

**Planning Commission Meeting**  
**Monday, December 28, 2020 7:00 PM**  
**Crete Library/Community Center**  
**1515 Forest Ave.**  
**Crete, NE 68333**

1. **Open Meeting**

In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the council chambers. Items listed on the agenda may be considered in any order.

2. **Roll Call**

Attendance of Planning Commission members will be recorded to determine the presence of a quorum for official actions.

3. **Special Order of Business**

The Planning Commission may take action to hear testimony in favor of or in opposition to, discuss/limit discussion and take action to approve or disapprove a recommendation to the City Council on any matter presented under this title.

A. **Planning Commission Minutes**

1. Planning Commission meeting minutes of November 23, 2020.

B. Public Hearing regarding city code regulations regarding electronic information and pole-mounted signs.

C. Discuss recommendation to City Council regarding city code regulations regarding electronic information and pole-mounted signs.

D. Set a special meeting and Public Hearing date of January 4, 2021 at 7:00pm regarding amendments to city code regulations Chapter 11 Municipal Planning Articles 11-211, 11-503, 11-512, 11-521, 11-522.

E. Discuss recommendation to City Council regarding petition to annex Coulter Addition.

F. Discuss new Crete comprehensive plan/comprehensive plan update.

Include discussion on how the existing sidewalk plan and sidewalk priorities fit into the comp plan update.

4. **Officers' Reports**

Reports may be given by Department Heads, other Committees and Commission members concerning current operations of the City. Questions may be asked and answered. No action can be taken by the Planning Commission on matters presented under this title except to answer any question posed and to refer the matter for further action.

5. **Adjournment**

The Planning Commission will review the above matters and take such actions as they deem appropriate. The Planning Commission may enter into closed session to discuss any matter on this agenda when it is determined by the Commission that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such an individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session.

The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.

**Disclaimers & Notices**

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such individual has not requested a public meeting) or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.
- The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.
- The complete agenda with attachments is available at [www.crete.ne.gov](http://www.crete.ne.gov).

CITY OF CRETE, NEBRASKA  
PLANNING COMMISSION  
MEETING MINUTES OF NOVEMBER 23, 2020

Notice of the meeting was given by posting and publishing in the Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the board members. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The board may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

1. Open Meeting

Planning Commission Chair Dave Hansen called the meeting to order at 7:15pm.

2. Roll Call

Ryan Jindra: Absent  
Drew Rische: Absent  
Ronald Schroeder: Absent  
Sharon Scusa: Absent  
Bud Clouse: Present  
Dave Hansen: Present  
Justin Kozisek: Present  
Scott Kuncl: Present  
Jennifer Robison: Present

Present: 5, Absent: 4.

3. Special Order of Business

3.A. Planning Commission Minutes

3.A.1. Planning Commission meeting minutes of October 26, 2020.

Approve the Planning Commission meeting minutes of October 26, 2020. Carried with a motion by Bud Clouse and a second by Jennifer Robison.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye,

Jennifer Robison: Aye

Aye: 5, No: 0

3.B. Public Hearing regarding city code regulations regarding electronic information and pole-mounted signs.

Table Public Hearing regarding city code regulations regarding signs to December 28, 2020 at 7:00pm. Carried with a motion by Bud Clouse and a second by Scott Kuncl.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye,  
Jennifer Robison: Aye  
Aye: 5, No: 0

3.C. Discuss recommendation to City Council regarding city code regulations regarding electronic information and pole-mounted signs.

Table discussion regarding city code regulations regarding signs to the December 28, 2020 meeting. Carried with a motion by Scott Kuncl and a second by Jennifer Robison.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye,  
Jennifer Robison: Aye  
Aye: 5, No: 0

3.D. Discussion regarding Crete Sidewalk Plan and sidewalk priorities.

Direct the City Attorney to prepare documents for Planning Commission consideration and action in accordance with items 1 and 2 on page 11 of the Crete Sidewalk Plan, with the addition to item 1 to include new construction and reconstruction. Carried with a motion by Scott Kuncl and a second by Bud Clouse.

Bud Clouse: Aye, Dave Hansen: Aye, Justin Kozisek: Aye, Scott Kuncl: Aye,  
Jennifer Robison: Aye  
Aye: 5, No: 0

3.E. Discussion regarding upcoming 2021 items.

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 7:55pm.

Recorded by City Clerk Judi Meyer

**ARTICLE 8**  
**SIGN REGULATIONS**

**Section**

- 11-801. Regulations, how cited; conflicts.
- 11-802. Definitions.
- 11-803. Regulations, applicability; prohibited signs; general requirements.
- 11-804. Permit required; procedure; fees.
- 11-805. Permitted sign types by zoning district.
- 11-806. Maximum number of signs; height limits.
- 11-807. Maximum size; maximum total sign area; method of measurement.
- 11-808. Vision clearance zone.
- 11-809. Awnings; awning signs.
- 11-810. Banners.
- 11-811. Business center identification signs.
- 11-812. Directional signs.
- 11-813. Electronic signs.
- 11-814. Illuminated signs.
- 11-815. Marquees; marquee signs.
- 11-816. Outdoor advertising signs.
- 11-817. Pole signs.
- 11-818. Portable signs.
- 11-819. Projecting signs.
- 11-820. Temporary signs.
- 11-821. Wall signs.
- 11-822. Nonconforming signs.
- 11-823. Violations, penalty.

**11-801 Regulations, how cited; conflicts.**

- (1) The provisions of this Article shall be known and may be cited as the Sign Regulations.
- (2) In the case of conflicts between local, state, or federal laws and regulations, the most restrictive regulation shall apply. In the case of conflicts within the Sign Regulations, the more specific regulation shall apply.

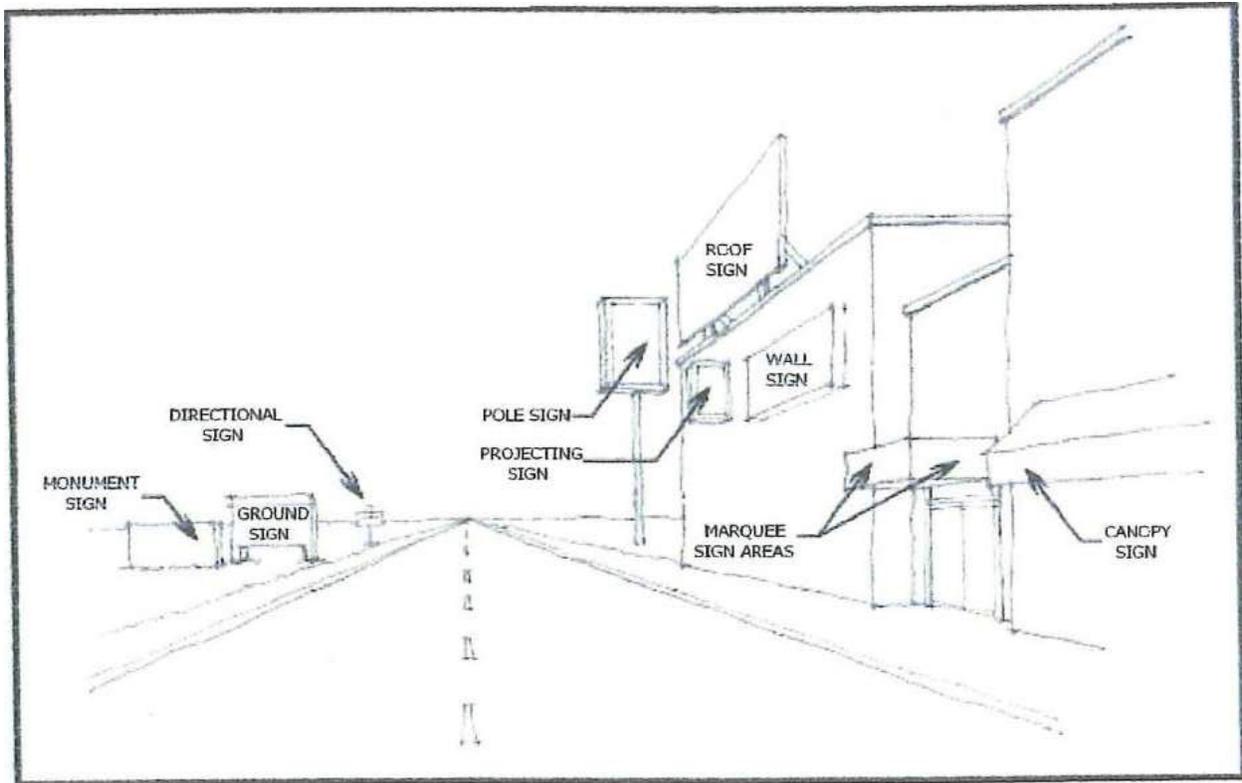
**11-802 Definitions.**

For purposes of the Sign Regulations, unless the context otherwise requires, the following definitions shall apply:

- (1) “Abandoned sign” means a sign, including the sign face and supporting structure, that refers to a discontinued use, business, profession, commodity, service, or other activity formerly occupying the premises or contains no sign copy on all sign faces for a continuous period of six months.
- (2) “Attached sign” means a sign that is structurally connected to a building or depends upon a building for support.
- (3) “Awning” means a rigid frame covered with a flexible fabric cover intended to provide signage, shade, or shelter for pedestrians or occupants of a building.
- (4) “Banner” means a sign made of flexible material with a printed message or graphic that can be secured or mounted to a structure in such a way as to allow wind movement.

- (5) “Building marker” means a historic or commemorative plaque or a building name or cornerstone carved into a masonry surface.
- (6) “Business center identification sign” means a sign that identifies a commercial building or structure that shares parking and access.
- (7) “Canopy” means a roof-like structure that is freestanding and has no walls beneath the roof or that projects out from the façade of a building or structure and whose structural support is an integral part of the main building. This includes any sign that is attached to or made an integral part of a canopy.
- (8) “Detached sign” means a sign built on a self-supporting, independent structure.
- (9) “Directional sign” means a sign that is intended to provide direction or orientation for pedestrian or vehicular traffic to an area or place.
- (10) “Double-faced sign” means a sign consisting of no more than two parallel or near parallel faces supported by a single structure. If not parallel, the angle created by the two faces shall not exceed fifteen degrees.
- (11) “Electronic sign” means a sign that contains electrical wiring and uses an array of electrically illuminated lights to display information or supporting graphics. Signs illuminated by an exterior light source that is not an integral part of the sign are not electronic signs.
- (12) “Façade” means a separate exterior face of a building or structure, including parapet walls and omitted wall lines, that extends vertically from the grade up and horizontally across the side of the building or structure. A façade may extend above the roof line, and separate faces oriented in the same direction or within forty-five degrees of one another are considered part of the same façade.
- (13) “Flag sign” means a sign that is emblazoned on a nonrigid material and is intended to be displayed in a free-flowing manner.
- (14) “Flashing sign” means a sign that has a lighting source or lighting element that periodically illuminates or that is not stationary or constant in intensity or color.
- (15) “Ground sign” means a detached sign that has its top edge five feet or less above grade.
- (16) “Illuminated sign” means a sign that is directly illuminated by an internal or external light source.
- (17) “Marquee” means a protective shelter or overhang that projects more than twenty-four inches from the façade of a building or structure.
- (18) “Monument sign” means a ground sign that has a solid base or the appearance of a solid base.
- (19) “Moving sign” means a sign that conveys a message through rotating, changing, or animated elements. Clocks are not considered moving signs.
- (20) “Mural” means an artistic image or design painted or affixed to the exterior surface of a structure that does not contain commercial text, messages, graphics, or images.
- (21) “Off-premises sign” means any sign that serves to advertise a product, service, or activity not conducted on the premises on which the sign is located.
- (22) “Outdoor advertising sign” means a sign that displays information relating to a business, product, event, or other subject of advertising or publicity.

- (23) “Pole sign” means a detached sign that has its top edge more than five feet above grade.
- (24) “Portable sign” means a ground sign supported by frames or posts rigidly attached to bases that are not permanently attached to the ground or a structure.
- (25) “Premises identification sign” means a sign that provides identification or information about the use of the premises, the owner or operator of that use, the type of business being conducted, or the principal brand name of the goods sold on the premises.
- (26) “Projecting sign” means a sign other than a wall sign that is attached to and that projects at an angle of between forty-five and one hundred thirty-five degrees from the façade of a building or structure.
- (27) “Residential sign” means a sign located on a residential building, structure, or premises that conveys a non-commercial message communicated by the resident and includes premises identification signs for home occupations.
- (28) “Roof sign” means a sign attached to a building or structure above the eave line.
- (29) “Roof sign, above-peak” means a roof sign that has its top edge above the highest point on a roof.
- (30) “Roof sign, integral” means a roof sign that wholly fits between the eave line and the highest point on a roof and that is substantially parallel to the façade of a building or structure.
- (31) “Sign” means any structure, fixture, graphics, illustration, statue, or other device visible from off the premises that is designed or intended to identify, attract attention to, advertise, or convey information regarding any use, good, product, service, business, location, institution, activity, person, solicitation, issue, or campaign, with the exception of merchandise window displays, national, state, or other governmental subdivision or educational institution flags, and sculpture.
- (32) “Temporary sign” means a sign that is not permanently affixed and that is intended to be removed or replaced within a period of six months or less.
- (33) “Wall sign” means a sign painted on or attached to and parallel with the façade of a building or structure and that projects no more than eighteen inches from the façade.
- (34) “Window sign” means a sign painted on a window or installed inside a window display area of a building or structure.



### 11-803 Regulations, applicability; prohibited signs; general requirements.

- (1) The Sign Regulations apply to all signs as defined in the regulations, except:
- (a) Signs advertising the sale, rental, or lease of the premises or a part of the premises on which the signs are displayed that conform with the following: (i) one non-illuminated sign, not to exceed six square feet in residential districts and thirty-two square feet in commercial or industrial districts, shall be permitted on each premises; (ii) such signs shall not extend higher than three feet above grade level in residential districts; and, (iii) such signs shall be removed within seven days after the disposition of the premises.
  - (b) Signs identifying the architect, engineer, contractor, or other individuals involved in the construction of a building, announcing the future building enterprise, or explaining purpose for which the building is intended that conform with the following: (i) one non-illuminated sign not to exceed fifty square feet shall be permitted per street frontage; (ii) such signs shall not extend higher than ten feet above grade level and meet any front yard requirements unless located on a protective barricade surrounding the construction; and, (iii) such signs shall be removed within one week following completion of construction.
  - (c) Signs of a political nature, expressing pertinent political issues, or announcing candidates seeking public office that are erected or maintained for a period beginning sixty days prior to the date of and ending seven days following the election to which they pertain.
  - (d) Signs advertising public events that have been approved by the City.
  - (e) Signs pertaining to recognized national holidays and national observances that are erected or maintained for a period beginning thirty days prior to the date of and ending seven days following the event to which they pertain.
  - (f) Signs erected by or upon the order of a public official in the performance of their public duty, such as safety signs, danger signs, no trespassing signs, traffic signs, memorial plaques, signs of historical interest, signs designating hospitals, libraries, schools, and other institutions or places of public interest or concern, and other similar signs.

- (g) Building markers or other historical, memorial, or commemorative signs that depict the names of buildings, dates of erection, monumental citations, commemorative tablets, and other similar information when carved into stone, concrete, or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.
  - (h) Window signs; provided, however, that illuminated or electronic window signs, including neon signs, shall be permitted only in those districts where illuminated or electronic signs are permitted.
  - (i) Murals or other works of graphic art painted or applied to windows or building walls that contain no advertising or business identification message.
  - (j) Neighborhood or subdivision identification signs under fifty square feet in size.
  - (k) Signs that are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.
  - (l) Directional signs that:
    - (i) Do not exceed four square feet in maximum size or three feet in maximum height, and
    - (ii) Are limited to one sign at each driveway or access point with a public street and one sign at any critical decision point internal to a development.
- (2) Any sign, canopy, or awning that does not comply with all applicable regulations or that is not expressly permitted shall be prohibited. In addition, the following signs, parts of signs, or objects are specifically prohibited in all zoning districts:
- (a) Abandoned signs;
  - (b) Above-peak roof signs;
  - (c) Balloons, posters, pennants, ribbons, streamers, spinners, or other similarly moving objects when not part of any sign;
  - (d) Flashing, blinking, or rotating lights;
  - (e) Off-premises signs on public property;
  - (f) Off-premises signs painted on building walls unless specifically approved as an element of a Historic Neighborhood;
  - (g) Signs that contain obscene or offensive content in violation of any local, state, or federal law or regulation;
  - (h) Signs, structures, objects, or parts of signs, structures, or objects located within a vision clearance zone;
  - (i) Signs or awnings that create a traffic or safety hazard for pedestrians or vehicles or that obscure official signs or signals; and,
  - (j) Signs, sign structures, or parts of signs that resemble, imitate, simulate, or conflict with traffic control signs or devices, that could mislead or confuse persons traveling on public streets, or that violate any of the provisions of the Nebraska Rules of the Road or any other applicable law or regulation.
- (3) All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting, the portion attaching to the ground or structure, and the surface features.
- (4) All detached signs must be spaced at least fifty feet apart, and all signs shall be at least fifty feet from the border of a residential zoning district.

#### Cross References

**Nebraska Rules of the Road**, see Neb. Rev. Stat. §§ 60-601 to 60-6,383.

**11-804 Permit required; procedure; fees.**

- (1) A sign permit issued by the City shall be required prior to the erection, construction, alteration, placing, or locating of any sign to which the Sign Regulations apply. A sign permit shall not be required for any minor maintenance, including minor, nonstructural repairs and repainting where permanent wording, composition, or colors will remain unchanged.
- (2) A copy of plans and specifications shall be submitted to the City for each proposed sign. Such plans must show sufficient details about the size, composition, and planned location of the sign and any other information as may be required to determine compliance with the Sign Regulations.
  - (a) If requested by the City, the applicant shall furnish a certification of the structural integrity of the sign and its installation by a registered professional engineer with a specialization in structural engineering.
  - (b) For projects with an overall site area in excess of six acres, the applicant must submit a master plan that details the sizes, locations, and designs of all signs on the site. The master plan may adjust the strict requirements of the Sign Regulations upon approval by the City. All master plans must be approved by the City Council after the plan has been reviewed by the Planning Commission.
- (3) Each application for a sign permit must be accompanied by all applicable fees set by the City. Additional fees may be assessed for sign permits applied for after the fact or when the application requires substantial review and input by the City.

**11-805 Permitted sign types by zoning district.**

- (1) No sign is permitted in a zoning district except as provided in the table below:

| Sign Types                     | A-1 | R-1 | R-2 | R-3 | R-4 | C-1 | C-2 | C-3 | I-1 | I-2 |
|--------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Awning                         | P   | S   | S   | S   | S   | P   | P   | P   | P   | P   |
| Banner                         | C   |     |     |     |     | C   | C   | C   | C   | C   |
| Business Center Identification | P   | S   | S   | S   | S   | P   | P   | P   | P   | P   |
| Canopy                         | P   | S   | S   | S   | S   | P   | P   | P   | P   | P   |
| Directional                    | P   | C   | C   | C   | C   | P   | P   | P   | P   | P   |
| Electronic                     | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Flag                           | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Ground                         | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Illuminated                    | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Marquee                        | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Outdoor Advertising            | S   |     |     |     |     | S   | S   | S   | S   | S   |
| Pole                           | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Portable                       | C   |     |     |     |     | C   | C   | C   | C   | C   |
| Premises Identification        | P   | C   | C   | C   | C   | P   | P   | P   | P   | P   |
| Projecting                     | P   |     |     |     |     | P   | P   | P   | P   | P   |
| Residential                    | P   | P   | P   | P   | P   | P   | P   | P   | S   | S   |

|                |   |   |   |   |   |   |   |   |   |   |
|----------------|---|---|---|---|---|---|---|---|---|---|
| Roof, Integral | P | S | S | S | S | P | P | P | P | P |
| Temporary      | C | C | C | C | C | C | C | C | C | C |
| Wall           | P | P | P | P | P | P | P | P | P | P |
| Window         | P | P | P | P | P | P | P | P | P | P |

P: Permitted Use      C: Conditional Use      S: Special Exception Use

**11-806 Maximum number of signs; height limits.**

- (1) The maximum permitted number of signs on a premises shall be:
  - (a) In A-1, R-1, R-2, R-3, R-4, C-1, and C-2 Districts, one detached sign per premises.
  - (b) In C-3 Districts, one detached sign per two hundred linear feet of frontage.
  - (c) In I-1 and I-2 Districts, one detached sign per three hundred linear feet of frontage.
  - (d) There is no limit on the maximum number of attached signs a premises may have.
- (2) Except as otherwise provided, the maximum permitted height of any sign on a premises, measured from the average grade level below the sign to the highest point of the sign or sign structure, shall not exceed:
  - (a) In A-1 Districts, twenty-five feet;
  - (b) In R-1, R-2, R-3, and R-4 Districts, six feet;
  - (c) In C-1 and C-2 Districts, twenty feet;
  - (d) In C-3, I-1, and I-2 Districts, thirty-five feet.

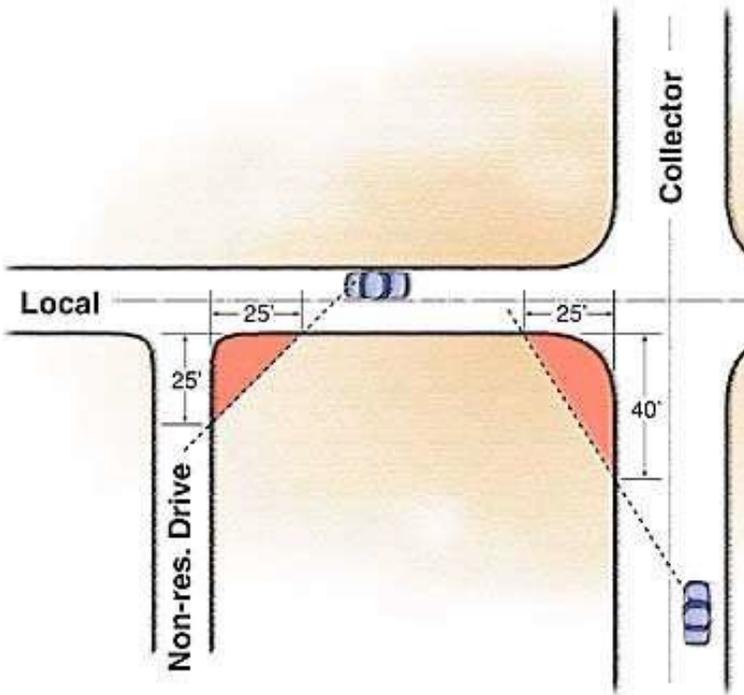
**11-807 Maximum size; maximum total sign area; method of measurement.**

- (1) Except as otherwise provided, the maximum permitted size of any sign shall not exceed:
  - (a) In A-1 Districts, one hundred square feet;
  - (b) In R-1, R-2, R-3, and R-4 Districts, six square feet;
  - (c) In C-1 Districts, one hundred square feet;
  - (d) In C-2 Districts, one hundred fifty square feet;
  - (e) In C-3, I-1, and I-2 Districts, three hundred square feet.
- (2) The maximum permitted total sign area for all signs on a premises, excluding business center identification and directional signs, shall not exceed:
  - (a) In A-1 Districts, two hundred square feet for nonresidential signs and three square feet for residential signs.
  - (b) In R-1, R-2, R-3, and R-4 Districts, thirty-two square feet for nonresidential signs, including premises identification signs for multi-family or mobile home developments, and three square feet for residential signs.
  - (c) In C-1 Districts, the lesser of one square foot of signage area per linear foot of frontage or three hundred square feet on a premises whose primary use is nonresidential; fifty square feet for premises identification signs for multi-family developments; and, six square feet for residential signs.
  - (d) In C-2 Districts, the lesser of one and one-half square feet of signage area per linear foot of frontage or four hundred square feet.

- (e) In C-3 Districts, the lesser of three square feet of signage area per linear foot of frontage or eight hundred square feet.
  - (f) In I-1 and I-2 Districts, the lesser of two square feet of signage area per linear foot of frontage or eight hundred square feet.
- (3) Total sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign or architectural elements of the building.
- (a) The total sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy area only.
  - (b) In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the total sign area.
  - (c) The area of double-faced signs is calculated on the largest face only.
- (4) For properties with frontage on more than one street or private drive, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

**11-808 Vision clearance zone.**

- (1) No sign, structure, or other obstruction to view shall be erected, placed, or maintained within a triangle formed by intersecting street, road, alley, or railroad rights-of-way or non-residential drives.
- (2) The lengths of the sides of the triangle shall be:
  - (a) Twenty feet from the intersection along the right-of-way edges of alleys;
  - (b) Twenty-five feet from the intersection along a local street or non-residential drive.
  - (c) Forty feet from the intersection along a collector street;
  - (d) Fifty-five feet from the intersection along arterial roadways or highways.



Dimensions of Vision Clearance Triangle

| Street/Road Classification | Length of Triangle Side |
|----------------------------|-------------------------|
| Alley                      | 20'                     |
| Non-residential drive      | 25'                     |
| Local                      | 25'                     |
| Collector                  | 40'                     |
| Arterial                   | 55'                     |

**11-809 Awnings; awning signs.**

- (1) The copy area of an awning sign shall not exceed twenty-five percent of the total face area of the awning. The combined area of all front-facing awning panels shall not exceed thirty-five percent of the total wall area.
- (2) Awnings shall not extend above the eave or parapet of the building façade and shall be a minimum of seven feet six inches above the sidewalk or grade, whichever is higher. Awnings shall not extend over any area utilized by motor vehicles.
- (3) Awnings may project no more than nine feet from the façade of the wall to which they are mounted. Any extension beyond six feet shall have plans stamped by a licensed architect or professional engineer, certifying the ability of the wall and associated structures to carry all imposed loads.

**11-810 Banners.**

- (1) A banner projecting from or attached to a building may not exceed the wall height of the building and must be located eight feet or more above grade if the banner projects more than six inches from the building. The maximum projection for any banner is five feet from the building.
- (2) Banners may extend over public property or across a public street upon permission of the City and shall be subject to such conditions as the City may determine. When extended over a public street, banners shall maintain a minimum clearance of twenty feet.

**11-811 Business center identification signs.**

- (1) In addition to its total permitted sign area, each premises used for a business or commercial center may have one detached business center identification sign, subject to the following conditions:
  - (a) The maximum size of the business center identification sign shall be one hundred square feet.
  - (b) No business center identification sign shall be within three hundred linear feet of any other business center identification sign or within one hundred fifty feet of any other detached sign.
  - (c) The business center identification sign shall display no more than the name and address of the business or commercial center and the names of the businesses found therein.

**11-812 Directional signs.**

- (1) Only a location, business name, or logo is permitted on a directional sign.
- (2) In I-1 and I-2 Districts, one non-illuminated directional sign with a maximum of twelve square feet is permitted at each major entrance to an industrial development or complex. Such sign shall be a ground sign.

**11-813 Electronic signs.**

- (1) Electronic signs are subject to the following general regulations:
  - (a) Electronic signs or the parts of signs that are electronic shall not exceed eighty square feet.
  - (b) Electronic signs shall be set back a minimum of ten feet from any curb line.
  - (c) No electronic sign shall be located within fifty feet of another electronic sign, measured from the points of the two signs nearest each other.
  - (d) No electronic sign shall be programmed in a way that suggests or resembles a traffic control device, such as a traffic signal.

- (e) Electronic signs shall be equipped with a sensor, timer, or other device to automatically adjust the day and night intensity levels so that the brightness of the sign matches ambient light levels.
- (2) Electronic signs shall be at least one hundred feet from the border of a residential zoning district.

**11-814 Illuminated signs.**

- (1) Lighting must be positioned in such a manner that light is not directed onto adjoining property or a public street or highway.
- (2) Illuminated signs shall be at least one hundred feet from the border of a residential zoning district.

**11-815 Marquees; marquee signs.**

- (1) Marquees are subject to the maximum projection and clearance regulations of awnings.
- (2) Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs. Such signs shall not exceed three feet in height or the height or vertical thickness of the marquee, whichever is greater.
- (3) Marquees shall be designed to minimize visible support structures, including guy wires, cables, turnbuckles, angle iron, or other similar external support structures.

**11-816 Outdoor advertising signs.**

- (1) Outdoor advertising signs are only allowed on eligible properties by special exception permit. To be eligible, properties must be located within A-1, C-1, C-2, C-3, I-1, or I-2 Districts and must abut Nebraska Highway 33 or Nebraska Highway 103.
- (2) Outdoor advertising signs count as detached signs for the purpose of calculating the total number of permitted signs. Outdoor advertising signs may exceed the general height limits up to a maximum of thirty-five feet.
- (3) Outdoor advertising signs may exceed the general size limits up to a maximum of five hundred square feet. Placing an outdoor advertising sign does not entitle a premises to additional total sign area, and the area of the sign counts against the total sign area allowed on the premises.
- (4) Where permitted, outdoor advertising signs shall be at least six hundred feet from any other outdoor advertising sign and at least three hundred feet from any other detached sign. Outdoor advertising signs in excess of the general size limit for the zoning district shall be at least two thousand feet away from any other outdoor advertising sign and at least two hundred feet from the border of a residential zoning district.
- (5) Stacked signs or other installations of two signs facing the same direction on a single structure are prohibited.
- (6) The radius of ten feet around the base of an outdoor advertising sign shall be maintained by the sign or property owner in clean condition. A radius of five feet around the base of the sign shall be landscaped with ornamental plants.
- (7) Nothing in this section shall be taken to limit the ability of a property owner to devote a sign that is fully consistent with all provisions of the Sign Regulations for an advertising message related to the use of the premises.

**11-817 Pole signs.**

- (1) Pole signs are subject to the following general regulations:

- (a) Each pole sign must maintain at least the following vertical clearances:
  - (i) Eight feet six inches over grade when over sidewalks.
  - (ii) Ten feet over grade when outside of but within three feet of parking areas, driveways, or streets or within fifty feet of the right-of-way lines formed by a street intersection.
  - (iii) Fourteen feet over grade when over parking lots.
  - (iv) Eighteen feet over grade when over driveways or streets.

**11-818 Portable signs.**

- (1) Portable signs are subject to the following general regulations:
  - (a) A permit is required for all portable signs.
  - (b) Portable signs are only allowed for a maximum of sixty days per year, thirty continuous days at a time.
  - (c) All portable signs must meet the location and size requirements for temporary signs.

**11-819 Projecting signs.**

- (1) Projecting signs are subject to the following general regulations:
  - (a) The maximum projection of any projecting sign shall be as follows:
    - (i) Three feet over public sidewalks less than twelve feet wide.
    - (ii) Five feet over private property or over public sidewalks twelve feet wide or more.
  - (b) Within the C-1 District, a projecting sign may come within five feet of the vertical plane of the inside curb line.
  - (c) Each projecting sign must maintain at least the following vertical clearances:
    - (i) Eight feet six inches over grade when over sidewalks; except that a canopy may reduce its vertical clearance to seven feet six inches.
    - (ii) Ten feet over grade when outside of but within three feet of parking areas, driveways, or streets or within fifty feet of the right-of-way lines formed by a street intersection.
    - (iii) Fourteen feet over grade when over parking lots.
    - (iv) Eighteen feet over grade when over driveways or streets.
  - (d) Projecting signs may not exceed one hundred square feet in sign area.
- (2) No projecting sign extending three feet or more from a property line may be located within twenty-five feet of any other projecting sign extending three feet or more from a property line.
- (3) Projecting signs must minimize visible support structures, including guy wires, cables, turnbuckles, angle iron, or other similar external support structures.

**11-820 Temporary signs.**

- (1) A temporary sign permit is required prior to the repair, alteration, relocation, or maintenance of any temporary sign. A temporary sign permit may be in effect for a period of thirty days on two separate occasions from the date of issuance, as designated on the application. The two thirty-day periods may be contiguous, but not separated by more than one year.

- (2) The location of all temporary signs shall comply with the following:
  - (a) A temporary sign shall not be attached to any sign, light, or public utility pole or tree.
  - (b) Temporary signs are prohibited on any public property, including rights-of-way, streets, sidewalks, parks, and public facilities.
  - (c) Temporary signs may not interfere with any driveway, access way, or means of ingress and egress to any building or structure.
  - (d) A temporary sign may be attached and, if so, shall be attached only to vertical façades of the principal building or structure and not to roofs, roof extensions, cornices, overhangs, or other building or structural extensions or features.
- (3) The size of all temporary signs shall comply with the following:
  - (a) The total amount of temporary signage permitted on any premises shall be the smallest of five percent of all façades or one hundred square feet.
  - (b) The maximum size of detached temporary signs shall be fifty square feet in area.
- (4) All temporary signs shall be maintained in sound condition.
- (5) The City may order the removal of any temporary sign not in compliance with this section. If the owner of the premises on which such sign is located or the owner of the sign fails to remove such sign, the City shall remove the sign at the owner's cost. Such costs may be assessed to the property. Any such removal shall result in the immediate cancellation of any outstanding temporary sign permit.

#### **11-821 Wall signs.**

- (1) Wall signs are subject to the following general regulations:
  - (a) A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign.
  - (b) A wall sign may not extend beyond a building's roof line.
  - (c) In commercial districts, a wall sign attached to a building on its front property line may encroach on a public right-of-way by no more than eighteen inches. Such a wall sign shall provide minimum clearance of eight feet six inches. This encroachment is not permitted along state or federal highways in commercial districts.
  - (d) For the purpose of calculating permitted sign areas, signs painted on the walls of buildings shall be considered wall signs.
  - (e) Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.
- (2) The total square footage of all wall signs on a façade shall not exceed twenty-five percent of the total square footage of the façade.

#### **11-822 Nonconforming signs.**

- (1) If a sign exists prior to the effective date of the Sign Regulations or any amendment thereto and becomes unlawful due to changes to the Sign Regulations, such sign may remain and continue in use so long as it remains otherwise lawful and in compliance with the following:
  - (a) The sign may not be enlarged, altered, or reconstructed, except for minor, reasonable repairs or alterations approved by the City.

- (b) The sign may not be replaced if destroyed. A sign is deemed destroyed if the cost to repair would be sixty percent or more of its present value.
- (2) All signs shall comply fully with the Sign Regulations and any amendments thereto within seven years after the effective date of any changes.
  - (a) This subsection shall not apply to outdoor advertising signs that remain in continuous use.
  - (b) Any nonconforming outdoor advertising sign that remains unused for a period of one hundred eighty days shall forfeit its right to continue as a nonconforming use.

**11-823 Violations, penalty.**

- (1) It shall be unlawful for any person to erect, alter, repair, maintain, convert, reconstruct, or remove any sign, canopy, or awning within the City of Crete and its extraterritorial zoning jurisdiction except in compliance with the provisions of the Sign Regulations, all building codes, and the Crete Municipal Code.
- (2) Any person who violates this section shall be guilty of a Class IV misdemeanor.
  - (a) In addition to the usual judgment of conviction, the county judge may order the person to remove any sign, canopy, or awning that violates the Sign Regulations and, in the event the person shall fail to do so, may allow the City to enter the person's property and remove and dispose of said sign, canopy, or awning. The cost of such removal and disposal shall be borne by the convicted person.
  - (b) Each day that a violation of this section continues shall constitute a separate and distinct offense and shall be punishable as such. The penalties herein provided shall be cumulative and in addition to any other penalty or forfeiture provided by law.

## ORDINANCE NO. 2118

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ZONING AND LAND USE; TO AMEND SECTIONS 11-211, 11-503, 11-512, 11-521, AND 11-522 OF THE CRETE MUNICIPAL CODE; TO REDEFINE CERTAIN TERMS; TO RESTRICT THE USE, DESIGN, AND PLACEMENT OF ACCESSORY USES AND STRUCTURES; TO PROVIDE RESTRICTIONS ON HOME OCCUPATIONS AND REQUIRE LICENSING; TO AMEND RESIDENTIAL AND COMMERCIAL DESIGN STANDARDS; AND TO ENACT A NEW SECTION TO CHAPTER 11, ARTICLE 5 TO ESTABLISH NEIGHBORHOOD DESIGN STANDARDS.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:**

**Section 1.** That Chapter 11, Article 2, Section 11-211 of the Crete Municipal Code shall be amended as follows:

### **§11-211 DEFINITIONS.**

For the purposes of this Chapter, unless the context otherwise requires, certain terms or words used herein shall be interpreted as follows the following definitions shall apply:

~~The word “person” includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.~~

~~The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.~~

~~The word “shall” is mandatory.~~

~~The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”~~

~~The word “lot” includes the words “plot” or “parcel”.~~

Accessory Use, Building, or Structure. A use, building, or structure on the same lot premises with, and of a nature customarily incidental and subordinate to, the a principal use, building, or structure. An accessory use is one that is incidental to the principal use of the premises. An accessory building or structure is a subordinate building or structure, or a portion of the principal building or structure, the use of which is incidental to that of the principal building or structure or the principal use of the premises.

[ . . . ]

Alteration. Repair, reconstruction, renovation, addition, expansion, or enlargement of buildings or structures which have been destroyed or damaged to the extent of fifty percent (50%) or more of the its current fair market value and the modification of any structure in size or shape which would materially affect flood flows.

[ . . . ]

~~Building Accessory. Any detached subordinate building which serves a function customarily incidental to that of the main building or main use of the premises. Customary accessory building includes farm buildings, garages, carports, and small storage sheds.~~

[ . . . ]

~~Building. An enclosed structure, or part of a structure, that (i) is anchored to a permanent foundation, and having (ii) has exterior or party walls and a roof, and (iii) is designed or intended for the enclosure, shelter, or protection of persons, animals, or property. A structure may contain one or more buildings divided by party walls. When divided by other than common or contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two buildings connected by a breezeway shall be deemed one building. The term "building" includes "structure".~~

[ . . . ]

Dwelling. Any building or structure, or portion thereof, that is designed, intended, and used for residential purposes. Dwelling does not include accessory buildings or structures, whether attached or detached, or portions of principal buildings that are designed or intended for accessory uses, such as cellars, garages, and sheds.

~~Dwelling, Farm and Ranch. Residential Dwellings, including mobile homes dwellings, appurtenant to agricultural operations, including living quarters for persons employed on the premises (but not including labor camps or dwellings for transient labor), guest houses not rented or otherwise conducted as a business, and private garages, stables, and barns.~~

Dwelling, Multiple-Family. A residential building designed for or occupied by, altered, or reconstructed to have three or more dwelling units families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-Family. A detached residential building, dwelling unit other than a mobile home, designed, altered, or reconstructed to have one dwelling unit for and to have accommodations for and be occupied exclusively by one family only.

Dwelling, Townhome. One of a group or row of not less than two nor more than twelve 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.

Dwelling, Two-Family. A residential building designed, altered, or reconstructed to have two dwelling units and to have having accommodations for and be occupied exclusively by two families.

Dwelling Unit. One room or more rooms connected together constituting that (i) constitute a separate, independent housekeeping establishment for one family, (ii) contain independent cooking and sleeping facilities, owner-occupancy, or rental or lease on a weekly, monthly or longer basis, and (iii) are physically separated from any other rooms or dwelling units which that may be in the same building or structure and containing independent cooking and sleeping facilities. Dwelling units may be owner occupied or rented on a weekly, monthly, or longer basis.

[ . . . ]

Home Occupation. A business, occupation, ~~or profession, or income-generating activity~~ carried on within a residential dwelling unit by ~~the~~ a resident thereof, ~~which that~~ is incidental and secondary to the residential occupancy and does not change the residential character thereof. The regulations pertaining to home occupations are included in section 11-512 ~~of this ordinance.~~

[ . . . ]

Mixed Use Building. A building ~~or structure designed, altered, or reconstructed to have with~~ two or more primary major uses. ~~The building must contain a~~ All uses must be principal permitted or special exception uses for the district in which it is located, and each floor of the building or structure must be used solely for a single use.

[ . . . ]

Person. An individual, firm, association, organization, partnership, corporation, or any other legal entity.

Premises. An area of land consisting of one platted lot or irregular tract or more than one platted lot or irregular tract if such lots or tracts are under common ownership and contiguous.

[ . . . ]

Variance. Relief from or variation of the provisions of ~~those~~ certain zoning regulations, other than not including use regulations and distinct from rezoning, as applied to a specific piece of property, ~~as distinct from rezoning,~~ as further set out hereinafter in section 2-401 ~~of this Code relating to the powers and duties of the Board of Adjustment.~~

**Section 2.** That Chapter 11, Article 5, Section 11-503 of the Crete Municipal Code shall be amended as follows:

**§11-503 ACCESSORY BUILDINGS.**

Accessory buildings, structures, and parts of buildings or structures located within the corporate limits and extraterritorial jurisdiction of the City of Crete, ~~that are not attached to a structure~~ must comply with the following provisions:

- (1) An accessory building or structure shall not be located on a ~~lot~~ premises unless a principal building or structure is also located on that same premises ~~lot~~.
- (2) ~~Accessory buildings not to be constructed prior to principal building.~~ No construction permit shall be issued for the construction of an accessory building or structure prior to the issuance of a construction permit for the construction of the main principal building or structure upon the same premises. If construction of the main principal building or structure does not precede or coincide with the construction of the accessory building or structure, the ~~City Zoning Administrator~~ shall revoke the construction permit for the accessory building or structure until construction of the main principal building or structure has been substantially completed.
- (3) ~~Accessory buildings as part of principal buildings.~~ Any accessory building or structure attached to a principal building shall be considered part of the principal building for the purpose of height, distance, and yard requirements, and the total building or structure shall adhere to the yard requirements for the ~~principal building within the zoning district that in which~~ it is located.
- (4) The design of accessory buildings and structures shall be consistent with the ~~residential~~ character of the neighborhood and the exterior materials shall match those of the principal building or structure as much as possible.

- (5) ~~Distance between adjacent buildings.~~ The minimum distance between an accessory building or structure and any other buildings or structures on the same ~~lot~~ premises shall be five feet.
- (6) ~~Height of accessory buildings.~~ The cumulative total square footage for all accessory buildings or structures shall not exceed the total square footage of the first floor of the principal building. ~~There shall be a maximum of one primary accessory garage with a maximum of 864 square feet or one-half the area of the first floor of the principal dwelling, whichever is greater and two accessory storage buildings not to exceed 10' x 12' in size.~~
- (7) The maximum height of any detached accessory building or structure is fifteen feet.
- (8) ~~Location.~~ Detached accessory buildings or structures, except for signs, may only be erected in the rear yard ~~only~~ and shall be set back from side and rear lot lines by a minimum of ~~three~~ five feet, except that, if erected on a corner lot, ~~the~~ any detached accessory building or structure shall be set back from the side street to comply with the setback line applying to the principal building for that side street. ~~If the garage entrance is from the alley the garage shall be a minimum of ten (10) feet from the rear property line. No accessory building shall be erected in any required front or side yard.~~
  - (a) Notwithstanding the above, if the access to a detached accessory building or structure used as a garage, carport, or similar structure is from an alley, then it shall be set back from the property line adjacent to the alley a minimum of fifteen feet.
  - (b) The cumulative total square footage of all detached accessory buildings or structures shall not exceed forty percent (40%) of the required rear yard.
- (9) ~~Accessory buildings on corner lot.~~ Accessory buildings or structures on corner lots shall not be located ~~erected~~ closer to the street side property line than the front yard required on the adjacent ~~lot~~ premises.
- (10) ~~An accessory building may be located in the required rear yard, but such accessory building may not occupy more than forty percent (40%) of the required rear yard.~~

**Section 3.** That Chapter 11, Article 5, Section 11-512 of the Crete Municipal Code shall be amended as follows:

**§11-512 HOME OCCUPATIONS.**

- (1) Except as provided for in this section, it shall be unlawful for any person to engage in a home occupation within a lot or premises zoned R-1, R-2, R-3, or R-4.
- (2) A home occupation may be carried on within a dwelling unit under the following conditions:
  - (a) No persons other than members of the family residing within the dwelling unit ~~on the premises~~ shall be engaged in such home occupation;
  - (b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25%) percent of the total square footage ~~floor area~~ of the dwelling unit shall be used in the conduct of the home occupation;
  - (c) There shall be no changes in the outside appearance of the building, structure, or premises that contains the dwelling unit or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, that is non-illuminated and mounted flat against the wall of the principal building ~~or structure~~;
  - (d) No home occupation shall be conducted in ~~an~~ accessory buildings or structures, or parts thereof;

- (e) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met by off the off-street parking in the rear yard and other than in a required front yard; and
  - (f) No equipment, ~~or process, or materials~~ shall be used ~~in such home occupation or activity engaged in that~~ which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used ~~which that~~ creates visual or audible interference in to any radio or television receivers outside of the dwelling unit off the premises, or that causes fluctuations in line voltage off the premises;
  - (g) There shall be no outdoor storage of any equipment, machinery, parts, materials, or other articles of any nature used in connection with the home occupation; and,
  - (h) The persons engaged in the home occupation have applied for and received a business license pursuant to sections 10-301 to 10-315.
- (3) Welding, vehicle body repair, mechanical repair, rebuilding or dismantling of vehicles, or salvage or junk yards are not permitted as home occupations. The accumulation of automotive parts, scrap metal, or similar materials or the presence of more than four vehicles on a premises shall constitute and create a rebuttable presumption that a home occupation is being engaged in by the residents of the premises in violation of this section.

**Section 4.** That Chapter 11, Article 5, Section 11-521 of the Crete Municipal Code shall be amended as follows:

**§11-521 RESIDENTIAL DESIGN STANDARDS.**

The following design standards shall apply ~~Applicable~~ to all ~~(R-1 to R-4)~~ Residential Districts (R-1 to R-4):

- (1) The primary entrance to the principal building or structure shall face the front lot line. ~~be on the street side, not a side yard.~~
- (2) The cladding of ~~the all~~ exterior walls shall use building materials, textures, and colors that match appropriate to the architectural style of those the buildings and structures generally used found throughout the neighborhood. Allowable materials are brick, stone, or clapboard siding of wood, metal, or vinyl. Synthetic materials manufactured to replicate the ~~fore mentioned~~ listed materials are also allowable upon review by the City Zoning Administrator.
- (3) No dwelling shall be constructed or converted from a pre-fabricated structure, metal building, pole barn, or ~~similar storage~~ other building or structure originally designed or intended for use as an accessory building or structure.
- (4) All ~~homes~~ buildings or structures with a front porch may extend into the required front yard setback up to a maximum of six feet. ~~However, all~~ No portion of a front porch that extends into the required front yard ~~must not~~ may be enclosed by walls, windows, or screens.

**Section 5.** That Chapter 11, Article 5, Section 11-522 of the Crete Municipal Code shall be amended as follows:

**§11-522 COMMERCIAL DESIGN STANDARDS.**

~~Compliance with all codes sections and ordinances adopted by the City is required.~~ All property buildings

and structures located within the core of downtown Crete, defined as the area between Norman and Linden Avenues from 9th Street to 14th Street, shall meet the following design standards: ~~Street facing facades are limited to the following:~~

- (1) Compliance with all regulations, resolutions, code sections, and ordinances adopted by the City.
- (2) ~~Facade Elements.~~ Materials used for street facing facades ~~building~~ shall be similar to those used on adjacent buildings or structures. Primary construction materials historically used in ~~the~~ downtown areas shall be used ~~similarly in new construction~~ for all alterations, construction, or reconstruction as follows:
  - (a) Brick in ~~varying~~ matching colors, sizes, and textures ~~of brick~~ exhibited in existing buildings or structures.
  - (b) Wood ~~is best~~ may only be utilized for architectural elements such as pilasters, cornices, or decorative raised panels and trim. The use of wood as a general siding material is prohibited ~~discouraged due to maintenance requirements~~.
  - (c) Concrete block ~~is best~~ may only be utilized in combination with other materials such as brick or stone. The use of concrete block as the only building material is prohibited ~~strongly discouraged~~.
  - (d) Metal, painted or exposed, may only be utilized as architectural elements such as “pressed tin” cornices and moldings.
  - (e) Exposed structural pre-formed steel ~~fulfills~~ may only be used for aesthetic purposes at lintels and columns in a manner similar to existing historic structures.
  - (f) Stucco and any materials similar in texture and perception ~~are recommended~~ may only be used as an accent element to a façade. ~~Although stucco is utilized today as an exterior coating, it is not a historically accurate facade exterior. Modern buildings should utilize stucco in combination with other materials.~~
  - (g) The location, placement, and look of windows, doors, and similar design features, such as orientation to the street, opacity/translucency, and materials used, shall match the pattern of half or more of the buildings or structures on the same and facing block fronts.
- (3) All other areas in the C-1 District that are not located within the core of downtown Crete, as specified above, shall have at a minimum a three and one-half (3½) foot high base comprised of non-reflective exterior siding ~~which that~~ is or simulates wood, stucco, or masonry. Non-reflective exterior siding comprised of metal, aluminum, or vinyl siding or preformed panels can be utilized above the base on the exterior of street facing facades. ~~However~~ If used, metal siding shall utilize concealed fasteners to install the siding to the building or structure.

**Section 6.** That Chapter 11, Article 5 of the Crete Municipal Code shall be amended by enacting a new section to read as follows:

#### **NEIGHBORHOOD DESIGN STANDARDS.**

The following design standards shall apply to the alteration, construction, or reconstruction of all buildings or structures in Residential or Commercial Districts (R-1 to R-4; C-1 to C-3):

- (1) Buildings or structures shall utilize a roof type and pitch commonly found within the same and facing block front.
- (2) Buildings or structures shall share similar design features, such as orientation to the street, structure width, and the location and number of entrances and windows, on the principal façade facing the front lot line that match the pattern of half or more of the buildings or structures on the same and facing block fronts, if such a pattern exists.

- (3) Front porches are required when half or more of the buildings or structures on the same and facing block fronts or on adjacent blocks have front porches. Front porches shall match the width and depth most commonly found on said nearby buildings or structures.
- (4) Exterior stairs serving units on upper floors are not allowed on the principal façade facing the front lot line.
- (5) The elevation of the first floor level shall generally match the pattern of half or more of the buildings or structures on the same and facing block fronts.
- (6) The height of buildings or structures shall be similar to that of existing buildings or structures on the same and facing block fronts. No building or structure shall be taller than the tallest building or structure, nor shorter than the shortest building or structure, provided that:
  - (a) taller buildings or structures may be approved by the City on a case-by-case basis if the design of the building or structure matches the overall design of the neighborhood and it will not negatively impact city infrastructure or utility capabilities in the area or the general welfare of neighboring property owners and occupants, and,
  - (b) if the height permitted under this subsection would exceed that currently permitted in the underlying district, the building or structure shall be no taller than an existing, adjacent building or structure.
- (7) The width of buildings or structures shall be similar to that of existing buildings or structures on the same and facing block fronts. No building or structure shall be wider than the widest building or structure, nor narrower than the narrowest building or structure, provided that:
  - (a) the yard requirements of the district may be adjusted by the City on a case-by-case basis if the design of the building or structure matches the overall design of the neighborhood and it will not negatively impact lot density or crowding in the area or the general welfare of neighboring property owners and occupants.
- (8) Accessory buildings or structures shall follow the pattern of half or more of the premises on the same and facing block front, such as:
  - (a) if the pattern in an area is that accessory buildings or structures, including attached and detached garages, are located behind the house, a pattern of rear accessory buildings or structures shall be followed;
  - (b) if the pattern in an area is that accessory buildings or structures, including attached and detached garages, face the front lot line, the size of the accessory building or structure and the number and size of doors shall follow the pattern of half or more of the premises on the same and facing block front, and such doors shall not occupy more than forty percent (40%) of the length of the principal façade facing the front lot line;
  - (c) if there is no pattern shared by at least half of the premises on the same and facing block front, accessory buildings or structures may be attached and face the front lot line provided the accessory building or structure is set back from the front of the principal building or structure at least fifteen feet.

**Section 7.** That the changes specified in the above sections shall be codified as part of the Crete Municipal Code as stated herein.

**Section 8.** That all ordinances or parts of ordinances in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 9.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 5th day of January 2020.

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Mayor

ATTEST:

---

City Clerk



**CERTIFICATION OF SIGNATURES**

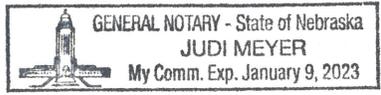
By signing below, Petitioner hereby certifies that (i) each of the signatures listed above were personally obtained by them from the record owners of the properties to be annexed, (ii) the property owners, individually and collectively, have the authority to and do petition to have the properties listed above annexed into the City of Crete, Nebraska, and (iii) the property owners signed knowingly, voluntarily, and intelligently.

  
\_\_\_\_\_  
Petitioner

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF SALINE     )

I hereby certify that the foregoing petition and certification was acknowledged and executed before me by the Petitioner on the 30<sup>th</sup> day of October, 2020.

  
\_\_\_\_\_  
Notary Public

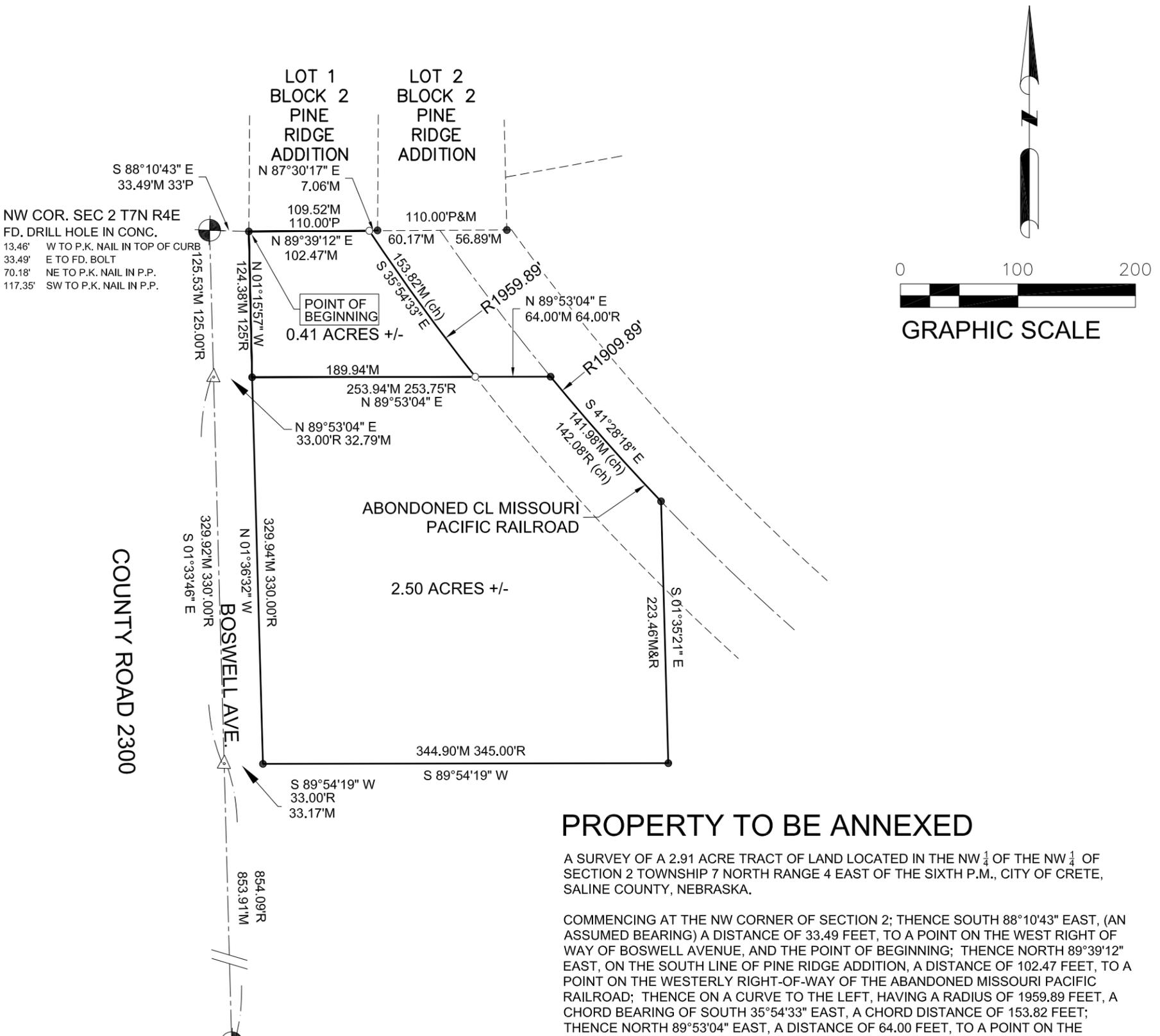


# ANNEXATION PLAT TO THE CITY OF CRETE, NEBRASKA

OF A 2.91 ACRE TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 7 NORTH RANGE 4 EAST OF THE SIXTH P.M., SALINE COUNTY, NEBRASKA.

WORK ORDER # 20-7075

NOVEMBER 30, 2020



NW COR. SEC 2 T7N R4E  
FD, DRILL HOLE IN CONC.  
13.46' W TO P.K. NAIL IN TOP OF CURB  
33.49' E TO FD. BOLT  
70.18' NE TO P.K. NAIL IN P.P.  
117.35' SW TO P.K. NAIL IN P.P.

W 1/16 COR NW 1/4 SEC 2 T7N R4E  
FD, 5/8" REBAR AS RECORDED  
70.27' SW TO P.K. NAIL IN P.P.  
52.35' NW TO P.K. NAIL IN TOP OF C.M.P.  
32.50' NE TO P.K. NAIL IN TOP OF C.M.P.  
41.94' SW TO FACE OF FIBER OPTIC MARKER POST

| Legend |                        |
|--------|------------------------|
| M      | = Measured             |
| D      | = Deeded               |
| R      | = Recorded             |
| P      | = Platted              |
| ●      | = Fd. 5/8" Rebar       |
| ○      | = Set 5/8" Rebar & Cap |
| △      | = Set Temporary Point  |

## PROPERTY TO BE ANNEXED

A SURVEY OF A 2.91 ACRE TRACT OF LAND LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 2 TOWNSHIP 7 NORTH RANGE 4 EAST OF THE SIXTH P.M., CITY OF CRETE, SALINE COUNTY, NEBRASKA.

COMMENCING AT THE NW CORNER OF SECTION 2; THENCE SOUTH 88°10'43" EAST, (AN ASSUMED BEARING) A DISTANCE OF 33.49 FEET, TO A POINT ON THE WEST RIGHT OF WAY OF BOSWELL AVENUE, AND THE POINT OF BEGINNING; THENCE NORTH 89°39'12" EAST, ON THE SOUTH LINE OF PINE RIDGE ADDITION, A DISTANCE OF 102.47 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE ABANDONED MISSOURI PACIFIC RAILROAD; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1959.89 FEET, A CHORD BEARING OF SOUTH 35°54'33" EAST, A CHORD DISTANCE OF 153.82 FEET; THENCE NORTH 89°53'04" EAST, A DISTANCE OF 64.00 FEET, TO A POINT ON THE CENTERLINE OF SAID MISSOURI PACIFIC RAILROAD; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1909.89 FEET, A CHORD BEARING OF SOUTH 41°28'18" EAST, A CHORD DISTANCE OF 141.98 FEET; THENCE SOUTH 01°35'21" EAST, A DISTANCE OF 223.46 FEET; THENCE SOUTH 89°54'19" WEST, A DISTANCE OF 344.90 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY OF BOSWELL AVENUE; THENCE NORTH 01°36'32" WEST, ON THE EAST RIGHT-OF-WAY OF BOSWELL AVENUE, A DISTANCE OF 329.94 FEET; THENCE NORTH 01°15'57" WEST, ON SAID EAST RIGHT-OF-WAY, A DISTANCE OF 124.38 FEET, TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 2.91 ACRES MORE OR LESS.

## APPROVAL

APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF CRETE, SALINE COUNTY, NEBRASKA BY ORDINANCE NO. \_\_\_\_\_ AND PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

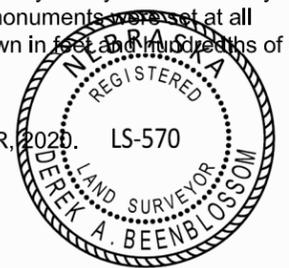
CITY CLERK

## Surveyors Certificate

I, Derek A. Beenblossom, a Registered Land Surveyor under the laws, of the State of Nebraska, do hereby certify that this survey was executed by me, and that Iron monuments were set at all points marked "O". all distances shown in feet and hundredths of a foot.

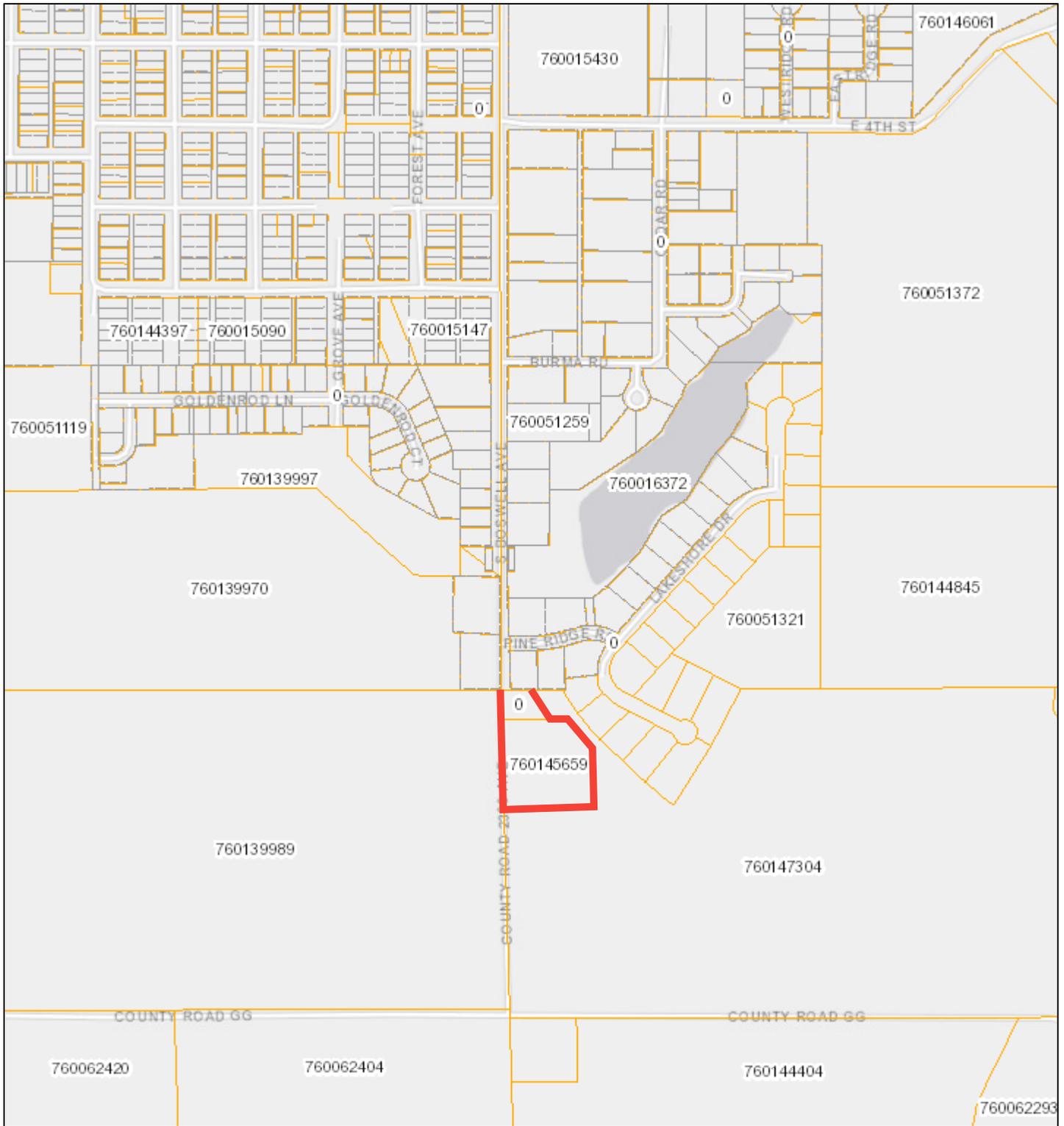
Signed this 30TH day of NOVEMBER, 2020. LS-570

*Derek A. Beenblossom*  
Derek A. Beenblossom



**ALLEN SURVEYING SERVICES LLC**

1128 MAIN AVE. 6412 KEARNEY AVE.  
CRETE, NE 68333 LINCOLN, NE 68507  
402-862-4620 402-466-4366



November 19, 2020

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:9,028

- Crete Lot Lines
- Parcels

