

WAHOO CITY COUNCIL AGENDA
Thursday, June 4, 2026 - 7:00 PM
Wahoo Public Library, 637 N Maple St, Wahoo, NE 68066

NOTICE IS HEREBY GIVEN that the Mayor and Council of the City of Wahoo meet on the second and fourth Tuesdays of each month at the Wahoo Public Library, 637 N Maple Street Wahoo, Nebraska, at 7:00 p.m. Notice of special meetings shall be given by posting a notice thereof on the bulletin board in City Hall, U.S. Post Office, and FirstBank of Nebraska, at least 24 hours before the special meeting. All Council meetings are open to the public and the agenda, which is kept continually current, is available for public inspection at the office of the City Clerk at City Hall during normal business hours.

Individuals requiring physical or sensory accommodations, individual interpreter service, Braille, large print or recorded material, please contact the ADA Coordinator at City Hall, 637 N Maple St, Wahoo, Nebraska, 68066, telephone 402-443-3222 as far in advance as possible, but no later than 48 hours before the scheduled event.

Pledge of Allegiance

Advise the public of the location of posting of Open Meetings Act and Title VI information

Roll Call

Comments from the public on items not on the Agenda

Public hearings and associated actions

1. Public Hearing regarding a proposed amendment to the zoning regulations regarding single family dwelling definitions.

Items Not Requiring a Public Hearing

1. Discussion and Action regarding an amendment to the expressway corridor design standards to exempt I2- Heavy Industrial.

Report on current and upcoming projects

Miscellaneous and correspondence

Approve minutes of May 7, 2026, meeting.

Adjournment

DWELLING, SINGLE FAMILY a building having accommodations for or occupied exclusively by one family which meet all the following standards:

1. The home shall have no less than 900 square feet of floor area, above grade, for single story construction; a minimum of 50 percent of the total square foot area must be habitable.
2. The home shall have no less than an 18 foot exterior width;
3. The roof shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run;
4. The exterior material shall be of a color, material and scale comparable with those existing in residential site-built, single family construction; and shall not include metal wall panels
5. The home shall have a non-reflective roof material that is or simulates asphalt or wood shingles, tile, or rock. Said roof may be finished in metal provided it is non-reflective and meets standards established for residential or commercial use;
6. The home shall be placed on a continuous permanent foundation and have wheels, axles, transporting lights, and removable towing apparatus removed, and
7. The home shall meet and maintain the same standards that are uniformly applied to all single-family dwellings in the zoning district.
8. Permanent foundation: Base on which building rests to be constructed from either poured concrete or laid masonry block or brick on a footing to be placed a minimum of 42 inches below the final ground level.

Comparison

Feature	Design Standards	I-1 Zoning Regulations
Intent		<p>I-1: This district will provide space for a wide range of industrial uses and structures which are able to meet certain performance standards to protect nearby non-commercial and non-individual uses from undesirable environmental conditions.</p> <p>I-2: The intent of this District space for some commercial and a wide range of industrial uses.</p>
Building Architecture	Addresses items like building form, roof lines, entrances, color, and building materials	No restrictions
Site - Screening	Requires service areas must be located in side or rear of building and screened from adjacent property or public ROW.	5.15.07(3) All waste material shall be screened from view with a solid fence.
	Requires all equipment to be screened as well.	7.15.04(2) Screening - All commercial and industrial uses that abut office districts shall provide screening not less than 6' in height along the property line(s).
Parking	Sets the parking areas back from the front property line 30' on primary street, 10' along side street, and a 5' greenspace buffer between building and the parking lot areas when adjacent to primary or side streets.	7.01.12 Unless otherwise provided, required parking and loading spaces shall not be located in a required front yard but may be located within a required side yard or rear yard.
		7.01.14(6) Parking spaces shall be located and served by a driveway that will not require any backing movement or other maneuvering within a street ROW other than an alley.
		7.01.14(9) Requires that all parking lots within the TC Overlay District are to be surfaced with asphalt and/or concrete and have curbed edging.
Site Lighting	Has more extensive detail into style, and location of lighting.	5.15.07(4) Exterior lighting shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

Landscaping	Must have a 10' screen of continuous evergreen shrubs between the street and any parking lot area.	7.15.03(2) A landscaped area having a minimum depth of 15' from the property line shall be provided along the street frontage of all lots or sites including both street frontage of corner lots. This may be reduced to 10' if an equal amount of sq ft of landscaped area, excluding of required side and rear yard landscaped areas, is provided elsewhere on the side. Not more than 25% of the surface of the landscaped area shall have inorganic materials. A minimum of one tree shall be planted for every 40' lineal feet or fraction thereof.
	Provide 1 shade tree for every 2,000 sq ft of parking area including driving aisles	7.15.03(6) Parking lots shall have at least 10 sq ft of interior landscaping for each parking stall except for those stalls abutting a perimeter where landscaping is required, or for those served by an aisle abutting and running parallel to said perimeter.
	For every 30' of building façade facing a street 1 shade tree must be provided.	7.15.03(7) Perimeter landscaping - all commercial office and industrial developments... shall provide perimeter landscaping to include 1 tree for each 40' or fraction thereof. Such landscaped area shall consist of sufficient area for the species of tree to be planted.
Signage	Must comply with Zoning Regulations	7.08.08 specifically addresses signs located in the Transportation Corridor Overlay District.
Outdoor Elements	No outdoor storage allowed.	7.14.01 (Performance Standards for Industrial Use) Physical Appearance: All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored in the open. Normal daily wastes of inorganic nature may be stored in containers not in a building when such containers are not readily visible from a street. The provisions of this paragraph shall not be construed to prohibit the display of merchandise or vehicles for sale or the storage of vehicles, boats, farm machinery, trailers, mobile homes, or similar equipment when in operable condition.
Special Uses	Has additional provisions for auto sales, drive-thru establishments, fuel pumps, loading areas.	7.21 Junk Yards or Salvage Yards - provisions for screening of storage areas, minimum lot size and proximity to major streets/roadways.

Fences

	<p>7.12.01(4) Can install perimeter fencing higher than 8' if needed for security with a CU Permit.</p> <p>7.12.01(6) Fences constructed along and parallel to rear and side lot lines adjoining arterial streets, as designated by NDOT, shall not exceed 8' in height.</p>
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Did not include language that provides protections to residentially zoned areas in this analysis.

1.3 Applicability

- A. The City of Wahoo, Zoning Regulations are applicable to all projects in the overlay area identified in Section 1.2 of this document.
- B. These Design Standards are additionally applicable to all new, redeveloped and renovated projects in the overlay area identified in Sections 1.1 and 1.2 of this document.
- C. Where the provisions of these Standards are in conflict with other provisions of the City Code, the regulation which results in the higher standard as determined by the Zoning Administrator shall apply. If the Zoning Administrator determines that a higher regulation cannot be determined, the more recent provision of the City Code shall apply.
- D. Any alterations to legal nonconforming parcels must result in conformance to City of Wahoo, Zoning Regulations, Article 4, Sections 4.18, 4.19 and 4.20: nonconforming uses, nonconforming structures and repairs and maintenance.
- E. Any alterations to legal nonconforming parcels must result in conformance to these Design Standards, when cost of alterations excess 50% of the County Assessor's appraisal of the building, excluding the land.
- F. All allowed uses within the designated Transportation Corridor are subject to these Design Standards and shall be considered to be commercial uses for the purposes of these Standards.
 - 1. Exceptions:
 - a. Single family residences on a single lot regardless of the zoning.
 - b. Two family residences on a single lot regardless of the zoning.
 - c. All industrial uses located in industrially zoned areas.

Section 5.15 I-1 - Light Industrial.5.15.01 *Intent:*

This district will provide space for a wide range of industrial uses and structures which are able to meet certain performance standards to protect nearby non-commercial and non-individual uses from undesirable environmental conditions.

Permitted and conditional uses in this district located within the Transportation Corridor Overlay District must adhere to Design Standards.

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

5.15.02 *Permitted Uses:* The following shall be permitted as uses by right:

1. Assembly, manufacture, or preparation of articles and merchandise from the following types of previously prepared materials; bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, honey, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, wood (excluding sawmills, lumber mills, planning mills, and molding plants), yarn, or paint not employing a boiling process.
2. Assembly of electrical appliances or equipment, electronic instruments and devices, radios, phonographs, television, including the manufacture of small parts such as coils, condensers, transformers, crystal holders.
3. Assembly of metal products.
4. Manufacture of figurines, pottery, or similar ceramic products using only previously pulverized clay.
5. Manufacture of musical instruments, novelties, rubber or metal stamps, toys.
6. Manufacture of optical goods, scientific or precision instruments or equipment.
7. Manufacture of artificial limbs, dentures, hearing aids, surgical instruments or dressings, or other devices employed by the medical and dental professions.
8. Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products or meat, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, except that the rendering of fat or oil; fish or meat slaughtering; and processing of fermented food such as sauerkraut, vinegar, or yeast shall be excluded.
9. Manufacture or maintenance of billboards, commercial advertising structures, or name plates.
10. Auto, truck, trailer, or boat storage; truck rental or sales.
11. Automobile painting or upholstering.
12. Building of marine pleasure craft.
13. Building materials storage or sale yard.
14. Bottling Plant.
15. Cabinet or carpenter's shop.
16. Coin machine manufacturer or repair.
17. Contractor's equipment storage.
18. Cold storage plant.
19. Dairy products processing.
20. Dwelling for caretaker or watchman working on the property.
21. Electroplating shop.
22. Equipment sales, rental, storage, or repair.
23. Farm machinery sales or service.
24. Fuel supply outlet or distributor, providing no dust is produced.
25. Laundry, dry cleaning, dyeing, or rug cleaning plant.
26. Railroad tracks and facilities such as switching yards, spur or holding tracks, freight depots.
27. Sheet metal shop or other metal working shop, machine shop not using drop hammer or punch press.
28. Plumbing contractor.
29. Warehousing.
30. Welding shop.
31. Wholesale distributor or outlet.
32. Truck and freight terminal or motor freight terminal

- 5.15.03 *Conditional Uses:* A building or premises may be used for the following purposes in the I-1 Industrial District if a special permit for such use has been obtained in accordance with Article 6 of these regulations.
1. Alcohol distillation and blending plants, including Ethanol processing facilities.
 2. Mini-Warehouses subject to the following Conditions:
 - a. The use must be located contiguous to an arterial street as designated in the Comprehensive Plan.
 - b. There shall be a minimum lot area of one acre.
 - c. All storage shall be within enclosed buildings.
 - d. Any side of the building providing doorways to storage areas shall be set back from the property line not less than 35 feet.
 - e. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. All one-way driveways that provide direct access to cubicles shall provide for one 10-foot parking lane and one travel lane 15 feet in length. All two-way driveways that provide direct access to cubicles shall provide for one 10-foot parking land and two 12-foot travel lanes. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
 - f. All lights shall be shielded to direct light away from adjacent properties.
 - g. No activities such as miscellaneous or garage sales or the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment shall be conducted on the premises. Also, no manufacturing, assembly or processing of any product shall be permitted.
 - h. The Owner or Operator shall properly police the area for removal of trash and debris.
 - i. Two copies of a plot plan showing ingress and egress, widths of driveways, off-street parking, loading areas, and on-site traffic circulation shall be submitted to the Planning Commission for their consideration with the conditional use application.
 - j. The Planning Commission and City Council may attach such other conditions as deemed necessary to provide for compatible development.
 3. Expansion of nonconforming uses, structures or land.
 4. Child Care Center as a secondary use within the primary Industrial use.
 5. Storage of Fireworks as defined by Neb. Rev. Stat. §28-1241 (Reissue of 1997)
 6. Adult Entertainment establishments per Section 7.26
 7. Recycling and reloading small caliber ammunition for commercial use, subject to the following:
 - a. Ammunition will not exceed .50 caliber
 - b. Smokeless powder storage will not exceed 600 lbs. and shall be in ATF approved storage
 - c. All storage shall be within enclosed buildings

- 5.15.04 *Temporary Uses:* The following temporary uses shall be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit
1. Temporary greenhouses.
 2. Fireworks stands provided the criteria are met as established by the City through separate Ordinances.
 3. Buildings and uses incidental to construction work which shall be removed upon completion or abandonment of the construction work.
 4. Temporary structure for festivals or commercial events.

- 5.15.05 *Permitted Accessory Uses:* The following accessory uses and structures shall be permitted.
1. Accessory uses and structures normally appurtenant to the permitted uses and structures.
 2. Parking as required in Section 7.01 - 7.05
 3. Landscaping and screening as required in Section 7.15
 4. Fences as required in Section 7.12
 5. Signs as required in Section 7.06 – 7.09
 6. Dish antennas/mini dishes pursuant to Section 7.11.

- 5.15.06 *Height and Lot Requirements:*
1. The height and minimum lot requirements shall be as follows:

Uses	Lot Area (Sq. Ft.)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Max. Height (feet)	Max. Lot Coverage
Permitted Uses	-	-	25	10 ¹	10 ¹	45	50%
Conditional Uses	-	-	25	10	20	45	50%

¹ Setback shall be increased to 20 feet when adjacent to a Residential District

5.15.07 *Miscellaneous Provisions:*

1. Supplementary regulations shall be complied with as defined herein.
2. When adjacent to residentially zoned land, no parking or drives shall be allowed in the required front yard within 15 feet of such district.
3. All waste material shall be screened from view with a solid fence.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. Where a site adjoins or is located across an alley from a Residential District, a solid wall or fence eight feet in height may be required on the property line common to such districts, except in a required front yard.

Section 5.16 I-2 - Heavy Industrial.

5.16.01 *Intent:* The intent of this District space for some commercial and a wide range of industrial uses.

Permitted and conditional uses in this district located within the Transportation Corridor Overlay District must adhere to Design Standards.

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

5.16.02 *Permitted Uses:* The following shall be permitted as uses by right:

1. Assembly, manufacture, or preparation of articles and merchandise from the following types of previously prepared materials; bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, honey, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, wood (excluding sawmills, lumber mills, planning mills, and molding plants), yarn, or paint not employing a boiling process.
2. Assembly of electrical appliances or equipment, electronic instruments and devices, radios, phonographs, television, including the manufacture of small parts such as coils, condensers, transformers, crystal holders.
3. Assembly of metal products.
4. Manufacture of figurines, pottery, or similar ceramic products using only previously pulverized clay.
5. Manufacture of musical instruments, novelties, rubber or metal stamps, toys.
6. Manufacture of optical goods, scientific or precision instruments or equipment.
7. Manufacture of artificial limbs, dentures, hearing aids, surgical instruments or dressings, or other devices employed by the medical and dental professions.
8. Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products or meat, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries.
9. Rendering of fat or oil; fish or meat slaughtering; and processing of fermented food such as sauerkraut, vinegar, or yeast.
10. Manufacture or maintenance of billboards, commercial advertising structures, or name plates.
11. Auto, truck, trailer, or boat storage; truck rental or sales.
12. Automobile painting or upholstering.
13. Building of marine pleasure craft.
14. Building materials storage or sale yard.
15. Bottling Plant.
16. Cabinet or carpenter's shop.
17. Coin machine manufacturer or repair.
18. Contractor's equipment storage.
19. Cold storage plant.
20. Dairy products processing.
21. Dwelling for caretaker or watchman working on the property.
22. Electroplating shop.
23. Ethanol Plants.
24. Equipment sales, rental, storage, or repair.
25. Farm machinery sales or service.
26. Fuel supply outlet or distributor, providing no dust is produced.
27. Laundry, dry cleaning, dyeing, or rug cleaning plant.
28. Railroad tracks and facilities such as switching yards, spur or holding tracks, freight depots.
29. Sheet metal shop or other metal working shop, machine shop not using drop hammer or punch press.
30. Plumbing contractor.
31. Warehousing.
32. Welding shop.
33. Wholesale distributor or outlet.
34. Truck and freight terminal or motor freight terminal
35. Aircraft manufacture.
36. Alcoholic beverage manufacture.
37. Asphalt or concrete mixing plant.

38. Automobile manufacture.
39. Brick, tile, terra cotta or clay products manufacture.
40. Coal and petroleum products, refining or wholesale storage of petroleum.
41. Concrete, cinder, pumice block manufacture.
42. Emery cloth or sand paper manufacture.
43. Flour and feed milling and storage.
44. Forge plant.
45. Gas (illuminating or heating).
46. Glucose or starch manufacture.
47. Iron, steel, brass or copper foundry, fabrication or works.
48. Nitrating process.
49. Oilcloth or linoleum manufacture.
50. Oiled rubber or leather goods manufacture.
51. Rock crushers.
52. Rolling mills.
53. Rubber, natural or synthetic, or treatment from crude or scrap materials or the manufacture of articles therefrom.
54. Sawmills.
55. Soap manufacture.
56. Stone mill.
57. Sugar manufacture.
58. Tar or asphalt roofing or waterproofing manufacture.
59. Adult Establishments per Section 7.26

5.16.03 *Conditional Uses:* A building or premise may be used for the following purposes in an I-2 District if a special permit for such a use has been obtained in accordance with Article 6 of these regulations.

1. Abattoirs or slaughter houses, including meat packing plants.
2. Automobile or machine wrecking and salvage yards.
3. Crematory.
4. Dyestuff manufacture.
5. Fat rendering or tallow, grease or lard refining or manufacturing of products from fats.
6. Fertilizer and industrial chemical manufacture.
7. Fireworks or explosive manufacture or storage or the handling or explosives.
8. Gas manufacture or storage (other than illuminating or heating).
9. Gelatin, glue or size manufacture or process involving recovery from animal material.
10. Incineration of other reduction of garbage.
11. Junk yards, including the handling and bailing of paper, rags, or junk of other description pursuant to Section 7.21.
12. The manufacture of cement, lime, gypsum or plaster of paris.
13. Pulp mills.
14. Pyroxylin or celluloid manufacture, or explosives or inflammable cellulose or pyroxylin products manufacture.
15. Stock yards.
16. Tanning, curing, or storage of raw hides or skins.
17. Paper Manufacturing
18. Mini-Warehouses subject to the following Conditions:
 - a. The use must be located contiguous to an arterial street as designated in the Comprehensive Plan.
 - b. There shall be a minimum lot area of one acre.
 - c. All storage shall be within enclosed buildings.
 - d. Any side of the building providing doorways to storage areas shall be set back from the property line not less than 35 feet.
 - e. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. All one-way driveways that provide direct access to cubicles shall provide for one 10-foot parking lane and one travel lane 15 feet in length. All two-way driveways that provide direct access to cubicles shall provide for one 10-foot parking land and two 12-foot travel lanes. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
 - f. All lights shall be shielded to direct light away from adjacent properties.

- g. No activities such as miscellaneous or garage sales or the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment shall be conducted on the premises. Also, no manufacturing, assembly or processing of any product shall be permitted.
 - h. The Owner or Operator shall properly police the area for removal of trash and debris.
 - i. Two copies of a plot plan showing ingress and egress, widths of driveways, off-street parking, loading areas, and on-site traffic circulation shall be submitted to the Planning Commission for their consideration with the conditional use application.
 - j. The Planning Commission and City Council may attach such other conditions as deemed necessary to provide for compatible development.
19. Expansion of nonconforming uses, structures or land.

5.16.04 *Temporary Uses:* The following temporary uses shall be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit

- 1. Temporary greenhouses.
- 2. Fireworks stands provided the criteria are met as established by the City through separate Ordinances.
- 3. Buildings and uses incidental to construction work which shall be removed upon completion or abandonment of the construction work.
- 4. Temporary structure for festivals or commercial events.

5.16.05 *Permitted Accessory Uses:* The following accessory uses and structures shall be permitted.

- 1. Accessory uses and structures normally appurtenant to the permitted uses and structures.
- 2. Parking as required in Section 7.01 - 7.05
- 3. Landscaping and screening as required in Section 7.15
- 4. Fences as required in Section 7.12
- 5. Signs as required in Section 7.06 – 7.09
- 6. Dish antennas/mini dishes pursuant to Section 7.11.

5.16.06 *Height and Lot Requirements:*

- 1. The height and minimum lot requirements shall be as follows:

Uses	Lot Area (Sq. Ft.)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Max. Height (feet)	Max. Lot Coverage
Permitted Uses	-	-	25	10 ¹	10 ¹	45	50%
Conditional Uses	-	-	25	10	20	45	50%

¹ Setback shall be increased to 20 feet when adjacent to a Residential District

5.16.07 *Miscellaneous Provisions:*

- 1. Supplementary regulations shall be complied with as defined herein.
- 2. When adjacent to residentially zoned land, no parking or drives shall be allowed in the required front yard within 15 feet of such district.
- 3. All waste material shall be screened from view with a solid fence.
- 4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5. Where a site adjoins or is located across an alley from a Residential District, a solid wall or fence eight feet in height may be required on the property line common to such districts, except in a required front yard.

- 7.01.10 Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Council, after receiving a report and recommendation from the Planning Commission, based upon comparable uses listed.
- 7.01.11 Required parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located not more than 300 feet from the building or use they are required to serve, measured in a straight line from the building.
- 7.01.12 Unless otherwise provided, required parking and loading spaces shall not be located in a required front yard but may be located within a required side yard or rear yard.
- 7.01.13 A plan, drawn to scale, indicating how the off-street parking and loading requirements are to be fulfilled shall accompany an application for a building permit. The plan shall show all elements necessary to indicate that the requirement is being fulfilled, including the following:
1. Delineation of individual parking and loading spaces.
 2. Circulation area necessary to serve spaces.
 3. Access to streets and property to be served.
 4. Curb cuts.
 5. Dimensions, continuity, and substance screening.
 6. Grading, drainage, surfacing and subgrade details.
 7. Delineation of obstacles to parking and circulation in finished parking area.
 8. Specifications as to signs and bumper guards.
 9. Other pertinent details.
- 7.01.14 Design Requirements for parking lots
1. Areas used for standing and maneuvering of vehicles shall be composed of a suitable surface material, to be reviewed and approved by the Planning Commission and City Council.
 2. Said surfacing shall be maintained adequately for all weather use and drained in a manner to avoid the flow of water across sidewalks.
 3. The structural load capacity of the surfacing should be analyzed and designed accordingly. In some instances, thicker or reinforced sections may be desirable.
 4. Artificial lighting, when provided, shall be deflected so the light does not create a shine or glare in any residential district or adjacent residential use.
 5. Access aisles shall be a sufficient width for all vehicles to turn and maneuver.
 6. Except for dwelling units, parking spaces shall be located and served by a driveway that will not require any backing movements or other maneuvering within a street right-of-way other than an alley.
 7. Drainage of all parking lots shall be designed to develop proper site drainage. Proper site drainage is required to dispose of all storm water that is accumulated on the site.
 8. The completion schedule for constructing the parking lot shall be provided to the City as part of the application. The schedule must be reviewed and agreed to by the City prior to construction. Said schedule shall be reasonable for all parties and the completion time shall be followed by the applicant. Variations to the schedule may be granted only in the case of inclement weather delays.
 9. All parking lots within the Transportation Corridor Overlay District are to be surfaced with asphalt and/or concrete and have curbed edging.

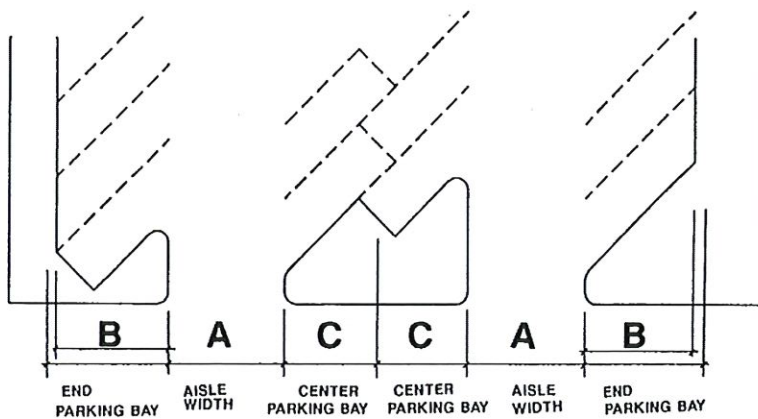
- Accessible” mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.
- c. Minimum vertical clearance of 114 inches (2895mm) at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrance(s) and exit(s). At parking spaces complying with 7.04.02 (1), provide minimum vertical clearance of 98 inches (2490mm) at the parking space and along at least one vehicle access route to such spaces from site entrance(s) and exit(s).
- d. Passenger Loading Zones shall provide an access aisle at least 60 inches (1525mm) wide and 20 feet (240inches) (6100mm) long adjacent and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with accessibility standards shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.

Section 7.05 Off-Street Parking Design Criteria

7.05.01 Standard parking stall dimensions shall not be less than nine feet by 18 feet, plus the necessary space for maneuvering into and out of the space. Where the end of the parking space abuts a curbed area at least five feet in width (with landscaping or sidewalk), an overhang may be permitted which would reduce the length of the parking space by two feet. Such overhang shall be measured from the face of the curb. For standard parking lots, minimum dimensions shall be as follows:

Parking Configuration

	90-degree	60-degree	45-degree
Aisle Width (A)			
One-way traffic	-----	18 feet	14 feet
Two-way traffic	24 feet	20 feet	20 feet
End Parking Bay Width (B)			
Without overhang	18 feet	20 feet	19 feet
With overhang	16 feet	18 feet	17 feet
Center Parking Bay Width (C)	18 feet	18 feet	16 feet



7.05.02 Minimum dimensions for a parallel parking space shall be nine feet by 23 feet

7.05.03 Minimum parking dimensions for other configurations or for parking lots with compact car spaces shall be determined by the Planning Commission and City Council upon recommendation of the City Engineer

7.05.04 All sites located within the Transportation Corridor Overlay shall comply with Design Standards.

Section 7.06 Sign Regulations

7.06.01 Purpose

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city’s ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

7.06.02 Applicability

measured from the nearest point of the intersection of the centerline of the exit / entrance ramp or intersecting street and the right hand lane of the main traveled way of the limited access highway closest to the off-premise sign.

6. **Maximum Height of Off-Premise Signs.**
The maximum height of an off-premise pole sign shall conform to all applicable regulations from appropriate authorities. Ground monument signs shall be in accordance with conditions set forth in 7.06.05.
7. **Minimum Front Yard Setback, Side Yard Setback and Rear Yard Setback of Off-Premise Signs.**
The minimum front, rear, or side yard setback for an off-premise sign shall be the same as required for any building or structure within the zoning district.
8. **Construction of Off-Premise Signs.**
The supports, uprights, bracing and framework of an off-premise pole sign shall be of metal construction.

07.08.08 Signs in Transportation Corridor Overlay District, Areas A, B, and C

The Transportation Corridor Overlay District, Area C, extends one-quarter of a mile either side of the U. S. Highway 77 corridor. Signs located within the Transportation Corridor Overlay District, Area C, shall comply with all applicable Nebraska Department of Roads and/or Federal Highway Administration Regulations and requirements, and obtain any necessary permits and approval through those agencies, in addition to compliance with Section 7.06.05 and any other applicable sections of the Wahoo Zoning Ordinance.

Pole signs located within the Transportation Corridor Overlay District, Area C, may be allowed if a Conditional Use Permit has been obtained in accordance with Article 6 of these regulations, and shall be limited to:

1. A maximum size of 200 square feet (see 7.06.04 Computations)
2. A maximum height of 35 feet (see 7.06.04 Computations)
3. On premise signs only
4. One pole sign per parcel
5. Setbacks for pole signs shall be the same as required for any building or structure within the zoning district
6. Signs shall be internally lighted

The Transportation Corridor Overlay District, Area A and Transportation Corridor Overlay District, Area B, are defined in Section 5.21.03. Signs located within the Transportation Corridor Overlay District, Area A and B shall comply with all applicable Nebraska Department of Roads and/or Federal Highway Administration Regulations and requirements, and obtain any necessary permits and approval through those agencies, in addition to compliance with Section 7.06.05 and any other applicable sections of the Wahoo Zoning Ordinance. New pole signs are not permitted within Transportation Corridor Overlay District Area A and Area B.

Section 7.09 Permit Procedures

7.09.01 General Permit Procedures

The following procedures shall govern the application for, and issuance of, all sign permits under this ordinance, and the submission and review of Master Signage Plans.

7.09.02 Applications

All applications for sign permits of any kind and for approval of a Master Signage Plan shall be submitted to the City on an application form or in accordance with application specifications published by the City.

7.09.03 Fees

Each application for a sign permit or for approval of a Master Signage Plan shall be accompanied by the applicable fees, which shall be established in the Master Fee Schedule.

7.09.04 Completeness

Upon receiving an application for a sign permit or for a Master Signage Plan, the Building Inspector shall review it for completeness. If the Building Inspector finds that it is complete, the application shall then be processed. If the Building Inspector finds that it is incomplete, the Building Inspector shall, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this ordinance.

13. At the time of site selection, the applicant should demonstrate how the proposed site fits into its overall network within the City;
14. This Ordinance shall apply to all applications which were filed prior to the effective date hereof and which have not been approved by the City Council as of the effective date of this Ordinance, and to applications filed thereafter.

7.11.16 *Third Party Review*

The telecommunications providers use various methodologies and analysis tools, including geographically-based computer software, to determine the specific technical parameters of telecommunications services and facilities, such as expected coverage area, antenna configuration, topographic constraints that affect signal paths, etc. In certain instances, there may be a need for expert review by a third party of the technical data submitted by the telecommunications provider. The City Council or the Planning Commission may require such a technical review, to be paid for by the applicant for the telecommunications services or facilities. The selection of the third party expert shall be by mutual agreement between the applicant and City, such agreement not to be unreasonably withheld by either party. The expert review is intended to be a site-specific review of technical aspects of the telecommunications services or facilities and other matters as described herein with respect to potential interference issues, and not a subjective review of the site selection. Such a review should address the accuracy and completeness of the technical data, whether the analysis techniques and methodologies are legitimate, the validity of the conclusions and any specific technical issues outlined by the City Council, Planning Commission, City Staff, or interested parties. Based on the results of the third party review, the City may require changes to the application for the telecommunications services, facilities and other matters as described herein that comply with the recommendations of the expert.

7.11.17 *Conditional Use Permit Requirement*

Notwithstanding anything to the contrary contained herein, in all instances a Conditional Use Permit 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 City or zoning jurisdiction.

7.11.18 *Termination*

The City Council may, subject to applicable law, rescind any previously granted or pending City approval or lease necessary for the construction, installation or operation of telecommunications facilities if it determines that any one of the following conditions exist:

1. A potential user with a higher priority cannot find another adequate location and the potential use would be incompatible with the existing use;
2. A user's frequency broadcast unreasonably interferes with other users of higher priority of use as set forth in Sec. 7.11.06, regardless of whether or not this interference was adequately predicted in the technical analysis; or
3. A user violates any of the standards in this Ordinance or the conditions of City approval, lease provisions with the City or other terms of authorization by the City.

Before taking action, the City will provide notice to the user of the intended termination and the reasons for it, and provide a reasonable opportunity for the user to either cure the alleged interference, violation or condition or address the City Council regarding the proposed action.

This procedure need not be followed in emergency situations.

Notwithstanding the above, the City Council reserves the right to deny, for any reason, the use of any or all City-owned property by any one or all applicants. Such denial shall be in writing and supported by substantial evidence contained in a written record.

Section 7.12 FENCES:

7.12.01 No fence shall be constructed within the zoning jurisdiction of the City of Wahoo unless a permit therefore is approved and issued by the building inspector and is constructed in conformance with the following requirements:

1. The height limitation for fences shall be six feet above ground level except as provided herein.
2. A fence constructed within a front yard of a residential lot and vegetation used as a barrier, screen, or fence along and parallel to the front line of a residential lot, shall not exceed 48 inches in height.
3. A fence constructed within the portion of a side yard of a residential lot that lies in front of a line extending perpendicularly from the side lot line to the front corner of the structure that is closest to

such side lot line, shall not exceed four feet in height, except that if the lot is located on a corner, as defined in Article 2 of this Ordinance, a fence constructed within a side yard along the side lot line which is adjacent to a street shall not exceed six feet in height.

4. Where it is demonstrated that for security purposes the perimeter fencing around a plant or building located in an area zoned as an Industrial District must be higher than eight (8) feet in height, said additional height may be approved through a Conditional Use Permit.
 5. Fences constructed along and parallel to lot lines separating a residential lot from property located in a Commercial or Industrial District shall not exceed eight feet in height.
 6. Fences constructed along and parallel to rear and side lot lines adjoining arterial streets, as designated by the Nebraska Department of Roads, shall not exceed eight feet in height.
- 7.12.02 Fences located within a front or side yard of a residential lot must qualify within the definition of an open fence, except that solid fences may be constructed along a side lot line parallel and adjacent to the lot line that is adjacent to a Commercial District or an Industrial District. A solid fence may be constructed in a side yard parallel and adjacent to the lot line that is adjacent to a street.
- 7.12.03 No fence or vegetation shall be situated or constructed in such a way as to obstruct the vehicular traffic or otherwise create a traffic safety hazard.
- 7.12.04 The use of barbed wire in the construction of any fence is prohibited except:
1. Perimeter security fencing of buildings constructed in an Industrial District. The plans and specifications for any such fencing must be approved by the City Building Inspector before commencement of construction.
 2. Farm fencing constructed for agricultural purposes on parcels of land 20 acres or more in the Transitional Agricultural District.
- 7.12.05 All fences shall be maintained in good repair.
- 7.12.06 All fences shall be located inside the boundaries of the property upon which constructed except where two adjacent property owners pursuant to written agreement filed with the City agree to build one fence on the common lot line of adjacent side yards or back yards.
- 7.12.07 **Electric Fences.**
No electric fence shall be constructed or maintained within the City of Wahoo or within its extraterritorial zoning jurisdiction except in TA-Transitional Agriculture District as hereinafter provided. An owner or lessee of such property may, upon application to the City and approval by the Building Inspector, maintain electrified fencing provided same shall not be energized to the extent that it is capable of causing bodily harm to persons, be they children or adults, or to animals. Before the Building Inspector shall approve any electrified fencing, it shall be determine that non-electrified fencing will not adequately protect the owner's property and the owner's application for approval of electrified fencing shall set forth in detail the reasons why non-electrified fencing will not adequately protect his property.
- 7.12.08 **Facing.**
The finished surface of all fences shall face toward adjoining property or street frontage. However, in the case of two or more property owners wishing to share a common fence line between their properties, said property owners shall jointly determine upon which side of the common fence line the finished face of the fence shall be placed. Such determination shall be consistent for the entire length of the common fence line.
- 7.12.09 **Fences in existence as of the date of adoption of this Ordinance.**
Any existing fence constructed pursuant to a permit issued and approved by the City of Wahoo which was in conformity with the past provisions and which was in place as of said date, may remain without change in accordance with this section notwithstanding same may be in conflict with one or more provisions of this section as amended; provided, however, that replacement or change of said existing fence or addition of a new fence, must meet the requirements of this section as amended.
- 7.12.10 **Pool Enclosures**
The perimeter of all pools, spas, or hot tubs containing at least 24 inches of water must be enclosed at ground level by a barrier or fence with a minimum height of four feet and a maximum height of six feet. There shall be no opening in the fence that permits passage of an object of 4 inches in diameter or larger. All gates must have locking hardware to prevent access when not in use. Solid barriers which do not have openings, such as masonry or stone wall, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.

In addition to the above requirement, when the wall of a dwelling serves as part of the barrier, one of the following conditions shall also be met:

1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
2. Doors with direct access to the pool through the wall of the dwelling shall be equipped with an audible alarm; or
3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable, so long as the degree of protection afforded is not less than the protection afforded by Item 1 and 2 above.
4. Where an above-ground pool structure is used as a barrier, or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
 - a. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
 - b. The ladder or steps shall be surrounded by a barrier or fence with locking hardware to prevent access when not in use.

The intent of this barrier requirement is to prevent the uncontrolled access to a pool or spa from adjacent properties, and from the home.

Section 7.13 Storage or parking of vehicles, boats, campers and trailers:

7.13.01 Storage of boats, campers, recreational vehicles, or trailers in R-1, R-2, R-3, NRC and LLR zoning districts is permitted under the following conditions:

1. Said vehicle is owned by the resident of the residential property where the vehicle is parked for storage;
2. Said vehicle may be parked inside an enclosed structure when the structure conforms to the zoning requirements of the district in which it is located;
3. Said vehicles may be parked outside of an enclosed structure in the side yard or rear yard of the property;
4. Said vehicles may be parked in the required front yard on a concrete driveway or its equivalent during loading or unloading, preparation for use, or to accommodate temporary guests or visitors;
5. No part of said vehicle shall extend over the public sidewalk or the public right-of-way;
6. Said boats, campers and trailers together with accessory structures shall not occupy more than thirty-five percent of the required rear yard;
7. Said vehicles shall not be used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its immediate use;
8. Said vehicles shall not be permanently connected to sewer lines, water lines, or electricity. A recreational vehicle may be connected to electricity or water temporarily to prepare the vehicle for use.
9. Said vehicles shall not be used for dwelling purposes except to accommodate temporary guests or visitors for no more than 14 days.

Section 7.14 Performance Standards for Industrial Uses

7.14.01 **Physical Appearance:** All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored in the open. Normal daily wastes of an inorganic nature may be stored in containers not in a building when such containers are not readily visible from a street. The provisions of this paragraph shall not be construed to prohibit the display of merchandise or vehicles for sale or the storage of vehicles, boats, farm machinery, trailers, mobile homes, or similar equipment when in operable condition.

7.14.02 **Fire hazard:** No operation shall involve the use of highly flammable gasses, acid, liquids, grinding processes, or other inherent fire hazards. This provision shall not be construed to prohibit the use of normal heating fuels, motor fuels and welding gasses when handled in accordance with other regulations of the City of Wahoo.

7.14.03 **Noise:** No operation shall be carried on which involves noise in excess of the normal traffic noise of the adjacent street at the time of the daily peak hour of traffic volume. Noise shall be measured at the property line and when the level of such noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdowns into a reasonable number of frequency ranges.

7.14.04 **Sewage and Liquid Wastes:** No operation shall be carried on which involves the discharge into a sewer, water course, or the ground, liquid waste of any radioactive or poisonous nature or chemical waste which are detrimental to normal sewage plant operation or corrosive and damaging to sewer pipes and installations.

7.14.05 **Air Contaminants:**

1. Air Contaminants and smoke shall be less dark than designated Number One on the Ringleman Chart as published by the United States Bureau of Mines, except that smoke of a density designated as Number One shall be permitted for one four minute period in each one-half hour. Light colored contaminants of such an capacity as to obscure an observer's view to a degree equal to or greater than the aforesaid shall not be permitted
2. Particulate mater of dust as measured at the point of emission by any generally accepted method shall not be emitted in excess of 0.2 grains per cubic foot as corrected to a temperature of 500 degrees Fahrenheit, except for a period of four minutes in any one-half hour, at which time it may equal but not exceed 0.6 grains per cubic foot as corrected to a temperature of 500 degrees Fahrenheit.
3. Due to the fact that the possibilities of air contamination cannot reasonably be comprehensively covered in this section, there shall be applied the general rule that there shall not be discharged from any sources whatsoever such quantities of air contaminants or other material in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public in general; or to endanger the comfort, repose, health, or safety of any such considerable number of persons or to the public in general, or to cause, or have a natural tendency to cause injury or damage to business, vegetation, or property.
4. **Odor:** The emission of odors that are generally agreed to be obnoxious to any considerable numbers of persons shall be prohibited. Observations of odor shall be made at the property line of the establishment causing the odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that such odor as associated with baking or the roasting of nuts and coffee shall not normally be considered obnoxious within the meaning of these Regulations.
5. **Gasses:** The gasses sulphur dioxide and hydrogen sulphide shall not exceed five parts per million, carbon monoxide shall not exceed five parts per million. All measurements shall be taken at the zoning lot line.
6. **Vibration:** All machines including punch presses and stamping machines shall be so mounted as to minimize vibration and in no case shall such vibration exceed a displacement of 0.003 of an inch measured at the zoning lot line. The use of steam or broad hammers shall not be permitted in this zone.
7. **Glare and heat:** All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the zoning lot line. No heat from furnaces or processing equipment shall be sensed at the zoning lot line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.

Section 7.15 Landscaping Requirements:

7.15.01 **Intent:**

The intent of the landscaping requirements are to improve the appearance of lot areas and soften paved areas and buildings; to provide a buffer between differing land uses; to minimize the adverse effect of uses from one another; to minimize the effect of heat, noise and glare; to conserve the value of property and neighborhoods within the community; and to enhance the physical environment within the City of Wahoo by ensuring that yards, open spaces, parking lots and those areas abutting public rights-of-way are designed, installed and maintained in accordance with then provisions of this section.

Property development shall consider and respect land capabilities and constraints, minimize erosion and destruction of natural amenities and provide a buffer between differing land uses.

7.15.02 **Application and Scope:**

The provisions of the section shall apply to all new construction and development including, but not limited to, structures, dwellings, buildings, parking lots, residential subdivisions, office parks, shopping centers, and redevelopment for which either a building or zoning permit approval is required, except the following:

1. Agricultural buildings, structures and uses.
2. Replacement of lawfully existing structures or uses.
3. Additions, remodeling or enlargements of existing uses or structures provided that the enlargement of surface parking of less than 4,000 square feet shall not be excepted. Where such enlargement is

less than 4,000 square feet, the provisions of this section shall apply only to that portion of the lot or site where the enlargement occurs.

4. Where there is more than one lot or site being developed together as one unit with common property lines, the entire site shall be treated as one lot or site for the purpose of conforming to the requirements of this section.
5. When a lot or site with more than one ownership has been partially developed at the time of the adoption of this section. The application of the requirements of this section shall be determined by the City Council with the recommendation of the City Planning Commission.

7.15.03 Landscaping Requirements:

Landscaping shall be required and provided as follows:

1. Single-family and two-family dwellings shall provide and maintain a minimum of 30 percent of lot area as a permeable and uncovered surface that contains living material. Single-family and two-family dwellings shall be exempt from all other requirements of this section except for Plant Material and Maintenance.
2. **Street Frontage:**
A landscaped area having a minimum depth of 15 feet from the property line shall be provided along the street frontage of all lots or sites including both street frontage of corner lots.
 - a. The required landscaped area 15 feet may be reduced to 10 feet if an equal amount of square feet of landscaped area, exclusive of required side and rear yard landscaped areas, is provided elsewhere on the site.
 - b. Exclusive of driveways and sidewalks not more than 25 percent of the surface of the landscaped area shall have inorganic materials such as brick, stone, concrete, asphalt, aggregate, metal or artificial turf.
 - c. A minimum of one tree shall be planted for every 40 lineal feet or fraction thereof.
3. **Side Yard:**
A landscaped area having a minimum depth of 10 feet from the property line shall be provided along the side yard abutting any Residential District.
 - a. Exclusive of driveways and sidewalks, not more than 10 percent of the surface of the landscaped area shall be inorganic materials such as brick, stone, concrete, asphalt, aggregate, metal or artificial turf. If the slope of ground within the landscape area exceeds 2:1, not more than 50 percent of the surface shall be inorganic material.
 - b. Landscaping shall include a hedge screen or a random or informal screen of plant materials substantially blocking the views and attaining a minimum height of six feet within four years. A landscaped earth berm not exceeding six feet in height may be used in combination with the plant materials.
 - c. A solid wood and/or masonry fence or wall six feet in height may be used in lieu of or in combination with the plant materials required, provided that such fence is at least five feet from the property line.
4. **Rear Yard:**
A landscaped area having a minimum depth of 10 feet from the property line shall be provided along the rear yard abutting any Residential District.
 - a. The landscape requirements for the rear yard shall be the same as for the side yard described in section 7.15.04 (3)
5. **Off-Site Parking Lots:**
Parking lots not located on the property where the use served is located, shall conform to this section provided that a parking lot with an area of 4,000 square feet or less shall be exempt from the requirements of this section.
6. **Parking Area Interior Landscaping:**
Off-street parking lots, as defined in 7.17.04 (5), and other vehicular use areas shall have at least 10 square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter for which landscaping is required by other sections of this Ordinance, and excluding all parking spaces which are directly served by an aisle abutting and running parallel to such perimeter.

The front of a vehicle may encroach upon any interior landscaped area when said area is at least four feet in depth per abutting parking space and protected by curbing. Two feet of said landscaped area may be part of the required depth of each abutting parking space. No more than two drive aisles

less than 4,000 square feet, the provisions of this section shall apply only to that portion of the lot or site where the enlargement occurs.

4. Where there is more than one lot or site being developed together as one unit with common property lines, the entire site shall be treated as one lot or site for the purpose of conforming to the requirements of this section.
5. When a lot or site with more than one ownership has been partially developed at the time of the adoption of this section. The application of the requirements of this section shall be determined by the City Council with the recommendation of the City Planning Commission.

7.15.03 Landscaping Requirements:

Landscaping shall be required and provided as follows:

1. Single-family and two-family dwellings shall provide and maintain a minimum of 30 percent of lot area as a permeable and uncovered surface that contains living material. Single-family and two-family dwellings shall be exempt from all other requirements of this section except for Plant Material and Maintenance.

2. Street Frontage:

A landscaped area having a minimum depth of 15 feet from the property line shall be provided along the street frontage of all lots or sites including both street frontage of corner lots.

- a. The required landscaped area 15 feet may be reduced to 10 feet if an equal amount of square feet of landscaped area, exclusive of required side and rear yard landscaped areas, is provided elsewhere on the site.
- b. Exclusive of driveways and sidewalks not more than 25 percent of the surface of the landscaped area shall have inorganic materials such as brick, stone, concrete, asphalt, aggregate, metal or artificial turf.
- c. A minimum of one tree shall be planted for every 40 lineal feet or fraction thereof.

3. Side Yard:

A landscaped area having a minimum depth of 10 feet from the property line shall be provided along the side yard abutting any Residential District.

- a. Exclusive of driveways and sidewalks, not more than 10 percent of the surface of the landscaped area shall be inorganic materials such as brick, stone, concrete, asphalt, aggregate, metal or artificial turf. If the slope of ground within the landscape area exceeds 2:1, not more than 50 percent of the surface shall be inorganic material.
- b. Landscaping shall include a hedge screen or a random or informal screen of plant materials substantially blocking the views and attaining a minimum height of six feet within four years. A landscaped earth berm not exceeding six feet in height may be used in combination with the plant materials.
- c. A solid wood and/or masonry fence or wall six feet in height may be used in lieu of or in combination with the plant materials required, provided that such fence is at least five feet from the property line.

4. Rear Yard:

A landscaped area having a minimum depth of 10 feet from the property line shall be provided along the rear yard abutting any Residential District.

- a. The landscape requirements for the rear yard shall be the same as for the side yard described in section 7.15.04 (3)

5. Off-Site Parking Lots:

Parking lots not located on the property where the use served is located, shall conform to this section provided that a parking lot with an area of 4,000 square feet or less shall be exempt from the requirements of this section.

6. Parking Area Interior Landscaping:

Off-street parking lots, as defined in 7.17.04 (5), and other vehicular use areas shall have at least 10 square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter for which landscaping is required by other sections of this Ordinance, and excluding all parking spaces which are directly served by an aisle abutting and running parallel to such perimeter.

The front of a vehicle may encroach upon any interior landscaped area when said area is at least four feet in depth per abutting parking space and protected by curbing. Two feet of said landscaped area may be part of the required depth of each abutting parking space. No more than two drive aisles

shall be placed parallel to one another without an intervening planter aisle of at least four feet in width; eight feet is required if parking spaces overlap the curbs of the aisle.

7. **Perimeter Landscaping:**

All commercial office and industrial developments, buildings, or additions thereto shall provide perimeter landscaping to include one tree for each 40 lineal feet or fraction thereof. Such landscaped area shall consist of sufficient area for the species of tree to be planted. Other perimeter landscaping shall require approval of the Planning Commission and City Council.

8. **Plant Materials:**

Landscape living plant materials shall consist of trees, shrubs, ground covers, vines, grasses, flowers, and any other plants.

a. The plant nomenclature shall conform with the recommendations and requirements of the "American Standard for Nursery Stock", as amended, published by the American Association of Nurserymen, Inc.

b. Size. The minimum size of plant materials to be installed shall be as follows:

- (1) Deciduous trees having a mature height of 20 feet or less shall have a minimum caliper of one and one-fourth inches.
- (2) Deciduous trees having a mature height of more than 20 feet shall have a minimum caliper of one and one-half inches.
- (3) Evergreen (conifer) trees shall have a minimum height of three feet.
- (4) Deciduous shrubs shall have a minimum height of 18 inches.
- (5) Evergreen shrubs shall have a minimum spread of 18 inches.

9. **Planting Schedule:**

The plant materials shall be installed prior to the issuance of the certificate of occupancy. If, because of seasonal reasons, the landscaping cannot be installed, a surety satisfactory to the City of Wahoo equal to the contract cost shall be submitted to the City. The City shall release the surety when the plant materials have been installed. If the plant materials have not been installed within 12 months of the effective date of the certificate of occupancy, the City may install the required landscaping.

10. **Required Plans:**

Upon application of a building permit, a landscape-planting plan shall be submitted to the City of Wahoo for review and approval.

a. Three copies of the plan shall be submitted.

b. The plan shall include, but not be limited to, the following:

- (1) Property lines and other physical features necessary to show the proposed installation of plants.
- (2) The location and spacing of plant materials.
- (3) The scientific name, common name, plant size, quantity and planting method.
- (4) The plan shall have a scale of not more than one-inch equals 100 feet.
- (5) When necessary, existing and proposed contours shall be provided.

7.15.04 Screening Requirements

1. All parking areas or vehicular use areas abutting a residential district or public right-of-way shall be screened from grade level to a height not less than three feet.

2. All commercial and industrial uses that abut residential or office districts shall provide screening not less than six feet in height along the abutting property line(s).

3. Screening required by this section shall be equivalent to the following:

- a. Solid fences or walls as approved by the Planning Commission on the final development plan.
- b. Hedges, shrubs, or evergreen trees of 36 inches in height at planting spaced appropriately to provide a solid screen within three years after planting.
- c. Berms of not less than three feet in height and that provide a maximum slope of 3:1 for easy maintenance. Such berms may be used in conjunction with plantings to achieve the solid visual screen as described in 7.17.04 (3a) above.
- d. All projects except one-and-two family dwellings shall include a detailed drawing on the landscape plan indicating the method of enclosure and screening to be used on trash dumpsters. All dumpsters or trash bins shall maintain a solid enclosure six-foot in height around each unit. Said enclosure shall be of complementary materials suitable to the Planning Commission.

7.18.08 The application shall include affidavits or permits from the Environmental Protection Agency and/or the Nebraska Department of Environmental Quality, in the event an approval is required by these agencies.

Section 7.19 Schools

The following guidelines shall apply to schools regardless if the use is permitted or requires a conditional use permit:

- 7.19.01 Nursery schools shall provide and thereafter maintain outdoor play areas with a minimum area of 100 square feet per child of total capacity. A sight-obscuring fence at least four feet but not more than six feet in height shall be provided separating the play area from abutting properties.
- 7.19.02 Elementary schools shall provide one acre of site area for each 90 pupils or one acre for each three classrooms, whichever is greater.
- 7.19.03 Intermediate schools shall provide one acre of site area for each 75 pupils or one acre for each two and one-half classrooms, whichever is greater.

Section 7.20 Utility Substation or Pumping Station

The following criteria shall be met for any utility substation or pumping station regardless if the use is permitted or requires a conditional use permit:

- 7.20.01 The minimum lot size of the district in which a public utility facility is to be located may be waived only on finding that the waiver will not result in noise or other detrimental effect on adjacent property.
- 7.20.02 No equipment storage shall be permitted on the site in a residential district or in a C-1 District.
- 7.20.03 Such uses shall be fenced and landscaped as determined.

Section 7.21 Junk Yards or Salvage Yards

Junk Yards and salvage of materials may be allowed by conditional use permit in the (I-2) Heavy Industrial District; provided the following minimum conditions are met (additional conditions may be required depending upon the operation and the proposed location:

- 7.21.01 Construction and operation shall comply with the Wahoo Municipal Code and any other applicable codes or requirements.
- 7.21.02 Receiving areas for junk or salvage material shall be designed to avoid the depositing of junk or salvage material outside a building or outside screened (solid fence) storage areas.
- 7.21.03 Junk yards and salvage of materials shall contain a minimum of two acres and shall not be located within a designated 100-year floodplain area as identified by the Corps of Engineers.
- 7.21.04 Junk or salvage material kept outside a building or buildings shall not be located closer than 500 feet from any designated State or Federal highway. Or locally designated Expressway, Major Arterial, and Other Arterial as per the State of Nebraska Department of Roads or subsequent successor agency.
- 7.21.05 Junk material kept outside a building or buildings shall not be located in the required front yard.
- 7.21.06 Junk or salvage material kept outside a building or buildings shall be at least 100 feet from the boundaries of the I-1 zoning district and shall be at least 500 feet from the any residential district or use.

Section 7.22 Townhouses

Townhouses shall be subject to the following criteria regardless if the use is permitted or requires a conditional use permit:

- 7.22.01 The common wall between attached units shall be on the side lot line separating the lots and shall not be subject to side yard requirements providing there are no doors, windows, vents or other openings in the common wall.
- 7.22.02 No unit shall have a depth greater than three times its width.
- 7.22.03 Any exterior wall which is not a common wall must meet all yard requirements.
- 7.22.04 Each lot must have direct access to a public street.
- 7.22.05 The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.
- 7.22.06 The application for said use must include a plot plan with general location of buildings, parking areas, driveways, fences, and other structures, the location of easements and utility lines, the number and type of all dwelling units, and the property lines within the proposed development.

Section 7.23 Preservation Guidelines

Guidelines: (Based on the Secretary of Interior' s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings)

- 7.23.01 Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

WAHOO PLANNING COMMISSION

Meeting Minutes

May 7, 2026

The Wahoo Planning Commission met in regular session and in accordance with the agenda posted at City Hall, the Post Office, and First Bank of Nebraska with each board member being notified of the agenda prior to the meeting. The meeting was called to order at 7:00 p.m. by Chair Tracy Pfligler and opened with the Pledge of Allegiance. The Chair advised the public of the posted information regarding Nebraska Open Meetings Act and Title VI. The Chair then directed the City Clerk to call the roll: Brooks: Present, Egr: Present, Fick: Present, Gabel: Present, Lentfer: Present, Miyoshi: Present, Pearson: Present, Pfligler: Present, Wilcox: Absent.

A public hearing regarding an application for conditional use permit for used car sales located at Lots 7-8 Blk 36 south Wahoo Addition with offices at 130 S Walnut Street. The applicant Dennon Hladik spoke to the application. A motion was made by Pearson, seconded by Miyoshi to close the public hearing at 7:02pm. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Questions were asked regarding curbing, parking and the use of the adjacent alley for access. It was suggested that a condition to the permit but that the parking area should be rocked and well maintained. A motion was made Pfligler and seconded by Fick to recommend approval of the Conditional Use Permit with conditions that the parking area be rocked and kept weed free and that no parking be permitted within the alley. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

A public hearing was opened at 7:16pm regarding an application for the rezone of Krumel Industrial Subdivision. Kevin Anderson from JEO Investments gave a broad overview of the whole project and the application for rezone. They are proposing the area be zoned I2 – Heavy Industrial and C-2 Highway Commercial. He stated that I2 would be a better fit in the area verse I1 because I2 allows for outdoor storage and I1 does not. A motion was made by Pfligler, seconded by Pearson to close the public hearing at 7:19pm. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Pfligler noted that there had been a change from the original plat that had been presented. Originally the smaller internal lots had been presented as being zoned commercial. Beavers asked for clarification on what was meant by outdoor storage. Anderson commented that the intention was for business to store their own equipment and not to allow something like camper storage to operate on those lots.

Fick asked about landscaping buffer along old Hwy 77. Anderson noted that along old Hwy 77 there is a plated drainage out lot and that that would limit what could be planted along that area. Beavers spoke to the landscaping and screening requirements for I2 that are within zoning especially if the industrial lot abuts residential or office space. Beavers also noted that there are fencing requirements detailed in the zoning regulations also. A motion was made by Miyoshi,

seconded by Lentfer to recommend approval of the rezone of Krumel Industrial Subdivision from TA and C3 to I2 and C2. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Discussion was had regarding a waiver to the of the Expressway Corridor Design Standards changing it from 1/4 mile to 1/8 mile within the Krumel Subdivision. Kevin Anderson from JEO Investments addressed the waiver. He stated there is a conflict between industrial and the design standards and that there are a lot of different ways to address that issue. Anderson presented a site layout for basic building designs that depict the difference for lots with and without the design standards.

Pfligler commented on the design standards as being a points system. She stated that the once the City loses the design standards as a planning tool it isn't something that the City could get back. She acknowledged that industrial is not the most visually appealing in nature but that shouldn't mean that they aren't held to a standard especially in a major access point to Wahoo.

Pearson commented that she would rather have Industrial removed from the design standards than to shirk down the size of it from 1/4 mile to an 1/8 mile. Pfligler disagreed. She suggested that there is another way to compromise. Pfligler suggested making an exception for outdoor storage for outdoor storage could be a compromise. A large amount of conversation was directed to landscape and site barriers that shield the industrial area.

Kevin Anderson asked for direction as to what the Planning Commission would be more amiable to. The Planning Commission is generally in favor of finding a mechanism to accomplish the same outcome without wavering on the design standards. A motion was made by Gabel, seconded by Brooks to deny the waiver to the of the Expressway Corridor Design Standards, changing it from 1/4 mile to 1/8 mile within the Krumel Subdivision. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Kevin Anderson from JEO Investments spoke to the final plat for Krumel Industrial Subdivision. He stated that the access points indicated on the plat at 27th and 29th streets have been approved by NDOT. Questions were asked regarding drainage in the area. The drainage outlots are oversized to address future drainage for future development to the East. Beavers verified that there were no requests for waivers regarding street widths or right of way widths. A motion was made by Pearson, seconded by Fick to approve the final plat of Krumel Industrial Subdivision. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Discussion was held regarding proposed amendment to section 2.03.160 of the zoning regulations regarding single family dwelling. Action on this item will be brought to the Planning Commission at the next meeting.

Beavers reported on projects throughout the city. Miyoshi asked questions about fill within the floodplain for the Dry Run Commons subdivision. Beavers explained the difference between floodway and floodplain.

A motion was made by Pearson, seconded by Miyoshi to approve the minutes from March 5, 2026 meeting of the Planning Commission. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

A motion was made by Fick, seconded by Egr to approve the minutes from the April 2, 2026 meeting of the Planning Commission. Roll Call vote: Brooks: yes, Egr: yes, Fick: yes, Gabel: yes, Lentfer: yes, Miyoshi: yes, Pearson: yes, Pfligler: yes, Wilcox: Absent and not voting. Motion carried.

Meeting adjourned at 8:39pm.

Approved:

Christina Fasel
City Clerk
City of Wahoo