from the U.S. Environmental Protection Agency. Further a Conditional Use Permit shall not be issued until the applicant has completed Checklist 2 below.
13. There shall be a flicker/strobe effect study provided.

C. Aggregated Projects:

1. Aggregated projects may be jointly submitted as a single application and reviewed as a single application, including public notices, public hearing and subsequent approvals or denials.
2. Permits may be issued and recorded separately.
3. Aggregated projects proposed shall be considered conditional uses and follow the requirements of this Ordinance.

D. Joint projects will be assessed as one project.

E. Setbacks: All commercial/utility towers shall adhere to the setbacks found in Table 2 below.

CHECKLIST 1
Small Wind Energy Systems

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

CHECKLIST 2
Commercial Wind Energy Systems

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

TABLE 1

Zoning District	Communication Tower	Meteorological Tower	Non-Commercial WES	Commercial WES
Agriculture District (A-1)	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Single-Family Residential District (R-1)	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Multi-Family Residential District (R-2)	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Mobile Home Park District (M-P)	Not Permitted	Not Permitted	Not Permitted	Not Permitted
General Commercial District (C-1)	Conditional Use	Not Permitted	Not Permitted	Not Permitted
Highway Commercial District (C-2)	Conditional Use	Conditional Use	Conditional Use	Not Permitted
Industrial District (I-1)	Permitted	Permitted	Conditional Use	Not Permitted

TABLE 2

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

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

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

**ARTICLE 2
SOLAR ENERGY SYSTEMS**

11-201 Definitions.

1. **Battery Back-Up:** A battery system that stores electrical energy from a solar PV system, making the electricity available for future use. Battery Back-Up systems are common in Off-Grid Systems and Hybrid Systems.
2. **Combiner or Junction Box:** Combines the inputs (electrical flows) from multiple strings of solar panels (or micro-inverters) into one output circuit.
3. **Crystalline silicon cells:** Solar photovoltaic cells fashioned from either mono-crystalline, multi-crystalline, or ribbon silicon capable of converting sunlight into electricity. Crystalline silicon solar PV panels are the most commonly used and are generally the most efficient.
4. **Distributed Solar:** For the purposes of this Ordinance, distributed solar refers to solar energy systems located on-site and designed to provide solar thermal energy or solar PV electricity to a property owner, occupant, and/or facilities.
5. **Grid-tied Solar** - A solar PV system that is interconnected with the utility grid via net metering and interconnection agreements with the utility.
6. **Electricity Generation (aka production, output)** - The amount of electric energy produced by transforming other forms of energy, commonly expressed in kilowatt-hours (kWh) or megawatt-hours (MWh).
7. **Electrical Equipment:** Any device associated with a solar energy system, such as an outdoor electrical unit/control box, that transfers the energy from the solar energy system to the intended on-site structure.
8. **Grid-tied Solar Photovoltaic Systems (aka grid-tied PV, on-grid, grid-connected, utility-interactive, grid-intertied, or grid-direct):** Solar photovoltaic electricity generation systems designed to serve the electricity needs of the building to which it is connected, thus offsetting a home's or business's electricity usage. Any excess electricity generated is sent to the electric utility grid, credited via a customer's net metering agreement with their local utility. Grid-tied are typically installed without battery back-up system to store electricity. As such, these systems provide no power during an outage. Typical system components: PV panels, inverter(s), and required electrical safety gear.
9. **Ground-Mount System:** A solar energy system that is directly installed on specialized solar racking systems, which are attached to an anchor in the ground and wired to connect to an adjacent home or building. Ground-mount systems may be applicable when insufficient space, structural and shading issues, or other restrictions prohibit rooftop solar.
10. **Hybrid Solar Photovoltaic Systems (aka grid-tied PV with battery back-up):** Solar photovoltaic electricity generation systems designed to serve the electricity needs of the building to which it is connected, thus offsetting a home's or business's electricity usage, while also utilizing a battery back-up in the event of a power outage. This is the only system that provides the ability to have power when the utility grid is down. Typical system components include: PV panels, inverter(s), and required electrical safety gear, battery bank, and a charge controller.
11. **International Residential Code (IRC)** - Part of the International Building Code (IBC), the IRC sets buildings standards for residential structures.
12. **Inverter:** A device that converts the Direct Current (DC) electricity produced by a solar photovoltaic system is converted to useable alternating current (AC).
13. **Kilowatt (kW)** - Equal to 1000 Watts; a measure of the use of electrical power.
14. **Kilowatt-hour (kWh)** - A unit of energy equivalent to one kilowatt (1 kW) of power expended for 1 hour of time.

15. **Mounting** - The manner in which a solar PV system is affixed to the roof or ground (i.e. roof mount, ground mount, pole mount).
16. **Megawatt (MW)** - Equal to 1000 Kilowatts; a measure of the use of electrical power.
17. **Megawatt-hour (MWh)** - A unit of energy equivalent to one Megawatt (1 MW) of power expended for 1 hour of time.
18. **National Electric Code (NEC)** - Sets standards and best practices for wiring and electrical systems.
19. **Net Meter:** On-grid solar PV systems connected to the utility grid use a net meter, typically provided and installed by the local utility, to measure the flow of electricity from the solar system for the purposes of net metering.
20. **Net Metering:** A billing arrangement that allows customers with grid-connected solar electricity systems to receive credit for any excess electricity generated on-site and provided to the utility grid.
21. **Off-Grid Solar Photovoltaic Systems with battery back-up:** Solar photovoltaic electricity systems designed to operate independently from the local utility grid and provide electricity to a home, building, boat, RV (or remote agricultural pumps, gates, traffic signs, etc.). These systems typically require a battery bank to store the solar electricity for use during nighttime or cloudy weather (and/or other back-up generation). Typical system components include: PV panels, battery bank, a charge controller, inverter(s), required disconnects, and associated electrical safety gear.
22. **Orientation (or Azimuth):** In the northern hemisphere, true solar south is the optimal direction for maximizing the power output of solar PV. Although, systems can be oriented east, southeast, southwest, and west, while still providing 75%-85% of maximum production, depending on the tilt. Proper orientation and access to sun are critical for achieving maximum energy production potential (ideally, the orientation of the solar energy system ensures that solar access is not obstructed by other buildings, shade trees, chimneys, HVAC systems, or other equipment).
23. **Passive Solar:** Techniques, design, and materials designed to take advantage of the sun's position throughout the year (and the local climate) to heat, cool, and light a building with the sun. *Passive solar* incorporates the following elements strategically to maximize the solar potential of any home or building (namely, maximizing solar heat gain in winter months and minimizing solar heat gain in summer months to reduce heating/cooling demand; and maximizing the use of daylighting to reduce demand for electricity for lighting): strategic design and architecture, building materials, east-west and building lot orientation, windows, landscaping, awnings, ventilation
24. **Photovoltaic (PV) System:** A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells, which generate electricity when exposed to sunlight. A PV system may be roof-mounted, ground-mounted, or pole-mounted.
25. **Pole-Mount Systems:** A solar energy system that is directly installed on specialized solar racking systems, which are attached to pole, which is anchored and firmly affixed to a concrete foundation in the ground, and wired underground to an attachment point at the building's meter. Unlike ground-mount systems, pole-mount systems are elevated from the ground. Pole-mounted systems can be designed to track the sun (with single-axis or dual-axis tracking motors) and maximize solar output throughout the year.
26. **Power** - the rate at which work is performed (the rate of producing, transferring, or using energy). Power is measured in Watts (W), kilowatts (kW), Megawatts (MW), etc.

27. **PV-Direct Systems:** The simplest of solar photovoltaic electric systems with the fewest components (no battery back-up and not interconnected with the utility) designed to only provide electricity when the sun is shining. Typical system components include: PV panels, required electrical safety gear, and wiring. ¹
28. **Racking:** Solar energy systems are attached securely and anchored to structural sections of the roof-mounted or pole-mounted systems. Specially designed metal plates called flashings prevent leaks and are placed under shingles and over bolts to create a water-tight seal.
29. **Roof-Mount System (aka rooftop mounted, building mounted):** A solar energy system consisting of solar panels are installed directly on the roof of a home, commercial building, and/or an accessory structure, such as a garage, pergola, and/or shed. Solar panels are mounted and secured using racking systems specifically designed to minimize the impact on the roof and prevent any leaks or structural damage. Roof-mount systems can be mounted flush with the roof or tilted toward the sun at an angle.
30. **Solar Access:** the ability of one property to continue to receive sunlight across property lines without obstruction from another's property (buildings, foliage or other impediment). Solar access is calculated using a [sun path diagram](#).
31. **Solar Array:** Multiple solar panels combined together to create one system.
32. **Solar Collector:** A solar PV cell, panel, or array, or solar thermal collector device, that relies upon solar radiation as an energy source for the generation electricity or transfer of stored heat.
33. **Solar Easement:** An easement recorded pursuant to U.C.A. §§ 57-13-1 and 57-13-2, the purpose of which is to secure the right to receive sunlight across the real property of another for the continued access to sunlight necessary to operate a solar energy system. According to Utah law, parties may voluntarily enter into written solar easement contracts that are enforceable by law. An easement must be created in writing and filed, duly recorded and indexed in the office of the recorder of the county in which the easement is granted. A solar easement, once created, runs with the land and does not terminate unless specified by conditions of the easement.
34. **Solar Energy System:** A system capable of collecting and converting solar radiation into heat or mechanical or electrical energy and transferring these forms of energy by a separate apparatus to storage or to point of use, including, but not limited to, water heating, space heating or cooling, electric energy generation, or mechanical energy generation. This definition shall include Solar Thermal, Photovoltaic, and Passive Solar Systems.
35. **Solar Glare:** The potential for solar panels to reflect sunlight, with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
36. **Solar Photovoltaic (Solar PV) System**– Solar systems consisting of photovoltaic cells, made with semiconducting materials, that produce electricity (in the form of direct current (DC)) when they are exposed to sunlight. A typical PV system consist of PV panels (or modules) that combine to form an array; other system components may include mountain racks and hardware, wiring for electrical connections, power conditioning equipment, such as an inverter and/or batteries. For the purposes of this Ordinance, a solar PV system is defined as generating capacity of not more than 25 kilowatts for residential facilities and not more than two megawatts for non-residential facilities. [*Solar PV systems larger than this are governed by another Ordinance*]

37. **Solar Panel (or module):** A device for the direct conversion of sunlight into useable solar energy (including electricity or heat).
38. Solar Process Heat technologies provide industrial specific applications, including ventilation air preheating, solar process heating, and solar cooling.
39. **Solar-Ready:** The concept of planning and building with the purpose of enabling future use of solar energy generation systems. Solar-ready buildings, lots, and developments make it easier and more cost-effective to utilize passive solar techniques and adopt active solar technologies in the future. Solar-Ready Buildings are built anticipating future installation of active solar energy systems (including structural reinforcement, pre-wiring or plumbing for solar, and east-west building orientation). Solar-Ready Lots are oriented to take maximal advantage of a location's solar resource. Solar-Ready Developments expand this concept to entire subdivisions.
40. **Solar Thermal System (aka Solar Hot Water or Solar Heating Systems):** A solar energy system that directly heats water or other liquid using sunlight. Consist of a series of tubes that concentrate light to heat either water or a heat-transfer fluid (such as food-grade propylene glycol, a non-toxic substance) in one of two types of collectors (flat-plate collectors and evacuated tube collectors). The heated liquid is used for such purposes as space heating and cooling, domestic hot water, and heating pool water.
41. **Thin Film Solar PV** – Capable of generating electricity from the sun, thin film solar PV cells consist of layers of semiconductor materials (made from amorphous silicon, cadmium telluride, copper indium gallium diselenide, among other materials) a few micrometers thick, which allow for greater flexibility. Thin film is made by depositing one or more thin layers of photovoltaic material on a substrate; products include rooftop shingles and tiles, building facades, the glazing for skylights, and other building integrated materials.
42. **Tilt:** The angle of the solar panels and/or solar collector relative to their latitude. The optimal tilt to maximize solar production is perpendicular, or 90 degrees, to the sun's rays at true solar noon. True solar noon is when the sun is at its highest during its daily east-west path across the sky (this is also known as 0° Azimuth). Solar energy systems can be manually or automatically adjusted throughout the year. Alternatively, fixed-tilt systems remain at a static tilt year-round
43. **Watts (W)** - A measure of the use of electrical power (power (Watts) = voltage (volts) X current (Amps)).
44. **Wiring:** Specified by electrical codes, solar PV system wires are routed from the panels or micro-inverters through conduit into the inverter and buildings meter.

11-202 Applicability.

- A. This ordinance applies to all distributed solar systems installed and constructed after the effective date of this Ordinance. For purposes of this Ordinance, "solar energy system" means a distributed solar energy system as defined herein.
- B. Solar energy systems constructed prior to the effective date of this ordinance shall not be required to meet the requirements of this ordinance.
- C. All solar energy systems shall be designed, erected, and installed in accordance with applicable local, state, utility, and national codes, regulations, and standards.

11-203 Solar Energy System Requirements

- A.** To the extent practicable, and in accordance with Cambridge law, the accommodation of solar energy systems and associated electrical equipment, and the protection of access to sunlight for such, shall be encouraged in the application of the various review and approval provisions of the Cambridge code.
- B.** Solar energy systems are permitted as a conditional use in both R-1 Single Family Residential Districts and R-2 Multi-Family Residential Districts *only* on accessory structures, as well as C-1 General Commercial Districts. Solar energy systems are permitted outright in both R-1 Single Family Residential Districts and R-2 Multi-Family Districts *only* on primary structures. A-1 Agricultural Districts, C-2 Highway Commercial Districts, and I-1 Industrial Districts.
- C.** A solar energy system shall provide power for the principal use and/or accessory use of the property on which the solar energy system is located.
- D.** If active solar panels are installed on any dwelling or accessory structure constructed on any lot zoned R-1 Single Family or R-2 Multi Family, they shall be flush with the roof or the sidewall of the dwelling or accessory structure and shall not be located in any yard. Any installed solar panels must remain in operation or if they are inoperational, must be removed.
- E.** The installation and construction of a *roof-mount solar energy system* shall be subject to the following development and design standards:
- a. A roof or building mounted solar energy system may be mounted on a principal or accessory building.
 - b. Any height limitations of the Cambridge Code shall not be applicable to solar collectors provided that such structures are erected only to such height as is reasonably necessary to accomplish the purpose for which they are intended to serve, and that such structures do not obstruct solar access to neighboring properties.
 - c. Placement of solar collectors on flat roofs shall be allowed by right provided that panels do not extend horizontally past the roofline.
- F.** The installation and construction of a *ground-mount or pole-mount solar energy system* shall be subject to the following development and design standards:
- a. The height of the solar collector and any mounts shall not exceed 20 feet when oriented at maximum tilt.
 - b. The surface area of a ground- or pole-mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.
 - c. The minimum solar energy system setback distance from the property lines shall be

equivalent to the building setback or accessory building setback requirement of the underlying zoning district.

- d. All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground and/or in accordance with the building electrical code, as appropriate.
- G. All electrical equipment associated with and necessary for the operation of solar energy systems shall comply with the following:
- H. Electrical equipment shall comply with the setbacks specified for accessory structures in the underlying zoning district.
- I. Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, solar panel placement should be prioritized to minimize or negate any solar glare onto nearby properties or roadways, without unduly impacting the functionality or efficiency of the solar system.
- J. A solar energy system shall not be used to display permanent or temporary advertising, including signage, streamers, pennants, spinners, reflectors, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided they comply with the prevailing sign regulations.
- K. A solar energy system shall not be constructed until a building/zoning permit has been approved and issued.

11-204 Safety and Inspections

- A. The design of the solar energy system shall conform to applicable local, state and national solar codes and standards. A building permit reviewed by department staff shall be obtained for a solar energy system. All design and installation work shall comply with all applicable provisions in the National Electric Code (NEC), the International Residential Code (IRC), International Commercial Building Code, State Fire Code, and any additional requirements set forth by the local utility (for any grid-connected solar systems).
- B. The solar energy system shall comply with all applicable Cambridge Ordinances and Codes so as to ensure the structural integrity of such solar energy system. *Please note that the existing roof structure and the weight of the solar energy system shall be taken into consideration when applying for a solar energy system permit.*
- C. Prior to operation, electrical connections must be inspected by an appropriate electrical inspection person or agency, as determined by the City of Cambridge.
- D. Any connection to the public utility grid must be approved by the appropriate public utility.

- E. If solar storage batteries are included as part of the solar collector system, they must be installed according to all requirements set forth in the National Electric Code and State Fire Code when in operation. When no longer in operation, the batteries shall be disposed of in accordance with the laws and regulations of Cambridge and any other applicable laws and regulations relating to hazardous waste disposal.
- F. Unless otherwise specified through a contract or agreement, the property owner of record will be presumed to be the responsible party for owning and maintaining the solar energy system.

11-205 Abandonment and Removal

- A. If a ground mounted solar energy system is removed, any earth disturbance as a result of the removal shall be landscaped in accordance with Cambridge code.
- B. A ground or pole-mounted solar energy system is considered to be abandoned or defective if it has not been in operation for a period of twelve (12) months. If abandoned, the solar energy system shall be repaired by the owner to meet federal, state, and local safety standards, or be removed by the owner within the time period designated by a Cambridge Building Code Official. If the owner fails to remove or repair the defective or abandoned solar energy system, Cambridge may pursue a legal action to have the system removed at the owner's expense.

11-206 Appeals

- A. If the owner of a solar energy system is found to be in violation of the provisions of this Ordinance, appeals should be made in accordance with the established procedures of the Cambridge code.
- B. If a building permit for a solar energy system is denied because of a conflict with other goals of the Cambridge, the applicant may seek relief from the Cambridge Planning Commission, which shall regard solar energy as a factor to be considered, weighed, and balanced along with other factors.

11-207 Solar-Ready Zoning

- A. New structures will, to the extent possible and insofar as practical, be situated on the lot to take advantage of solar access, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off the site, and the impact of solar access to adjacent uses and properties.
- B. To permit maximum solar access to proposed lots and future buildings, wherever reasonably feasible and where consistent with other appropriate design considerations, new streets shall be located on an east-west axis to encourage building siting with the maximum exposure of roof and wall area to the sun.

- C.** Cambridge tree-planting programs shall take into account the impact of street trees on the solar access of surrounding properties and, where possible, efforts shall be made to avoid shading possible locations of solar collectors.
- D.** When the Cambridge Planning Commission reviews and acts upon applications for subdivision approval or site plan approval, it shall take into consideration whether the proposed construction would block access to sunlight between the hours of 9:00 am and 3:00 pm Central Standard Time for existing ground-mount, pole-mount, or roof-mount solar energy collectors or for solar energy collectors for which a permit has been issued.
- E.** Where reasonable and appropriate, new subdivisions should be platted so as to preserve or enhance solar access for either passive or active systems, consistent with the other requirements of the Cambridge code.
- F.** The plan for development of any site within cluster subdivisions shall be designed and arranged in such a way as to promote solar access for all dwelling units. Considerations may include the following:
 - a.** In order to maximize solar access, the higher density dwelling units should be placed on a south-facing slope and lower-density dwelling units sited on a north-facing slope. Subject to the Cambridge setback requirements, structures should be sited as close to the north lot line as possible to increase yard space to the south for reduced shading of the south face of a structure. A tall structure should be sited to the north of a short structure.
- G.** Solar-Ready zoning should be considered as one among multiple considerations in planning new developments.

(Ord. No. 775, 8-17-2020)

CHAPTER 12

ARTICLE 1 SUBDIVISION REGULATIONS

12-101 PURPOSE

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

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

12-102 APPLICABILITY

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

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

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

12-103 PROCEDURES

- A. Pre-Application Meeting. Prior to the subdivision of any land, the subdivider or subdivider's agent shall prepare a sketch plan and shall discuss informally with the Zoning Administrator the property proposed for subdivision, with reference to these subdivision regulations and procedures, zoning regulations and controls, and the city's comprehensive and major street plans.
- B. Plat Submission Requirements. The subdivider shall submit to the City Clerk five (5) copies of the preliminary plat and supplemental material specified, with written application for conditional approval, at least ten (10) days prior to the regular meeting of the Cambridge Planning Commission at which the request will be heard.
- C. Fees. Fees structures are determined by the City.
- D. Scale and Preliminary Plat Contents. Preliminary plats shall be a scale of one (1") inch to one hundred (100') feet, and shall be prepared with the following information:
 - 1. Name, location, acreage, owner and designer of subdivision with legal description as shown by land records.
 - 2. Present and proposed zoning.
 - 3. Date, north point and graphic scale.
 - 4. Location of property lines, roads, existing utilities with size of lines, and other underground installations and easement.

5. Names of adjoining properties or subdivisions.
 6. Proposed utility system, including water, sewer and paving.
 7. Dimensions and lot lines.
 8. Location of proposed drainage.
 9. Contours at two (2) feet minimum intervals at 1" = 100' scale.
 10. Proposed improvements and grading concepts.
 11. Location of existing buildings.
 12. Proposed easements, dedications and reservations of land required.
- E. Notification of Improvement Schedule. Subdivider shall indicate by a letter when improvements as required will be provided.
- F. Notification of County Planning Commission. The City shall notify the Furnas County Planning Commission of any proposed subdivision plat and provide the Commission with all available materials on the proposed plat, when such proposed plat lies partially or totally within the extraterritorial subdivision jurisdiction being exercised by that Municipality in such County. The Commission shall be given four (4) weeks to officially comment on the appropriateness of the design and improvements proposed in the plat. The review period shall run concurrently with subdivision review activities of the City after the Commission receives all available material for a proposed subdivision plat.
- G. Notification of School Board. At least ten (10) days prior to the Cambridge Planning Commission meeting at which the preliminary plat is to be considered for approval, the Planning Commission shall submit a copy of the proposal to the School Board of each School District which the proposed development affects, and shall notify the School Board of the meeting date. Copies of the plat may be submitted to any other agency which may be affected.
- H. Approval or Rejection. After review of the preliminary plat and negotiations with the subdivider, the Cambridge Planning Commission shall reject or conditionally approve the preliminary plat, within thirty (30) days after the official meeting at which the plat was considered.
- I. Approval is Conditional. Approval of a preliminary plat shall not constitute approval of the final plat; it shall be deemed an expression of approval or conditional approval of the submitted plat, as a guide for the preparation of the final plat, which will be subject to further consideration by the Cambridge Planning Commission and the Cambridge City Council. Any conditional approval of the preliminary plat shall be effective for a period of one (1) year unless an extension is granted by the Planning Commission.

- J. Public Works Plan. Upon approval of the Preliminary Plat by the Cambridge Planning Commission and Cambridge City Council, the approved Preliminary Plat will be forwarded to City Engineer for preparation of a Public Works Plan. Said Public Works Plan will outline the improvement needs, in conjunction with the City's present utility, drainage and street system and tentative costs.
- K. Final Plat Submission Requirements. Final plats, showing entire concept, shall be submitted to the City Clerk within one (1) year of approval of the preliminary plat, unless an extension is granted by the Planning Commission. The final plat shall conform to the preliminary plat as approved and to the requirements of all applicable ordinances and State statutes; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of these regulations.
- L. Scale and Final Plat Contents. One (1) original mylar and five (5) copies of the final plat and other exhibits required for approval shall be submitted. The final plat shall be drawn in ink on mylar and shall be at a scale of one (1') inch to one hundred (100') feet or larger. The final plat shall show the following:
1. Date, title, name and location of subdivision.
 2. Streets and street names, lots, setback lines, lot numbers, etc.
 3. Graphic scale and north arrow.
 4. Monuments (ferrous) 1/2" diameter, minimum 24" minimum length
 5. Dimensions, angles and bearings, and complete legal description of the property.
 6. Sufficient survey data to reproduce any line on the ground.
 7. Names of adjoining subdivisions.
 8. Location and dimensions of any easements.
 9. Purpose for which sites are dedicated or reserved, and the transfer of ownership of the same.
 10. Certification by surveyor as to accuracy of survey and plat.
 11. Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted.
 12. Certification recording the approval by the Planning Commission.
 13. Certification recording the approval by the City Council and the acceptance of any dedications.
- M. Supplementary Data Required. The final plat shall be accompanied by:
1. Public Works Plan of all required public improvements, approved by an Engineer.

- N. Professional Assistance. The City Council or the Planning Commission may request such professional assistance as it deems necessary to properly evaluate the plats submitted.
- O. Planning Commission Recommendations. The Planning Commission shall reject or approve the final plat and have prepared a recommendation to the City Council recommending rejection or approval. All reasons for recommending rejection shall be clearly stated. Notification of approval or rejection by the Planning Commission or City Council shall be given the subdivider within sixty (60) days after submission of the final plat to the Planning Commission.
- P. Administrative Subdivision. In the event that a proposed subdivision does not involve the platting and dedication of streets, extension of utility systems, change in subdivision class and type, change in zoning district, change in surface drainage, and will not result in the creation of more than three (3) lots of record, the subdivider may apply for administrative subdivision under the provisions of this section. The utilization of the administrative subdivision does not relieve the subdivider of its obligation to comply with the regulations relating to the Streets, Alleys, Sidewalks and Driveways and Utility and Drainage Facilities sections of these Zoning Regulations. The procedure for such application will be as follows:
1. Application will be made to the City Council and the City Council may act or may at their option refer the application to the Planning Commission. In the event it is referred to the Planning Commission, the procedures outlined under the final plat provisions shall be followed.
 2. The subdivider shall submit an original and five (5) copies of the plat. The original shall be drawn in ink on tracing cloth, mylar, or similar material, and shall be at a scale of 1 'to 100 or larger. The plat shall contain the following:
 - a. Date, title, name, and location of the subdivision.
 - b. Names and locations of abutting streets and lots identifying street names and lot and block numbers.
 - c. Identification of the new lot and block numbers and set back lines.
 - d. Graphic scale and true north point.
 - e. Monuments.
 - f. Dimensions, angles and bearings and complete legal description of the property.

- g. Sufficient surveying data to reproduce any line on the ground.
 - h. Location, dimensions, and purposes of any existing easements.
 - i. Certification by surveyor certifying to the accuracy of the survey and plat.
 - j. Certification signed and acknowledged by all parties holding title or having any title interest in the land subdivided and consenting to the preparation and recording of the plat as submitted.
3. The plat shall be accompanied by:
- a. Protective covenants in form for recording if such are desired by the subdivider.
 - b. For subdivisions adjoining or touching the boundaries of Cambridge's Corporate Limits; a tract or area for which annexation proceedings have been commenced; an approved subdivision which touches or adjoins Cambridge's Corporate Limits, a petition signed by the owner or owners requesting annexation to the City.
 - c. Utility easements signed by the owner or owners to permit all lots created access to all utilities available in the City, including but not limited to, sanitary sewer, storm sewer, water, electrical, telephone, and cable television.

12-104 SUBDIVISION IMPROVEMENT PROCEDURE.

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

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

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

12-105 DEDICATION OF PUBLIC LAND

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

12-106 ANNEXATION AND RECORDING OF PLAT

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

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

- 1. State the estimated cost impact of providing the services to such land.

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

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

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

12-107 VARIANCES.

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

12-108 PUBLIC SITES AND OPEN SPACES.

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

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

12-109 VACATIONS.

- A. Application. All requests for vacation shall be submitted to the City, for review and recommendation, to the Planning Commission and City Council. After approval of the vacation request by the City Council, the City will file the vacation ordinance with the appropriate office at Furnas County.

- B. Vacation of Portions of Street Rights-of-Way. Requests may be made for vacating portions of street rights-of-way. Standard vacations will be of equal amounts on both sides of a street for a minimum of a block length corresponding to the petitioner's request and subject to the following standards:
 - 1. Rights-of-way in excess of one hundred (100) feet shall be vacated to no less than one hundred (100) feet.
 - 2. One hundred (100) foot rights-of-way shall be vacated to no less than eighty (80) feet.

3. Eighty (80) foot rights-of-way shall be vacated to no less than sixty-six (66) feet.
 4. Rights-of-way of sixty-six (66) feet or less shall not be vacated to a narrower width.
- C. Petition Content. The applicant's petition shall contain a written request giving the legal description of property abutting the portion of right-of-way for which the petition is filed. Such application shall contain a statement of ownership with mailing address for abutting property. The request shall also include a plat or survey showing the width of the street, the portion of the street to be vacated and abutting property with legal description.
- D. Vacation Action. Should the City and the Planning Commission decide the request is in the best public interest and recommend approval, the following policy shall apply:
1. The Planning Commission will recommend to the City Council that the petition be approved and that the vacated right-of-way revert to abutting property owners on both sides of street for entire length of block in accordance with the Nebraska Revised State Statutes.
- E. Purpose.
1. Assure even vacation on both sides of the street for the entire block, keeping the paved portion of the street (generally) in the center of the right-of-way.
 2. Assure that the vacated street right-of-way reverts to abutting property owners.
- F. Vacation of Street (Not Vacated as a Portion of a Plat Vacation). Applicant shall submit a petition and a survey showing all portions of the street requested for vacation and abutting property with legal descriptions. Such application shall contain a statement of ownership with mailing address of all lands abutting those portions of street.
1. A street may be vacated and remain the property of the City only if the City owns both sides of the street.
 2. The City may require that an easement be granted or maintained as a part of the vacation ordinance.
- G. Alley Vacation. An alley may be vacated with ownership reverting to the owners of the adjacent real estate, one-half (1/2) of the alley to owner on each side. However, when an alley is taken wholly from one (1) or more lots, its vacation shall revert the ownership to the abutting property and become part of that property. When a portion of an alley is vacated only one (1) side of its center, the title to the property shall vest in the owner of the abutting property and become part of that property.

- H. Vacation of Subdivision Plats or Portions of Subdivision Plats. An existing plat or portion of an existing plat must be vacated by ordinance prior to replatting, after hearings by the Planning Commission and City Council upon petition by the owners of such lands.
1. The ordinance granting the vacation shall specify if any public highways, streets, alleys, or other public grounds are to be retained by the City. If the City does not retain any such lands, ownership shall revert to abutting lot owners.
 2. Any vacation approved shall, at the owner's expense, be certified to the appropriate County Register of Deeds and be so recorded. The Register of Deeds shall then note such vacation on the plat by writing in plain, legible letters. Such notation shall also contain a reference to the volume and page in which the ordinance of vacation is recorded. The owners of the lands vacated shall cause the same to be replatted in accordance with the requirements of these regulations.
 3. Where a plat or portion of a plat is vacated where water, sewer, and paving are already installed, it shall be the responsibility of the petitioner to provide water and sewer to any newly created lots in the manner prescribed by the City.

12-110 AMENDMENTS.

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

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CHAPTER 13

ARTICLE 1

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

13-101 STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS

- A. Streets. The arrangements, character, extent, width, grade and location of all streets shall conform to the comprehensive development plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- B. Street Extension. The street layout of the proposed subdivision shall provide for the continuation of appropriate projection of streets and alleys already existing in areas being subdivided. Where, at the determination of the City Council, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the City Council deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius of at least fifty (50) feet. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.
- C. Dedication of Right-of-Way for New Streets. The dedication of right-of-way for new streets measured from lot line to lot line shall be as shown on the comprehensive development plan. All streets classified as arterial streets by the comprehensive development plan shall have all points of access approved by the City Council. Marginal access streets may be required by the City Council for subdivisions fronting on arterial streets.
- D. Dedication of Right-of-Way for Existing Streets. Subdivisions platted along existing streets shall dedicate additional right-of-way if necessary to meet the minimum street width requirements set forth in this Article. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one (1) side of an existing street, one half of the required right-of-way width, measured from the center line of the existing roadway, shall be dedicated.

- E. Intersections. Streets shall intersect as nearly as possible at an angle of 90 degrees. Street curb intersections shall be rounded by radii of at least twenty (20) feet. When the smallest angle of street intersection is less than 75 degrees, the City Council may require curb radii of greater length. Wherever necessary to permit the construction of a curb having a desirable radius without reducing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such curb construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access to an arterial street within one hundred and fifty (150) feet of the right-of-way of any street which intersects such arterial street on the side on which such lot or parcel is located.
- F. Widths, Grades and Sight Distance Requirements. Right-of-way widths, pavements widths, grades and sight distance requirements shall be as follows:

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

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

**Determined by State Standards

The horizontal alignment on all street except in unusual cases as determined by the Cambridge Planning Commission shall as follows:

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

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

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

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

- H. Street Jogs. Street jogs with center line offsets of less than one hundred fifty (150) feet shall, be prohibited. Cul-de-sacs, minor terminal or dead-end streets or courts which are designed so as to have one end permanently closed shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turnaround having a radius at the outside of the right-of-way of at least fifty (50') feet.
- I. Street Names. Proposed streets which are in alignment with other already existing and named streets shall bear the names of such existing streets. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing street, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, lane, road, pike, highway, parkway or similar suffix. Whenever a street alignment changes direction more than 45 degrees without a return to the original alignment within a distance of five hundred (500') feet, then the

name of the street shall be changed at the point of curvature. Whenever a cul-de-sac street serves not more than three (3) lots, the name of the intersecting street shall apply to the cul-de-sac. To avoid duplication and confusion, the proposed names of all streets shall be approved by the designated City Engineer prior to such names being assigned or used.

- J. Private Streets and Reserve Strips. There shall be no private streets platted within a subdivision. There shall be no reserve strips in a subdivision except where their control is definitely vested in the City or County under conditions approved by the Council as authorized herein.
- K. Street Surfacing. The streets in the proposed subdivision shall be paved, with Portland Cement concrete and integral curbs
- L. Blocks. Except in unusual circumstances, the maximum length of blocks shall be 600 feet.
- M. Street Name Signs. Street name signs, of a type in use throughout the City of Cambridge, shall be erected by the subdivider at all intersections.
- N. Alleys. Alleys shall be provided to give access to the rear of all lots used for commercial and industrial purposes. Minimum right-of-way width of an alley shall be twenty (20') feet. Alley intersections and sharp changes in alignment shall be prohibited. Alley surfacing shall be gravel.

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

13-102 STREET, UTILITY AND DRAINAGE FACILITIES

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

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

- B. Erosion Control. The subdivider shall be required to provide for the control for greater than one (1) acre developed erosion of areas of the subdivision which are disturbed in accordance with the NPDES Construction Site Stormwater Permit.

- C. Electric, Gas, and Telephone Improvements.

1. All water, sewer and drainage utilities shall be installed prior to gas, electric or telephone service.
2. Electric service and telephone service shall be provided within each subdivision. Gas service may be required where reasonably accessible. Whenever such facilities are reasonably accessible and available, they may be required to be installed within the area prior to the approval of the final plat. Telephone, electric, street lighting, and communications conductors may be installed underground at the option of the City Council.
3. Overhead secondary utility lines, where installed shall be located at the rear of all lots.
4. Whenever a sanitary sewer line and electric and/or telephone line is each placed underground in the same utility easement, the following provisions shall be applicable:
 - a. The total easement width shall not be less than fifteen (15') feet, and
 - b. The sanitary sewer line shall be installed within three (3') feet of the easement, and the electric and/or telephone line shall be installed within three (3') feet of the opposite side of the easement.
5. Relocation of existing utilities are at the cost of the subdivider.

13-103 ADDITIONAL IMPROVEMENTS.

- A. Extensions to Boundaries. The subdivider may be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Cambridge City Council.

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

CHAPTER 14

ARTICLE 1 AIRPORT ZONING REGULATIONS

14-101 LOCATION, BOUNDARIES, ZONES, AND HEIGHT RESTRICTIONS.

The vicinity of the Cambridge Municipal Airport, located in part of the Southeast Quarter (SE $\frac{1}{4}$) of Section 17 and part of the Northeast Quarter (NE $\frac{1}{4}$) of Section 20, Township 4 North, Range 25 West, in Furnas County, Nebraska, from the boundaries of such airport, to a distance of three(3) statute miles in all directions from the adjacent boundaries of the airport to the extent such property is located within the corporate or jurisdictional limits of the City, is hereby declared an airport hazard area and is hereby zoned as follows:

- A. Hazard area description. The Hazard Area consists of Operation Zones, Approach Zones, Turning Zones and Transition Zones. The outer boundary of the Hazard Area is composed of a series of connected tangents and simple curves which also constitute the outer boundaries of the Approach and Turning Zones.

- B. Zone description.
 - 1. The Operation Zones shall be located along each existing or proposed runway, landing strip, or other portion of the airfield used regularly, or to be used regularly, for the landing or taking off of airplanes and shall extend two hundred (200) feet beyond the ends of each existing or proposed runway. The Operation Zone is one thousand (1,000) feet wide, or five hundred (500) feet on either side of the runway centerline for each instrument runway or landing strip. The Operation Zone for all other runways and landing strips shall be five hundred (500) feet in width.

 - 2. The Approach Zones shall extend from the end of each Operation Zone and is centered along the extended runway centerlines. The Approach Zone extend ten miles from the Operation Zone, is one thousand (1,000) feet wide at the end of the zone nearest the runway and expands uniformly, at a rate of thirty (30) feet of width for each one hundred (100) feet of horizontal length, to the extent of sixteen thousand eight hundred forty (16,840) feet wide at the farthest end of the zone.

The Inner and Outer Areas of each Approach Zone shall be that portion of the Approach Zone beginning at the end of the respective or

proposed Operation Zone and extending as far as three (3) miles from the respective Operation Zone. The Inner Area of the Approach Zone shall be the area extending seven thousand five hundred (7,500) feet from the Operation Zone to reach the maximum height of one hundred fifty (150) feet at the 1:50 slope. The Outer Area of the Approach Zone shall begin at the end of the Inner Area of the Approach Zone and extend as far as three (3) miles.

The Extended Area of each Approach Zone shall be the area between the outer limit of the Outer Area of the Approach Zone extending seven (7) miles from the Outer Area of the Approach Zone to create a total extension of ten (10) miles for the Approach Zone.

3. The Transition Zone shall be a zone that extends outward, at a right angle to the runway centerline. The Transition Zone shall extend seven (7) feet horizontally for every one (1) foot vertically and shall end at a height of one hundred fifty feet (150) above the highest elevation on the existing or proposed runway. The Transition Zone begins at the height limit of the adjacent Approach or Operation Zone.
 4. The Turning Zones shall comprise all portions of the Hazard Area not contained in the Operation Zones, Approach Zones, or Transition Zones. The outer limits of the Turning Zones shall be a series of points forming a line which is the horizontal distance of three (3) statute miles from the nearest points along the airport property lines.
- C. Height restrictions. No building, transmission line, communication line, pole, tree, smoke-stack, chimney, wires, tower or other structure or appurtenance thereto of any kind or character shall hereafter be erected, constructed, repaired or established, nor shall any tree or other object of natural growth be allowed to grow:
1. The Operation Zone height limit is the same as the height of the runway centerline elevation on an existing or proposed runway, or the surface of the ground, whichever is higher.
 2. The Inner Area Approach Zone height limit begins at the elevation of the runway end for which it is the approach and rises one foot vertically for every fifty feet horizontally (1:50 slope) to a maximum of one hundred fifty (150) feet above the nearest existing or proposed instrument runway end elevation.
 3. The Outer Area Approach Zone height limit is one hundred fifty (150) feet above the nearest existing or proposed instrument runway end elevation and remains at that height limit until the three (3) mile horizontal distance.

4. The Extended Area Approach Zone height limit begins at one hundred fifty (150) feet at the end of the Outer Area Approach Zone and continues to rise one foot vertically for every fifty feet horizontally (1:50 slope) until the ten (10) mile extent limit.
5. The Transition Zone's height limit rises one foot vertically for every seven feet horizontally (1:7 slope). The height limit begins at the height limit of the adjacent Operation and Approach Zones and ends at a height of one hundred fifty (150) feet above the highest elevation on the existing or proposed runway.
6. The Turning Zone has a height limit of one hundred fifty (150) feet above the height elevation on the existing or proposed runway.

D. Location sketch and zoning map.

1. Boundaries, operation zones, approach zones, transition zones, and turning zones of said airport are as indicated on the Zoning Map, Drawing No. ZN-CSB-14 which accompanies and is hereby made a part of these regulations, a copy of which shall at all times be on file in the Office of the City Clerk, Cambridge, Nebraska.

E. Permit required, exceptions, application forms and permit fees.

1. Permit required. It shall hereafter be unlawful to erect, construct, reconstruct, repair, or establish any building, transmission line, communication line, pole, tower, smoke-stack, chimney, wires, or other structure or appurtenance thereto of any kind or character or to plant or replant any tree or other object of natural growth, within the boundary of the zoned area of said airport without first obtaining a "permit" from the Administrative Agency.
2. Exceptions. In the Outer Area of Approach Zones and within the Turning Zones, no permit shall be required for any construction or planting which is not higher than seventy-five (75) feet above the elevation of the end of the nearest runway or landing strip.
3. Application forms. Application for a permit as required under these regulations shall be made upon a form to be available in the City Office of the City of Cambridge, and shall indicate the approximate location, ground elevation with reference to the elevation at the end of the nearest runway or landing strip, and height of the proposed structure or planting. (Mean Sea Level Elevation)

F. Non-conforming structures.

1. Within the zoned area as herein before defined, no non-conforming building, transmission line, communication line, pole, tree, smoke-stack, chimney, wires, tower, or other structure or appurtenance thereto of any kind or character or object of natural growth shall hereafter be replaced, substantially reconstructed, repaired, altered, replanted or allowed to grow, as the case may be, to a height which constitutes a greater hazard to air navigation than existed before these regulations were adopted nor above the heights permitted by these regulations if such structures or objects of natural growth have been torn down, destroyed, have deteriorated or decayed to an extent of thirty (30) percent or more of their original condition, or abandoned for a period of twelve months or more. Transmission lines and communication lines as referred to in these regulations shall be interpreted to mean all poles, wires, guys and all other equipment necessary for the operation and maintenance of same within the zone regulated.

G. Marking of non-conforming structures.

1. Whenever the Administrative Agency shall determine, or shall be notified by the Nebraska Department of Aeronautics, that a specific non-conforming structure or object exists and has existed prior to the passage of these regulations and within the zoned area herein before described at such a height or in such a position as to constitute a hazard to the safe operation of aircraft landing at or taking off from said airport, the owner or owners and lessor or lessors of the premises on which such structure or object is located shall be notified in writing by the said Administrative Agency and shall within a reasonable time, permit the marking thereof by suitable lights or other signals designated by the Administrative Agency and based on the recommendations of the Nebraska Department of Aeronautics. The cost of such marking shall not be assessed against the owner or lessor of said premise.

H. Administrative agency.

1. The City Council of the City of Cambridge, Nebraska shall administer and enforce these regulations, and shall be the Administrative Agency provided for in Section 3-319, of the Nebraska Revised State Statutes, and shall have all the powers and perform all the duties of the Administrative Agency as provided by the Airport Zoning Act.

I. Zoning board of adjustment.

1. The Zoning Board of Adjustment of the City of Cambridge, Nebraska, shall be the Board of Adjustment with respect to these regulations, to have and exercise the powers conferred by Section 3-320, of the Nebraska Revised State Statutes, and such other powers and duties as are conferred and imposed by law.

(Ord. No. 737, 6-20-2016)

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CHAPTER 15

ARTICLE 1 **ADMINISTRATION**

15-101 ADMINISTRATIVE PROCEDURE.

The City Building inspector shall serve as Zoning Administrator and shall be responsible for the administration of the Ordinance. The Zoning Administrator shall have the following powers and duties:

- A. To enter upon any premises at reasonable times and make all inspections necessary to the performance of his duties.
- B. To order work stopped by written notice served on the proper person, firm or corporation when such work is being done contrary to the provisions of this ordinance.
- C. To issue building permits that are in harmony with the provisions of this ordinance.
- D. To allow a period of ten (10) days for compliance with this ordinance after issuance of a "Stop Work" notice.

15-102 PERMITS REQUIRED.

No such permit shall be issued for any building, structure, or land use except in complete conformance with all provisions of these regulations.

15-103 APPLICATION FOR BUILDING PERMIT.

Every application for a building permit shall include at least the following:

- A. A plat of the piece or parcel of land, lot, lots, block or blocks, or part of portions thereof, drawn, to scale showing the actual dimensions of the piece or parcel, lot, lots, block or blocks, or parts or portions thereof, according to the recorded plat or legal description of such land.

- B. A plot plan drawn to scale and in such form as may, from time to time, be prescribed by the Zoning Administrator showing the location, ground area, height, and bulk of all present and proposed structures, drives and parking lots, the building lines in relation to lot lines, waste disposal areas, the use to be made of such present and proposed structures on the land, and such other information as may be required by the Zoning Administrator for the proper enforcement of these regulations.

One copy of both the plat and the plot plan shall be retained by the Zoning Administrator as a public record.

15-104 ISSUANCE OF BUILDING PERMITS

A building permit shall be either issued or refused by the Zoning Administrator and when building permits are refused, the applicant shall be advised in writing of the reasons of the refusal.

15-105 PERMIT FEE

For each permit issued, there shall be charged and collected from the application a fee as established by the City Council by ordinance.

15-106 PERMITS REVOKED

A permit may be revoked at any time by the Zoning Administrator when it appears that there is a departure from conditions as required by the terms of the permit or that any of the terms of this ordinance are being violated. In such case, or when no permit has been issued before construction or occupancy begins, the Zoning Administrator may issue a stop order and thereafter any construction or further violation of this ordinance shall be punishable as provided herein.

15-107 EFFECT OF BUILDING PERMIT

Any building permit issued by the Zoning Administrator contrary to the provisions of this Ordinance shall be null and void and shall not be construed as waiving any provisions of this Ordinance. Building permits are effective for one year from the date of approval. Applicants must start construction within one year of approval of the permit and must complete construction within a reasonable period of time. If construction has not started within one year of the approval of the application the building permit shall be null and void.

15-108 CERTIFIED SURVEYS

The Planning Commission may, at its discretion, require the submission of a certified survey attached to the building permit application of the property described in the application.

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CHAPTER 16

ARTICLE 1 **VIOLATIONS AND PENALTIES**

16-101 VIOLATIONS AND PENALTIES

Any person who violates any provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine, determined by the City, for each. Each and every day that such violation continues shall constitute a separate offense.

Whenever a violation exists as defined in these regulations, the City may proceed by a suit in equity to enjoin and abate the same, in the manner provided by law. Whenever, in any action, it is established that a violation exists, the court may, together with the fine or penalty imposed, enter an order of abatement as a part of the judgement in the case.

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CHAPTER 17

ARTICLE 1 **INVALIDITY IN PART**

17-101 INVALIDITY IN PART

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

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CHAPTER 18

ARTICLE 1 **CONFLICTING ORDINANCE**

18-101 **CONFLICTING ORDINANCE**

Where this ordinance conflicts with any other local, State or Federal ordinance or regulation, the most restrictive ordinance or regulation shall apply.

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CHAPTER 19

ARTICLE 1

STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSES

19-101 STATUTORY AUTHORIZATION

The Legislature of the State of Nebraska has delegated the responsibility to local governmental units to adopt zoning regulations designed to protect the public health, safety and general welfare. The Legislature in Section NE RRS 17-505, and 31-1001 to 31-1023, 1943 has further assigned the responsibility to adopt, administer, and enforce floodplain management regulations to the county, city or village with zoning jurisdiction over the flood-prone area. Therefore, the City of Cambridge, Nebraska, ordains as follows:

19-102 FINDING OF FACTS

- A. Flood Losses Resulting From Periodic Inundation. The flood hazard areas of the City of Cambridge, Nebraska is subject to inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.
- B. General Causes of These Flood Losses. These flood losses are caused by (1) The cumulative effect of obstruction in floodplains causing increases in flood heights and velocities, (2) The occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others which are inadequately elevated or otherwise protected from flood damages.
- C. Methods Used to Analyze Flood Hazards. This ordinance uses a reasonable method of analyzing flood hazards which consists of a series of interrelated steps.
 1. Selection of a regulatory flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood is selected for this ordinance. It is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one year, as delineated on the Federal Insurance Administration's Flood Insurance Study, and illustrative materials dated March 2, 2009 as amended, and any future revisions thereto.

2. Calculation of water surface profiles based upon a hydraulic engineering analysis of the capacity of the stream channel and over bank areas to convey the base flood.
3. Computation of the floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
4. Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any water surface increase along the floodway profile.
5. Delineation of floodway fringe, i.e., that area outside the flood way encroachment lines, but which still is subject to inundation by the base flood.

19-103 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize those losses described in this Chapter by applying the provisions of this ordinance to:

- A. Restrict or prohibit uses which are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
- B. Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction.
- C. Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.
- D. Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

ARTICLE 2
GENERAL PROVISIONS

19-201 LANDS TO WHICH ORDINANCE APPLIES

This ordinance shall apply to all lands within the jurisdiction of the City of Cambridge, NE identified on the Flood Insurance Rate Map (FIRM) dated March 2, 2009, and any revisions thereto, as numbered and unnumbered A Zones (including AE Zones) and within the Zoning Districts FW and FF established in this ordinance. In all areas covered by this ordinance no development shall be permitted except upon the issuance of a floodplain permit to develop, granted by the City of Cambridge, Council or its duly

designated representative under such safeguards and restriction as the City of Cambridge, Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the Community and where specifically noted in these Regulations.

19-202 THE ENFORCEMENT OFFICER

The Flood Plain Administrator of the Community is hereby designated as the Community's duly designated Enforcement Officer under this Ordinance.

19-203 RULES OF INTERPRETATION OF DISTRICT BOUNDARIES

The boundaries of the floodway and flood fringe overlay districts shall be determined by scaling distances on the official zoning map or on the Flood Insurance Rate Map or Floodway Map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Enforcement Officer shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Zoning Appeals will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board of Zoning Appeals and to submit his own technical evidence, if he so desires.

19-204 COMPLIANCE

Within identified special flood hazard areas of this community, no development located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

19-205 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this ordinance to repeal, abrogate or impair any existent easements, covenants, or deeds restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

19-206 INTERPRETATION

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor

of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

19-207 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and flood fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Cambridge, Nebraska or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made there under.

19-208 SEVERABILITY

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

19-209 APPEAL

Where a request for a permit to develop is denied by the Floodplain Administrator the applicant may apply for such permit or variance directly to the Board of Zoning Appeals.

ARTICLE 3
DEVELOPMENT PERMIT

19-301 PERMIT REQUIRED

No person, firm or corporation shall initiate any floodplain development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined in these Regulations. This will also require permits for all proposed construction or other development including placement of manufactured home, except as provided in these Regulations.

19-302 ADMINISTRATION

A. The Flood Plain Administrator is hereby appointed to administer and implement the provisions of this ordinance.

B. Duties of the Flood Plain Administrator shall include, but not be limited to:

1. Review all development permits to assure that sites are reasonably safe from flooding and that the permit requirements of this ordinance have been satisfied.
2. Review applications for proposed development to assure that all necessary permits have been obtained from those Federal, State or Local governmental agencies from which prior approval is required.
3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Notify adjacent communities and the Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
5. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
6. Verify, record and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures in special flood hazard areas.
7. Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which the new or substantially improved non-residential structures have been flood proofed.
8. When flood proofing is utilized for a non-residential structure the Flood Plain Administrator shall be presented certification from a registered professional engineer or architect to certify that the design and methods of construction meet requirements at [(c) (3) (ii)] [60.3(c) (4)]

19-303 APPLICATION FOR PERMIT

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

- A. Identify and describe the work to be covered by the floodplain development permit.

- B. Describe the land on which the proposed work is to be done by lot, block tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or development.
- C. Indicate the use or occupancy for which the proposed development is intended.
- D. Be accompanied by plans and specifications for proposed construction.
- E. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
- F. Give such other information as reasonably may be required by the Floodplain Administrator.

ARTICLE 4
ESTABLISHMENT OF ZONING DISTRICTS

19-401 ESTABLISHMENT OF ZONING DISTRICTS

Along watercourses where a floodway has been established, the mapped floodplain areas are hereby divided into the two following districts: a floodway overlay district (FW) and a floodway fringe overlay district (FF) as identified in the Flood Insurance Study [and accompanying map(s)]. The governing body of the City of Cambridge, hereby designates the current Flood Insurance Rate Map dated March 28, 1980 and any revisions thereto, as the official map to be used in determining those areas of special flood hazard. Within these districts all uses not meeting the standards of this ordinance and those standards of the underlying zoning district shall be prohibited.

ARTICLE 5
STANDARDS FOR THE FLOODPLAIN DEVELOPMENT

19-501 STANDARDS FOR THE FLOODPLAIN DEVELOPMENT

- A. No permit for development shall be granted for new construction, substantial improvements and other development(s) including the placement of manufactured homes within all numbered and unnumbered A zones (including AE zones) unless the conditions of this Section are satisfied.
- B. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the base flood; however, the water surface elevation was not provided. The unnumbered A zones shall be subject to all development provisions of these Regulations. If Flood Insurance Study data is not

available, the community shall utilize any base flood elevation or floodway data currently available from Federal, State or other sources. In A Zones, in the absence of FIA BFE data and Floodway data, consider other available data as basis for elevating residential structures to or above base flood level, and for flood proofing or elevating nonresidential structures to or above base flood level. [60.3(b) (4)]

- C. Until a floodway has been designated, no development or substantial improvements may be permitted within special flood hazard areas unless the applicant has demonstrated that the proposed development or substantial improvement, when combined with all other existing and reasonably anticipated developments or substantial improvements, will not increase the water surface elevation of the base flood more than one (1) foot at any location as shown on the Flood Insurance Study.
- D. New construction, subdivision proposals, substantial improvements, prefabricated buildings, placement of manufactured homes and other developments shall require:
 - 1. Design or anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
 - 2. New or replacement water supply systems and/or sanitary sewage Systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into floodwaters, and on-site waste disposal systems are located so as to avoid impairment or contamination.
 - 3. Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damages, and with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - 4. All utility and sanitary facilities be elevated or flood proofed up to the regulatory flood protection elevation.
- E. Storage and Material and Equipment
 - 1. The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.

2. Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.
- F. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, be required to assure that (a) all such proposals are consistent with the need to minimize flood damage, (b) all public utilities and facilities, such as sewer, gas, electrical, and water systems area located, elevated and constructed to minimize or eliminate flood damage, (c) adequate drainage is provided so as to reduce exposure to flood hazards, and (d) proposals for development (including proposals for manufactured home parks and subdivisions) of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals the base flood elevation.
 - G. Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; a variance has been granted from the floodplain management requirements of this ordinance; and a floodplain development permit has been issued.
 - H. Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than four hundred (400) square feet, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a floodplain development permit has been issued.
 - I. Appurtenant structures used exclusively for storage of motor vehicles, and storage of other items readily removable in the event of a flood warning may have their lowest floor below one foot above the base flood elevation provided the structure is capable of withstanding hydrostatic and hydrodynamic forces caused by the base flood and provided that no utilities are installed in the structure except elevated or flood proofed electrical fixtures. If the structure is converted to another use, it must be brought into full compliance with the minimum standards governing such use.

ARTICLE 6
FLOODWAY FRINGE OVERLAY DISTRICT

19-601 PERMITTED USES

Any use permitted in this Chapter shall be permitted in the Flood Fringe Overlay District. No use shall be permitted in the district unless the standards of these regulations are met.

19-602 STANDARDS FOR THE FLOODWAY FRINGE OVERLAY DISTRICT

- A. Require new construction or substantial improvements of residential structures to have the lowest floor, including basement elevated to or above **one (1) foot** above the base flood elevation.
- B. Require new construction or substantial improvements of non-residential structures to have the lowest floor, including basement, elevated to or above **one (1) foot** above the base flood elevation or, together with attendant utility and sanitary facilities, to be flood-proofed so that below that level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth this Chapter.
- C. Require for all new construction and substantial improvements that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Registered professional engineer or architect or meet or exceed the following minimum criteria; A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- D. Manufactured homes
 - 1. All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event

that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

- a. Over-the-top ties be provided at each of the four corners of the manufacture home, with two additional ties per side at intermediate locations and manufactured homes less than 50 feet long requiring one additional tie per side;
 - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points and manufactured homes less than fifty (50) feet long requiring four additional ties per side;
 - c. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
 - d. Any additions to the manufactured home be similarly anchored.
2. Require that all manufactured homes to be placed or substantially improved within special flood hazard areas on the community's FIRM on sites;
- a. Outside of a manufactured home park or subdivision,
 - b. In a new Manufactured Home Park or subdivision,
 - c. In an expansion to an existing manufactured home park or subdivision, or
 - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage as the result of flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above **one (1) foot** above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of this Chapter.
3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within special flood hazard areas on the community's FIRM that are not subject to the provisions of this Chapter be elevated so that either:
- a. The lowest floor of the manufactured home is at or above **one (1) foot** above the base flood elevation, or

- b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of this Chapter.
- E. Recreational vehicles placed on sites within the special flood hazard areas on the community’s official map shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements and the elevation and anchoring requirements for “manufactured homes” of this ordinance. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

ARTICLE 7
FLOODWAY OVERLAY DISTRICT

19-701 PERMITTED USES

Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance. The following are recommended uses for the Floodway District;

- A. Agricultural uses such as general farming, pasture, nurseries, forestry.
- B. Residential uses such as lawns, gardens, parking and play areas.
- C. Non-residential areas such as loading areas, parking, airport landing strips.
- D. Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves.

19-702 STANDARDS FOR THE FLOODWAY OVERLAY DISTRICT

New structures for human habitation are prohibited. All encroachments, including fill, new construction, substantial improvements and other development must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during occurrence of the base flood discharge. These uses are subject to the standards of this Chapter. In Zone A unnumbered, obtain, review and reasonably utilize any flood elevation and floodway data

available through Federal, State or other sources or this ordinance, in meeting the standards of this section.

ARTICLE 8
VARIANCE PROCEDURES

19-801 VARIANCE PROCEDURE

- A. The Board of Adjustments as established by the City of Cambridge shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- B. The Board of Adjustments shall hear and decide appeals when it is alleged that there is an error in any requirements, decision, or determination made by the Flood Plain Administrator in the enforcement or administration of this ordinance.
- C. Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal such decision to the District Court as provided in Section 19-912, R. R. S. 1943.
- D. In passing upon such applications, the Board of Adjustment shall consider all technical evaluation, all relevant factors, standards specified in other sections of this ordinance, and:
 - 1. The danger that materials may be swept onto other lands to the injury of others;
 - 2. The danger to life and property due to flooding or erosion damage;
 - 3. The susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - 4. The importance of the services provided by the proposed facility to the community;
 - 5. The necessity to the facility of a waterfront location, where applicable;
 - 6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - 7. The compatibility of the proposed use with existing and anticipated development;
 - 8. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;

9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - a. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

19-802 CONDITIONS FOR VARIANCE

- A. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (19.52 – 8.56 below) have been fully considered. As the lot size increases beyond the one-half acre, the technical jurisdiction required for issuing the variance increases.
- B. Variances may be issued for the repair or rehabilitation of historic structures upon determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- C. Variances shall not be issued within any designated floodway if any increase in flood levels along the floodway profile during the base flood discharge would result.
- D. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- E. Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- F. The Applicant shall be given a written notice over the signature of a community official that (1) the issuance of a variance to construct a structure below the base flood level will result in increased premiums rates for flood insurance up to amounts as high as \$25.00 for \$100 of

insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

19-803 CONDITIONS FOR APPROVING VARIANCES FOR AGRICULTURAL STRUCTURES

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-flood proofed.

- A. All agricultural structures considered for a variance from the floodplain management regulations of this ordinance shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm houses, cannot be considered agricultural structures.
- B. Use of varied structures must be limited to agricultural purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
- C. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with this ordinance.
- D. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
- E. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with this ordinance.
- F. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure

or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with this ordinance.

- G. The agricultural structures must comply with the floodplain management floodway encroachment provisions of this ordinance. No variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
- H. Major equipment, machinery, or other contents must be protected from any flood damage.
- I. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
- J. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
- K. Wet-flood proofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

19-804 CONDITIONS FOR APPROVING VARIANCES FOR ACCESSORY STRUCTURES

Any variance granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this Chapter.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-flood proofed.

- A. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).

- B. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with this ordinance.
- C. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
- D. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with this ordinance.
- E. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with this ordinance.
- F. The accessory structures must comply with the floodplain management floodway encroachment provisions of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
- G. Equipment, machinery, or other contents must be protected from any flood damage.
- H. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
- I. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
- J. Wet-flood proofing construction techniques must be reviewed and approved by the community and registered professional engineer or

architect prior to the issuance of any floodplain development permit for construction.

19-805 CONDITIONS FOR APPROVING VARIANCES FOR APPURTENANT STRUCTURES

Any variance granted for an appurtenant structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this ordinance.

- A. Use of the appurtenant structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
- B. For any new or substantially damaged appurtenant structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with this ordinance.
- C. The appurtenant structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
- D. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with this ordinance.
- E. The appurtenant structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with this ordinance.
- F. The appurtenant structures must comply with the floodplain management floodway encroachment provisions of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
- G. Equipment, machinery, or other contents must be protected from any flood damage.

- H. No disaster relief assistance under any program administered by any Federal Agency shall be paid for any repair or restoration costs of the appurtenant structures.
- I. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
- J. Wet-flood proofing construction techniques must be reviewed and approved by the community and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

ARTICLE 9
NON-CONFORMING USE

19-901 NON-CONFORMING USE

- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance but, which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:
 - 1. If such use is discontinued for six consecutive months, any future use of the building premises shall conform to this ordinance. The Utility Department shall notify the Floodplain Administrator in writing of instances of nonconforming uses where utility service has been discontinued for a period of twelve (12) months.
 - 2. Uses or adjuncts thereof which are or become nuisances shall not be entitled to continue as nonconforming uses.
- B. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration shall not preclude its continued designation.

ARTICLE 10
PENALTIES FOR VIOLATION

19-1001 PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Nothing herein contained shall prevent the City of Cambridge, Nebraska or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 11
AMENDMENTS

19-1101 AMENDMENTS

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Cambridge. At least 15 days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Federal Emergency Management Agency. The regulations of this ordinance are in compliance with the National Flood Insurance Program Regulations, as published in Title 44 of the Code of Federal Regulations and the 1983 Nebraska Flood Plain Management Act.

ARTICLE 12
DEFINITIONS

19-1201 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning as they have in common usage and to give this ordinance its most reasonable application:

- A. ACCESSORY STRUCTURES -means a structure used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a floodplain development permit has been issued.
- B. AGRICULTURAL COMMODITIES - means agricultural products and livestock.
- C. AGRICULTURAL STRUCTURES - means any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.
- D. APPURTENANT STRUCTURES - means a structure on the same parcel of property as the principal structure, and use of which is incidental to the use of the principal structure.
- E. APPEAL - means a request for a review of the Board of Zoning Appeal's interpretation of any provision of this ordinance or a request for a variance.
- F. BASE FLOOD - means the flood having one percent chance of being equaled or exceeded in any given year.
- G. BASEMENT - means any area of the building having its floor sub grade (below ground level) on all sides.
- H. DEVELOPMENT - means any man-made change to improved or improved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- I. EXISTING CONSTRUCTION - means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures".
- J. EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of

concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.

- K. FLOOD or FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters. (2) The usual and rapid accumulation of runoff of surface waters from any source.
- L. FLOOD FRINGE - is that area of the flood plain, outside of the floodway, that on average is likely to be flooded once every 100 years (i.e., that has a one percent change of flood occurrence in any one-year).
- M. FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.
- N. FLOOD INSURANCE STUDY - is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water Surface elevation of the base flood.
- O. FLOODPLAIN - means any land area susceptible to being inundated by water from any source (see definition of “flooding”).
- P. FLOODWAY OR REGULATORY FLOODWAY - means the channel of river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- Q. FREEBOARD - means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.
- R. HIGHEST ADJACENT GRADE- means the highest natural elevation of the ground surface prior to construction next to the proposed walls a structure.
- S. HISTORIC STRUCTURE – means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing

to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that has been certified either; (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

- T. **LOWEST FLOOR** - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.
- U. **MANUFACTURED HOME** - means structure, transportable in one or more sections, which is built on a permanent chassis is designed to be used with or without a permanent foundation when attached to the required utilities. The term "manufactured home: does not include a "recreational vehicle."
- V. **MANUFACTURED HOME PARK OR SUBDIVISION**- means parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- W. **NEW CONSTRUCTION** - For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- X. **OVERLAY DISTRICT**- is a district which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.
- Y. **PRINCIPALLY ABOVE GROUND**- means that at least 51 percent of the actual cash value of the structure is above ground.
- Z. **RECREATIONAL VEHICLE** – means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently tow able by a light duty truck; and (iv) designed primarily not for use as a

permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

- AA. SPECIAL FLOOD HAZARD AREA – is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.
- BB. START OF CONSTRUCTION- [for other than new construction or Substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and /or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.
- CC. STRUCTURE - means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.
- DD. SUBSTANTIAL DAMAGE – means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.
- EE. SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition or other improvement of a Structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before “start of construction” of the improvement. This includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either, (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code

enforcement official and which are minimum necessary to assure safe living conditions, or (2) any alteration of a “historic structure,” provided the alteration will not preclude the structure’s continued designation as a “historic structure.”

FF. VARIANCE - means a grant of relief to a person from the terms of a floodplain management ordinance.

GG. VIOLATION -means the failure of a structure or other development to be fully compliant with the Community’s floodplain management regulations.

ARTICLE 13
PERMIT EXCEPTIONS

19-1301 PERMIT EXCEPTIONS

Flood Plain Permits will not be required for planting a garden, landscaping and farming, putting up a mailbox, or erecting a flag pole. Flood Plain Permits will not be required for routine maintenance such as painting, re-roofing, sidewalks or driveways except as otherwise required by State Statute or if the value of the maintenance or improvements exceed fifty (50) percent of the value of the building. However, no building permit for such activity shall be issued if such activity causes a new obstruction to flood plains or alters drainage.