

AGENDA FOR COUNCIL MEETING JUNE 21, 2005  
7:00 pm

1. Approve Minutes
2. Citizen Communication
3. Department Reports/CA Report
4. Sarpy County Economic Development Corp.- 1<sup>st</sup> Qtr Report – Toby Churchill
5. Resolution 2005-7 – Addressing Range Format
6. Ord. 674 – Adopt 2003 International Energy Conservation Code
7. Ord 675 - Zone Change, 265 N. 4<sup>th</sup> Street – Dave Kildow (Public Hearing)
8. Conditional Use, 13002 Platteview Rd. – Cingular (Public Hearing)
9. Resolution 2005-8 - Comprehensive Plan Amendment – Chad Lingenfelter (Public Hearing)
10. Ord 676 - Zone Change – BHI Development Business Park (Public Hearing)
11. Preliminary Plat – BHI Development Business Park (Public Hearing)
12. Ord 677 - Final Plat – BHI Development Business Park (Public Hearing)
13. Ord 678 - Sign Regulations (Public Hearing)
14. Utility Rate Discussion
15. Re-Appoint Members to the Planning Commission – Mark Masek, Susan Peplow, Sandie Shotkoski
16. Executive Session – Personnel and Negotiation
17. Executive Session Action

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock PM at City Hall on June 21, 2005. Present were Mayor Larry Goldman; Council Members: Diane Sullivan, Eric Hayes, Greg Latham. Absent: Bruce Thayer. Notice of the Council meeting was given in advance by posting notice in three public places, one of the designated methods of giving notice. Notice of the meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Agenda Item 1. Motion by Sullivan, seconded by Latham, the minutes of the June 7, 2005, regular Council Meeting be approved as presented. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 2. There was no citizen communication.

Agenda Item 3. City Administrator gave department reports.

Agenda Item 4. Toby Churchill, Sarpy County Economic Development Corporation, distributed and discussed the 1<sup>st</sup> Quarter Sarpy County Economic Report.

Agenda Item 5. Sullivan offered Resolution 2005-7.

#### RESOLUTION 2005-7

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA, as follows:

WHEREAS, the City of Springfield is responsible for assigning legal addresses to all properties requiring addresses within the City of Springfield's corporate limits and its extraterritorial zoning jurisdiction; and

WHEREAS, it is vital to assign addresses in such a manner to enable emergency services to react in a timely fashion; and

WHEREAS, the most strategic method of assigning addresses is to assign unique addresses within a county-wide addressing range; and

WHEREAS, the City of Springfield acknowledges the fact that address ranges within the city do not coincide with county-wide address ranges; and

WHEREAS, the City of Springfield wishes to establish a policy for assigning addresses and address ranges within its corporate limits and its extraterritorial zoning jurisdiction; and

WHEREAS, the City of Springfield wishes to limit and contain the unique addressing system which currently exists within an area in and immediately around the current Springfield municipal boundaries;

NOW, THEREFORE BE IT RESOLVED the Governing Body of the City of Springfield, Nebraska, by a majority vote resolved that:

Properties which lie between Highway 50 aka 144<sup>th</sup> Street and 132<sup>nd</sup> Street and Platteview Road and Pflug Road, which have not been previously assigned addresses shall be assigned addresses which follow address ranges unique to the City of Springfield proper. Those properties outside of the boundaries, but within Springfield's extraterritorial zoning jurisdiction shall be assigned addresses which coincide with the county-wide addressing ranges. All properties that shall be addressed off of the divisional streets of Highway 50 aka 144<sup>th</sup> Street, 132<sup>nd</sup> Street, Platteview Road, and Pflug Road shall be assigned addresses which coincide with the county-wide addressing ranges.

Introduced and Passed June 21, 2005.

Ayes   3

Nays   0  

Absent   1  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

Hayes seconded the forgoing motion. The following Council Members voted AYES: Sullivan, Latham, Hayes. NAYS: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted.

Agenda Item 6. Councilman Latham introduced Ordinance No. 674.

Latham moved that the statutory rule requiring reading on three different days be suspended. Councilman Hayes seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilman Latham moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 674 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

#### ORDINANCE NO. 674

AN ORDINANCE AMENDING CHAPTER 9 "BUILDING REGULATIONS," ARTICLE 2 "BUILDING CODE", SECTION 9-201 "BUILDING CODE; ADOPTED BY REFERENCE", OF THE SPRINGFIELD MUNICIPAL CODE; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD,  
NEBRASKA

Section 1. Chapter 9, "Building Regulations," Section 9-201 "Building Code; Adopted by Reference" of the Springfield, Nebraska, Municipal Code is amended to read as follows:

§9-201 BUILDING CODE; ADOPTED BY REFERENCE. To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in buildings hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted, 2000 International Residential Code, as issued by the International Code Council, 2000 International Building Code, as issued by the International Code Council, the 2000 International Mechanical Code, as issued by the International Code Council, the 2000 International Fuel Gas Code, as issued by the International Code Council, the 2000 International Plumbing Code, as issued by the International Code Council, the ~~2000~~ 2003 International Energy Conservation Code, as issued by the International Code Council, the 2002 National Electric Code, as issued by the National Fire Protection Association, Inc., and the Building Code Amendments, Deletions and Changes as shown in "Exhibit A" to this ordinance, and printed in book or pamphlet form is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska. Three (3) copies of said Codes are on file at the office of the Municipal Clerk and are available for public inspection at any reasonable time. The provisions of said Codes shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.)

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Section 3. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 21<sup>st</sup> day of June, 2005.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

\_\_\_\_\_  
City Administrator/Clerk

Agenda Item 7. The Mayor opened the public hearing. The City Administrator presented information on the rezone. No one spoke in favor or opposition of the rezone. The public hearing was closed. Councilman Latham introduced Ordinance No. 675.

Latham moved that the statutory rule requiring reading on three different days be suspended. Councilman Hayes seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilman Latham moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 675 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

#### ORDINANCE NO. 675

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGFIELD, NEBRASKA; TO REZONE A SPECIFIC PARCEL OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; REPEALING ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1. The owner of the following described real property has made application for change in the zoning district designation of said property, and a change in the official zoning map of the City of Springfield; the Mayor and the City Council find that said property is located within the zoning jurisdiction of said City, that all notices and hearings have been had, that the Council has received the recommendation of the Planning Commission of the City, and all other legal requirements of the State Statutes, Comprehensive Development Plan, and the Municipal Code and Zoning Regulations have been fulfilled; the Mayor and the Council further find that the requested change is in conformance with the Comprehensive Development Plan; and the Planning Commission has recommended approval, to wit:

South 50 feet of Lots 3 and 4, Block 1, Springfield, as surveyed, platted and recorded, Sarpy County, Nebraska, also known as 265 North 4<sup>th</sup> Street, Springfield, Nebraska

Section 2. The Mayor and the City Council find that the zoning district classification of South 50 feet of Lots 3 and 4, Block 1, Springfield, herein-described real property should be changed from Single Family Residential District (R87) to Two Family Residential District 50 (R50).

Section 3. Any other ordinance or section passed and approved prior to passage, approval and publication or posting of this Ordinance and in conflict with its provisions is repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and Approved this 21<sup>st</sup> day of June, 2005.

---

Mayor

(SEAL)

Attest:

---

City Administrator/Clerk

Motion by Latham, seconded by Hayes, to move Agenda Items 8 through 13 after Agenda Item 15. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 14. Motion by Sullivan, seconded by Hayes, to table the discussion of utility rates until additional information is available from the Nebraska Rural Water Association. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 15. The Mayor offered the following individuals to be re-appointed to the Springfield Planning Commission: Mark Masek, Susan Peplow, Sandie Shotkoski. Motion by Latham, seconded by Hayes, to approve the Mayor's appointments to the Springfield Planning Commission. AYES: Sullivan, Hayes, Latham. NAYS: None.

Agenda Item 8. The Mayor opened the public hearing. Chad Lingenfelter, Springfield Planning consultant, presented information on a conditional use permit for a 150' monopole communication tower to be placed on the city property containing the existing water tower. No one was present from Cingular. No one spoke in favor or opposition of the conditional use permit. The public hearing was closed. Motion by Sullivan, seconded by Latham, to approve a Conditional Use permit for a 150' monopole communication tower, said permit subject to the execution and conditions of a tower agreement between Cingular and the City of Springfield. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 9. The Mayor opened the public hearing. Chad Lingenfelter, Springfield Planning Consultant, presented information on an amendment to the Springfield Comprehensive Plan. No one spoke in favor or opposition of the comprehensive plan amendment. The public hearing was closed. Latham offered Resolution 2005-8.

RESOLUTION 2005-8

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA, as follows:

WHEREAS, the duly appointed Planning Commission of the City of Springfield, Nebraska, with the assistance of its consultants Schemmer Associates of Omaha, Nebraska, has prepared Amendment Number 4 to the Comprehensive Plan for the City of Springfield, Nebraska; and

WHEREAS, said Planning Commission has held a public hearing as required by Nebraska State Statutes, on the proposed Amended Comprehensive Plan; and

WHEREAS, the City of Springfield has given public notice as required by Nebraska State Statutes, of a public hearing on the Amended Comprehensive Plan; and

WHEREAS, the public hearing has been held pursuant to said notice, and all statements received at the hearing have been duly considered by the City Council;

NOW, THEREFORE BE IT RESOLVED the Governing Body of the City of Springfield, Nebraska, by a majority vote resolved that:

1. Amendment Number 4 to the Comprehensive Plan for the City of Springfield, Nebraska, involving a portion of the east half of Section 14 and Section 23, both in Township 13 North, Range 11 East of the 6<sup>th</sup> PM, Sarpy County, Nebraska, as prepared by the Planning Commission with the assistance of consultants Schemmer Associates of Omaha, Nebraska, be adopted by the Springfield City Council as the official comprehensive plan for the City of Springfield, Nebraska.
2. this authority shall take effect upon passage and adoption of said resolution.

Introduced and Passed June 21, 2005.

Ayes   3  

Nays   0  

Abstain   0  

Absent   1  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

---

City Clerk

Hayes seconded the forgoing motion. The following Council Members voted AYES: Sullivan, Latham, Hayes. NAYS: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted.

Agenda Item 10. The Mayor opened the public hearing. Mark Westergard, E&A Consulting, was in attendance and presented the Springfield Business Park project on behalf of BHI Development. Chad Lingenfelter, Springfield Planning Consultant, presented information on the rezone. No one spoke in favor or opposition of the rezone. The public hearing was closed. Councilman Hayes introduced Ordinance No. 676.

Hayes moved that the statutory rule requiring reading on three different days be suspended. Councilman Latham seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilman Hayes moved for final passage of the ordinance, which motion was seconded by Councilman Sullivan. The Mayor then stated the question "Shall Ordinance No. 676 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 676

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SPRINGFIELD, NEBRASKA; TO REZONE A SPECIFIC PARCEL OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; REPEALING ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1. The owner of the following described real property has made application for change in the zoning district designation of said property, and a change in the official zoning map of the City of Springfield; the Mayor and the City Council find that said property is located within the zoning jurisdiction of said City, that all notices and hearings have been had, that the Council has received the recommendation of the Planning Commission of the City, and all other legal requirements of the State Statutes, Comprehensive Development Plan, and the Municipal Code and Zoning Regulations have been fulfilled; the Mayor and the Council further find that the requested change is in conformance with the Comprehensive Development Plan; and the Planning Commission has recommended approval, to wit:

Lots 1 – 40 and Outlots A & B, being a part of a platting to be known as Springfield Business Park, and being a part of the south ½ of the northeast ¼ of Section 14, and a part of the southeast ¼ of said Section 14, all located in Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

Section 2. The Mayor and the City Council find that the zoning district classifications of Lots 1 – 40, Springfield Business Park, herein-described real property should be changed from Agriculture Residential District (AR) to Highway Business District (BH) classification for Lots 11-16, Light Industrial District (LI) classification for Lots 9, 10, 17, 18, 36-40, and Industrial District (L) classification for Lots 1-8, 19-35, Springfield Business Park.

Section 3. Any other ordinance or section passed and approved prior to passage, approval and publication or posting of this Ordinance and in conflict with its provisions is repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and Approved this 21<sup>st</sup> day of June, 2005.

---

Mayor

(SEAL)

Attest:

---

City Administrator/Clerk

Agenda Item 11. The Mayor opened the public hearing. Chad Lingenfelter, Springfield Planning Consultant, and Gary Sasse, Springfield City Engineer, presented information on the preliminary plat. No one spoke in favor or opposition of the preliminary plat. The public hearing was closed. Motion by Sullivan, seconded by Hayes, to approve the Springfield Business Park Preliminary Plat. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 12. The Mayor opened the public hearing Chad Lingenfelter, Springfield Planning Consultant, and Gary Sasse, Springfield City Engineer, presented information on the final plat. No one spoke in favor or opposition of the final plat. The public hearing was closed. Councilman Latham introduced Ordinance No. 677.

Hayes moved that the statutory rule requiring reading on three different days be suspended. Councilman Latham seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilman Latham moved for final passage of the ordinance, which motion was seconded by Councilman Sullivan. The Mayor then stated the question "Shall Ordinance No. 677 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 677

AN ORDINANCE APPROVING THE FINAL PLAT OF SPRINGFIELD BUSINESS PARK OF SARPY COUNTY, NEBRASKA.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1. The Final Plat of Springfield Business Park approved by JEO, the City of Springfield City Engineer, and the Springfield Planning Commission is approved pursuant to the Subdivision Regulations of Springfield, Nebraska.

Section 2. The Final Plat of Springfield Business Park shall not be recorded with the Sarpy County Register of Deeds until such date the City of Springfield receives Highway 50 access confirmation from the State of Nebraska.

Section 3. Any other ordinance or section passed and approved prior to passage, approval and publication or posting of this Ordinance and in conflict with its provisions is repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and Approved this 21<sup>st</sup> day of June, 2005.

---

Mayor

(SEAL)

Attest:

---

City Administrator/Clerk

Agenda Item 13. The Mayor opened the public hearing Chad Lingenfelter, Springfield Planning Consultant, presented information on amending the sign regulations. No one spoke in favor or opposition of the proposed ordinance. The public hearing was closed. Councilman Sullivan introduced Ordinance No. 678.

Latham moved that the statutory rule requiring reading on three different days be suspended. Councilman Hayes seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilman Sullivan moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 678 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

#### ORDINANCE NO. 678

AN ORDINANCE AMENDING ARTICLE 7, SECTION 7.03 "SIGN REGULATIONS" OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1. Article 7, Section 7.03 "Sign Regulations" of the Springfield, Nebraska Zoning Regulations and Subdivision Regulations is amended to read as follows:

#### **Section 7.03 Sign Regulations**

##### **A. Purpose**

The Sign Regulations provide standards for communicating information in the environment of the City of Springfield and its jurisdiction. The regulations recognize the need to protect public health, safety, and welfare; to maintain the city's attractive appearance; to provide for adequate business identification,

advertising, and communication of information; and to encourage the fair enforcement of sign regulations.

## **B. Definition of Terms**

The following definitions shall be used for terms contained in this chapter that are not otherwise defined in the Springfield Municipal Code or in this Zoning Ordinance.

1. **Abandoned Sign:** A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of six months.
2. **Attached Sign:** A sign which is structurally connected to a building or depends upon that building for support
3. **Auxiliary Design Elements:** Terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.
4. **Awning and Awning Sign:** A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for a supporting framework. An awning sign is a message printed on such a shelter.
5. **Banner:** Material with a printed message or graphic secured or mounted from a structure in such a way as to allow wind movement.
6. **Building Marker:** An historic or commemorative plaque, or a building name or cornerstone carved into a masonry surface.
7. **Business Center Identification Sign:** A sign which identifies a building or group of commercial buildings in single ownership or control, sharing parking and access. The Business Center Identification Sign may contain Premise Identification Signs.
8. **Canopy:** A projecting non-movable structure cantilevered or suspended from a building, supported by the main structural members to which it is attached, and used only as a roof or fixed shelter.
9. **Canopy Sign:** A sign which is attached or made an integral part of a canopy.
10. **Clearance:** The distance from the bottom of a sign face elevated above grade and the grade below.
11. **Detached Sign:** A sign which is self-supporting and structurally independent from any building.
12. **Directional Sign:** A sign which serves only to designate the location or direction of any area or place.
13. **Double-Faced Sign:** A sign consisting of no more than two parallel faces supported by a single structure.

14. Frontage: The length of a property line of any one premises abutting and parallel to a public street, private way, or court.
15. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than 3 feet.
16. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
17. Marquee: A permanent roofed structure attached to and supported by a building and extending over public right-of-way.
18. Maximum Permitted Sign Area: The maximum permitted combined area of all signs allowed on a specific property.
19. Monument Sign: An on-premise freestanding sign with the appearance of a solid base. The width of such base shall be at least 75 percent of the width of the sign.
20. Moving Sign: A sign which conveys its message through rotating, changing, or animated elements.
21. Nonconforming Sign: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
22. Pole Sign: An on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance greater than 3 feet, and where the support encompasses less than 75% of the width of the sign.
23. Portable Sign: Any sign supported by frames or posts rigidly attached to bases not permanently attached to the ground or a building and capable of being moved from place to place.
24. Premise Identification Sign: An sign which pertains to the use of a premises and which contains information about the owner or operator of that use; the type of business being conducted or the principal brand name of a commodity sold on the premises; and other information relative to the conduct of the use.
25. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
26. Projecting Signs: A sign other than a wall sign that is attached to and projects from a building face.
27. Residential Sign: A small detached or attached sign located on a residential premise, conveying a message communicated by the owner of the property.
28. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.

- (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
- (b) Above-peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
29. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
30. Sign Type: A functional description of the use of an individual sign. Includes owner identification, advertising, directional, electronic message, and temporary.
31. Street Facade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, private way, or court. Separate faces oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.
32. Temporary Signs: A sign, flag, banner, pennant, or valance constructed of light weight materials which is not permanently attached to building or land, and which is intended for display for a limited period of time.
33. Wall Sign: A sign attached to and parallel with the side of a building.
34. Window Sign: A sign painted on or installed inside a window for the purpose of viewing from outside the premises.
35. Zone Lot: A parcel of land in single ownership that is large enough to meet the minimum zoning requirements of its zoning district and can provide such yards and other open spaces that are required by the site development regulations.

### **C. General Sign and Street Graphics Regulations**

#### **1. Compliance**

Each sign or part of a sign erected within the zoning jurisdiction of the City of Springfield must comply with the provisions of this chapter and of other relevant provisions of the City of Springfield's Municipal Code; and relevant building codes including the:

~~Uniform Building Code.~~

~~National Plumbing Code.~~

~~National Electric Code.~~

Rules and Regulations Relating to the Control of Advertising in Areas Adjacent to the Interstate and Federal Aid Primary Highways (Nebraska Department of Roads)

#### **2. Resolution of Conflicting Regulations**

This chapter is not meant to repeal or interfere with enforcement of other sections of the City of Springfield's Municipal Code. In cases of conflicts between Code sections, State or Federal Regulations, the more restrictive regulations shall apply.

3. Prohibited Signs

The following signs are prohibited in all zoning districts.

- a. Signs painted on or attached to rocks, trees, or other natural objects.
- b. Signs or sign structures which resemble or conflict with traffic control signs or devices, which mislead or confuse persons traveling on public streets, or which create a traffic hazard.
- c. Signs on or overhanging public property or public right-of-way, unless specifically authorized by the appropriate public agency.
- d. Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.
- e. Abandoned signs. Any abandoned sign must be removed within six months of date of abandonment.
- f. Portable signs, including signs painted, mounted, or printed on parked vehicles and trailers, except as provided below.
- g. Signs that are not clean or in substantial good repair, or are not affixed to a sound structure.
- h. Signs advertising activities that are illegal under Federal, state, or local laws and regulations.

4. Exempt Signs

The following signs are permitted in any zoning district and are exempt from other provisions of this chapter.

- a. Bulletin boards for religious assembly or school uses, provided that they have a maximum sign area of 20 square feet and are not located in a required sign setback.
- b. Real estate signs.
- c. Official signs authorized by a government or governmental subdivision which give traffic, directional, or warning information.
- d. Seasonal decorations for display on private or public property.
- e. On-premise construction signs.
- f. One temporary sign per zoned lot for grand openings or special events, provided that such sign remains in place for a maximum of seven days.

- g. Works of graphic art painted or applied to building walls which contain no advertising or business identification messages.
- h. Residential signs under 2 square feet in size.
- i. Neighborhood or subdivision identification signs under 50 square feet.
- j. Street numbers.
- k. Signs which are not visible from a public right-of-way, private way, or court or from a property other than that on which the sign is installed.

5. Temporary and Civic Signs

- a. Temporary or portable signs for grand openings, sales, and special events are permitted in Commercial and Industrial zoning districts, subject to the following requirements:
  - (1) Such signs are subject to the permit procedures set forth in this section.
  - (2) The size of such signs does not exceed the limitations set forth in Table 1-C.
  - (3) No more than one such sign is permitted at any single premises.
  - (4) Temporary or portable signs may be present at any single premises for a maximum of 30 days per year.
- b. Temporary signs for non-profit civic campaigns or events, political campaigns, or other non-commercial events are permitted in any zoning district and are exempt from other provisions of this Article, subject to the following requirements:
  - (1) Such signs are subject to the permit procedures set forth in this section.
  - (2) Such signs are installed no earlier than 30 days before the date of the event or election and removed no later than 7 days after the date of the event or election.
  - (3) The maximum size of such signs is 10 square feet when located in any residential zoning district; and 100 square feet in any other zoning district.

6. Bufferyards

No sign other than on-premise directional signs shall be placed within any required bufferyard, except when the bufferyard is adjacent to a street.

7. Vision-Clearance Area

No sign may project into or be placed within a vision-clearance area defined by a triangle with legs of forty feet from the point at which the curbs or edges of two intersecting streets, private ways, or courts or an intersecting street, private way, or court and driveway, meet.

**D. General Regulations: Basic Design Elements For On-premise Signs**

1. Wall Signs and Graphics

Wall signs and graphics are subject to the following general regulations.

- a. A wall sign shall not extend more than 30 inches from the wall to which it is attached.
- b. A wall sign must be parallel to the wall to which it is attached.
- c. A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
- d. A wall sign may not extend beyond its building's roof line.
- e. A wall sign attached to a building on its front property line may encroach upon public right-of-way by no more than 18 inches. Such a wall sign shall provide minimum clearance of eight feet, six inches.
- f. For the purpose of calculating permitted sign areas pursuant to this chapter, signs painted on the walls of buildings shall be considered wall signs.
- g. Where permitted, canopy signs are counted as wall signs when calculating total permitted sign area.

2. Projecting Signs and Graphics

Projecting signs and graphics are subject to the following general regulations.

- a. The maximum projection of any projecting sign in the DC District shall be as follows:
  - (1) 4 feet over public sidewalks less than 12 feet wide;
  - (2) 6 feet over public sidewalks 12 feet wide or more, or over private property.

No projecting sign in any other district may project by more than 24 inches into a required setback.

- b. A projecting sign may be no closer than two feet from the vertical plane of the inside curb line.
- c. Each projecting sign must maintain at least the following vertical clearances:
  - (1) 8 feet, 6 inches over sidewalks; except that a canopy may reduce its vertical clearance to 7 feet, 6 inches;
  - (2) 10 feet outside of parking areas or driveways, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by a street intersection;
  - (3) 14 feet over parking lots;

- (4) 18 feet over alleys or driveways.
  - d. No projecting sign extending three feet or more from a property line may be located within 22 feet of any other projecting sign extending three feet or more from a property line.
  - e. Projecting signs must minimize visible support structure and may not expose guy wires, cables, turnbuckles, angle iron, or other similar external support structure.
3. Pole Signs

Pole signs, where permitted, are subject to the following general regulations:

- a. Each pole sign must maintain at least the following vertical clearances:
  - (1) 8 feet, 6 inches over sidewalks;
  - (2) 10 feet outside of parking areas or driveways, but within three feet of such areas; or within 50 feet of the right-of-way lines formed by a street intersection.
  - (3) 14 feet over parking lots;
  - (4) 18 feet over alleys or driveways.
- b. Permitted pole signs may revolve at a rate not to exceed six revolutions per minute.

4. Roof Signs

Roof signs are subject to the following regulations:

- a. Where permitted, integral roof signs may be used interchangeably with wall signs.
- b. Integral roof signs may not exceed the permitted height for pole signs.
- c. An integral roof sign must be mounted parallel to the wall of the building that it faces.

**E. General Regulations: Other Design Elements**

1. Illumination

- a. Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway.

2. Marquees and Marquee Signs

- a. Signs placed on, attached to, or constructed on a marquee are subject to the maximum projection and clearance regulations of projecting signs.

3. Banners

- a. A banner sign projecting from a building may not exceed the wall height of the building.
  - b. Maximum projection for any banner is five feet with a minimum clearance of ten feet.
  - c. Maximum size of a banner is the lesser of twice the permitted size of a projecting sign or 120 square feet.
4. Clocks

For the purposes of this chapter, clocks are not considered a moving sign.

## **F. Method of Measurement for Regulators**

### 1. Maximum Permitted Sign Area

Maximum permitted sign area for a premises is set forth as a numerical limit or as a function of the frontage of the premises on a street or private way. For properties with frontage on more than one street or private way, the total frontage shall be calculated as the longest frontage plus one-half the length of all additional frontages.

### 2. Sign Area

- a. Sign area includes the entire area within the perimeter enclosing the extreme limits of the sign, excluding any structure essential for support or service of the sign, or architectural elements of the building.
- b. The area of double-faced signs is calculated on the largest face only.
- c. The sign area for ground signs, monument signs, and architectural sign bands is calculated as the area enclosing the extreme limits of the copy only.
- d. In the case of individual letters mounted to a wall, only the total area of the letters themselves is included within the sign area.

### 3. Height

The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or sign structure.

### 4. Setback

The setback of a sign is measured from the property line to the supporting frame, mast, pole or base of the sign.

## **G. Permitted Sign Types by Zoning Districts**

Table 1-A sets forth the sign types permitted within each zoning district of the City of Springfield.

## **H. Auxiliary Design Elements**

Table 1-B sets forth auxiliary design elements permitted within each zoning district of the City of Springfield.

#### **I. Maximum Permitted Sign Area**

Table 1-C sets forth the maximum sign area permitted within each zoning district of the City of Springfield.

#### **J. Permitted Signs by Numbers, Dimensions, and Location**

Table 1-D sets forth the maximum permitted numbers of signs per premise; the maximum permitted dimensions of each sign; and the required setbacks for detached signs.

#### **K. General Permit Procedures**

1. Applicability

Any installation, modification, or expansion of any sign that is not exempt from the provisions of this Article shall be subject to the following permit procedure prior to installation.

2. Maintenance of Valid Sign Permit

The owner of a property containing signs requiring a permit under this ordinance shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zoned lots. A sign permit may be revoked if the sign is not maintained in good condition.

3. Sign Permit Applications

All applications for sign permits shall be submitted to the Building Inspector in accordance with application specifications established by the Building Inspector.

4. Application Fees

Each application for a sign permit shall be accompanied by any applicable fees, which shall be established by the City Board from time to time by resolution.

5. Action

Within ten working days of the submission of a complete application for a sign permit, the Building Inspector shall either:

- a. Issue the sign permit, if the sign conforms to the provisions of this Article.
- b. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this Article.

6. Permit Expiration

If a sign is not constructed in accordance with an approved permit within six months of the date of approval, such permit shall lapse.

7. Assignment of Sign Permits

A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises.

**L. Nonconforming Signs**

1. All permanent signs in place and lawfully established on the effective date of this Ordinance shall be considered as legal nonconforming signs. The copy of such a sign may be changed from time to time, provided that the sign area shall not be enlarged beyond the sign area in existence on the effective date.
2. Any nonconforming sign which presently is or becomes structurally damaged or deteriorated, or is altered by more than 50% of its replacement cost, shall be either removed or altered so as to comply with this Article.

**M. Discontinuance of Nonconforming Signs**

Within any zoning district, all on-premise signage must comply fully with the provisions of this Ordinance, unless otherwise provided, within fifteen years of the effective date of this Ordinance.

**Table 1-A: Permitted Signs by Type and Zoning Districts**

<b>Sign Types</b>	<b>AR</b>	<b>R100</b>	<b><u>R92</u> <u>R87</u></b>	<b><u>R50</u> <u>R30</u></b>	<b>M</b>	<b>BG</b>	<b><u>DT</u> <u>DC</u></b>	<b>BH</b>	<b>I</b>	<b>LI</b>	<b><u>RT</u></b>
<b>Detached Signs</b>											
Residential	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>N</b>	<b>N</b>	<b>P</b>	<b>N</b>	<b>N</b>	<b><u>P</u></b>
Premise Identification	<b>P</b>	<b>P (C)</b>	<b>P (C)</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Incidental	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P(C)</u></b>
Ground	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Pole	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>P</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>N</u></b>
<b>Attached Signs</b>											
Awning	<b>N</b>	<b>S</b>	<b>S</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Banner	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>N</u></b>
Building Marker	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Canopy	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Premise Identification	<b>P</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P</u></b>
Incidental	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P(C)</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b><u>P(C)</u></b>

Marquee	N	N	N	N	N	P	P	P	P	P	<u>N</u>
Projecting	N	N	N	N	N	P	P	P	P	P	<u>N</u>
Roof, Integral	N	N	N	N	N	N	N	P	P	P	<u>N</u>
Roof, Above Peak	N	N	N	N	N	N	N	N	P	P	<u>N</u>
Wall	P	P	P	P	P	P	P	P	P	P	<u>P</u>
Window	N	N	N	N	N	N	P	P	P	P	<u>N</u>
<b>Miscellaneous</b>											
Flag	P	P	P	P	P	P	P	P	P	P	<u>P</u>
Portable	N	N	N	N	N	N	N	N	N	N	<u>N</u>

**P:** Permitted for All Uses **P(C):** Permitted for Civic Use **S:** Permitted by Special Permit **N:** Not Permitted

**Table 1-B Permitted Signs by Auxiliary Design Elements and Zoning Districts**

Sign Types	AR	R100	<u>R92</u> <u>R87</u>	<u>R50</u> <u>R30</u>	M	BG	<u>DT</u> <u>DC</u>	BH	I	LI	<u>RT</u>
<b>Design Element</b>											
<b>Illumination</b>											
Indirect	P(C)	P(C)	N	P(C)	P(C)	P(C)	P	P	P	P	<u>P</u>
Direct	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Internal	P(C)	P(C)	N	P(C)	P	P(C)	P	P	P	P	<u>P(C)</u>
Neon	N	N	N	N	N	N	P	P	P	P	<u>S</u>
Flashing	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Flame	N	N	N	N	N	N	N	N	N	N	<u>N</u>
Bare Bulb	N	N	N	N	N	N	N	N	N	N	<u>N</u>
<b>Other</b>											
Electronic Information	N	N	N	N	N	N	P	P	P	P	<u>N</u>
Moving	N	N	N	N	N	N	N	N	P	N	<u>S</u>
Rotating	N	N	N	N	N	N	N	N	P	N	<u>S</u>

**P:** Permitted for All Uses **P(C):** Permitted for Civic Uses **S:** Permitted by Special Permit **N:** Not Permitted

**Table 1-C: Permitted Signs by Maximum Permitted Sign Area and Zoning Districts**

*This Maximum Permitted Area for all signs on a premises excluding incidental signs, building marker signs, and flags shall not exceed the lesser of the following:*

<b>Zoning District</b>	<b>AR</b>	<b>R100</b> <b><u>R92</u></b>	<b>R50</b> <b><u>R30</u></b>	<b>BG</b>	<b><u>DT</u></b> <b><u>DC</u></b>	<b>BH</b>	<b>LI</b> <b>I</b>	<b><u>RT</u></b>
------------------------	-----------	----------------------------------	---------------------------------	-----------	--------------------------------------	-----------	-----------------------	------------------



<b>Maximum Size*</b> (sq. ft.)	100	x	x	100	150	150	200	x
<b>% of Street Facade</b>	NA	NA	NA	20%	20%	20%	25%	NA
<b><u>Business Center Identification Sign</u></b>	NA	NA	NA	Note 1	Note 1	Note 1	Note 1	Note 1

x See Table 1-C for maximum sign sizes.

**Note 1:**

In addition to its total permitted sign area, each premises used for a business center may have one detached Business Center Identification sign, subject to the following conditions:

1. The maximum area for a Business Center Identification sign shall be 150 square feet.
2. No Business Center Identification sign shall be within 300 feet of any other center identification sign or within 150 feet of any other detached sign on the same or adjacent premises.
- ~~3. The sign shall display no more than the name and location of the business center.~~
4. Each sign shall be subject to all other regulations for detached signs or graphics set forth in this Article.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Section 3. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 21<sup>st</sup> day of June, 2005.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

\_\_\_\_\_  
City Administrator/Clerk

Agenda Item 16. Motion by Latham, seconded by Hayes, to enter executive session for the purpose of personnel and negotiation discussion. AYES: Sullivan, Hayes, Latham. NAYS: None. Entered at 8:17 PM. Session ended at 8:51 PM.

Agenda Item 17. There was no executive session action.

Motion by Latham, seconded by Hayes, to adjourn. AYES: Sullivan, Hayes, Latham. NAYS: None.  
Meeting was adjourned at 8:51 PM.

ACKNOWLEDGMENT OF NOTICE OF MEETING

The undersigned members of the governing body of the City of Springfield, Nebraska, hereby acknowledges receipt of advance notice of meeting and the agenda for such meeting held at 7:00 o'clock P.M. on June 21, 2005.

\_\_\_\_\_ Mayor \_\_\_\_\_ Councilman

\_\_\_\_\_ Councilman \_\_\_\_\_ Councilman

\_\_\_\_\_ Councilman