RESOLUTION: SPECIAL USE PERMIT – OUTDOOR STORAGE, John & Sherry Simmons
19805 W Hwy 31 Springfield, NE 68059

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County Board of Commissioners has the authority to adopt a Zoning Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat.§ 23-114; and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve Special Use Permits; and

WHEREAS, the Planning Department has reviewed John and Sherry Simmons’ application to allow outdoor storage of recreational vehicles and trailers in the AG, Agricultural Zoning District on the property generally located at 192nd Street and W Highway 31 and legally described as follows:

That part of Tax Lot 1A1B1B lying south of West Highway 31 in Sec 18, Twp 12N, Rng 13E of the 6th P.M., Sarpy County, NE

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that this Board makes the following findings of fact:

I. A public hearing regarding the Special Use Permit was held before the Sarpy County Planning Commission on August 16, 2016 and further, the Planning Commission gave their recommendation.

II. A public hearing regarding the Special Use Permit was held by this Board.

III. Notice of each of the Public Hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Sarpy County Clerk.

IV. The Planning Department has made a recommendation as noted in the attached Exhibit “A”, which Exhibit “A” includes the Planning Department report and the operation plan.

V. The zoning at the property described above is AG, Agricultural.
VI. The Special Use Permit is in compliance with the Comprehensive Development Plan and the Sarpy County Zoning Regulations.

VII. The performance standards set out at Section 41.5 of the Sarpy County Zoning Regulations have been met.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the Special Use Permit for John and Sherry Simmons as described above and subject to the following conditions:

1. The operations remain consistent with the operation plan submitted to the Planning Department.
2. Applicant shall place a 20' wide landscaped buffer area along Highway 31 in front of the outdoor storage area. No recreational vehicles shall be stored in this landscaped buffer area.
3. Applicant shall have year-round screening (solid fencing, landscaping or mixture of both) of outdoor storage to a height of 8 feet.
4. Signage is limited to one sign with a maximum size of 15 square feet with a 10 foot setback from the property line.
5. The open storage area shall be regularly mowed and sprayed for weeds.
6. No camping or overnight stays are allowed on the premises.
7. All recreational vehicles must be in operable condition and have current licensing.
8. No work on the vehicles is allowed other than minor repair such as a tire replacement or repair.
9. No waste facilities are available and no dumping of waste is allowed anywhere on the site.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 20th day of September, 2016.

Sarpy County Board Chairman

County Clerk

Resolution SUP –Simmons Sept 2016
To approve a Special Use Permit to allow outdoor storage of recreational vehicles and trailers in an AG (Agricultural) zoning district, located southwest of 192nd Street and W Highway 31.

Public Hearings and Resolutions

Donna Lynam, CFM Assistant Director, Planning & Building

The application presented by John and Sherry Simmons at the Sarpy County Board of Commissioners Public Hearing was tabled until September 20, 2016 to provide an opportunity for the applicant to work with the Planning Department on an approved plan for the screening of the outdoor storage as required by Sarpy County Zoning Regulation Section 32, Highway Corridor.

A discussion was held between the applicant and the staff of the Planning Department and it has been agreed upon that the applicant wants to fence the property with a chain link fence for security purposes. While the regulations will not allow a chain-link fence in the corridor overlay, they can install a chain link fence so long as they screen it with landscaping.

The applicant has agreed to install landscaping as required by the Zoning Regulations on the three sides that are in public view from the adjacent roadway. Such landscaping will include deciduous trees, conifer trees, shrubs, and berming.

When the applicant submits an application for a building permit for the fence, the submittal will require a landscape plan which will be reviewed and approved by Planning Department staff if such plan is in compliance with section 37, Landscaping Regulations. Attached to this report is a copy of Section 32, Highway Corridor Overlay District and Section 37, Landscaping.

Staffs recommendation has not changed.

Staff recommends APPROVAL of this Special Use Permit application to operate an outdoor storage facility for recreational vehicles in an AG zoning district as specifically described in the Application and Operational Plan with the following conditions:

- A 20’ wide landscaped buffer area shall be provided along Highway 31 in front of the outdoor storage area. No recreational vehicles shall be stored in this landscaped buffer area.
- Year-round screening (solid fencing, landscaping or mixture of both) of outdoor storage to a height of 8 feet will be required.
- Signage is limited to one sign with a maximum size of 15 square feet with a 10 foot setback from the property line.
- The open storage area is regularly mowed and sprayed for weeds.
- No camping or overnight stays are allowed on the premises.
- All recreational vehicles must be in operable condition and have current licensing.
- No work on the vehicles is allowed other than minor repair such as a tire replacement or repair.
- No waste facilities are available and no dumping of waste is allowed anywhere on the site.

Staff makes this recommendation as the application will be in conformance with the Sarpy County Zoning Regulations and current Comprehensive Plan provided the above conditions are met. If the conditions are not met, the SUP may be revoked by the County.
SECTION 32 – HC HIGHWAY CORRIDOR OVERLAY DISTRICT

32.1 PURPOSE

The HC Highway Corridor Overlay District provides basic guidelines that promote quality design along the most visible and heavily traveled road corridors in the Sarpy County zoning jurisdiction: Highway 370, Highway 50, Interstate 80, Platteview Road, Highway 31, and Highway 75. The HC Highway Corridor Overlay District is intended to: Encourage development design that strengthens the physical character and image of Sarpy County; Support the value of property and quality of development and major highway corridors; set basic requirements for good site design and development, building design, landscaping, and signage without discouraging creativity and flexibility in design; permit safe and convenient transportation access and circulation for motorized and non-motorized vehicles, and for pedestrians; manage the impact of commercial and industrial development on adjacent residential neighborhoods.

The uses permitted in the HC (Highway Corridor Overlay District) shall be the same as those permitted by the underlying base zoning district except as provided by this section. The following uses shall be prohibited within the HC (Highway Corridor Overlay District):

1. Self-Service car wash operations that constitute the primary use;
2. Hazardous waste storage, as primary use;
3. Industrial uses as defined by Section 24, except by a special use permit,
4. Mobile home, modular home, and manufactured home sales, but not including the sales of recreational vehicles, except by special permit,
5. Mobile home parks;
6. Pawn shops;
7. Salvage or junk yard operations and transfer stations, as a primary use;
8. Tow lots, as a primary use;

32.2 HC HIGHWAY CORRIDOR OVERLAY DISTRICT BOUNDARIES

The HC Highway Corridor Overlay District applies to the following areas:

32.2.1 Land within one-quarter (1/4) mile of the centerline of Highway 370 within the planning jurisdiction of Sarpy County;

32.2.2 Land within one-quarter (1/4) mile of the centerline of Highway 50 from the northern extra-territorial planning jurisdiction boundary of the City of Springfield north to one-quarter (1/4) mile north of Highway 370;

32.2.3 Land within one-quarter (1/4) mile of the right-of-way lines of Interstate 80 from the Platte River boundary line of Sarpy county to one-half (1/2) mile north of Highway 370;

32.2.4 Land within one-quarter (1/4) mile of the center line of Platteview Road within the planning jurisdiction of Sarpy County;

32.2.5 Land within one-quarter (1/4) mile of the center line of Highway 31 within the planning jurisdiction of Sarpy County;

32.2.6 Land within one-quarter (1/4) mile of the center line Highway 75 within the planning jurisdiction of Sarpy County.
32.3 PROJECT APPLICATION AND EXCEPTIONS

The HC Highway Corridor Overlay District, its development guidelines, and other provisions, apply to the following:

Any new development requiring a building permit built on land within the boundaries of the HC Highway Corridor Overlay District after the effective date of this Regulation, except any land that was platted prior to March 9, 2004; provided however, that land within the boundaries of the HC Highway Corridor Overlay District that was zoned other than agricultural prior to March 9, 2004, that was part of a Phased Development shall also be excepted. Replats, lot line adjustments, and lot consolidations of such platted properties shall remain excepted. Phased Developments shall mean property that was, at a minimum, preliminary platted and at least a part of the property within the preliminary plat was final platted.

The requirements of the HC Highway Corridor Overlay District do not apply to any rehabilitation, repair, addition(s) or enlargement(s) of a building in place or under construction on a site as of the effective date of this Regulation, provided that the cumulative gross floor area of any addition(s) does not exceed 50% of the gross floor area of the pre-existing building(s). The requirements of the HC Overlay District do not apply to replacement of building in place or under construction on a site as of the effective date of this regulation necessitated by casualty loss.

32.4 DESIGN GUIDELINES FOR COMMERCIAL AND OFFICE USES

32.4.1 Site Design Guidelines

(A) BUILDING LOCATION AND ORIENTATION

1. Facades with principal entrances shall be oriented to the project’s primary street or to an active pedestrian or public zone within the site. For multi-tenant buildings, at least 50% of the entrances shall be oriented to the primary street or pedestrian or public zone. Facades with principal customer entrances may be turned perpendicular to the primary street if they provide a direct pedestrian connection from a public sidewalk to the major customer entrance without interruption by vehicular traffic. The primary street for a development is Highway 370, Highway 50, Interstate 80, Platteview Road, Highway 31, or Highway 75 or a collector street that fronts the development. When the development has two primary streets, the site plan shall determine orientation.

2. Developments at intersections shall identify or emphasize their corners with significant landscaping or similar public feature.

3. A clearly delineated pathway or route should connect all principal building or business entrances to any sidewalks or trails on streets adjacent to the project.

(B) PEDESTRIAN ACCESS

1. Developments shall provide a continuous walkway connection at least 5 feet in width from the public sidewalk to the customer entrances of all principal buildings on the site. Developments adjacent to multi-use trails shall provide a direct connection from the trail to the development’s internal pedestrian circulation system. For trails that are proposed in the county’s comprehensive plan, trail master plan, or other adopted county document but are not yet constructed, the development plan shall make provisions for a connection to the trail, and shall be responsible for constructing the connection when the trail becomes available.
2. Multi-building developments shall provide clear and safe walkways at least 5 feet in width that connect all buildings on the site. Buildings not intended for routine customer access or intended solely for drive-up services are excluded from this requirement.

3. Where the required walkways specified in this section cross drives, parking aisles, or other vehicular ways, the crosswalks shall be distinguished from driving surfaces by the use of durable, low-maintenance surface materials such as concrete or brick pavers; scored, colored concrete; or painted concrete.

4. Pedestrian connections to adjacent developments should be provided.

(C) VEHICULAR ACCESS

1. Developments should make maximum use of internal cross-easements and shared access points when possible.

2. Main driveways and drive aisles shall provide a continuous system that connects to the main site entrance.

3. Commercial developments are encouraged to provide means of access to residential areas that avoid requiring residents to use arterial streets for short-distance trips. Such connections must be designed to avoid channeling commercial traffic onto residential streets outside of comprehensively planned, mixed use projects.

4. When possible, shared service and delivery access should be provided between adjacent parcels and buildings.

(D) PARKING

1. Parking shall be grouped into parking blocks that are divided by pedestrian paths, landscaping, or buildings.

2. A maximum of 400 parking stalls may be located in any one parking block.

(E) SIGNS

1. Attached signs shall be located above the building entrance, storefront opening, or at other locations that are compatible with the architectural features of the building.

2. All lots abutting the designated highways shall use monument or ground signs, except that commercial uses within 660 feet of the Interstate 80 right-of-way may be permitted one pole sign per premises as regulated by Section 40 of the Sarpy County Zoning Regulation.

3. A landscaped base area shall be provided for monument or ground signs appropriate to the mass and height of the sign. All areas within 5 feet of the base of any sign shall be landscaped. The landscaped area may include trees, shrubs, flowering perennials, ornamental tall grass, fountains, water features, decorative stonework, planters, sculpture, decorative paving, turf grass, loose stone, and mulch.

(F) SCREENING

1. Developments shall provide year-round screening of outdoor storage, utility meters, HVAC equipment, trash collection and processing. Utility meters, HVAC, and Trash collection and processing shall be screened to its full vertical height. Outdoor storage shall provide 75% of the vertical plane of this feature up to a height of 8 feet. Trash enclosure gates shall furnish a steel frame with decorative steel or wood covering, or another design acceptable to the
Planning Director. Chain-link fencing with inlaid wood or metal slats shall not be considered acceptable. Screening shall be integrated into the overall design of buildings and landscaping and fully contain the visual impact of these service functions from adjacent public streets and neighboring properties.

(G) LIGHTING

1. All lighting used to illuminate an off-street parking area, sign or other structure shall be arranged so as to deflect light away from any adjoining residential property through fixture type and location. When lighting is mounted to the underside of canopies, these lights shall be recessed so that the visible light source is no lower than the plane of the underside of the canopy.

2. The maximum height of lighting standards shall be 45 feet, unless the County grants a specific exception as part of the application approval process.

3. Exterior lighting of buildings shall be limited to low-level incandescent spotlights, floodlights, and similar illuminating devices hooded in such a manner that the direct beam of any light sources will not glare upon adjacent property or public streets. The County may approve exceptions to these requirements for sports and athletic field lighting, flagpole lighting, public street lighting, temporary lighting for seasonal/holiday or special events, and lighting used for public safety.

32.5. **ARCHITECTURAL GUIDELINES**

32.5.1 Site Design Guidelines

(A) MASS AND SCALE FOR BUILDINGS OVER 40,000 SQUARE FEET

1. Variations in the vertical plane of the building shall be incorporated into the mass of the building at significant entrances or along walls that front plazas or other significant pedestrian features. Methods of variation may include towers, pediments, or façade articulations or variations; changes in the horizontal plane; or enhancements in color and materials, consistent with the overall design of the building.

2. Primary building facades shall meet one of the following guidelines:

   a) Facades greater than 100 feet shall incorporate projections or recesses in the wall plane.

   b) Facades greater than 100 feet shall display a pattern of color change, texture change, material change, or expression of structural bays with an offset of at least 12 inches from the ruling plane of the facade.

3. The Sarpy County Board of Commissioners may waive these guidelines if the applicant demonstrates an alternative building design that in the Board’s opinion provides visual interest and scale to the building. An Architectural Review Committee shall review and provide recommendations concerning application to waive these guidelines. The Architectural Review Committee shall consist of the Planning Director, a Planning Commission Member, an architect/engineer, and a commercial real estate developer along with an alternative for each position all to be selected by the Planning Director and appointed by the County Board of Commissioners.
(B) ARCHITECTURAL ELEMENTS

1. Front facades facing a primary street shall have visible, clearly defined customer entrances that include at least three of the following elements: canopies or porticos, overhangs, recesses or projections, arcades, raised cornice parapets over the entrance door, distinctive roof forms, arches, outdoor patios or plazas, display windows, or integral planters.

2. Front facades shall utilize variations in color, horizontal planes, materials, patterns, height, or other techniques to provide visual interest and scale to buildings.

3. All rear and side facades abutting an arterial or collector shall use a simplified expression of the materials and design used on the front facade.

(C) BUILDING MATERIALS

1. Permitted exterior building materials shall be high quality, durable materials that include, but are not limited to, brick; native or manufactured stone (Renaissance stone or similar masonry materials); integrally colored, burnished, split faced, rock faced, textured, or glazed concrete masonry units; pre-finished architectural metal panel systems; quality metals such as copper; high quality pre-stressed concrete systems; and drainable (water managed) Exterior Insulated Form System (EIFS).

2. Materials on all sides of the building shall be compatible with materials on the front façade.

3. These guidelines are not intended to inhibit creativity and innovation in building design. The Architectural Review Committee may permit the use of other materials, if the applicant demonstrates that the use of such materials will result in a building that gives a sense of quality and permanence.

(D) ROOF FORMS

1. Buildings with flat or slightly sloped roofs to drain shall incorporate parapets on all facades that face a public street or residential district. Variations in parapet height and articulation of cornice lines may be used to add interest.

2. Roof forms shall be designed to express various building functions or features, such as entrances.

3. Visible roof materials shall include clay or concrete tile, split shakes, tern metal, architectural grade asphalt shingles, architectural metals, copper, natural or synthetic slate, or similar durable materials.

32.6 DESIGN GUIDELINES FOR INDUSTRIAL USES

32.6.1 Site Design Guidelines

(A) BUILDING LOCATION AND ORIENTATION

1. To the maximum degree possible, the arrangement of buildings on a site shall screen operational and loading areas from view abutting highway corridor streets.

2. Buildings with customer entrances shall orient such entrances toward the primary access street.

3. Accessory structures shall not front a primary access street and shall be oriented away from public streets, open space, or residential areas.
4. Buildings shall be arranged and oriented so that loading docks, outdoor storage, trash collection and processing, HVAC equipment, truck parking and servicing areas and other service functions are not visible from Highway 50, Highway 370, or Interstate 80, Platteview Road, Highway 31, and Highway 75 except where surrounding topographic features prevents concealment. Site designs shall maximize the amount of landscaping in street yards along these highways. This standard may be met by building and site orientation, site design, and/or landscaped screening that blocks the view of such areas from the highway corridors. Customer and employee parking areas are permitted in these street yards, subject to other provisions of this regulation.

(B) VEHICULAR ACCESS

1. To the maximum degree possible, access routes for automobiles and trucks shall be distinguished from one another.

2. Drives and access points shall be directed away from residential areas.

(C) PARKING

1. Signage and site design shall distinguish employee and visitor parking areas from truck loading and servicing areas when the project is sufficiently large to make such separation functionally necessary.

2. Landscaping shall be used to direct vehicles through the site, distinguish between automobile and truck service areas, manage storm water, and break up the size of large impervious automobile parking areas.

(D) SIGNS

1. Attached signs shall be integrated into the design of the building elevation.

2. All new industrial development lots abutting the designated highways shall use monument or ground signs, except that industrial development directly adjacent to or within 660 feet of the Interstate 80 right-of-way may be permitted one pole sign per premises as regulated by Section 40 of the Sarpy County Zoning Regulations.

(E) SCREENING

1. Developments shall provide year-round screening of outdoor storage, utility meters, HVAC equipment, trash collection and processing. Utility meters, HVAC, and Trash collection and processing shall be screened to its full vertical height. Outdoor storage shall provide 75% of the vertical plane of this feature to a height of 8 feet. Trash enclosure gates shall furnish a steel frame with decorative steel or wood covering, or another design acceptable to the Planning Director. Chain-link fencing with inlaid wood or metal slats shall not be considered acceptable. Screening shall be integrated into the overall design of buildings and landscaping and fully contain the visual impact of these service functions from adjacent public streets and neighboring properties.

2. All rooftop mechanical equipment shall be screened. Acceptable methods of screening include parapet walls or a free-standing screen of a material and color consistent with the building. Screens shall be at least the same height as the equipment they conceal.
(F) LIGHTING

1. All lighting used to illuminate off-street parking areas, signs or other structures shall be arranged so as to deflect light away from any adjoining residential property through fixture type and location.

2. The maximum height of lighting standards shall be 45 feet, unless the County grants a specific exception as part of the application approval process.

3. Exterior lighting of buildings shall be limited to low-level incandescent spotlights, floodlights, and similar illuminating devices hooded in such a manner that the direct beam of any light sources will not glare upon adjacent property or public streets. The County may approve exceptions to these requirements for sports and athletic field lighting, flagpole lighting, public street lighting, temporary lighting for seasonal/holiday or special events, and lighting used for public safety.

32.6.2 Architectural Guidelines

(A) MASS AND SCALE

1. For buildings with office areas that exceed 3,000 square feet, the mass of the office portion of a building shall be distinguished from the mass of the industrial operations portion of the building. Office and/or public entrances shall be distinguished by elements that provide both identification and scale to the development. Techniques include but are not limited to the use of canopies or porticos, overhangs, changes in horizontal plane, variations in façade height and design, arches, peaked or special roof forms, and changes in materials.

(B) BUILDING MATERIALS

1. Permitted exterior building materials on primary exposure facades shall be high quality, durable materials that include, but are not limited to, brick; native or manufactured stone (Renaissance stone or similar masonry materials); integrally colored, burnished, split faced, rock faced, textured, or glazed concrete masonry units; pre-finished architectural metal panel systems; quality metals such as copper; high quality pre-stressed concrete systems; architecturally treated tilt-up concrete panels; and drainable (water managed) EIFS. Primary exposure facades shall include any façade that is oriented to Highway 370, Highway 50, or Interstate 80, Platteview Road, Highway 31, and Highway 75 and all building facades that intersect a façade oriented to these highway corridors for a distance of 200 feet back from such intersection; and any façade oriented to a public open space, or residential area.

2. Smooth-faced concrete block, tilt-up concrete, pre-engineered metal buildings, and standard single- and double-tee concrete systems shall be permitted only on facades that are not primary exposure facades as defined above.

3. These guidelines are not intended to inhibit creativity and innovation in building design. The County Board of Commissioners may permit the use of other materials if the applicant demonstrates that the use of such materials will result in a building that gives a sense of quality and permanence. Before permitting other materials, the County Board shall first receive the recommendation of the Architectural Review Committee, in the same manner as described in 32.5.2(3) herein.
(C) ROOF FORMS

1. Visible roof materials shall include clay or concrete tile, split shakes, pre-finished metal, architectural grade asphalt shingles, architectural metals, copper, natural or synthetic slate, or similar durable materials.
SECTION 37 - LANDSCAPING REGULATIONS

37.1 GENERAL PROVISIONS

All plans submitted in support of a plat application, rezoning application, site plan review, building permit or other development proposal shall include a landscape and screening plan, demonstrating compliance with the provisions of this section. The landscape and screening plan shall include the following information:

37.1.1 A planting schedule indicating symbols, quantities, common and botanical names, sizes of plant material at installation, and special planting instructions.

37.1.2 Location, type and size of all existing trees (12 inch caliper or larger, measured at six (6) feet above ground level) to be removed or preserved.

37.1.3 Planting detail, showing all species to scale at normal mature crown diameter or spread for local hardiness zone.

37.1.4 Note indicating how disturbed soil areas will be restored though the use of seeding, sodding or other techniques.

37.1.5 Existing or proposed conditions that could potentially affect landscaping and screening of the site.

37.2 LANDSCAPE DESIGN CRITERIA

Landscape design shall serve to provide visually interesting open space, to reduce the potential negative impact of development on adjacent land uses, and to facilitate the preservation and reestablishment of plants native to the region. The following design criteria should be considered as part of the landscape plan submittal.

37.2.1 Earthen berms and existing topographic features should, whenever practical, be incorporated into the landscape treatment of a site.

37.2.2 A variety of tree and shrub species shall be utilized to provide visual, four-season interest. Not more than one-third of the required number of trees or shrubs may be comprised of any one species and at least one-third of the plants must be a coniferous species.

37.2.3 Final slopes greater than a three to one ratio will not be permitted without special approval by the Planning Department.

37.3 STREET YARD REQUIREMENTS AND LANDSCAPING

37.3.1 Residential Developments adjacent to arterial streets, and/or major arterial streets shall provide, a 20' landscaped buffer along the perimeter of the development.

(A) Plant materials shall include a combination of deciduous and coniferous trees with a minimum placement of one tree every thirty feet.

(B) A landscaped earth berm not exceeding six feet in height may be used in combination with the plant materials.

(C) The landscaped buffer shall contain only approved landscaped materials.

(D) No fence shall be placed within the 20' landscaped buffer.

37.3.2 Commercial/Industrial, Office, and Business Developments shall provide a 20' landscaped buffer adjacent to any street or highway and along the entire perimeter of the development.
(A) Plant materials shall include at least one deciduous shade or one ornamental deciduous tree and three shrubs for every forty linear feet of adjacent area.

(B) A landscaped earth berm not exceeding six feet in height may be used in combination with the plant materials but shall not substitute for trees adjacent to any street or highway.

37.3.3 Landscape Buffer requirements for subdivisions platted and recorded prior to January 1, 2004 will be exempt if 40% or more of the platted lots on the block face have landscaped areas less than 20 feet on the condition that a minimum 10 foot of green space is provided.

37.4 SEPARATION OF DISSIMILAR LAND USES

A landscaped side yard and rear yard buffer shall be provided when a more intensive land use is established adjacent to a less intensive land use. The owner, developer or operator of the more intensive land uses shall install and maintain a landscaped side yard and rear yard buffer on a lot or site of not less than 20 feet.

37.4.1 Where a street separates adjacent land uses requiring side/rear yard buffers, the size of the yard may be reduced by one-half of the requirement set forth in these guidelines.

37.4.2 Each required side/rear yard buffer shall be entirely landscaped and free of paved areas, access ways, storage or other disturbances.

37.4.3 Landscaping shall include a planting 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.

37.4.4 Plant materials shall include one deciduous shade or coniferous tree, or one ornamental deciduous tree and three shrubs for every 40’ of adjacent area.

37.4.5 A landscaped earth berm not exceeding six feet (6’) in height may be used in combination with the plant materials.

37.5 PARKING AND VEHICULAR USE AREAS

Except in areas designated for industrial use and multiple level parking structures, all parking areas shall include the following requirements in order to break up the large expanses of pavement, to provide relief from reflected glare and heat, and to guide vehicular and pedestrian traffic:

37.5.1 Not less than six percent of the interior of a public parking lot shall be landscaped. Plantings required along the perimeter of a parking area should not be considered as part of the interior landscaping requirement.

37.5.2 Landscaping and planting areas are to be reasonably dispersed throughout the parking lot. Large expanses of asphalt and concrete shall be reduced by breaking up parking lots into a series of smaller sections, through the use of landscape strips, peninsulas and grade separations, where appropriate.

37.5.3 The interior dimensions of any planting area shall be large enough to support trees which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping, but shall not be the sole means of landscaping. Effective use of earth berms and existing topography is encouraged as a component of the landscaping plan.
**SCREENING REQUIREMENTS**

Site plans or landscaping plans shall include details regarding enclosure and screening methods, as required below. The phrase screened from public view means not visible to the extent possible, at any distance, from adjoining properties or any street right-of-way.

37.6.1 All waste and recycling receptacles shall be stored within the principal structure or within an accessory enclosure area subject to the following:

(A) The enclosure shall be located adjacent to the structure whenever possible.

37.6.2 The display area design shall be entirely integrated into the appearance of the building. The display area walls and/or columns shall be constructed of the same materials as the primary building facade.

37.6.3 Screening fences or walls, when utilized, shall be constructed of attractive, permanent-finished materials.

**SELECTION, INSTALLATION AND MAINTENANCE REQUIREMENTS**

37.7.1 All landscaping materials and screening methods depicted on development plans approved by the governing body should be considered as required elements of the project. All plant materials must meet the standards set by the American Association of Nurserymen and be a variety that is indigenous to the hardiness zone in which Sarpy County is located, except that the following trees are expressly prohibited from being planted:

<table>
<thead>
<tr>
<th>Tree</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Box Elder</td>
<td>Acer Negundo</td>
</tr>
<tr>
<td>Silver Maple</td>
<td>Acer Saccharinum</td>
</tr>
<tr>
<td>Northern Catalph</td>
<td>Catalph Speciosa</td>
</tr>
<tr>
<td>Mulberry</td>
<td>Morus Alba</td>
</tr>
<tr>
<td>Cottonwood</td>
<td>Populus Deltiods (Seedless varieties are acceptable)</td>
</tr>
<tr>
<td>Willow</td>
<td>Salax Species</td>
</tr>
</tbody>
</table>

37.7.2 All required plant materials shall meet the minimum size standards identified below at time of installation. For the purposes of determining tree trunk size, the caliper shall be measured six feet above ground level.

(A) **Deciduous Shade Tree:** 2" caliper **Deciduous Ornamental Tree:** 1.5" caliper or clumped type plant, depending on species  
**Coniferous/Evergreen Tree:** 5' - 6' in height  
**Shrubs:** 3 gallon containers

37.7.3 The developer, its successor, sanitary improvement district and/or subsequent owners shall be responsible for the continued maintenance of landscape materials on a continuing basis for the life of the development. Plant material that exhibits evidence of insect pests, disease, or damage shall be appropriately treated and dead plants promptly removed and replaced within the next planting season.

37.7.4 All landscaping shall be subject to periodic inspection by the Planning Department. Landscaping that is not installed, maintained, or replaced as needed to comply with the approved landscape plan shall be considered in violation of the terms of the site plan or building permit. The landowner will receive notice of such violation in accordance with code enforcement requirements contained within these zoning regulations.
I. GENERAL INFORMATION

A. APPLICANT:
   John and Sherry Simmons
   19805 W Highway 31
   Springfield, NE 68059

B. PROPERTY OWNER:
   John and Sherry Simmons
   19805 W Highway 31
   Springfield, NE 68059

C. SUBJECT PROPERTY LOCATION: Subject property is located southwest of 192nd Street and W Highway 31.

D. LEGAL DESCRIPTION:
   That part of Tax Lot 1A1B1B lying south of West Highway 31 in Sec 18, Twp 12N, Rng 13E of the 6th P.M., Sarpy County, NE

E. SUBJECT PROPERTY SIZE: approximately 5.32 acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   ▪ Future Land Use Designation: Greenway
   ▪ Zoning: AG (Agricultural Farming District) – Highway Corridor Overlay District

G. REQUESTED ACTION(S): To approve a Special Use Permit to allow outdoor storage of recreational vehicles and trailers in an AG zoning district.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The site currently consists of a residential structure and tillable farm ground. The area proposed for the storage facility is approximately one acre in size and was once used as a junkyard. The junkyard has been removed and cleaned up but has left the ground rocky and hard making it unproductive for farming.

B. GENERAL VICINITY ZONING AND LAND USE
   ▪ North and West – tillable farm ground with farmstead residences
   ▪ East - Platford Hills an acreage development
   ▪ South - Platte River Valley

C. RELEVANT CASE INFORMATION: The Simmons have applied for a new Special Use Permit (SUP) to locate an outdoor storage facility for recreational vehicles on their farmstead property along West Highway 31.

D. APPLICABLE REGULATIONS:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Type</th>
<th>By</th>
</tr>
</thead>
<tbody>
<tr>
<td>To approve a Special Use Permit to allow outdoor storage of recreational vehicles and trailers in an AG (Agricultural) zoning district, located southwest of 192nd Street and W Highway 31.</td>
<td>Public Hearings and Resolutions</td>
<td>Donna Lynam, CFM Assistant Director, Planning &amp; Building</td>
</tr>
</tbody>
</table>
III. **ANALYSIS**

A. **COMPREHENSIVE PLAN:** The Comprehensive Plan future land use map designates this area as Greenway. The farmstead home, as the primary use, is consistent with the Comprehensive Plan.

B. **TRAFFIC AND ACCESS:** Access to the storage area is provided by the existing residential driveway to the property off of West Highway 31.

C. **OTHER AGENCY REVIEW/COMMENTS:** The application was sent to area jurisdictional agencies or departments that may have an interest. Comments from Sarpy County Public Works Department are noted below. All other responses received indicated they had no comments or objections to the application.

D. **GENERAL INFORMATION:**

- The applicant’s Operation Plan states:
  - The hours of operation will be from 7 am to 9 pm, 7 days a week, with limited access from December 1 to April 1 of each year. Limited access is defined as requiring an appointment for access and gate would be double locked.
  - Access will be from the existing driveway off of West Highway 31.
  - Storage will be for a maximum of 30 vehicles (RV’s, boats, and trailers)
  - A fence will be installed for security purposes as well as security cameras.
  - The area is currently served by a dusk to dawn light located near the gate area.

- This property falls within the boundaries of the Highway Corridor Overlay District pursuant to Section 32.2.5 and will require site design guidelines to be met for landscaping, screening, and signage.
  - Development shall provide year-round screening (solid fencing, landscaping or a mixture of both) of outdoor storage. Fencing height must be 8 feet. Chain link fencing is prohibited in the corridor.
  - Landscape buffer of not less than 20 feet in width along Highway 31 will be required.
  - Signage will be limited to one sign per street frontage, maximum size of 15 square feet, with a 10 foot setback.

- **Staff would recommend that the following stipulations be included with the approval of a SUP for an outdoor storage facility:**
  - The open storage area is regularly mowed and sprayed for weeds.
  - No camping or overnight stays are allowed on the premises.
  - All recreational vehicles must be in operable condition and have current licensing.
  - No work on the vehicles is allowed other than minor repair such as a tire replacement or repair.
  - No waste facilities are available and no dumping of waste is allowed anywhere on the site.

- Pursuant to comments received from Sarpy County Public Works Department, written confirmation will need to be submitted to our office noting that the Nebraska Department of Roads was contacted by the applicant and they have no comments regarding the proposal.
IV. PLANNING COMMISSION RECOMMENDATION:
The Planning Commission held public hearings on these applications at their August 16, 2016 meeting and recommended APPROVAL to the County Board.

MOTION: Sotak moved, seconded by Malmquist, to recommend APPROVAL of the Special Use Permit application to operate an outdoor storage facility for recreational vehicles in an AG zoning district as specifically described in the Application and Operational Plan with the conditions listed outlined in Section IV of the Planning Department’s Recommendation Report and listed above. This recommendation is being made as the application will be in conformance with the Sarpy County Zoning Regulations and current Comprehensive Plan provided those conditions are met. If the conditions are not met, the Special Use Permit may be revoked by Sarpy County. Ballot: Ayes – Lichter, Huddleston, Whitfield, Ackley, Sotak, Malmquist, Giff, and George. Nays: Korth. Abstain: None. Absent: Davis and Torczon. Motion carried.

V. STAFF COMMENTS AND RECOMMENDATIONS:
- Staff recommends APPROVAL of this Special Use Permit application to operate an outdoor storage facility for recreational vehicles in an AG zoning district as specifically described in the Application and Operational Plan with the following conditions:
  - A 20’ wide landscaped buffer area shall be provided along Highway 31 in front of the outdoor storage area. No recreational vehicles shall be stored in this landscaped buffer area.
  - Year-round screening (solid fencing, landscaping or mixture of both) of outdoor storage to a height of 8 feet will be required.
  - Signage is limited to one sign with a maximum size of 15 square feet with a 10 foot setback from the property line.
  - The open storage area is regularly mowed and sprayed for weeds.
  - No camping or overnight stays are allowed on the premises.
  - All recreational vehicles must be in operable condition and have current licensing.
  - No work on the vehicles is allowed other than minor repair such as a tire replacement or repair.
  - No waste facilities are available and no dumping of waste is allowed anywhere on the site.

Staff makes this recommendation as the application will be in conformance with the Sarpy County Zoning Regulations and current Comprehensive Plan provided the above conditions are met. If the conditions are not met, the SUP may be revoked by the County.

VI. ATTACHMENTS TO REPORT:
1. SUP Application and Operation Plan
2. Current photos of subject site
3. Sarpy County Current Zoning Map
4. Current Development Structure Plan – Figure 5.1 of Sarpy Co. Comprehensive Plan (Future Land Use Map)
SARPY COUNTY PLANNING & BUILDING DEPT.
1210 GOLDEN GATE DRIVE, #1240
PAPILLION, NE 68046
PHONE: 402-593-1555 FAX: 402-593-1558 E-MAIL: PLANNING@SARPY.COM

SPECIAL USE PERMIT APPLICATION

In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:
1. Completed Special Use Permit Application
2. Non-Refundable Fee of $300.00 made payable to Sarpy County (an additional fee of $25.00 is also required to cover cost of mailing of public notifications)
3. Mailing list labels certified by a Title Company of all property owners within 300 ft. of the subject property.
4. Two (2) site plan drawings and/or other such plans and data showing the dimensions, arrangements, description, data, and other material which shall constitute a record essential to the understanding of the proposed use.
5. One (1) reduced size site plan drawing or other material provided above (8.5 x 11)
6. One (1) electronic copy of site plan drawing or other material provided above (in PDF form)
7. A detailed operational plan for propose use
8. Other information as deemed necessary by Sarpy County Planning Department
9. Please review Section 41 of the Sarpy County Zoning Regulations for complete information, processes and submittal requirements for Special Use Permits.

PLANNING STAFF USE ONLY:
APPLICATION #: 5UP16-007
DATE RECEIVED: 4/14/16
CP DESIGNATION: Greenway
CURRENT ZONING DESIGNATION: AG Highway Corridor
PROPOSED ZONING DESIGNATION: AG Highway Corridor
APPLICATION FEE: $300.00 RECEIPT NO. 2308
PUBLIC NOTIFICATION PROCESSING FEE: $25.00 RECEIPT NO. 2308
RECEIVED BY: [Signature]
NOTES:

APPLICATION FILING FEES – see Sarpy County Master Fee Schedule for the Planning and Building Department

APPLICANT INFORMATION:
NAME: John & Sherry L. Simmons E-MAIL: Ssimm41883@aol.com
ADDRESS: 19805 W Hwy 31 CITY/STATE/ZIP: Springfield, NE 68059
MAILING ADDRESS: CITY/STATE/ZIP: (IF DIFFERENT)
PHONE: FAX:

PROPERTY OWNER INFORMATION: (If multiple owners, please attach separate sheet)
NAME: John & Sherry L Simmons E-MAIL: Ssimm41883@aol.com
ADDRESS: 19805 W Hwy 31 CITY/STATE/ZIP: Springfield, NE 68059
MAILING ADDRESS: CITY/STATE/ZIP: (IF DIFFERENT)
PHONE: FAX:

ENGINEERING/SURVEYING OR OTHER CONSULTING PROFESSIONAL'S INFORMATION:
NAME: E-MAIL:
ADDRESS: CITY/STATE/ZIP:
MAILING ADDRESS: CITY/STATE/ZIP: (IF DIFFERENT)
PHONE: FAX:
OPERATION PLAN / PROJECT DESCRIPTION: Describe the project in detail, including proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, other operational details, etc. – Attach as separate document entitled “Operation Plan.” PLEASE NOTE: A detailed project description is essential to the reviewing process of this request.

PROJECT SITE INFORMATION: Complete each section in its entirety. If a question is not applicable to your project, please indicate this to show that each question has been carefully considered.

SUBDIVISION NAME (if applicable): N/A

ASSessor's Parcel NUMBER: 011591591 ADDITIONAL PARCEL NUMBERS

GENERAL LOCATION: 19805 W Hwy 31 Springfield, NE 68059
(example 189th & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Th PL OF TAX LRT 1A1B18 LYING S OF W Hwy 31 18-12-11

SIZE OF PROPERTY: 5.32 acres CURRENT ZONING: Ag REQUESTED ZONING (If applicable): COMM AG

ADDITIONAL INFORMATION: Please use this space to provide any other information you feel is appropriate for Sarpy County to consider during review of your application. Attach extra sheets if necessary.

PLEASE NOTE THE FOLLOWING PROCEDURES:
1. The Planning Department will review the application material along with other appropriate departments and/or agencies and provide a recommendation report to the Planning Commission and County Board.
2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.
3. The County Board will hold a public hearing and make a final decision on the Special Use Permit application.
4. Any necessary agreements will be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.

The applicant (or authorized agent) has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

John Simmons
Property Owner/Applicant Signature

Sherry Simmons

June 14, 2016
Date

June 14, 2016
Date

I, the undersigned, understand the Special Use Permit process as stated above and I authorize Sarpy County staff to enter the property for inspection related to the specific request during this process.

John Simmons
Property Owner Signature

Sherry Simmons
Owner Signature

June 14, 2016
Date

June 14, 2016
Date
The hours of operation will be from 7 am to 9 pm, 7 days a week. Using the gate key provided to each renter, with limited access from Dec 1 to April 1 of each year as is covered in the Tenants Agreement we have had drawn up by their Stage Two Office.

We were planning on being able to park 30 vehicles including boats, RVs, trailers.

We have contacted two contractors about cyclone fence costs but are waiting to see if it is approved before having it installed.

We already have a plan to draw lights close to where the gate will be.

We have also contacted a source for security cameras to be placed around the area.
We have also contacted Keith Olsen about an insurance policy since we are aware that our home owners policy would not cover anyone injured on the site.

Attached is a landscape plan drawn from the right-of-way. The right-of-way is just off Hwy 81 (where the white road is) and is the driveway to our home. Our plan is to have the parking spaces on the little hill to the west of the driveway. The red truck is parked close to the house.
2010 GIS Photo showing location of the area that was once a junk yard.
19805 W Hwy 31 – That part of Tax Lot 1A1B1B lying south of West Hwy 31, 18-12-11
Special Use Permit
Current FLU - Sarpy Co

19805 W Hwy 31 – That part of Tax Lot 1A1B1B lying south of West Hwy 31, 18-12-11
Special Use Permit

Legend

Current FLU – Sarpy County

Figure 5.1: Development Structure Plan
Sarpy County, Nebraska

Comprehensive Development Plan
Amended 6-11-2015
AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA
County of Sarpy

Being duly sworn, upon oath, Shon Barcenklau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, August 3, 2016

Bellevue Leader
Gretna Breeze
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Shon Barcenklau OR Ron Petak
Publisher Executive Editor

NOTICE OF PUBLIC HEARING
SARPY COUNTY PLANNING COMMISSION

Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Tuesday, August 16, 2016, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration Building, 1210 Golden Gate Drive, Papillion NE. A Public Hearing will be held on the following application:

John and Sherry Simmons have submitted an application for consideration of a Special Use Permit to allow open storage of recreational vehicles and trailers pursuant to 9.2.10 in AG Agricultural District at 19805 W Hwy 31, legally described as That Part of Tax Lot 1A1B121B Lying S of W Hwy 31 in Section 18, Township 12N, Range 11E of the 6th P.M. Sarpy County, NE. Generally located southwest of S 192nd Street and W Hwy 31.

Southern Pines Development, LLC
of John Allen has submitted applications for consideration of a Preliminary Plat and Final Plat of a subdivision to be known as Southern Pines Replat 3, Lots 1-4, inclusive and Outlot A, being a replatting of Lots 124 through 127, inclusive and Outlot E of Southern Pines Replat 1, a subdivision as surveyed, platted and recorded in Sarpy County, NE, together with part of the right-of-way of S 169th Street. Generally located southwest of S 169th Street and Giles Road.

An agenda for the meeting, kept continuously current, is available for inspection at the Sarpy County Planning Department office, Sarpy County Administration Bldg., 1210 Golden Gate Drive, Papillion, NE.

16967630 9/3
AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA }
                    ) SS.
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the
Publisher or Ron Petak deposes and says that he is the Executive Editor of the
Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor,
legal newspapers of general circulation in Sarpy County, Nebraska, and published
therein; that said newspaper has been established for more than one year last past;
that it has a bona-fide paid subscription list of more than three hundred; that to this
personal knowledge, the advertisement, a copy of which is hereto attached, was
printed in the said newspaper once each week, the first insertion having been on:

Wednesday, August 31, 2016
Bellevue Leader
Gretna Breeze
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska.
The above facts are within my personal knowledge.

Ron Petak
Publisher or Executive Editor

Signed in my presence and sworn to before me:

Notary Public

Printer's Fee: $18.97
Customer Number: 40638
Order Number: 0001973963