

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, May 20, 2025 at 4:00 PM at the Hastings Municipal Airport 3300 W 12th St, Hastings NE 68901.

AGENDA:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Motion to adopt the current agenda for the Planning Commission Meeting
5. Public Notice -Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, May 10, 2025. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.
6. Approval of Minutes
 - a. Meeting of April 15, 2025
7. Unfinished Business
 - a. Continued Applications
 - b. Tabled Applications
 - i. A public hearing to consider an ordinance for updates to the City's Code of Ordinances for Section 34-309. Signs, Article VI. Nonconformities, and 34-314. Small Wind Energy Systems.

Motion to recommend approval of an ordinance to update Section 34-309. Signs, Article VI. Nonconformities, and 34-314. Small Wind Energy Systems of the City's Code of Ordinance.
 - c. Postponed Applications
8. Public Hearings.
 - a. **2025-218.** Public hearing for vacation of the Right-of-Way of St. Joseph Avenue from West South Street to the north until the roadway ends at the railroad tracks, Johnson's Addition, City of Hastings, Adams County, Nebraska.

Motion to recommend vacation of Right-of-Way of St. Joseph Avenue from West South Street to the north until the roadway ends at the railroad tracks, Johnson's Addition, City of Hastings, Adams County, Nebraska.
 - b. **2025-185.** Public hearing for a request to annex property generally located southeast of the intersection of Fisherman Ln and Outrigger Ave, in the City of Hastings, Adams County, Nebraska.

Motion to recommend approval of an ordinance to annex property generally located southeast of the intersection of Fisherman Ln and Outrigger Ave in the City of Hastings, Adams County, Nebraska.

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9. Subdivisions

- a. **2025-186.** Final Plat of the Cimarron Meadows 13th Addition, generally located southeast of the intersection of Fisherman Ln and Outrigger Ave in the City of Hastings, Adams County, Nebraska.

Motion to recommend approval of the Cimarron Meadows 13th Addition Final Plat to the City Council.

- b. **2025-191.** Preliminary Plat for Cedar Park Subdivision, generally located southeast of the intersection of East D Street and South Cedar Avenue.

Motion to recommend approval of the Preliminary Plat for the Cedar Park Subdivision to the City Council.

10. Reports

- a. Committee Reports
- b. Chairman Comments
- c. Staff Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
TUESDAY, APRIL 15, 2025

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted at the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska, on April 15, 2025

First Chair Rosenberg called the meeting to order at 4:00 p.m. in Regular Session. The following members were present: Michelle Lewis, Chuck Rosenberg, Shawn Rossi, Lou Kully, and Jody Stutzman. Absent: Greg Sinner, Rakesh Srivastava, and Joe Kindig.

The following City Officials were present: City Mayor Jay Beckby, City Administrator Mark Funkey, Director/City Engineer, Lee Vrooman, City Attorney, Jesse Oswald, Director of Development Services, Chad Bunger, Chief Building Official, Danny Graves, City Planner, Ember Batelaan, Community Risk Reduction Officer, Anthony Murphy, Public Information Manager, Tony Herrman, IT Director, Eric Nielsen, Utility IT Manager, Kirk Layton, and Administrative Assistant, Melissa Woodard.

First Chair Rosenberg led the Commission in the recital of the Pledge of Allegiance to the United States of America.

First Chair Rosenberg called for a motion to adopt the current agenda for the April 15, 2025, meeting. Moved by Rossi, seconded by Lewis, to adopt the current agenda. Ayes: Stutzman, Rosenberg, Lewis, Rossi, and Kully. Nays: None. Motion carried: 5-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, April 5, 2025. Pursuant to Nebraska Revised Statutes Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material, which will be discussed at today's meeting, is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

APPROVAL OF MINUTES

Meeting of March 18, 2025

First Chair Rosenberg called for a motion to approve the March 18, 2025, minutes. Moved by Stutzman, seconded by Rossi: Roll Call: Ayes: Rosenberg, Lewis, Rossi, Kully, and Stutzman. Nays: None. Motion Carried: 5-0.

Public Hearings

First Chair Rosenberg opened the Public Hearing.

- a. **2025-133 Public hearing for a change of zoning for property generally located southeast of the intersection of West Laux Drive and East 31st Street, known as Trailside Village, from R-3, Multiple Family Residential**

District to RP-3, Multiple Family Residential Planned District, and to amend the Official Zoning District Map. Batelaan gave the Staff Report to consider the request for a change of zoning from R-3, Multiple Family Residential District, to RP-3, Multiple Family Residential Planned District, and to amend the Official Zoning District Map. Staff recommended that the Planning Commission recommend approval to the City Council for a change of zoning for property known as Trailside Village and recommend approval to amend the Official Zoning District Map based on the findings provided in the staff report.

Shannon Landauer, Hastings Economic Development Corporation, 6011 W 13th Street, Hastings, Nebraska. As a property owner, she is very excited about this project. With a different neighborhood option available in Hastings, the 28-unit model will be more affordable, and she was speaking in support of this project.

First Chair Rosenberg closed the public hearing.

First Chair Rosenberg asked for a motion to recommend approval for a change of zoning for the property known as Trailside Village. Stutzman moved to recommend approval for a change of zoning for property commonly known as Trailside Village from R-3, Multiple Family Residential District, to RP-3, Multiple Family Residential Planned District, and to amend the Official Zoning District Map, seconded by Kully. Roll Call: Ayes: Rosenberg, Kully, Rossi, Stutzman, and Lewis. Nays: None. Motion carried: 5-0.

First Chair Rosenberg opened the Public Hearing.

- b. **2025-135 Final Plat of the Trailside Subdivision, generally located southeast of the intersection of West Laux Drive and East 31st Street in the City of Hastings, Adams County, Nebraska.** Batelaan gave the Staff Report to consider a Final Plat of the Trailside Subdivision, generally located southeast of the intersection of West Laux Drive and East 31st Street in the City of Hastings, Adams County, Nebraska. Staff recommended that the Planning Commission recommend approval to the City Council to consider a request for a Final Plat of the Trailside Subdivision, City of Hastings, Adams County, Nebraska, based on the findings provided in the staff report.

Stutzman thanked Dave Rippe for bringing innovative development to Hastings and thanked Hastings Economic Development for their work in the area.

Rosenberg said Sinner asked about provisions for a playground area.

Landauer said there would be green space, but no plan right now for a playground.

First Chair Rosenberg declared the Public Hearing closed.

First Chair Rosenberg asked for a motion to recommend approval to consider a request for a Final Plat of the Trailside Subdivision, generally located southeast of the intersection of West Laux Drive and East 31st Street in the City of Hastings, Adams County, Nebraska. Rossi recommended approval to consider a Final Plat on the Trailside Subdivision, seconded by Lewis. Roll Call: Ayes: Rosenberg, Rossi, Stutzman, Lewis, and Kully. Nays: None. Motion carried: 5-0.

First Chair Rosenberg opened the Public Hearing.

- c. **2025-134 Public Hearing to consider an ordinance for updates to the City's Code of Ordinances for Article VI, Nonconformities, Section 34-309, Signs, and 34-314, Small Wind Energy Systems.** Bunger gave the Staff Report to consider an ordinance for updates to the City's Code of Ordinances for Article VI, Nonconformities, Section 34-309, Sign, and 34-314, Small Wind Energy Systems. Staff recommended that the Planning Commission recommend approval to the City Council to consider a request for an ordinance for updates to the City's Code of Ordinances for Article VI, based on the findings provided in the staff report.

Rossi asked about the proposal for the projecting signs downtown concerning size. Bunger said the proposal had not been changed and was open for discussion. Rossi, Kully, Stutzman, and Bunger discussed the sign changes. Kully could see both sides of the issue, but thinks the Commission needs more time. Stutzman brought up sidewalk signs for discussion, cluttering the sidewalks for pedestrians, per the visual. Bunger referenced the **PowerPoint** presentation and noted that it's not a perfect representation of how the proposed code reads; the signs would be closer to the walls of the businesses. Stutzman asked how this proposal looks regarding other communities and maybe comparing them. Bunger explained how they review sign codes. Rosenberg feels that bringing in a lot of downtown people and missing three commissioners, having a work session on this may be appropriate. Rosenberg prefers to table it.

First Chair Rosenberg declared the Public Hearing closed.

First Chair Rosenberg asked for a motion to recommend approval to consider an ordinance for updates to the City's Code of Ordinances for Article VI, Nonconformities, Section 34-309, Sign, and 34-314, Small Wind Energy Systems. Rossi moved to recommend approval to consider an ordinance for

updates to the City's Code of Ordinances for Article VI. seconded by Kully. After the discussion, Lewis motioned to table 2025-134, seconded by Kully. Roll Call: Ayes: Rosenberg, Rossi, Stutzman, Kully, Lewis, and Srivastava. Nays: None. Motion carried: 5-0.

Reports

- a. **Committee Reports:** None
- b. **Chairman Comments:** None.
- c. **Staff Reports:** Bunger announced that he accepted a position with an engineering and planning firm in Oklahoma. His last day with the City will be May 2nd. Bunger stated he thoroughly enjoyed his time here in Hastings and felt proud to be a part of the work that had occurred over the last two years. Rosenberg thanked Bunger for his work for the city. Stutzman recognized Bunger and how thankful she was and had learned a lot from him. Funkey said Bunger had done a great job, and we will miss him. Vrooman believes Bunger moved the department forward and had a positive influence on his staff, as well as others.

Adjourn

First Chair Rosenberg called for a motion to adjourn at 4:55 p.m. Motion seconded by Kully. Roll Call: Ayes: Kully, Rosenberg, Rossi, Stutzman, and Lewis. Nays: None. Motion carried: 5-0

First Chair Chuck Rosenberg

Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 5/20/2025
File No: 2025-134
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

City staff have been working for the past several months researching and drafting updates to the zoning regulations. The first set of regulations to be updated are the Sign regulations (Section 34-309), Nonconformities requirements (Article VI), and Small Wind Energy Systems regulations (Section 34-34). These updates are intended to create practical regulations to maintain the community's appearance and character and meet the needs of the businesses and property owners.

The updates to the Sign regulations (Section 34-309) are drafted to meet known issues with the current regulations, and "right-sized" regulations for all zoning districts, and meet legal requirements established by state statutes, case law, and the United States and State constitutions. During the drafting process, Development Services staff hosted several meetings with business owners and sign contractors to discuss needs and the latest draft regulations.

The proposed Nonconformities standards (Article VI) updates are intended to address issues with uses, lots, structures, and site improvements that do not conform to the current zoning regulations. This set of regulations is important to protect property rights, as well as minimize impacts to the surrounding neighborhood. In general, uses, lots, structures, and other site improvements can remain, be maintained, and in some cases, be improved.

The proposed regulations for Small Wind Energy Systems were requested to be updated to allow for private wind energy systems that better align with other zoning regulations in industrial and commercial districts. These regulations are designed to be practical, and maintain the community's character.

Names of People/Business affected by this action:

The businesses, residents, and property owners in the City.

Why Planning Commission action is required:

Section 34-801. Amendments and Procedures, define the process for amending the text of the zoning ordinance. The Planning Commission must hold a public hearing and vote to approve or deny the draft language and forward a recommendation for final approval or denial to the City Council.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval to the City Council of an ordinance to update Section 34-309. Signs, Article VI. Nonconformities, and 34-314. Small Wind Energy Systems of the City's Code of Ordinance.

Deadlines associated with action:

A public hearing is scheduled with the City Council at their June 9, 2025 regular meeting.

Department head comments:

The City staff has been working with the community for several months to draft this set of regulations. We appreciate everyone's work and input in helping create these regulations.

Recommendation:

Staff recommends that the Planning Commission recommend approval of the Zoning Ordinance updates to the City Council.

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34-901. Definitions

Abandoned sign: A sign, including sign face and supporting structure, which contains no sign copy on all sign faces or is located on a site where a business, profession, or service is no longer operating.

Art: Any painting, picture, drawing, sculpture, or graphic engraving that is not a commercial sign.

Building Façade: The exterior wall of a building exposed to public view from the building's exterior, facing a street or parking lot, and measuring the entire width of the building and height from grade to parapet.

Clearance: The distance from the bottom of a sign face to the grade below.

Eave: The part of a roof that meets or overhangs the walls of a building.

Footcandle: A unit of measurement for the total amount of light cast on a surface (illuminance). One footcandle is equivalent to the illuminance produced by a source of one candle at a distance of one foot. Vertical footcandle is the measurement on a vertical surface. Horizontal footcandle is a measurement on a horizontal surface.

Frontage: The length of a property line of any one premise abutting and parallel to a public street, private way, or court.

Halo Lit: Lit from behind, which gives the impression of a glowing halo effect.

Illuminance: The amount of luminous flux per unit area in the English system, equal to one lumen per square foot, and measured in foot candles. The metric system uses the lux. One footcandle equals approximately 0.1 (0.093) lux.

Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.

Lumen: A unit of luminous flux equal to the light emitted in a unit solid angle by a uniform point source of one candle intensity.

Luminance: The intensity of light emitted from a surface per unit area in a given direction.

Maximum permitted sign area: The maximum permitted area of a single sign or sign type allowed on a specific property.

Nits: A measure of luminance, measuring how much light an object emits.

Parapet: A low protective wall along the edge of a roof.

Permanent Signs: A sign that is intended to remain in its location for a permanent or indefinite time period. These signs are typically attached to a building, structure, or the ground not easily removed or relocated, and are constructed of durable materials to withstand environmental factors, such as wind.

Premises: A tract of one or more lots or sites that are contiguous and under common ownership or control.

Reverse Channel Lit: Illumination from the back face of a sign that projects onto the wall. In other words, backlit.

Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information.

Sign type: A functional description of the use of an individual sign. Specific sign types are described below:

1. Animated signs: Signs that consist of beacons, strobe lights, or searchlights; are animated by flashing, blinking, or traveling lights; or anything not providing constant color, brightness, and illumination; and rotating or moving signs; except as applies to permitted electronic copy signs.
2. Banner sign: A temporary sign composed of lightweight material; often used in a non-permanent setting such as to announce a grand opening, sale, or special event.
3. Billboard sign: A typical type of off-site advertising sign that is a larger than normal pole sign to direct attention to services, products, or information, whether or not related to a use or occupant on the same property.
4. Blade sign: A temporary sign available in numerous shapes and sizes but typically in the shape of a feather, teardrop, or rectangular flag.
5. Building marker sign: A plaque or signboard attached to, carved into, or painted on a building face identifying the building, commemorating an event, or providing information to pedestrians on the property.
6. Canopy/Awning sign: A sign painted on, woven in, or attached to a canopy or awning. Canopies and awnings are roof-like covers that project from the wall of a building providing cover over a door, window, or patio or, in the case of canopies, are freestanding for the purposes of shielding from the elements, such as over a service station island or sidewalk. Canopies and awnings may be made of fabric, plastic, or metal. The terms "canopy and awning " do not include marquee signs.
7. Double-faced sign: A sign consisting of no more than two parallel or near parallel faces supported by a single structure. Typically, double-faced signs are meant to be viewed from two opposite directions of travel.
8. Drive-thru sign: A permanent sign, whether attached or freestanding, that provides information on products or services or facilitates a business transaction at a drive-through service location.
9. Electronic Copy sign: A sign that uses computer-generated messages or some other means of changing the words or message. These signs also include lamps, LEDs, LCDs, or flipper matrices.
10. Emitting signs: Signs that emit audible sound, odor, or matter, except as specifically approved for Electronic Copy Signs.
11. Flag sign: Signs emblazoned on any type of flag intended to be displayed in a free-flowing manner.
12. Flashing sign: A sign that has a lighting source or lighting element that periodically illuminates or is not maintained stationary or constant in intensity or color at all times when the sign is in use, usually in a manner intended to draw attention to the viewer.

13. Ground sign: A sign created or painted directly on the ground, including rocks, without a man-made support structure.
14. Island Canopy sign: A sign mounted permanently on or under a gasoline island canopy.
 - a. Canopy Fascia sign: A sign mounted flush against the vertical plane of a canopy fascia. In no case may the sign project beyond the perimeter of the fascia to which it is attached.
 - b. Spanner Board sign: Signs mounted flush against the vertical plane of a spanner board and in no case projecting beyond the perimeter of the spanner board. A spanner board is a structural member extending between two vertical support poles of the gasoline island canopy and permanently mounted to the poles at a height above the gasoline pumps and below the gasoline island canopy.
 - c. Sign Board sign: Signage located on sign boards that are permanently mounted on the canopy support poles at a height above the gasoline pumps and below the gasoline island canopy.
15. Manual Changeable Copy sign: A permanent sign, or portion of the sign, that has letters or numbers that are manually changed or rearranged without altering the sign's surface or face. This includes reader boards with letters that can be physically moved.
16. Marquee sign: A permanent canopy or roofed structure attached to and supported by a building that projects over an entrance. The sign type is often illuminated and ornate and incorporates a permanent, large, changeable message center.
17. Monument sign: Any permanent freestanding sign that is detached from a building or structure and sits on the ground on a solid appearing base with no exposed structural supports.
18. Moving sign: A sign that conveys its message through rotating, changing, or animated elements.
19. Nonconforming sign, legal: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
20. Off-Site Advertising sign: A sign directing attention to a specific business, product, service, organization, person, entertainment, event or activity, or other commercial activity that is not sold, produced, manufactured, furnished, or conducted at the property where the sign is located. It is also known as a billboard, off-site advertising, or outdoor advertising sign.
21. Pedestrian sign: A pedestrian sign is wholly dependent upon a canopy, awning, or building projection located above a pedestrian walkway to which it is attached.
22. Pole sign: A freestanding sign visibly supported by one or more poles that are placed on or anchored permanently in the ground or other surface independent from any building or other structure.
23. Portable sign: A freestanding and self-supporting moveable sign normally placed near a public street.
24. Poster sign: A type of portable sign mounted on stakes or spikes intended to be stuck into the ground and used as a freestanding temporary sign.
25. Projecting sign: A sign that is wholly or partly dependent upon a building for support and that projects at an angle away from the building so that the leading edge extends more than six inches beyond the building wall.
26. Roof sign: A building-mounted sign erected upon or completely over the roof of a building or extending above a parapet or cornice.

27. Sidewalk sign: A freestanding and self-supporting moveable sign designed to be displayed on a sidewalk or area outside of and adjacent to a place of business and oriented toward pedestrians and slow-moving traffic.
28. Snipe signs: Signs that are attached to a tree or utility pole.
29. Street Banner sign: A temporary banner sign installed by the city over a public street.
30. Vehicular sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits and the sign is not otherwise incidental to the vehicle's primary purpose.
31. Unipole: An advertising sign (usually a billboard) with a frame structure that is mounted atop a single steel pole or column.
32. Wall sign: A building-mounted sign attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, which does not project more than 16 inches from the wall surface.
33. Wayfinding sign: A type of sign that allows users to find their way, using information provided along the travel path.
34. Window sign: A sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door.

Sign Category Definitions:

1. Attached sign: A sign that is physically attached to a building.
2. Freestanding sign: A sign that is detached from a building and that has a support structure made of permanent material.
3. Portable sign: A freestanding and self-supporting moveable sign normally placed near a public street.
4. Temporary sign: Any sign not permanently affixed or attached to a building, structure, or ground that can be moved or removed without special handling. Examples include banner signs, blade signs, and others.

Street façade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, a private street, or a court (excluding alleys).

Window Area: Window panels separated by muntins or mullions shall be considered as one (1) continuous window. Separation of window panels by more than six inches shall be determined to be separate windows.

34-902. Purpose and Applicability

A. **Purpose.** The purpose of this article is to promote the public health, safety, and welfare of the city and its extraterritorial jurisdiction through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements that are narrowly drawn to:

1. Ensure that all signs installed in the city are compatible with the character and visual environment of the community and promote the goals, objectives, and policies of the comprehensive plan;
2. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
3. Improve pedestrian and traffic safety by promoting the free flow of traffic and the protection of pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, unsecured, cluttered, distracting, and/or illegible signage;
4. Protect the aesthetic appearance of the city's natural and built environment for its citizens and visitors;
5. Prevent property damage, personal injury, and litter caused by signs that are improperly constructed or poorly maintained;
6. Protect property values, the local economy, and quality of life by preserving and enhancing the appearance of the streetscape;
7. Provide for the placement of temporary signs in limited circumstances, without regard to the communicative content of the sign;
8. Provide consistent design standards that enable the fair and consistent enforcement of these sign regulations; and
9. Enhance the city's ability to maintain its public rights-of-way.

B. Applicability.

1. *Where Allowed.* Signs are allowed in the City and the extraterritorial jurisdiction in accordance with this Section, which applies to all signs that are visible from public property, a public right-of-way, or public travel/access easement. Signs that are not allowed by the Section are prohibited.
2. *Sign Permit Requirement.* No sign, except for normal repair, and signs listed in subsections 34-902(B)(9), *Exemptions* and 34-902(B)(10), *Signs Exempt from Sign Permit Requirements*, shall be painted, constructed, installed, expanded, erected, remodeled, or relocated until a sign permit for such sign has been obtained pursuant to the procedures described in this section.
3. *Sign Permit Application and Fee.* Each application for a sign permit shall be on the written or digital form provided by the City and accompanied by the sign permit fee.

4. *Sign Permit Review Standards.* A sign permit shall be issued for a complete application that complies with all applicable provisions of *Sec. 34-902, Purpose and Applicability.*
5. *Denial or Revocation.* The Director of Development Services, or designee, may deny or revoke a sign permit for any of the following reasons.
 - a. Failure to submit a complete application and/or the required application fee.
 - b. Failure of the sign to comply with this code or the terms of the permit.
 - c. Failure to permit the City access to inspect the sign for compliance.
 - d. Fraud, misrepresentation, or a false statement in the sign permit application.
6. *Notice of Denial or Revocation of a Sign Permit.*
 - a. *Notice.* Any notice shall, at a minimum, state the reason(s) for the denial or revocation and notify the addressee of the right to appeal the denial or revocation according to *Article VII. – Administration, Enforcement, and Appeals.*
 - b. *Denial.* The Director of Development Services, or designee, shall send the applicant written notice of denial to the applicant at the address provided on the application form.
 - c. *Revocation.* The Director of Development Services shall send a written notice of the revocation of a sign permit to the sign permit holder at the address provided on the application and to the property owner's address according to the records of the county in which the sign is located.
7. *Expiration.* A sign permit expires under any of the following conditions.
 - a. The sign has not been completely attached, changed, constructed, installed, placed, or relocated within 180 days from the date of the issuance of the sign permit.
 - b. The use associated with the sign is abandoned.
 - c. The sign is removed or abandoned, as described in *Sec. 34-904, Maintenance, Repair, Removal, and Abandonment.*
8. *Sign Permit Fee Refund.* The sign permit application fee will not be refunded if a sign permit expires or is denied or revoked.
9. *Exemptions.* This Section does not apply to the following signs, except for the traffic and maintenance requirements described in *Sec. 34-904, Maintenance, Repair, Removal, and Abandonment,* and *Sec. 34-906, General Provisions.*
 - a. Art, as defined by the City's Code of Ordinance.
 - b. Address numerals and other signs, required to be maintained by law or governmental order, rule, or regulations, provided the size of the sign does not exceed the requirements of such law, order, rule, or regulation.
 - c. Noncommercial flags or emblems displayed on public or private property, as applicable.
 - d. Holiday or seasonal decorations.
 - e. Signs placed or authorized by the city, county, state, or federal government for the protection of public health, safety, and general welfare.

- f. Scoreboards in athletic stadiums.
 - g. Letters, logos, and/or graphics located on the bottom six inches of an awning, provided they are not more than six inches in height and consist of no more than one line.
 - h. Small permanent signs not exceeding five square feet in area that are permanently displayed on private property for the convenience of the public, including signs to identify entrances and exit drives, freight entrances, parking areas, one-way drives, restrooms, and the like.
 - i. Any sign displayed within a building. This includes signs affixed to the interior of a window.
 - j. Temporary seed or crop identification signs.
 - k. Tablet and monument signs.
 - l. Messages displayed on equipment, such as fuel pumps, vending machines, or collection boxes that do not display off-premise commercial messages, are located entirely on the equipment and do not extend from the surface of the equipment.
10. *Signs Exempt from Sign Permit Requirements.* The following signs shall be exempt from the sign permit requirements of *Subsection 34-907, Specific Sign Type Standards* but shall comply with all other requirements of this article and the applicable district regulations.
- a. Temporary Signs.
 - b. Permanent Signs under five square feet.
 - c. Signs located on a property used for agricultural purposes and pertaining to the sale of agricultural products produced on the property.
11. *Substitution of Messages.*
- a. Subject to the consent of the party responsible for the sign, a non-commercial message of any type may be substituted, in whole or in part, in place of any commercial message or non-commercial message, provided that the sign and sign structure otherwise meet the requirements of this Division without consideration of message content. Such a substitution may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Division.
 - b. This provision does not create a right to increase the total amount of signage on a parcel; does not affect the requirement that a sign structure, mounting device, and method or type of display of the message are properly permitted; does not allow a change in the physical structure of a sign, its mounting device, or the method or type of display of the message; and does not allow the substitution of any off-site commercial message in place of an on-site commercial message or a non-commercial message.
12. *Prohibited Signs.*
- a. *Animated Signs.* Signs which consist of beacons, strobe lights, or searchlights; or are animated by flashing, blinking, or traveling lights; or anything not providing constant color, brightness, and illumination; and rotating or moving signs; except as applies to permitted Electronic Copy signs.

- b. *Misleading Signs or Signs Impacting Traffic Safety.* Signs, including signs located inside a building, which, because of position, size, shape, illumination, or color, may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, or device, or which may interfere with, distract, mislead, or confuse traffic. No sign may be installed in a way that obstructs a clear vision of persons using the streets or may be confused with any authorized traffic sign, signal, or device. No sign, other than a governmental sign, which makes use of the words “Stop”, “Look”, “Danger”, or any other word, phrase, symbol, or character which may interfere with, distract, mislead, or confuse persons, may be visible from a public street, travel easement or private drive.
 - c. *Vehicles and Trailers used as Signs.* Signs that are placed on or painted on a vehicle or trailer whose primary function is to serve as a sign rather than as a vehicle or trailer used in the day-to-day operation of a business. Such vehicles or trailers may not be driven on the city streets and must not be parked to be visible from any public street or private drive in the city.
 - d. *Signs in Rights-of-Way.* Signs in the public rights-of-way and/or public travel easements unless otherwise specifically permitted by this Subsection. No sign exempt from this Division may be permitted within the public rights-of-way and/or public travel easements.
 - 1. Street Banner Signs are prohibited, except when erected by the City or authorized by an agreement entered into between the City and the sign owner.
 - 2. Sidewalk Signs are only allowed upon the public streets and rights-of-way according to and in compliance with the terms and conditions of a currently valid permit for the temporary use of a municipal sidewalk or public plaza issued by the City pursuant to Sec. 34-907(C)(13).
 - e. *Emitting Signs.* Signs that emit audible sound, odor, or matter, except as specifically approved for digital animated signs.
 - f. *Snipe Signs.* Signs that are attached to a tree or utility pole.
 - g. *Prohibited Signs.* Signs that are prohibited or not specifically allowed by or exempted from these regulations.
13. Appeals of Decisions for a Proposed Sign. Any decision made by the Director of Development Services regarding the denial of a sign permit or requirements to address maintenance, repair, or abandonment of a sign can be appealed to the Board of Adjustment following the procedures outlined in *Art. VII – Administration, Enforcement, and Appeals*.

34-903. Enforcement

- A. **Unlawful Signs.** No person may erect, construct, install, place, change, relocate, maintain, or attach, on any premises, any sign in violation of the provisions of this Division, Chapter, or the Code of Ordinances. All signs that do not comply with this Division, and all other codes, ordinances, and regulations of the City, are unlawful and must be immediately removed.

- B. **Inspections.** All signs located within the City are subject to inspection by the City for compliance with this Division and other applicable City codes, ordinances, and regulations.

34-904. Maintenance, Repair, Removal, and Abandonment

- A. **Maintenance and Repair.** All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting, if any, the portion attaching the sign to the ground or structure, and the surface features.
- B. **Removal for Repair.** Whenever any sign, either conforming or nonconforming, is required to be removed for the purpose of repair, re-lettering, or repainting, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:
1. There is no alteration or remodeling to the structure or the mounting of the sign itself.
 2. There is no increase in any of the dimensions of the sign or its structure.
 3. There is no alteration to the type of illumination or operational characteristics of the sign.
 4. The sign is an accessory to a legally permitted, conditional, or nonconforming use.
- C. **Removal Due to Damage or Disrepair.** Signs that are deemed unsafe or dangerous as defined in the adopted property maintenance code shall be remedied by the City's procedures.
- D. **Abandoned Signs.** Except as otherwise provided in this Chapter, any sign located on property that becomes vacant and unoccupied for six months or more, or any sign that pertains to a time, event, or purpose that no longer applies, shall be deemed to be abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign must be removed, including its support structure and base.

34-905. Measurements and Calculations

A. Method of Measurement.

1. *Maximum Permitted Sign Area.* The maximum permitted sign area is set forth as a numerical limit on the size of an individual sign face.
2. *Sign Area.* The 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 and architectural elements of the building.
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 structure.
4. *Sign Face.*
 - a. For the purpose of this Section, separate building faces oriented in the same direction or within 45 degrees of one another are considered part of the same street façade.

34-906. General Standards

A. Illumination.

1. *External Illumination.* When installed, the light source must be positioned in such a manner that light does not trespass onto an adjoining property or onto a public street or highway following the lighting provisions of *Section 34-305(5), Lighting.*
2. *Internal Illumination.* The average surface illumination of any sign face from dawn to dusk shall not exceed 3.0-foot candles.
3. *Illumination Curfew.* Illuminated signs shall be equipped with a sensor, timer, or other device to automatically adjust the day/night light intensity levels per these standards. Night time illumination shall not exceed 0.3-foot candles over ambient lighting conditions.

- B. **Vision Triangle.** No sign or sign structure shall be built to a height of more than two feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall be defined in Hastings City Code *Section 34-305 (4)(d), Visibility at intersections.*

34-907. Specific Sign Type Standards

A. Temporary Signs.

1. Temporary signs are intended to be removed or replaced within a period of six consecutive months or less.
2. All temporary signs shall be maintained in sound condition. Any sign that exhibits deterioration of structure or materials may be removed subject to the provisions of this section.
3. The Director of Development Services and his/her authorized officers shall order the correction or removal of any sign in violation of the provisions of this section following the notice of violation process established in these regulations.
4. Any sign placed on, in, or over any public property, including public right-of-way and easements, without the written consent of the public authority having jurisdiction over the property, shall be subject to removal and forfeit without notice.

B. Electronic Copy Signs

1. *Location.* Electronic Copy signs are subject to the following location restrictions:
 - a. The sign may be located on a principal building façade.
 - b. The sign may be part of a monument or pole sign for which the electronic copy portion is part of the continuous display of the monument or pole sign.
 - c. The sign cannot be located within 150 linear feet of property in the A, Agriculture District; R-1, Single-Family Residential District, R-1A, Single-Family Large Lot Residential District, or R-1S, Single-Family Suburban Acreage Residential District.
2. *Duration of Message, Transition, and Animation.*
 - a. The electronic copy must be programmed in a way that no sign shall flash or blink. The image, message, or lighting pattern must hold for a minimum of ten seconds between transitions.
 - b. The transition from one image or display to the next must be accomplished in two seconds or less; fading, scrolling, or dissolving effects may be used.
 - c. Animation of the message, like a TV screen, is not permitted with the following exception: with administrative approval, animation of up to five seconds per minute for a maximum of 50 percent of the sign face may be permitted when the primary use on a subject property/parcel is one of the following:
 1. Indoor entertainment or recreation facility;
 2. Performing arts or cultural arts facilities;
 3. Public museums;
 4. Entertainment venues.
3. *Image Characteristics.* The Electronic copy sign may have a pitch of no greater than 20 millimeters between each pixel.
4. *Luminance.* Between sunrise and sunset, the maximum luminance may be 464.5 foot-candles; between sunset and sunrise, the maximum luminance may be 46.45 foot-candles. All signs with a digital display illuminated by sources other than natural light must be equipped with an automatic dimmer control or other mechanisms that automatically control the sign's brightness to comply with this requirement.

C. Sidewalk Signs

1. A Sidewalk Sign is a temporary sign located on a public sidewalk, public plaza, or other pedestrian walkway.
2. A Permit To Occupy Or Use City Street Right-of-Way must be issued before erecting the sign.
3. The sign shall not be more than nine square feet in area.
4. The sign shall be no more than six feet tall, as measured from the sidewalk surface.
5. The sidewalk sign can only be located in front of the adjoining establishment holding the permit, and must not extend into abutting or adjacent properties.
6. The sidewalk sign cannot be placed in or protrude into any street or alley. The sign must be movable, supported by its own frame, and not secured or attached to the ground or the surface upon which it is located. The sign must be designed to prevent being blown over or knocked over.
7. The sidewalk sign must not create a fire hazard or interfere with ingress or egress from any building.
8. The sidewalk sign must not interfere with the area's compliance with the Americans with Disabilities Act, as amended. At a minimum, the sidewalk sign

must allow five feet of clear and unobstructed passageway on the sidewalk or public plaza between the outermost edge of the permitted sidewalk signs or other objects and the curb, streetlamps, lamp posts, sign posts, or other fixtures or obstructions. The City's Director of Engineering may impose additional requirements to ensure compliance with the Americans with Disabilities Act or to protect traffic safety, or pedestrian safety or passage.

9. The sidewalk sign must be located a minimum of five feet from driveways and alleys, and 10 feet from intersections of public streets, except the City's Director of Engineering, may modify these requirements where the only public entrance to the establishment is on the corner of the building adjoining such intersections and the modification(s) maintain traffic safety, pedestrian safety and passage. The Director of Engineering may impose additional requirements to protect traffic safety, pedestrian safety, or passage.
10. The sidewalk sign must be limited to referencing or advertising food, beverages, services, or merchandise that is sold, displayed, or provided inside the permit holder's adjoining establishment.
11. The sidewalk sign may only be placed within the permit area during the normal business hours of the permit holder's establishment, but in no case will items be located in the permit area between 11:00 p.m. and 6:00 a.m.
12. Use of the permitted area must conform to applicable laws, city ordinances, and zoning regulations.
13. The city and the permit holder shall execute a temporary use of city property agreement for the use of the sidewalk or public plaza that shall include all conditions of this article and other conditions based upon the particular location and/or use. The agreement shall provide that the temporary use is subordinate to the city's use of the sidewalk or public plaza. The agreement shall provide that the permit holder agrees to at all times save and hold harmless the city from all liability, costs, damages, and expenses of any kind, for the payment of which the city may become liable to any person, firm, or corporation because of any claim, or damages arising from the failure of the permit holder, its employees, agents, servants, invitees, and patrons to exercise due care and diligence in the use of the sidewalk or public plaza.

D. **Portable Signs.** Portable signs are considered temporary signs, but due to their unique physical and aesthetic characteristics, they are subject to the following restrictions:

1. Time limits for the display of portable signs must be specifically stated on the sign permit.
2. Portable signs are permitted in the C-1, C-3, and I-1 Districts.
3. Portable signs may be displayed for a period of up to 30 consecutive days and a total of 60 days per lot in any calendar year.
4. There may be no more than one Portable Sign per lot.

34-908. Signs in the A, Agricultural District

A. **Permitted On-Premises Signs:** Awning, canopy, electronic copy, monument, pole, temporary, wall, and window signs.

B. **Permitted Off-Premises Signs:** See *Sec. 34-919, Off-Premises Advertising Signs*.

C. **Number of Signs Permitted:**

1. *Lots under five acres:* No more than two permanent signs.
2. *Lots of five acres or more:* No more than three permanent signs.
3. *Temporary signs:* Two temporary signs per lot.

D. **Maximum Sign Area:**

1. *Awning, Canopy, and Wall Signs:* The total surface area of all signs of these types may not exceed 20 percent of the total surface area of the building façade the signs are attached to, provided that no sign may exceed 260 square feet in area.
2. *Electronic Sign:* 32 square feet.
3. *Monument Sign:* 96 square feet.
4. *Pole Sign:* 150 square feet.
5. *Temporary Sign:* 32 square feet.
6. *Window Sign:* 30 percent of the window area that the sign is attached to.

E. **Height Standards:**

1. *Awning and canopy signs:* Shall not extend above, below, or beyond the awning or canopy it is attached to.
2. *Electronic copy sign:* Must follow the sign height requirements for the most similar sign type (i.e., wall sign or pole sign).
3. *Monument sign and Temporary sign:* Maximum height of six feet.
4. *Pole sign:* Maximum height of 15 feet.
5. *Wall sign:* Shall not project above the building façade it is attached to.
6. *Window sign:* Window signs may only be displayed on the ground floor of the building.

F. **Required Sign Setback:** Five feet from any property line.

G. **Illumination:** All permanent signs may be internally or externally illuminated. Temporary signs cannot be illuminated.

34-909. Signs for Institutional and Conditional Uses in Residential Districts.

A. **Permitted On-Premises Signs:** Electronic copy, manual changeable copy, monument, pole, temporary, and wall signs.

B. **Number of Signs Permitted:**

1. *Electronic Copy Sign:* One sign per lot.
2. *Monument or Pole Signs:* One sign per street frontage.
3. *Temporary Sign Affixed to a Wall:* One sign per street frontage.
4. *Temporary Sign Affixed to the Ground:* Two signs per street frontage.
5. *Wall Sign:* Two signs per street frontage.

C. **Maximum Sign Area:**

1. *Electronic Copy or Manual Changeable Copy Signs:* 32 square feet, which must be included in the calculations of the total sign area.
2. *Monument or Pole Signs:* 40 square feet, except that a Bed and Breakfast is limited to a maximum of a 12 square foot sign.
3. *Temporary Sign Affixed to a Wall:* 32 square feet.
4. *Temporary Sign Affixed to the Ground:* Two signs per street frontage.
5. *Wall Sign:* 40 square feet, except that a Bed and Breakfast is limited to a maximum of a 12 square foot sign.

D. **Height Standards:**

1. *Electronic Copy or Manual Changeable Copy Signs:* Must follow sign height requirements for the most similar sign type (i.e., wall sign or monument sign).
1. *Monument Sign and Temporary Sign Affixed to the Ground:* Maximum height of six feet.
2. *Pole Sign:* Maximum height of 15 feet.
3. *Wall Sign or Temporary Sign Affixed to a Wall:*
 - a. Residential uses: Maximum height of 10 feet.
 - b. All other uses: Below the roof eave overhang.

E. **Required Sign Setback:**

1. *Electronic Copy or Manual Changeable Copy Signs:* 15 feet from any property line.
2. *Monument or Pole Signs:* 15 feet from any property line.
3. *Temporary Sign Affixed to the Ground:*
 - a. Front Yard: Zero feet.
 - b. Side and Rear Yard: 15 feet.
4. *Wall Sign or Temporary Sign Affixed to a Wall:* Shall follow the established setbacks of the principal structure.

F. **Illumination:**

1. All permanent signs associated with residential uses may be externally illuminated.
2. A monument sign associated with all other uses may be internally or externally illuminated.
3. A wall sign associated with all other uses may be externally illuminated, or internally illuminated utilizing halo lit or reverse channel lit signs.
4. A manual changeable copy sign may be internally or externally illuminated.
5. Temporary signs cannot be illuminated.

34-910. Signs in the Residential Districts R-1, R-1A, R-1S, R-2

- A. **Permitted On-Premises Signs:** Monument, wall, and temporary signs.
- B. **Maximum # of Signs:** Four.
- C. **Maximum Sign Area:**
 - 1. *Wall Signs:* Four square feet.
 - 2. *Monument Sign:* 24 square feet.
 - 3. *Temporary Sign:* Six square feet.
- D. **Height Standards**
 - 1. *Monument and Temporary Signs:* Maximum height of six feet.
 - 2. *Wall Signs:* Shall not project above the building façade it is attached to.
- E. **Required Sign Setback:** Five feet from any property line.
- F. **Illumination:** All permanent signs may be externally illuminated. Temporary signs cannot be illuminated.

34-911. Signs in the R-3 Residential District

A. **Permitted On-Premises Signs:** Awning, canopy, monument, temporary, and wall signs.

B. **Number of Signs Permitted:**

1. *Awning and Canopy Signs*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Not permitted.
- b. *Multiple-family dwellings within one structure:* One sign per street frontage.
- c. *Multiple-family dwellings complex consisting of multiple buildings:* One sign per street frontage.

2. *Monument Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* One sign per dwelling unit.
- b. *Multiple-family dwellings within one structure:* One sign per street frontage.
- c. *Multiple-family dwellings complex consisting of multiple buildings:* One sign per street frontage and one sign per driveway entrance, not to exceed two signs per street frontage.

3. *Temporary Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* One sign per dwelling unit.
- b. *Multiple-family dwellings:* One sign per street frontage.

4. *Wall Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* One sign per dwelling unit.
- b. *Multiple-family dwellings:* One sign per street frontage.

C. **Maximum Sign Area:**

1. *Awning and Canopy Signs*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Not permitted.
- b. *Multiple-family dwellings:* 10 square feet per building.

2. *Monument Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Six square feet.
- b. *Multiple-family dwellings within one structure:* 20 square feet.
- c. *Multiple-family dwellings complex consisting of multiple buildings:* 40 square feet.

3. *Temporary Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Six square feet.
- b. *Multiple-family dwellings within one structure:* 24 square feet.
- c. *Multiple-family dwellings complex consisting of multiple buildings:* 32 square feet.

4. *Wall Sign*

- a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Two square feet.
- b. *Multiple-family dwellings:* Six square feet per building.

D. Height Standards:

1. *Awning and Canopy Signs.*
 - a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Not permitted.
 - b. *Multiple-family dwellings:* Minimum height of eight feet.
2. *Monument and Temporary Signs:* Maximum height of six feet.
3. *Wall Sign:* Below the roof eave overhang.

E. Required Sign Setback

1. *Awning and Canopy Signs.*
 - a. *Single-family dwellings; detached, semi-attached, attached, and manufactured homes:* Not permitted.
 - b. *Multiple-family dwellings:* Shall follow the established setbacks of the principal structure.
2. *Monument Sign:* Five feet from all property lines.
3. *Temporary Sign:*
 - a. *Front yard:* Zero feet.
 - b. *Side yard:* Zero feet.
 - c. *Rear yard:* 15 feet.
4. *Wall Sign:* Must follow the established setbacks of the principal structure.

- F. Illumination:** Permanent signs may be externally illuminated. Temporary signs cannot be illuminated.

34-912. Signs in the CO, Commercial Office Non-Retail District

A. **Permitted On-Premises Signs:** Awning, canopy, manual changeable copy, monument, pedestrian, pole, projecting, sidewalk, temporary, wall, and window signs.

B. **Number of Signs Permitted**

1. *Awning, Canopy, Pedestrian, Projecting, Sidewalk, Temporary, Wall, and Window Signs:* One sign per business per street frontage.
2. *Manual Changeable Copy Sign:* One per lot or parcel, which shall be included in the total number of signs permitted.
3. *Monument or Pole Signs:* One per lot and per street frontage.
4. *Temporary Sign:* Two per lot.

C. **Maximum Sign Area:**

1. The total area of all permanent signs on a lot may not exceed one square foot for each one foot of frontage for each separate street frontage. Total allowed sign areas may not be combined and applied in whole or in part to one street frontage on lots or parcels with more than one street frontage. No sign may exceed 200 square feet in area.
2. *Manual Changeable Copy Sign:* No more than 16 square feet.
3. *Temporary Sign:* 32 square feet.
4. *Window Sign:* 25 percent of the window area the sign is attached to.

D. **Height Standards:**

1. *Manual Changeable Copy Sign:* Must follow sign height requirements for the most similar sign type (i.e., wall sign or monument sign).
Monument and Temporary Signs: Maximum height of six feet.
2. *Pole Sign:* Maximum height of 15 feet.
3. *Window Sign:* Window signs may be displayed on the ground floor of the building.
4. *All Other Permitted Signs:* Maximum height of 30 feet, provided no portion of any sign structure may extend above the roof peak or parapet of the principal structure.

E. **Required Sign Setback:** All signs must have a minimum setback of 10 feet from any property line.

F. **Illumination:**

1. A permanent sign may be internally or externally illuminated.
2. A temporary sign may be externally illuminated.

34-913. Signs in the C-1, Local Business District

A. **Permitted On-Premises Signs:** Awning, canopy, monument, pedestrian, projecting, sidewalk, wall, window, and temporary signs.

B. **Number of Signs Permitted:**

1. *Awning, Canopy, Pedestrian, Projecting, Sidewalk, Wall, and Window Signs:* One sign per business per street frontage.
2. *Monument Sign:* One per lot per street frontage.
3. *Temporary Sign:* Two per lot.

C. **Maximum Sign Area:**

- a. *Awning and Canopy Signs:* The total surface area of a sign on an awning or canopy may not exceed 20 percent of the face of the awning or canopy that the sign is attached to.
- b. *Monument Sign:* 48 square feet.
- c. *Pedestrian Sign:* 10 square feet.
- d. *Projecting Sign:* 50 square feet .
- e. *Sidewalk Sign:* Nine square feet.
- f. *Wall Sign:* The total surface area of a sign may not exceed 10 percent of the total surface area of the building façade the signs are attached to, provided no sign may be larger than 100 square feet in area.
- g. *Window Sign:* 30 percent of window area.
- h. *Temporary Sign:* 32 square feet.

D. **Height Standards:**

- a. *Awning and Canopy Signs:* Minimum height of eight feet.
- b. *Monument Sign and Temporary Sign:* Maximum height of six feet.
- c. *Pedestrian Sign:* Minimum height of eight feet.
- d. *Projecting Sign:* Minimum height of eight feet.
- e. *Sidewalk Sign:* Maximum height of five feet.
- f. *Wall Sign:* Shall not extend above the eave or parapet of the building.
- g. *Window Sign:* N/A

E. **Required Sign Setback:** Five feet from any property line.

F. **Illumination:** May be externally or internally illuminated.

34-914. Signs in the C-2, Central Business District

A. **Permitted On-Premises Signs:** Awning, canopy, monument, pedestrian, projecting, sidewalk, wall, window, and temporary signs.

B. **Number of Signs Permitted:**

1. *Awning, Canopy, Pedestrian, Sidewalk, Wall, and Window Signs:* One sign per business per street frontage.
2. *Projecting Sign:* Corner lots may have one projecting sign. Mid-block businesses must have a minimum street frontage of 60 feet to have one projecting sign.
3. *Monument Sign:* One per lot and per street frontage.
4. *Temporary Sign:* Two per lot.

C. **Maximum Sign Area:**

1. *Awning and Canopy Signs:* The total surface area of a sign on an awning or canopy may not exceed 20 percent of the face of the awning or canopy that the sign is attached to.
2. *Monument Sign:* 48 square feet.
3. *Pedestrian Sign:* 10 square feet.
4. *Projecting Sign:* 50 square feet.
5. *Sidewalk Sign:* Nine square feet.
6. *Wall Sign:* The total surface area of a sign may not exceed 10 percent of the total surface area of the building façade the signs are attached to, provided no sign may be larger than 120 square feet in area.
7. *Window Sign:* 30 percent of the total window area.
8. *Temporary Sign:* 32 square feet.

D. **Height Standards:**

1. *Awning and Canopy Signs:* Minimum height of eight feet.
2. *Monument and Temporary Signs:* Maximum height of six feet.
3. *Pedestrian Sign:* Minimum height of eight feet.
4. *Projecting Sign:* Minimum height of eight feet.
5. *Sidewalk Sign:* Maximum height of five feet.
6. *Wall Sign:* Shall not extend above the eave or parapet of the building.
7. *Window Sign:* N/A

E. **Required Sign Setback:**

1. *Awning, Canopy, Pedestrian, Projecting, Sidewalk, Wall, and Window Signs:* Zero setbacks, and may extend four feet into the public right-of-way.
2. *Monument Sign:* Five feet from any property line.

F. **Illumination:** May be externally or internally illuminated.

G. **Misc. Use Limitation:**

1. **Historic marquee:** Existing marquee signs refer to *Section 34-920(E), Standards for Historic Signs.*

34-915. Signs in the C-3, Commercial Business District

A. Permitted On-Premise Signs: Awning, canopy, electronic copy, island canopy, manual changeable copy, monument, pole, sidewalk, temporary, wall, and window signs.

B. Permitted Off-Premise Signs: See Sec. 34-919, Off-Premise Advertising Signs.

C. Number of Signs Permitted: No limitation, except:

1. *Awning and Canopy Signs:* No more than three per building façade.
2. *Electronic Copy or Manual Changeable Copy Signs:* One per lot.
3. *Island Canopy Sign:*
 - i. *Canopy Fascia:* No more than two signs per canopy fascia.
 - ii. *Spanner Board Signs:* No limit. Must be permanently mounted on or between the canopy support poles and in all cases below the canopy.
4. *Monument or Pole Sign:* One per lot or parcel per street frontage.
5. *Sidewalk Sign:* One per business.
6. *Temporary Sign:* Three per lot.

D. Maximum Sign Area: The total surface area of all signs on street frontage may not exceed four square feet for each linear foot of street frontage, provided no single sign may be greater than 260 square feet in surface area. The total allowed sign areas may not be combined and applied, in whole or in part, to one street frontage on lots or parcels with more than one street frontage. The following individual sign standards are included in the calculation of the total surface area of all signs:

1. *Awning, Canopy, and Wall Signs:* The total surface area of all signs on a building façade may not exceed 20 percent of the building façade the signs are attached to.
2. *Electronic Copy and Manual Changeable Copy Signs:* 32 square feet.
3. *Island Canopy Sign:*
 - i. *Canopy Fascia Sign:* The total surface area of all signs on a single common canopy fascia may not exceed 30 percent of the area the canopy fascia signs are attached to.
 - ii. *Spanner Board Sign:* The total surface area may not exceed a total of 50 square feet of signage per island canopy.
4. *Monument Sign:* 96 square feet.
5. *Pole Sign:* 150 square feet.
6. *Window Sign:* 30 percent of the window area the sign is attached to.

E. Height Standards:

1. *Awning and Canopy Signs:* May not extend above, below, or beyond the awning or canopy structure, or above the highest point of the wall the sign is attached to.
2. *Electronic Copy and Manual Changeable Copy Signs:*
 - a. Attached to a building façade: Maximum height of 14 feet, or the top of the façade, whichever is less.
 - b. Attached to a pole sign: Maximum height of 40 feet.
 - c. Attached to an island canopy: May not project above, below, or beyond the canopy fascia.
3. *Island Canopy Sign:* May not extend above, below, or beyond the perimeter of the island canopy.

4. *Spanner Board Sign*: Permanently mounted on or between the canopy support poles and in all cases below the canopy.
5. *Monument and Temporary Signs*: Maximum height of six feet.
6. *Pole Sign*: Maximum height of 40 feet.
7. *Wall Sign*: May not project above the building façade to which the sign is attached to.
8. *Window Sign*: Window signs may only be displayed on the ground floor of the building.

F. Required Sign Setback:

1. No sign may project over the public right-of-way.
2. Signs greater than 200 square feet in area must be set back the required distance for the principal structure.
3. Island canopy sign: At least six feet from the front property line.
4. Temporary sign: Zero feet from all property lines.
5. Wall signs must follow the minimum setback of the principal structure.
6. All other permanent signs must be set back a minimum of 10 feet from any property line.

G. Illumination:

1. All permanent signs may be externally or internally illuminated.
2. *Temporary Signs*: May be externally illuminated.

34-916. Signs in the I-1, Light Industrial District, and I-2, Heavy Industrial District

A. Permitted On-Premises Signs: Awning, canopy, electronic copy, manual changeable copy, monument, off-site advertising, pole, temporary, and wall signs.

B. Permitted Off-Premises Signs: See *Sec. 919, Off-Premises Advertising Signs*.

C. Number of Signs Permitted:

1. *Awning, Canopy, and Wall Sign:* No more than three per building façade.
2. *Electronic Copy or Manual Changeable Copy Signs:* One per lot.
3. *Monument or Pole Signs:* One per lot or parcel per street frontage.
4. *Temporary Sign:* Two per lot.

D. Maximum Sign Area:

1. *Awning Canopy, Electronic Copy, Manual Changeable Copy, and Wall Signs:* The total surface area of all signs of these types may not exceed 20 percent of the total surface area of the building façade the signs are attached to, provided no sign may be larger than 200 square feet in area.
2. *Monument or Pole Signs:* 200 square feet.
3. *Temporary Sign:* 32 square feet.

E. Height Standards:

1. *Awning, Canopy, and Wall Sign:* May not project above the highest point of the wall they are attached to.
2. *Electronic Copy or Manual Changeable Copy Signs:* Must follow sign height requirements for the most similar sign type (i.e. wall sign or monument sign).
3. *Monument and Temporary Signs:* Maximum height of six feet.
4. *Pole Sign:* Maximum height of 12 feet.

F. Required Sign Setback:

1. *Awning or Canopy Signs:* Maximum four feet from the building façade.
2. *Electronic Copy or Manual Changeable Copy Signs:* Must follow sign setback requirements for the most similar sign type (i.e., wall sign or monument sign).
3. *Monument or Pole Signs:* Five feet.
4. *Temporary Sign:* Zero feet.
5. *Wall Sign:* Must follow the established setback of the principal structure.

G. Illumination: All permanent signs may be internally or externally illuminated. Temporary signs may only be externally illuminated.

34-917. Signs in the CMP, Campus Institutional District

This Section intends to regulate signs on educational and research campuses associated with institutions when such signs are located along, and are intended to be visible and read from, abutting or nearby public street rights-of-way or travel easements that generally form the perimeter or boundary of such campus, or are along an arterial or collector street corridor passing through such campus. All other signs located in the interior of a campus setting are exempt from this Division.

A. Permitted On-Premises Signs: Awning, canopy, manual changeable copy, electronic copy, monument, pedestrian, pole, projecting, sidewalk, temporary, wall, and window signs.

B. Number of Signs Permitted:

1. *Awning, Canopy, Pedestrian, Projecting, Sidewalk, Temporary, Wall, and Window Signs:* No limit.
2. *Electronic Copy or Manual Changeable Copy Signs:* One per campus building.
3. *Monument Sign:* One sign per entrance onto a public street.
4. *Pole Sign:* One per 600 feet of frontage along a single street.
5. *Temporary Sign:* One per lot street frontage.

C. Maximum Sign Area:

1. *Temporary Sign:* 32 square feet.
2. *Monument and Pole Signs:* The total surface area may not exceed one square foot for each linear foot of frontage that the sign abuts. Such signs may not exceed 260 square feet.
3. *All Other Permitted Signs:* The total surface area of signs located on a street-facing building façade may not exceed 20 percent of the building façade's surface area.

D. Height Standards:

1. *Electronic Copy or Manual Changeable Copy Sign:* Must follow sign height requirements for the most similar sign type (i.e., wall sign or monument sign).
2. *Monument and Temporary Signs:* Maximum height of six feet.
3. *Pole Sign:* Maximum height of 20 feet
4. *Window Sign:* Window signs may be displayed on the ground floor of the building.
5. *All Other Permitted Signs:* May extend above the roof peak or parapet of the principal structure.

E. Required Sign Setback:

1. *Permanent Sign:* 15 feet from any public right-of-way.
2. *Temporary Sign:*
 - a. Front yard: Zero feet.
 - b. Side Yard and Rear Yard: 15 feet.

F. Illumination:

1. A permanent sign may be internally or externally illuminated.
2. A temporary sign may be externally illuminated.

34-918. Signs in the PD, Planned District

- A. **Established by Ordinance:** The regulations pertaining to signage located in a planned development district shall be set forth in the ordinance establishing the PD.
- B. **Sign Types:** The applicant shall identify permitted, temporary, and prohibited signs as a part of the detailed development plan application documents. In establishing such regulations, the Planning Board shall, as a general rule, consider:
 - 1. *Residential PDs:* The restrictions apply as set out in the most applicable of:
 - a. *Sec. 34-910, Signs in the Residential Districts R-1, R-1A, R-1S, R-2, or*
 - b. *Sec. 34-911, Signs in the R-3 District.*
 - 2. *Commercial PDs:* The restrictions apply as set out in the sign provisions of the C-O, C-1, C-2, or C-3 districts that are most similar in nature and character to the proposed PD; or
 - 3. *Industrial PDs:* The restrictions apply as set out in *Sec. 34-916. Signs in the I-1, Light Industrial District, and I-2, Heavy Industrial District.*
- C. **Amendments:** Signs in a PD may be amended by the City Council, as recommended by the Planning Commission, through the processes set out in *Sec. 34-215, P.D. Planned District.*

34-919. Off-Site Advertising

A. **Permitted Districts:** A, C-3, I-1, I-2, PD.

B. **Permitted Off-Premises Advertising Signs:** Electronic copy, monument, pole, and wall signs.

C. **Sign Separation Distances:** The following distances are measured from one sign's extremity to another:

1. The minimum separation distance between two electronic copies of off-site advertising signs is 5,000 feet.
2. The minimum separation distance between an electronic copy, off-site advertising sign, and all other off-site advertising signs is 800 feet.
3. The minimum separation distance between all off-site advertising signs that are not electronic copy signs is 800 feet.

D. **Separation from Residential Districts:** Off-site advertising signs may be no closer than 200 feet to a residential district.

E. **Required Sign Setback:**

1. *Front Yard and Rear Yard:* 25 feet
2. *Side Yard:* Must follow the applicable minimum side yard setback requirements, as cited in Article II. – *District Regulations*.

F. **Maximum Surface Area:** 378 square feet.

G. **Height Standards for All Off-Premises Advertising Signs:**

1. *Wall sign:* Must not project above the building façade it is attached to.
2. *Monument sign:* Maximum height of six feet.
3. *Pole sign:* Maximum height of 30 feet.

H. **Illumination:** Except for electronic copy of the off-premises advertising signs, the off-premises advertising signs must be externally illuminated.

1. The external illumination must be directed upward.

I. **Use Limitations:**

1. Off-premises advertising signs must be:
 - a. Located on a parcel, tract, or lot that conforms to the minimum lot size requirements of the zoning district in which the sign is located.
 - b. Oriented towards the abutting street.
 - c. Constructed using an unipole design, except for wall signs.
2. The surface area of the off-premises advertising pole sign does not count toward the permitted maximum surface area for all signs associated with a separate principal use located on the same property.
3. The surface area of off-premises advertising monument signs and wall signs shall count toward the total permitted surface area for all signs associated with a separate principal use located on the same property.

4. Off-premises advertising sign faces must not be placed side by side or stacked vertically.
5. Double-faced off-premises advertising signs having nonparallel faces must be constructed so that the angle between the sign faces does not exceed 24 degrees and the total distance between the open ends of the faces does not exceed 10 feet.
6. Off-premises advertising signs must not incorporate digital animated signs.
7. Any trim surrounding an off-premises advertising sign face and any extension(s) of the display surface must be included in the maximum allowed surface area. The sign base, structural members, and supports shall be excluded from the maximum surface area, provided they are not part of the display message.
8. *Digital Graphic Off-Premises Advertising Sign:*
 - a. *Duration of Message and Transition.* The sign message must remain static for at least 20 seconds. The transition from one message to the next must be direct and immediate, without special effects, including dissolving, fading, scrolling, starbursts, and wiping.
 - b. *Image Characteristics.* Signs must have a pitch no greater than 20 millimeters between each pixel.
 - c. *Luminance.* During daylight hours (i.e., between sunrise and sunset), luminance cannot exceed 5,000 nits. During nighttime hours (i.e., between sunset and sunrise) luminance cannot exceed 500 nits. All signs with a digital display having illumination by means other than natural light must have an automatic dimmer or other mechanism that automatically controls the sign's brightness to comply with these requirements.
 - d. *Conversion of Billboards.* The conversion of an existing off-premises advertising sign to a digital graphic off-premises advertising sign is not considered "maintenance" for purposes of *Sec. 904 Maintenance, Repair, Removal, and Abandonment*. Such conversions are subject to the permitting and requirements of this Section.
 - e. *Permitting.* A sign permit is required to install a new digital graphic off-premises advertising sign or convert an existing static off-premises advertising sign to a digital graphic off-premises advertising sign. The sign permit applicant must provide the following information in writing or through site or elevation drawings, as applicable:
 1. The location and size in square feet of the sign to be installed or converted.
 2. The location and size, in square feet, of the existing off-premises advertising sign to be removed.
 3. Stamped drawings from a professional engineer licensed in the State of Nebraska showing required structural improvements, upgrades, or alterations to support the weight of the added digital technology necessary for a new or converted digital graphic off-premises advertising sign.
 4. A statement that the sign(s) being removed meet the removal criteria of *subparagraph 34-919-I-8f*, below.
 - f. *Removal Criteria for Digital Graphic Off-Premises Advertising Sign:* The permit applicant must, at their sole expense, conform to the following:

1. Remove at least three off-premises advertising signs, either conforming or nonconforming, in the city limits of Hastings, Nebraska, at the same time as the digital graphic off-premises advertising sign is installed or erected. The conversion of an existing off-premises advertising sign to a digital graphic off-premises advertising sign does not count as removal.
2. Removal of nonconforming off-premises advertising signs in a zoning district where these signs are no longer permitted is preferred.
3. If the owner/applicant fails to remove the required off-premises advertising signs within 30 days of completion of the new or converted digital graphic off-premises advertising sign, such failure shall result in a violation of this section and grounds for revocation of the applicant's sign permit. For this Paragraph, construction or conversion of a digital graphic off-premises advertising sign shall be deemed complete when all supporting structures, cabinets, and electronic fixtures are installed, even if messages have not yet begun displaying on the digital graphic off-premises advertising sign.

34-920. Nonconforming Signs

- A. **Continuation of Nonconforming Signs:** A nonconforming sign may continue to exist as a nonconforming sign, except as provided in this Section. A sign that does not comply with these regulations, and is not a nonconforming sign as defined, shall be considered unlawful.
- B. **Alteration or Repair of Nonconforming Signs:** A nonconforming sign may not be altered or repaired unless the nonconforming sign is brought into compliance with all applicable regulations, except as follows:
1. *Change of copy.* The alteration or change of the copy of a nonconforming sign by replacing sign panels shall be permitted, as long as such alterations or changes do not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area.
 2. *Repair or replacement.* The repair or replacement of a nonconforming sign, which is necessary due to non-criminal activity or due to actions or inactions that are not attributed to the sign owner or property owner, shall be permitted, as long as the repair or replacement does not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area. In the case of replacement, a sign permit shall be required.
 3. The normal maintenance and repair of a nonconforming sign, as required by *Sec. 34-904 Maintenance, Repair, Removal, and Abandonment*, shall be permitted, as long as the normal maintenance and repair do not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area.
- C. **Loss of Nonconforming Status:** Notwithstanding any other provision of this Section, a nonconforming sign shall lose its nonconforming status and must thereafter comply with all applicable requirements in either of the following circumstances:
1. If the nonconforming sign is removed due to actions or inactions that are attributed to the sign owner or property owner, pursuant to *Sec. 34-904, Maintenance, Repair, Removal, and Abandonment*; or
 2. If the nonconforming sign is abandoned, pursuant to *Sec. 34-904, Maintenance, Repair, Removal, and Abandonment*.
- D. **Signs for Legal Nonconforming Uses:** Any new or additional sign for a nonconforming use must comply with this Section, for the zoning district that the nonconforming use is located within. Provided that any new or additional sign to be installed for a nonconforming use that would not comply with this Division may be approved through a conditional use permit.
- E. **Standards for Historic Signs:** Signs that contribute to the historical significance of a registered historic building or a designated historic district that does not meet the minimum standards of this Chapter shall be treated as nonconforming signs.
1. The nonconforming historic sign is allowed to continue and be in accordance with this section.
 2. If the sign is damaged for any reason, the sign may be repaired or replaced, so long as the sign does not change in type, size, illumination, or other

characteristics. Essentially, the historic sign must be replaced exactly as it historically appeared.

- a. The internal workings of the sign, such as electrical systems, may use modern technology. However, the appearance of the sign must be identical to its historical appearance.
3. If verifiable historical evidence can be provided that a sign, which would be considered nonconforming by these regulations, was permitted on a building in the C-2, Central Business District. A replica of that sign, including sign type, size, and other characteristics, shall be permitted, as a historic sign. The Development Services Director may prohibit this type of sign if it is deemed unsafe.

DRAFT

2025 Sign Code Redlines

~~Deleted.~~

Not Changed

Added in.

Refers to another section

Existing Code City of Hastings

Sec. 34-309. - Signs; purpose and applicability. (Moved to Sec. 34-902)

1. *Purpose.* The purpose of this ~~section of the City of Hastings Zoning Code~~ article is to promote the public health, safety, and welfare of the city and its extraterritorial jurisdiction through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements that is narrowly drawn to:
 - ~~a. Provide for accurate identification, information, and advertisement in an orderly manner;~~
 - ~~b. Improve the visual quality, integrity, and safety of gateways and corridors within Hastings as well as neighborhoods adjacent to these areas; and~~
 - ~~c. Preserve the character and integrity of the overall community through the regulation of location, size, and design of signs within the City's jurisdiction.~~
 - d. Ensure that all signs installed in the city are compatible with the character and visual environment of the community and promote the goals, objectives and policies of the comprehensive plan;
 - e. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
 - f. Improve pedestrian and traffic safety by promoting the free flow of traffic and the protection of pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, unsecured, cluttered, distracting, and/or illegible signage;
 - g. Protect the aesthetic appearance of the city's natural and built environment for its citizens and visitors;
 - h. Prevent property damage, personal injury, and litter caused by signs that are improperly constructed or poorly maintained;
 - i. Protect property values, the local economy, and quality of life by preserving and enhancing the appearance of the streetscape;
 - j. Provide for the placement of temporary signs in limited circumstances, without regard to the communicative content of the sign;
 - k. Provide consistent design standards that enable the fair and consistent enforcement of these sign regulations; and
 - l. Enhance the city's ability to maintain its public rights-of-way.

2. Applicability.

- ~~a. A sign or any part of a sign erected within the zoning jurisdiction of the City of Hastings must comply with the provisions of this chapter, other relevant provisions of the City of Hastings' Municipal Code, and applicable building codes.~~
- ~~b. Conflicting regulations. This chapter is not meant to repeal or interfere with enforcement of other sections of the City of Hastings' Municipal Code. In cases of conflict between Code sections, state, or federal regulations, the more restrictive regulation(s) shall apply.~~
- c. Where Allowed. Signs are allowed in the City and the extraterritorial jurisdiction, in accordance with this Section, which applies to all signs that are visible from public property, a public right-of-way, or public travel/access easement. Signs that are not allowed by the Section are prohibited.
- d. Sign Permit Requirement. No sign, except for normal repair, and signs listed in subsections 34-902(B)(9) and 34-902(B)(10), shall be painted, constructed, installed, expanded, erected, remodeled, or relocated until a sign permit for such sign has been obtained pursuant to the procedures described in this section.
- e. Sign Permit Application and Fee. Each application for a sign permit shall be on the written or digital form provided by the City and accompanied by the sign permit fee.
- f. Sign Permit Review Standards. A sign permit shall be issued for a complete application that complies with all applicable provisions of Sec. 34-902.
- g. Denial or Revocation. The Director of Development Services, or designee, may deny or revoke a sign permit for any of the following reasons.
 - i. Failure to submit a complete application and/or the required application fee.
 - ii. Failure of the sign to comply with this code or the terms of the permit.
 - iii. Failure to permit the City access to inspect the sign for compliance.
 - iv. Fraud, misrepresentation, or a false statement in the sign permit application.
- h. Notice of Denial or Revocation of a Sign Permit.
 - i. Notice. Any notice shall, at a minimum, state the reason(s) for the denial or revocation and notify the addressee of the right to appeal the denial or revocation pursuant to Sec. 34-901.13, Appeal from a Sign Permit Decision.
 - ii. Denial. The Director of Development Services, or designee, shall send the applicant written notice of denial to the applicant at the address provided on the application form.
 - iii. Revocation. The Director of Development Services shall send a written notice of the revocation of a sign permit to the sign permit holder at the address provided on the application and to the property owner's address according to the records of the county in which the sign is located.
- i. Expiration. A sign permit expires under any of the following conditions.
 - i. The sign has not been completely attached, changed, constructed, installed, placed, or relocated within 180 days from the date of the issuance of the sign permit.
 - ii. The use associated with the sign is abandoned.
 - iii. The sign is removed or abandoned, as described in Sec. 34-904, Maintenance, Repair, Removal, and Abandonment.

- j. Sign Permit Fee Refund. The sign permit application fee shall not be refunded if a sign permit expires or is denied or revoked.
- k. Exemptions. This Section does not apply to the following signs, except for the traffic and maintenance requirements described in Sec. 34-904, Maintenance, Repair, Removal, and Abandonment, and Sec. 34-906, General Provisions.
 - i. Art, as defined by the City's Code of Ordinance.
 - ii. Address numerals and other signs required to be maintained by law or governmental order, rule, or regulations, provided the sign of the sign does not exceed the requirements of such law, order, rule, or regulation.
 - iii. Noncommercial flags, or emblems displayed on public or private property, as applicable.
 - iv. Holiday or seasonal decorations.
 - v. Signs placed or authorized by the city, county, state, or federal government, for the protection of public health, safety, and general welfare.
 - vi. Scoreboards in athletic stadiums.
 - vii. Letters, logos, and/or graphics located on the bottom six inches of an awning, provided they are not more than six inches in height and consist of no more than one line.
 - viii. Small permanent signs, not exceeding five square feet in area that are permanently displayed on private property for the convenience of the public, including signs to identify entrances and exit drives, freight entrances, parking areas, one-way drives, restrooms, and the like.
 - ix. Any sign displayed within a building. This includes signs affixed to the interior of a window.
 - x. Temporary seed or crop identification signs.
 - xi. Tablet and monument signs.
 - xii. Messages displayed on equipment, such as fuel pumps, vending machines, or collection boxes that do not display off-premise commercial messages, and that are located entirely on the equipment, and do not extend from the surface of the equipment.
- l. Signs Exempt from Sign Permit Requirements. The following signs shall be exempt from the sign permit requirements of Subsection 34-907, but shall comply with all of the other requirements of this article and the applicable district regulations.
 - i. Temporary Signs.
 - ii. Permanent Signs under five square feet.
 - iii. Signs located on a property used for agricultural purposes and pertaining to the sale of agricultural products produced on the property.
- m. Substitution of Messages.
 - i. Subject to the consent of the party responsible for the sign, a non-commercial message of any type may be substituted, in whole or in part, in place of any commercial message or non-commercial message, provided that the sign and sign structure otherwise meet the requirements of this Division without consideration of message content. Such a substitution may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Division.
 - ii. This provision does not create a right to increase the total amount of signage on a parcel; does not affect the requirement that a sign structure, mounting

device, and method or type of display of the message are properly permitted; does not allow a change in the physical structure of a sign, its mounting device, or the method or type of display of the message; and does not allow the substitution of any off-site commercial message in place of an on-site commercial message or a non-commercial message.

n. *Prohibited Signs.*

- i. *Animated Signs.* Signs which consist of beacons, strobe lights, or searchlights; or are animated by flashing, blinking, or traveling lights; or anything not providing constant color, brightness, and illumination; and rotating or moving signs; except as applies to permitted Electronic Copy signs.
 - ii. *Misleading Signs or Signs Impacting Traffic Safety.* Signs, including signs located inside a building, which, because of position, size, shape, illumination, or color, may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal, or device, or which may interfere with, distract, mislead, or confuse traffic. No sign may be installed in a way that obstructs clear vision of persons using the streets or may be confused with any authorized traffic sign, signal, or device. No sign, other than a governmental sign, which makes use of the words “Stop”, “Look”, “Danger”, or any other word, phrase, symbol, or character which may interfere with, distract, mislead, or confuse persons, may be visible from a public street, travel easement or private drive.
 - iii. *Vehicles and Trailers used as Signs.* Signs that are placed on or painted on a vehicle or trailer whose primary function is to serve as a sign rather than as a vehicle or trailer used in the day-to-day operation of a business. Such vehicles or trailers may not be driven on the city streets and must not be parked to be visible from any public street or private drive.
 - iv. *Signs in Rights-of-Way.* Signs in the public rights-of-way and/or public travel easements unless otherwise specifically permitted by this Subsection. No sign that is exempt from this Division may be permitted within the public rights-of-way and/or public travel easements.
 1. Street Banner Signs are prohibited, except when erected by the City or when authorized by an agreement entered into between the City and the sign owner.
 2. Sidewalk Signs are only allowed upon the public streets and rights-of-way according to and in compliance with the terms and conditions of a currently valid permit for the temporary use of a municipal sidewalk or public plaza issued by the City pursuant to **Sec. 34-907 (D) (13).**
 - v. *Emitting Signs.* Signs that emit audible sound, odor, or matter, except as specifically approved for digital animated signs.
 - vi. *Snipe Signs.* Signs that are attached to a tree or utility pole.
 - vii. *Prohibited Signs.* Signs that are prohibited or not specifically allowed by or exempted from these regulations.
- o. Appeals of Decisions for a Proposed Sign. Any decision made by the Director of Development Services regarding the denial of a sign permit or requirements to address the maintenance, repair, or abandonment of a sign can be appealed to the

Board of Adjustment following the procedures outlined in **Art. VII** –
Administration, Enforcement and Appeals.

Sec. 34-309.01. - Definitions. (Moved to Sec. 34-901)

~~The following definitions shall be used for words and terms contained in this chapter that are not otherwise defined in the Hastings City Code including the Comprehensive Land Use Plan. Definitions of specific sign types referenced in this Code are found under the general definition of "Sign Type" below.~~

1. Abandoned sign: A sign, including sign face and supporting structure, which contains no sign copy on all sign faces for a continuous period of six months or is located on a site where a business, profession, or service is no longer operating.
2. Art: Any painting, picture, drawing, sculpture or graphic engraving that is not a commercial sign.
- ~~3. Auxiliary design elements: A term which describes secondary characteristics of a sign including its method of illumination and other features within the bounds of its basic shape.~~
4. Building Façade: the exterior wall of a building exposed to public view from the building's exterior, facing a street or parking lot, and measuring the entire width of the building and the height from grade to parapet.
- ~~5. City of Hastings Outdoor Advertising Sign Registry: A list of all outdoor advertising signs that is maintained by the Building Services Division detailing location, ownership, and size of all billboard signs.~~
6. Clearance: The distance from the bottom of a sign face and the grade below.
7. ~~Detached sign: A sign which is self-supporting and structurally independent from any building.~~
8. Eave: the part of a roof that meets or overhangs the walls of a building.
9. Footcandle: a unit of measurement for a total amount of light cast on a surface (illuminance). One foot-candle is equivalent to the illuminance produced by a source of one candle at a distance of one foot. Vertical footcandle is the measurement on a vertical surface. Horizontal footcandle is a measurement on a horizontal surface.
10. Frontage: The length of a property line of any one premises abutting and parallel to a public street, private way, or court.
11. Halo Lit: Lit from behind, which gives the impression of a glowing halo effect.
12. Illuminance: The amount of luminous flux per unit area in the English system, equal to one lumen per square foot, and measured in foot candles. The metric system uses the lux. One footcandle equals approximately 0.1 (0.093) lux.
13. Illumination: Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
14. Lumen: A derived unit of luminous flux equal to the amount of light emitted per second in a unit solid angle of one steradian from a uniform source of one candela.
15. Luminance: The intensity of light emitted from a surface per unit area in a given direction.
16. Maximum permitted sign area: The maximum permitted area of a single sign or sign type allowed on a specific property.

17. Nits: a measure of luminance, measuring how much light an object emits.
18. Parapet: a low protective wall along the edge of a roof.
19. Permanent Signs: A sign that is intended to remain in its location for a permanent or indefinite period of time. These signs are typically attached to a building, structure, or the ground, is not easily removed or relocated, and are constructed of durable materials to withstand environmental factors, such as wind.
20. Premises: A tract of one or more lots or sites which are contiguous and under common ownership or control.
21. Reverse Channel Lit: Illumination from the back face of a sign that projects onto the wall. In other words, backlit.
22. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land which is intended to convey information.
23. Sign category ~~Definitions~~:
 - a. Attached sign- A sign that is physically attached to a building.
 - b. Freestanding sign- A sign that is detached from a building and has a support structure made of permanent material.
 - c. ~~Integral sign—A type of sign created from the material or made a part of the building or structure to which it is attached.~~
 - d. Portable sign- A freestanding and self-supporting moveable sign normally placed near a public street.
 - e. Temporary sign- Any sign not permanently affixed or attached to a building, structure or the ground that can be moved or removed without special handling.
24. Sign type: A functional description of the use of an individual sign. Specific sign types are described below:
 - a. Animated Signs: Signs which consist of beacons, strobe lights, or searchlights; or are animated by flashing, blinking, or traveling lights; or anything not providing constant color, brightness, and illumination; and rotating or moving signs; except as applies to permitted electronic message signs.
 - b. Banner sign- A temporary sign composed of lightweight material; often used in a non-permanent setting such as to announce a grand openings, sale, or special event.
 - c. Billboard sign- a typical type of off-site advertising sign that is larger than normal pole signs to direct attention to services, products, or information whether or not related to a use or occupant on the same property.
 - d. Blade sign- A temporary sign available in numerous shapes and sizes but typically in the shape of a feather, teardrop, or rectangular flag.
 - e. Building marker sign- A plaque or sign board attached to, carved into, or painted on a building face identifying the building, commemorating an event, or providing information to pedestrians on the property.
 - f. Canopy/Awning sign- A sign painted on, woven in, or attached to a canopy or awning. Canopies and awnings are roof-like covers that project from the wall of a building providing cover over a door, window, or patio or, in the case of canopies, are freestanding for the purposes of shielding from the elements such as over a service station island or sidewalk. Canopies and awnings may be made of fabric, plastic, or metal. The terms canopy and waning signs do not include marquee signs.

- g. Double-faced sign (Figure 2): A sign consisting of no more than two parallel or near parallel faces supported by a single structure. Typically, double-faced signs are meant to be viewed from two opposite directions of travel.
- h. Drive-thru sign- A permanent sign, whether attached or freestanding, that provides information on products or services or otherwise facilitates a business transaction at a drive-through service location.
- i. Electronic Copy message sign- A sign that uses computer-generated messages or some other means of changing the words or message. These signs also include lamps, LEDs, LCDs, or flipper matrix
- j. Emitting Signs: Signs that emit audible sound, odor, or matter, except as specifically approved for Electronic Message Signs.
- k. Flag sign- Signs emblazoned on any type of flag intended to be displayed in a free-flowing manner.
- l. Flashing Sign: A sign which has a lighting source or lighting element that periodically illuminates or is not maintained stationary or constant in intensity or color at all times when the sign is in use, usually in a manner intended to draw attention to the viewer.
- m. Ground Sign- A sign created or painted directly on the ground, including rocks, without a man-made support structure.
- n. Island Canopy Sign: A sign mounted permanently on or under a gasoline island canopy
 - i. Canopy Fascia Sign: A sign mounted flush against the vertical plane of a canopy fascia. In no case may the sign project beyond the perimeter of the fascia it is attached to.
 - ii. Spanner Board Sign: Signs mounted flush against the vertical plane of a spanner board and in no case projecting beyond the perimeter of the spanner board. A spanner board is a structural member extending between two vertical support poles of the gasoline island canopy and permanently mounted to the poles at a height above the gasoline pumps and below the gasoline island canopy.
 - iii. Sign Board Sign: Signage located on sign boards that are permanently mounted on the canopy support poles at a height above the gasoline pumps and below the gasoline island canopy.
- o. Marquee sign- A permanent canopy or roofed structure attached to and supported by a building that projects over an entrance ~~and extending over public right of way~~. The sign type is often illuminated and ornate and incorporates a permanent large changeable message center.
- p. Monument sign- Any permanent freestanding sign that is detached from a building or structure and sits on the ground on a solid appearing base with no exposed structural supports.
- q. Moving sign: A sign that conveys its message through rotating, changing, or animated elements.
- r. Nonconforming sign, legal: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
- s. Off-Site Advertising Sign: A sign directing attention to a specific business, product, service, organization, person, entertainment, event or activity, or other commercial activity that is not sold, produced, manufactured, furnished, or

conducted at the property where the sign is located. Also known as a billboard, off-site advertising, or outdoor advertising sign

- t. Pedestrian hanging sign: A pedestrian hanging sign is wholly dependent upon a canopy, awning, or building projection located above a pedestrian walkway to which it is attached.
 - u. Pole sign- A freestanding sign visibly supported by one or more poles that are placed on or anchored permanently in the ground or other surface independent from any building or other structure.
 - v. Portable sign- A freestanding and self-supporting moveable sign normally placed near a public street.
 - w. Poster sign- A type of portable sign mounted on stakes or spikes intended to be stuck into the ground and used as a freestanding temporary sign.
 - x. Projecting sign- A sign that is wholly or partly dependent upon a building for support and that projects at an angle away from the building so that the leading edge extends more than six inches beyond the building wall.
 - y. Roof sign- A building-mounted sign erected upon or completely over the roof of a building or extending above a parapet or cornice.
 - z. Sidewalk sign- A freestanding and self-supporting moveable sign designed to be displayed on a sidewalk or area outside of and adjacent to a place of business and oriented towards pedestrians and slow-moving traffic
 - aa. Snipe Signs: Signs that are attached to a tree or utility pole.
 - bb. Street banner sign- A temporary banner sign installed by the city over a public street.
 - cc. Vehicular sign- A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits and the sign is not otherwise incidental to the vehicle's primary purpose.
 - dd. Unipole: An advertising sign (usually a billboard) with a frame structure that is mounted atop a single steel pole or column.
 - ee. Wall sign- A building-mounted sign attached to, displayed, or painted on an exterior wall in a manner parallel with the wall surface, which does not project more than 16 inches from the wall surface.
 - ff. Wayfinding sign- A type of sign that allows users to find their way, using information provided along the travel path.
 - gg. Window sign- A sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of a door.
25. Street façade: Any separate external face of a building, including parapet walls and omitted wall lines, oriented to and facing a public street, a private street, or court (excluding alleys).
26. Window Area: Window panels separated by muntins or mullions shall be considered as one (1) continuous window. Separation of window panels by more than six inches shall be determined to be separate windows.

Sec. 34-309.02. - General ~~Regulations~~ Standards. (Moved to Sec. 34-906)

1. ~~Nonconforming Signs. (Moved to Sec. 34-920) A legal nonconforming sign, so long as it remains lawful may continue to be used subject to the following provisions:~~
- ~~a. No such sign may be enlarged or altered in a way which increases its nonconformity; however, reasonable repairs and alterations may be permitted.~~

- ~~b. Should 50 percent or more of any sign face be damaged or destroyed, or the sign structure compromised in a manner that poses a health and safety risk or requires reconstruction, the sign shall not be reconstructed except in conformity with the provisions of this title.~~
- ~~c. Existing billboards may continue pursuant to [Section] 34-309.05 provided they meet the requirements found in Section 34.309.05 of this chapter. No new billboards shall be permitted under these regulations.~~
- d. **Continuation of Nonconforming Signs.** A nonconforming sign may continue to exist as a nonconforming sign, except as provided in this Section. A sign that does not comply with these regulations, and is not a nonconforming sign as defined, shall be considered unlawful.
- e. **Alteration or Repair of Nonconforming Signs.** A nonconforming sign may not be altered or repaired unless the nonconforming sign is brought into compliance with all applicable regulations, except as follows:
- i. Change of copy. The alteration or change of the copy of a nonconforming sign by replacing sign panels shall be permitted, as long as such alterations or changes does not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area.
 - ii. Repair or replacement. The repair or replacement of a nonconforming sign, which is necessary due to acts of God, or due to actions or inactions that are not attributed to the sign owner or property owner, shall be permitted, as long as the repair or replacement does not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area. In the case of replacement, a sign permit shall be required.
 - iii. The normal maintenance and repair of a nonconforming sign, as required by **Sec. 34-904 Maintenance, Repair, Removal, and Abandonment**, shall be permitted, as long as the normal maintenance and repair do not change the sign's dimensions, structure, type of illumination, or operational characteristics, or otherwise increase its area.
- f. **Loss of Nonconforming Status.** Notwithstanding any other provision of this Section, a nonconforming sign shall lose its nonconforming status and must thereafter comply with all applicable requirements in either of the following circumstances:
- i. If the nonconforming sign is removed due to actions or inactions that are attributed to the sign owner or property owner, pursuant to **Sec. 34-904, Maintenance, Repair, Removal, and Abandonment**; or
 - ii. If the nonconforming sign is abandoned, pursuant to **Sec. 34-904, Maintenance, Repair, Removal, and Abandonment**.
- g. **Signs for Legal Nonconforming Uses.** Any new or additional sign for a nonconforming use must comply with this Section, for the zoning district that the nonconforming use is located within. Provided that any new or additional sign to be installed for a nonconforming use that would not comply with this Division may be approved through a conditional use permit.
- h. **Standards for Historic Signs:** Signs that contribute to the historical significance of a registered historic building or a designated historic district that does not meet the minimum standards of this Chapter shall be treated as nonconforming signs.
- i. The nonconforming historic sign is allowed to continue and be in accordance with this section.

- ii. If the sign is damaged for any reason, the sign may be repaired or replaced, so long as the sign does not change in type, size, illumination, or other characteristics. Essentially, the historic sign must be replaced exactly as it historically appeared.
 - 1. The internal workings of the sign, such as electrical systems, may use modern technology. However, the appearance of the sign must be identical to its historical appearance.
- iii. If verifiable historical evidence can be provided that a sign, which would be considered nonconforming by these regulations was permitted on a building in the C-2, Central Business District. A replica of that sign, including sign type, size, and other characteristics, shall be permitted, as a historic sign. The Development Services Director may prohibit this type of sign if it is deemed unsafe.

~~2. Design elements applicable to all signs.~~

a. **Illumination.**

- i. *External Illumination.* When installed, the light source must be positioned in such a manner that light does not trespass onto an adjoining property or onto a public street or highway ~~in accordance with the lighting provisions of~~ following the lighting provisions of **Section 34-305 (5)** ~~and the following standards.~~
 - ~~1. Signs less than six feet in height may be illuminated from above provided the light fixture is no taller than the top of the sign and fully shielded, or lighted with ground-mounted lights that are fully shielded.~~
 - ~~2. Signs more than six feet in height may be illuminated only from above provided the light fixture is no taller than the top of the sign and fully shielded.~~
 - ~~3. Wall signs may be illuminated with ground-mounted lights provided the lights are fully shielded.~~
 - ~~4. Ground mounted light fixtures shall not be visible from the opposite side of the sign.~~
 - ~~5. Light fixture lamps used to externally illuminate a sign shall not be visible from vehicular travel lanes, adjacent public rights-of-way, or adjoining properties.~~
- ii. *Internal Illumination.* The average surface illumination of any sign face from dawn to dusk shall not exceed 3.0-foot candles. ~~Additionally, the following internal illumination standards apply:~~
 - ~~1. Outdoor internally-illuminated advertising signs must either be constructed with an opaque background and translucent text and symbols, or with a colored background and generally lighter text and symbols.~~
 - ~~2. Neon signs shall be treated as internally illuminated signs for the purposes of this Code. Neon lighting extending beyond the area considered to be the sign area shall conform to all lighting provisions of Section 34-305(5).~~
- iii. *Illumination Curfew.* Illuminated signs shall be equipped with a sensor, timer, or other device to automatically adjust the day/night light intensity

levels ~~in accordance with~~ per these standards. Night time illumination shall not exceed 0.3-foot candles over ambient lighting conditions.

iv. *Electronic copy.* (Moved to Sec. 34-907)

- ~~1. Electronic copy shall be programmed in a way that no sign shall flash or blink and the image, message or lighting pattern shall hold for a minimum of ten seconds between transitions.~~
- ~~2. The transition from one image or display to the next must be accomplished in two seconds or less; fading, scrolling or dissolving effects may be used.~~
- ~~3. Signs having electronic copy shall not be located within 150 linear feet of a property located within an R-1 Single-Family residential zoning district, or within 150 linear feet of a residence within an A Agriculture, R-1A Single-Family Large Lot Residential, or R-1S Single-Family Suburban Acreage Residential zoning district.~~
- ~~4. Sign animation is not permitted with the following exception: with administrative approval, animation of up to five seconds per minute for a maximum of 50 percent of the sign face may be permitted when the primary use on a subject property/parcel is one of the following:~~
 - ~~a. Indoor entertainment or recreation facility;~~
 - ~~b. Performing arts or cultural arts facilities;~~
 - ~~c. Public museums;~~
 - ~~d. Entertainment venues.~~

- b. **Vision ~~clearance area (Figures 3 and 4)~~ Triangle.** No sign or sign structure shall be built to a height of more than two feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall be as defined in Hastings City Code Section 34-305 (4)(d). ~~No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the intersection.~~

c. ~~Sign face.~~

- ~~i. When a sign is permitted more than one face, the angle created by the two faces shall not exceed 15 degrees.~~
- ~~ii. For the purposes of this section, separate faces of a building oriented in the same direction or within 45 degrees of one another are considered part of the same street facade.~~

3. 34-903. Enforcement

- a. **Unlawful Signs.** No person may erect, construct, install, place, change, relocate, maintain, or attach, on any premises, any sign in violation of the provisions of this Division, Chapter, or the Code of Ordinances. All signs which do not comply with this Division, and all other codes, ordinances, and regulations of the City, are unlawful and must be immediately removed.
- b. **Inspections.** All signs located within the City are subject to inspection by the City for compliance with this Division and other applicable City codes, ordinances, and regulations.

4. Maintenance, Repair, Removal, and Abandonment. (Moved to Sec. 34-904) ~~All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting, if any, the portion attaching the sign to the ground or structure, and the surface features.~~
- a. **Maintenance and Repair.** All signs shall be maintained in a good state of repair, including, but not limited to, the structural components, the lighting, if any, the portion attaching the sign to the ground or structure, and the surface features.
 - b. **Removal for Repair.** Whenever any sign, either conforming or nonconforming, is required to be removed for the purpose of repair, re-lettering, or repainting, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:
 - i. There is no alteration or remodeling to the structure or the mounting of the sign itself.
 - ii. There is no increase in any of the dimensions of the sign or its structure.
 - iii. There is no alteration to the type of illumination or operational characteristics of the sign.
 - iv. The sign is accessory to a legal permitted, conditional, or nonconforming use.
 - c. **Removal Due to Damage or Disrepair.** Signs that are deemed unsafe or dangerous as defined in the adopted property maintenance code shall be remedied by the City's procedures.
 - d. **Abandoned Signs.** Except as otherwise provided in this Chapter, any sign that is located on property which becomes vacant and unoccupied for a period of three months or more, or any sign that pertains to a time, event, or purpose that no longer applies, shall be deemed to be abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign must be removed in its entirety, including its support structure and base.
5. Measurements and Calculations ~~Method of measurement.~~ (Moved to Sec. 34-905)
- ~~a. Maximum permitted sign area. Maximum permitted sign area is set forth as a numerical limit on the size of an individual sign face.~~
 - ~~b. Sign area.~~
 - ~~i. 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, and architectural elements of the building.~~
 - ~~ii. The sign area for ground signs and monument signs is calculated as the area enclosing the extreme limits of copy only (Figure 5).~~
 - ~~iii. In the case of individual letters or unique-shaped emblems mounted to a wall, the area of extreme limits of the copy/shape is considered to be the sign area (Figures 6 and 7).~~
 - ~~c. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or structure (Figure 8).~~
 - ~~d. Setback. The setback of a sign is measured from the property line to the line projected to the ground plane of the nearest portion of the sign.~~
 - e. **Method of Measurement.**
 - i. Maximum Permitted Sign Area. The maximum permitted sign area is set forth as a numerical limit on the size of an individual sign face.

- ii. Sign Area. The 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, and architectural elements of the building.
 - iii. Height. The height of a sign is measured from the average grade level below the sign to the topmost point of the sign or structure.
- 6. Prohibited signs. (Moved to Sec. 34-902 (B)(12)) ~~The following signs are prohibited in all zoning districts:~~
 - a. ~~Signs or sign structures which resemble, imitate, simulate, or conflict with traffic control signs or devices included in the Manual of Uniform Traffic Control Devices, which otherwise mislead or confuse persons traveling on public streets, which create a traffic hazard, or which violate any of the provisions of Section 60-6,127 or Section 60-6,128 of the Nebraska Rules of the Road or any other applicable State statutes.~~
 - b. ~~Signs which create a safety hazard by obstructing the clear view of pedestrians or vehicles, or which obscure official signs or signals.~~
 - c. ~~Signs which contain lights, electronic copy or transitions that flash, blink, rotate or are otherwise animated. Illumination levels controlling brightness and minimum required hold time for electronic information signs shall comply with Section 34-309.02(2)(b) of this chapter.~~
 - d. ~~Signs that move, flutter, rotate or contain parts which move by motorized or similar mechanical means. This prohibition shall not apply to flags which move and flutter with wind.~~
 - e. ~~Roof signs.~~
 - f. ~~Any vehicular sign, or sign attached to a trailer parked on public or private property, with the exception of the following:~~
 - i. ~~The primary purpose of such vehicle or trailer is not the display of signs;~~
 - ii. ~~The signs are magnetic, decals or painted upon an integral part of the vehicle or trailer and do not break the silhouette of the vehicle;~~
 - iii. ~~The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets (where applicable), and actively used or available for use in the daily function of the business to which the sign(s) relate.~~
 - g. ~~Any animated sign except those permitted in 34.309.02(2)(b)(iv)(4).~~

34-907. Specific Sign Type Standards

A. Temporary Signs

- 1. Temporary signs are intended to be removed or replaced within a period of six consecutive months or less.
- 2. All temporary signs shall be maintained in sound condition. Any sign that exhibits deterioration of structure or materials may be removed subject to the provisions of this section.
- 3. The Director of Development Services and his/her authorized officers shall order the correction or removal of any sign in violation of the provisions of this section following the notice of violation process established in these regulations.
- 4. Any sign placed on, in, or over any public property, including public right-of-way and easements, without the written consent of the public authority having jurisdiction over the property, shall be subject to removal and forfeit without notice.

B. Electronic Copy Signs

1. Location. Electronic Copy signs are subject to the following location restrictions:
 - a. The sign may be located on a principal building façade.
 - b. The sign may be part of a monument or pole sign for which the electronic copy portion is part of the continuous display of the monument or pole sign.
 - c. The sign cannot be located within 150 linear feet of property located in the A, Agriculture District, R-1, Single-Family Residential District, R-1A, Single-Family Large Lot Residential District, or R-1S, Single-Family Suburban Acreage Residential District.
2. Duration of Message, Transition, and Animation
 - a. Electronic copy must be programmed in a way that no sign shall flash or blink. The image, message, or lighting pattern must hold for a minimum of ten seconds between transitions.
 - b. The transition from one image or display to the next must be accomplished in two seconds or less; fading, scrolling, or dissolving effects may be used.
 - c. The animation of the message, like a TV screen, is not permitted with the following exception: with administrative approval, animation of up to five seconds per minute for a maximum of 50 percent of the sign face may be permitted when the primary use on a subject property/parcel is one of the following:
 1. Indoor entertainment or recreation facility;
 2. Performing arts or cultural arts facilities;
 3. Public museums;
 4. Entertainment venues.
3. Image Characteristics. The Electronic copy sign may have a pitch of no greater than 20 millimeters between each pixel.
4. Luminance. Between sunrise and sunset, the maximum luminance may be 464.5 foot-candles; between sunset and sunrise, the maximum luminance may be 46.45 foot-candles. All signs with a digital display that are illuminated by sources other than natural light must be equipped with an automatic dimmer control or other mechanisms that automatically control the sign's brightness to comply with this requirement.

C. Sidewalk Signs

1. A Sidewalk Sign is a temporary sign to be located in a public sidewalk, public plaza, or other pedestrian walkway.
2. A Permit To Occupy Or Use City Street Right-of-Way must be issued prior to erecting the sign.
3. The sign shall not be more than nine square feet in area.
4. The sign shall be no more than six feet tall, as measured from the sidewalk surface.
5. The sidewalk sign can only be located in front of the adjoining establishment holding the permit, and must not extend into abutting or adjacent properties.
6. The sidewalk sign cannot be placed in, or protrude into, any street or alley. The sign must be movable, supported by its own frame, and not be secured or attached to the ground or surface upon which it is located. The sign must be designed to prevent being blown over or knocked over.
7. The sidewalk sign must not create a fire hazard or interfere with ingress or egress from any building.

8. The sidewalk sign must not interfere with the area's compliance with the Americans with Disabilities Act, as amended. At a minimum, the sidewalk sign must allow five feet of clear and unobstructed passageway on the sidewalk or public plaza between the outermost edge of the permitted sidewalk signs, or other objects and the curb, street lamps, lamp posts, sign posts, or other fixtures or obstructions. The City's Director of Engineering may impose additional requirements to ensure compliance with the Americans with Disabilities Act or to protect traffic safety or pedestrian safety or passage.
 9. The sidewalk sign must be located a minimum of five feet from driveways and alleys, and ten feet from intersections of public streets, except the City's Director of Engineering may modify these requirements where the only public entrance to the establishment is on the corner of the building adjoining such intersection and the modification(s) maintain traffic safety and pedestrian safety and passage. The Director of Engineering may impose additional requirements to protect traffic safety or pedestrian safety or passage.
 10. The sidewalk sign must be limited to referencing or advertising food, beverages, or merchandise that is sold, displayed, or provided inside the permit holder's adjoining establishment.
 11. The sidewalk sign may only be placed within the permit area during the normal business hours of the permit holder's establishment, but in no case shall such items be located in the permit area between 11:00 p.m. and 6:00 a.m.
 12. Use of the permitted area must conform with applicable laws, city ordinances, and zoning regulations.
 13. The city and the permit holder shall execute a temporary use of city property agreement for the use of the sidewalk or public plaza that shall include all conditions of this article and other conditions based upon the particular location and/or use. The agreement shall provide that the temporary use is subordinate to the city's use of the sidewalk or public plaza. The agreement shall provide that the permit holder agrees to at all times save and hold harmless the city from all liability, costs, damages, and expenses of any kind, for the payment of which the city may become liable to any person, firm or corporation by reason of any claim or damages arising from the failure of the permit holder, its employees, agents, servants, invitees, and patrons to exercise due care and diligence in the use of the sidewalk or public plaza.
- D. **Portable Signs.** Portable signs are considered temporary signs, but due to their unique physical and aesthetic characteristics, are subject to the following restrictions:
1. Time limits for the display of portable signs must be specifically stated on the sign permit.
 2. Portable signs are permitted in the C-1, C-3, and I-1 Districts.
 3. Portable signs may be displayed for a period of up to 30 consecutive days and a total of 60 days per lot in any calendar year.
 4. There may be no more than one Portable Sign per lot.

Sec. 34-309.03. - Sign permit process. (Moved to Sec. 34-902 (B))

1. *Applicability.* (Moved to Sec. 34-902 (B))

~~a. A sign permit, approved by the Building Official, shall be required before the erection, construction, alteration, placing, or locating of all signs conforming with this title.~~

- ~~b. Except as otherwise provided in this chapter, it shall be unlawful for any person to erect any sign in the City or its two-mile extraterritorial jurisdiction without first obtaining a sign permit for each sign. The regulations set forth in this section shall not be construed to require any permit for a change of copy on any sign, repair or re-painting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way.~~
- 2. ~~Exemptions~~ *Signs.* (Moved to Sec. 34-902 (B)(9)) ~~The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the district requirements found in Section 34.309.04(1)(a) below:~~
 - ~~a.—Poster signs.~~
 - ~~b.—Wayfinding signs.~~
 - ~~c.—Building marker signs including addresses and private drive identification.~~
 - ~~d.—Signs erected or required by government agencies or utilities, including street banner signs, traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.~~
 - ~~e.—Signs inside a building, or other enclosed facility, which are not meant to be viewed from the outside and are located more than three feet from the window.~~
 - ~~f.—Holiday or seasonal decorations.~~
 - ~~g.—Emblems of a religious, civil, philanthropic, historical or educational organization.~~
 - ~~h.—Security and warning signs, not to exceed two per property.~~
 - ~~i.—Flags.~~
 - ~~j.—Seed or crop identification signs.~~
- 3. ~~Application process.~~ (Moved to Sec. 34-902 (B))
 - ~~a.—Plans submittal.~~ A copy of plans and specifications shall be submitted to the Building Official for each sign regulated by this title. Such plans shall include:
 - ~~i.—A description and measurement(s) detailing the size of sign face(s) and structural components, including information showing how the proposed sign will meet height, clearance, projection and all other applicable design standards;~~
 - ~~ii.—A site plan detailing sign location and showing how the proposed sign will meet all required setbacks;~~
 - ~~iii.—A description of the materials to be used and such other data as may be required for the Building Official to determine compliance with this title;~~
 - ~~iv.—Information regarding the source of any sign illumination including, but not necessarily limited to, its location, intensity, and color;~~
 - ~~v.—When an electronic message sign is proposed, the plan shall include information disclosing the luminous intensity of the sign for both day and night illumination in accordance with these regulations as well as the viewing interval and transition time; and~~
 - ~~vi.—When requested by the Building Official, the applicant shall furnish a certification of the structural integrity of the sign and its installation by a registered professional engineer with specialization in structures.~~

- ~~b. *Timeline for review.* Once a complete application for a sign permit is received, the Building Official shall review and make a determination on the application within 15 working days of receipt.~~
- ~~c. *Approval, denial, additional information requested.* The Building Official shall approve or deny an application for a sign permit based upon compliance with these regulations. The Building Official may request additional information from an applicant to make a determination within the timeframe set forth in Section (3)(b) above.~~
- ~~d. *Application fees.* Each application for a sign permit shall be accompanied by any applicable fees established by the City Council.~~
- ~~e. *Appeals.* Any person or persons aggrieved by the decision of the Building Official to approve or disapprove a sign permit, as provided by this title, may appeal such decision to the Board of Adjustment as provided by Section 34-701 et seq.~~
- ~~4. *Sign master plan.* A master plan is required for properties located within an AHD, PD, CMP or AP district. The master plan shall identify all proposed signage on a parcel in the manner set forth under [Section] 34.309.03(3) above and include the anticipated timeline for installation. A sign master plan shall not permit sign types not otherwise allowed in the underlying district.~~

Sec. 34-309.04. - Sign type and district requirements. (Moved to Sec. 34-908 through Sec. 34-918)

- ~~1. *District requirements.*~~
 - ~~a. *Sign types permitted by district are described below.* For non-residential uses allowed in a residential district, permitted sign types are required to comply with the all applicable design standards set forth in [Section] 34.309.04(2):~~
 - ~~i. *TABLE* (changes shown in sections below)~~
 - ~~b. *Number of signs permitted by premise.* The following table identifies the number of total signs allowed on any single property. Signage may include any combination of types of signs permitted within the district, but the total number of signs on a property shall not exceed the number below:~~
 - ~~i. *TABLE* (changes shown in sections below)~~
 - ~~c. *Pole and monument sign dimensions.*~~
 - ~~i. *TABLE* (changes shown in sections below)~~
- ~~2. *Design standards.*~~
 - ~~a. *TABLE* (removed max. # of sign faces and minimum clearance sections)~~
- 3. 34-908. Signs in the A, Agricultural District
 - a. **Permitted On-Premises Signs:** Awning, canopy, electronic copy, monument, pole, temporary ~~(banner, flag, portable, poster, wayfinding, building marker, street banner)~~, wall, iconic/historic, hanging, projecting, ground, and window signs.
 - b. **Permitted Off-Premises Signs:** See Sec. 34-919, Off-Premises Advertising Signs ~~(billboard).~~
 - c. **Number of Signs Permitted**
 - i. *Lots under five acres:* No more than two permanent signs. ~~3 per lot.~~

- ii. Lots of five acres or more: No more than three permanent signs. ~~-2 per 100 linear ft.~~
 - iii. Temporary signs: Two temporary signs per lot.
- d. **Maximum Sign Area**
 - i. Awning, Canopy, and Wall Signs: The total surface area of all signs of these types may not exceed 20 percent of the total surface area of the building façade the signs are attached to, provided that no sign may exceed 260 square feet in area. ~~Awning: 20% of face; Canopy: 10 sq ft; Wall Sign: 10% of building facade.~~
 - ii. Electronic Sign: 32 square feet. ~~(not allowed)~~
 - iii. Monument Sign: 96 square feet. ~~(unclear)~~
 - iv. Pole Sign: 150 square feet. ~~(unclear)~~
 - v. Temporary Sign: 32 square feet. ~~Banner: 32 sq ft; Flag: 15 sq ft; Poster: 4 sq ft; Wayfinding: 6 sq ft; Building Marker: 10 sq ft; Street Banner: 144 sq ft~~
 - vi. Window Sign: 30 percent of the window area that sign is attached to. ~~30% coverage of total window area.~~
- e. **Height Standards**
 - i. Awning and canopy signs: Shall not extend above, below, or beyond the awning or canopy it is attached. ~~12 feet except freestanding canopies, for which the maximum height is 18 feet.~~
 - ii. Electronic copy signs: Must follow the sign height requirements for the most similar sign type (i.e. wall sign or pole sign).
 - iii. Monument signs and Temporary signs: Maximum height of six feet. ~~Monument sign: unclear; Banner: 6 ft; Flag: 30 ft; Poster: 3 ft; Wayfinding: 3 ft; Building Marker: N/A; Street Banner: 24 ft.~~
 - iv. Pole signs: Maximum height of 15 feet. ~~(unclear)~~
 - v. Wall signs: Shall not project above the building façade it is attached to. ~~Wall signs shall be attached to a wall and shall not extend above the parapet or eave of the building.~~
 - vi. Window signs: Window signs may only be displayed on the ground floor of the building. ~~Limited to the first floor of any building.~~
- f. **Required Sign Setback:** five feet from any property line.
- g. **Illumination:** All permanent signs may be internally or externally illuminated. Temporary signs cannot be illuminated.

4. 34-909. Signs for Institutional and Conditional Uses in Residential Districts.

- a. **Permitted On-Premises Signs:** Electronic copy, manual changeable copy, monument, pole, temporary and wall signs.
- b. **Number of Signs Permitted**
 - i. Electronic Copy Sign: One sign per lot.
 - ii. Monument or Pole Signs: One sign per street frontage.
 - iii. Temporary Sign Affixed to a Wall: One sign per street frontage.
 - iv. Temporary Sign Affixed to the Ground: Two signs per street frontage
 - v. Wall Sign: Two signs per street frontage.

- c. **Maximum Sign Area**
 - i. Electronic Copy Sign or Manual Changeable Copy: 32 square feet, which must be included in the calculations of the total sign area.
 - ii. Monument or Pole Signs: 40 square feet, except that a Bed and Breakfast is limited to a maximum of a 12 square foot sign.
 - iii. Temporary Sign Affixed to a Wall: 32 square feet.
 - iv. Temporary Sign Affixed to the Ground: Two signs per street frontage.
 - v. Wall Sign: 40 square feet, except that a Bed and Breakfast is limited to a maximum of a 12 square foot sign.
 - d. **Height Standards**
 - i. Electronic Copy Sign or Manual Changeable Copy: Must follow sign height requirements for the most similar sign type (i.e. wall sign or monument sign)
 - ii. Monument Sign and Temporary Sign Affixed to the Ground: Maximum height of six feet.
 - iii. Pole Sign: Maximum height of 15 feet.
 - iv. Wall Sign or Temporary Sign Affixed to a Wall
 - a. Residential uses: Maximum height of 10 feet.
 - b. All other uses: Below the roof eave overhang.
 - e. **Required Sign Setback**
 - i. Electronic Copy Sign or Manual Changeable Copy: 15 feet from any property line.
 - ii. Monument or Pole Signs: 15 feet from any property line.
 - iii. Temporary Sign Affixed to the Ground: Two signs per street frontage.
 - a. Front Yard: Zero feet.
 - b. Side and Rear Yard: 15 feet
 - iv. Wall Sign or Temporary Sign Affixed to a Wall: Shall follow the established setbacks of the principal structure.
 - f. **Illumination:**
 - i. All permanent signs associated with residential uses may be externally illuminated.
 - ii. A monument sign associated with all other uses may be internally or externally illuminated.
 - iii. A wall sign associated with all other uses may be externally illuminated, or internally illuminated utilizing halo lit or reverse channel lit signs.
 - iv. A manual changeable copy sign may be internally or externally illuminated.
 - v. Temporary signs cannot be illuminated.
5. 34-910. Signs in the Residential Districts R-1, R-1A, R-1S, R-2
- a. **Permitted On-Premises Signs:** Monument, Wall, Temporary (~~Flag, Poster, Wayfinding, Street Banner~~), ~~Canopy/awning, Iconic/historic, Window, Hanging, Building Marker,~~
 - b. **Maximum # of Signs:** Four
 - c. **Maximum Sign Area**
 - i. Wall Signs: Four square feet. ~~6 sq ft~~
 - ii. Monument Sign: 24 square feet. ~~(unclear)~~
 - iii. Temporary Sign: Six square feet. ~~Flag: 15 sq ft; Poster: 4 sq ft; Wayfinding: 6 sq ft; Street Banner: 144 sq ft~~

- iv. ~~Building Marker: 10 sq ft~~
- v. ~~Canopy: 10 sq ft~~
- vi. ~~Awning: 20% of face~~
- vii. ~~Hanging: 10 sq ft~~
- viii. ~~Window: 30% coverage of total window area~~
- d. **Height Standards**
 - i. ~~Monument signs and Temporary signs: Maximum height of six feet. Monument: unclear; Flag: 30 ft; Poster: 3 ft; Wayfinding: 3 ft; Street Banner: 24 sq ft~~
 - ii. ~~Wall signs: Shall be attached to a wall and shall not project extend above the building façade parapet or eave of the building. it is attached to.~~
 - iii. ~~Building Marker: N/A~~
 - iv. ~~Canopy: 12 feet except freestanding canopies, for which the maximum height is 18 feet.~~
 - v. ~~Awning: 12 ft~~
 - vi. ~~Hanging: 12 ft~~
 - vii. ~~Window: N/A~~
- e. **Required Sign Setback:** five feet from any property line.
- f. **Illumination:** All permanent signs may be internally or externally illuminated. Temporary signs cannot be illuminated.

6. 34-911. Signs in the R-3, Residential District

- a. **Permitted On-Premises Signs:** Awning, canopy, monument, temporary (~~banner, flag, poster, wayfinding, street banner~~), iconic/historic, window, hanging, building marker, and wall signs
- b. **Number of Signs Permitted:** ~~four~~
 - 1. Awning and canopy sign
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Not permitted.
 - b. Multiple-family dwellings within one structure: One sign per street frontage.

- c. Multiple-family dwellings complex consisting of multiple buildings: One sign per street frontage.
- 2. Monument sign
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: One sign per dwelling unit.
 - b. Multiple-family dwellings within one structure: One sign per street frontage.
 - c. Multiple-family dwellings complex consisting of multiple buildings: One sign per street frontage and one sign per driveway entrance, not to exceed two signs per street frontage.
- 3. Temporary sign
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: One sign per dwelling unit.
 - b. Multiple-family dwellings: One sign per street frontage.
- 4. Wall sign
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: One sign per dwelling unit.
 - b. Multiple-family dwellings: One sign per street frontage.
- c. **Maximum Sign Area**
 - 1. Awning and canopy sign: ~~canopy: 10 sq ft; awning: 20% of face~~
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Not permitted.
 - b. Multiple-family dwellings: 10 square feet per building.
 - 2. Monument sign ~~(unclear)~~
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Six square feet.
 - b. Multiple-family dwellings within one structure: 20 square feet.
 - c. Multiple-family dwellings complex consisting of multiple buildings: 40 square feet.
 - 3. Temporary sign ~~Banner: 32 sq ft; Flag: 15 sq ft; Poster: 4 sq ft; Wayfinding: 6 sq ft; Street Banner: 144 sq ft.~~
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Six square feet.
 - b. Multiple-family dwellings within one structure: 24 square feet.
 - c. Multiple-family dwellings complex consisting of multiple buildings: 32 square feet.
 - 4. Wall sign: ~~6 sq ft~~
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Two square feet.
 - b. Multiple-family dwellings: Six square feet per building.
 - 5. ~~Iconic/Historic: N/A~~
 - 6. ~~Window: 30% coverage of total window area~~
 - 7. ~~Hanging: 10 sq ft~~
 - 8. ~~Building Marker: 10 sq ft~~
- d. **Height Standards**
 - a. Awning and canopy sign. ~~canopy: 12 ft except freestanding canopies for which the maximum height is 18 ft; awning: 12 ft~~

- i. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Not permitted.
 - ii. Multiple-family dwellings: Minimum height of eight feet.
 - b. Monument sign and Temporary signs: Maximum height of six feet. ~~Monument: unclear; Banner: 6 ft; Flag: 30 ft; Poster: 3 ft; Wayfinding: 3 ft; Street Banner: 24 ft.~~
 - c. Wall sign: Below the roof eave overhang. ~~Wall signs shall be attached to a wall and shall not extend above the parapet or eave of the building.~~
- e. **Required Sign Setback**
 - 1. Awning and canopy sign.: ~~may extend into setback~~
 - a. Single-family dwellings; detached, semi-attached, attached, and manufactured homes: Not permitted.
 - b. Multiple-family dwellings: Shall follow the established setbacks of the principal structure.
 - 2. Monument sign: Five feet from all property lines.
 - 3. Temporary sign: ~~Banner: N/A; Flag: N/A; Poster: 5 ft from ROW and 3 ft from property lines; Wayfinding: N/A; Street Banner: N/A.~~
 - a. Front yard: Zero feet
 - b. Side yard: Zero feet
 - c. Rear yard: 15 feet
 - 4. Wall sign: Shall follow the established setbacks of the principal structure. ~~N/A~~
- f. **Illumination:** All signs may be externally illuminated. Temporary signs cannot be illuminated.

7. 34-912. Signs in the CO, Commercial Office Non-Retail District

- a. **Permitted On-Premises Signs:** Awning, Canopy, Manual Changeable Copy, Monument, Pedestrian ~~(Hanging)~~, Pole, Projecting, Sidewalk, Temporary ~~(Banner, flag, poster, wayfinding, street banner)~~, Wall, ~~Iconic/historic, Drive-thru, Ground, Building Marker,~~ and Window.
- b. **Number of Signs Permitted:** ~~5 per 100 linear ft./frontage; maximum 15~~
 - 1. Awning Sign, Canopy Sign, Pedestrian Sign, Projecting Sign, Sidewalk Sign, Temporary Sign, Wall Sign, and Window Sign: One sign per business per street frontage

2. Manual Changeable Copy Sign: One per lot or parcel, which shall be included in the total number of signs permitted.
3. Monument or Pole Sign: One per lot and per street frontage.
4. Temporary Sign: Two per lot.

c. **Maximum Sign Area**

1. The total area of all permanent signs on a lot may not exceed one square foot for each one foot of frontage for each separate street frontage. Total allowed sign areas may not be combined and applied in whole or in part to one street frontage on lots or parcels with more than one street frontage. No sign may exceed 200 square feet in area.
2. Manual Changeable Copy Sign: No more than 16 square feet. ~~(not allowed)~~
3. Temporary Sign: 32 square feet ~~(Banner: 32 sq ft; Flag: 15 sq ft; Poster: 8 sq ft; Wayfinding: 6 sq ft; Street banner: 144 sq ft)~~
4. Window Sign: 25 percent of the window area the sign is attached to. ~~30% coverage of total window area~~
5. Awning: ~~20% of face~~
6. Canopy: ~~10 sq ft~~
7. Hanging: ~~10 sq ft~~
8. Iconic/historic: ~~N/A~~
9. Drive thru: ~~36 sq ft~~
10. Ground: ~~10 sq ft~~
11. Building Marker: ~~10 sq ft~~
12. Monument: ~~unclear~~
13. Pole: ~~unclear~~
14. Projecting: ~~10 sq ft~~
15. Sidewalk: ~~15 sq ft~~
16. Wall: ~~50 sq ft~~

d. **Height Standards**

1. Manual Changeable Copy Sign: Must follow sign height requirements for the most similar sign type (i.e. wall sign or monument sign)
Monument Sign and Temporary Sign: Maximum height of six feet.
~~(Banner: 32 sq ft; Flag: 15 sq ft; Poster: 8 sq ft; Wayfinding: 6 sq ft; Street banner: 144 sq ft), Monument Sign: unclear~~
2. Pole Sign: Maximum height of 15 feet ~~(unclear)~~
3. Window Sign: Window signs may be displayed on the ground floor of the building. ~~Limited to the first floor of any building.~~
4. All Other Permitted Signs: Maximum height of 30 feet, provided no portion of any sign structure may extend above the roof peak or parapet of the principal structure.
5. Awning: ~~12 ft~~
6. Canopy: ~~12 ft except for freestanding canopies for which the maximum height is 18 ft~~
7. Hanging: ~~12 ft~~
8. Iconic/historic: ~~N/A~~
9. Drive thru: ~~12 ft~~
10. Ground: ~~12 in.~~
11. Building Marker: ~~N/A~~

~~12.~~ Projecting: ~~12 ft~~

~~13.~~ Sidewalk: ~~5 ft~~

~~14.~~ Wall: ~~N/A~~

e. **Required Sign Setback:** All signs must have a minimum setback of 10 feet from any property line.

f. **Illumination**

1. A permanent sign may be internally or externally illuminated.

2. A temporary sign may be externally illuminated.

8. 34-913. Signs in the C-1, Local Business District

a. **Permitted On-Premises Signs:** Awning, canopy, monument, pedestrian hanging sign, projecting sign, sidewalk sign, wall sign, window sign, pole sign, marquee, iconic/historic, drive-thru, ground, building marker, and temporary signs (banner, flag, poster, wayfinding, street banner).

b. **Number of Signs Permitted:** ~~5 per 100 linear ft./frontage; maximum 15~~

1. Awning Sign, Canopy Sign, Pedestrian Sign, Projecting Sign, Sidewalk Sign, Wall Sign, and Window Sign: One sign per business per street frontage

2. Monument Sign: One per lot per street frontage.

3. Temporary Sign: Two per lot.
- c. **Maximum Sign Area**
 1. Awning Sign and Canopy Sign: The total surface area of all signs on a building façade may not exceed 20 percent of the building façade the signs are attached to. ~~Awning: 20% of face; Canopy: 10 sq ft~~
 2. Monument: 48 square feet ~~(unclear)~~
 3. Pedestrian ~~Hanging~~ Sign: 10 square feet
 4. Projecting Sign: 50 square feet ~~10 sq ft~~
 5. Sidewalk Sign: Nine square feet ~~15 sq ft~~
 6. Wall Sign: The total surface area of a sign may not exceed 10 percent of the total surface area of the building façade the signs are attached to, provided no sign may be larger than 100 square feet in area. ~~60 sq ft~~
 7. Window Sign: 30 percent ~~coverage~~ of total window area
 8. Temporary Sign: 32 square feet ~~(banner: 32 sq ft; flag: 15 sq ft; poster: 8 sq ft; wayfinding: 6 sq ft; street banner: 144 sq ft)~~
- d. **Height Standards**
 1. Awning Sign and Canopy Sign: Minimum height of eight feet ~~Maximum Heights—Canopy: 12 ft except for freestanding canopies for which maximum height is 18 ft; Awning: 12 ft~~
 2. Monument Sign and Temporary Sign: Maximum height of six feet ~~(banner: 6 ft; flag: 30 ft; poster: 3 ft; wayfinding: 3 ft; street banner: 24 ft); Monument: unclear~~
 3. Pedestrian Sign: Minimum height of eight feet ~~Maximum height of 12 ft~~
 4. Projecting Sign: Minimum height of eight feet ~~Maximum height of 12 ft~~
 5. Sidewalk Sign: Maximum height of five feet
 6. Wall Sign: ~~Shall be attached to a wall and~~ shall not extend above the eave or parapet of the building.
 7. Window Sign: N/A
- e. **Required Sign Setback**: Five feet from any property line.
- f. **Illumination**: May be externally or internally illuminated.

9. 34-914. Signs in the C-2, Central Business District

- a. **Permitted On-Premises Signs**: Awning, Canopy, Monument, Pedestrian ~~Hanging~~ Sign, Projecting Sign, Sidewalk Sign, Wall Sign, Window Sign, Temporary Sign ~~(banner, flag, poster, wayfinding, street banner)~~, Pole Sign, Marquee Sign, Iconic/historic Sign, Drive-Thru Sign, Ground Sign, Building Marker, Electronic Message Sign.
- b. **Number of Signs Permitted**: ~~5 per 100 linear ft./frontage; maximum 15~~
 1. Awning Sign, Canopy Sign, Pedestrian Sign, Sidewalk Sign, Wall Sign, and Window Sign: One sign per business per street frontage

2. Projecting Sign: Corner lots may have one projecting sign. Mid-block businesses must have a minimum street frontage of 60 feet to have one projecting sign.
 3. Monument Sign: One per lot and per street frontage.
 4. Temporary Sign: Two per lot.
- c. **Maximum Sign Area**
1. Awning Sign and Canopy Sign: The total surface area of all signs on a building façade may not exceed 20 percent of the building façade the signs are attached to.
~~Awning: 20% of face; Canopy: 10 sq ft~~
 2. Monument: ~~48 square feet~~ (unclear)
 3. Pedestrian Hanging Sign: 10 square feet
 4. Projecting Sign: 50 square feet ~~10 sq ft~~
 5. Sidewalk Sign: Nine square feet ~~15 sq ft~~
 6. Wall Sign: The total surface area of all signs of these types may not exceed 10 percent of the total surface area of the building façade the signs are attached to, provided no sign may be larger than 120 square feet in area. ~~20% of building facade~~
 7. Window Sign: 30 percent ~~coverage~~ of total window area
 8. Temporary Sign: 32 square feet ~~(banner: 32 sq ft; flag: 15 sq ft; poster: 8 sq ft; wayfinding: 6 sq ft; street banner: 144 sq ft)~~
- d. **Height Standards**
1. Awning Sign and Canopy Sign: Minimum height of eight feet ~~Maximum Heights- Canopy: 12 ft except for freestanding canopies for which maximum height is 18 ft; Awning: 12 ft~~
 2. Monument Sign and Temporary Sign: Maximum height of six feet ~~(banner: 6 ft; flag: 30 ft; poster: 3 ft; wayfinding: 3 ft; street banner: 24 sq ft); Monument Sign (unclear)~~
 3. Pedestrian Sign: Minimum height of eight feet ~~Maximum height of 12 ft~~
 4. Projecting Sign: Minimum height of eight feet ~~Maximum height of 12 ft~~
 5. Sidewalk Sign: Maximum height of five feet
 6. Wall Sign: ~~Shall be attached to a wall and~~ shall not extend above the eave or parapet of the building
 7. Window Sign: N/A
- e. **Required Sign Setback:**
1. Awning Sign, Canopy Sign, Pedestrian Sign, Projecting Sign, Sidewalk Sign, Wall Sign, and Window Sign: Zero setbacks and may extend four feet into the public right-of-way. ~~Canopy/Awning: May extend into setback; Hanging Sign: N/A; Projecting Sign: N/A; Sidewalk Sign: Signs must be placed to accomodate a minimum 5 foot pedestrian clear zone on the sidewalk; Wall Sign: N/A; Window Sign: N/A~~
 2. Monument Sign: Five feet from any property line
- f. **Illumination:** May be externally or internally illuminated.
- g. **Misc. use limitation**
1. **Historic marquee:** Existing marquee signs refer to Section 34-920, Nonconforming Signs.

10. 34-915. Signs in the C-3, Commercial Business District

- A. **Permitted On-Premise Signs:** Awning, canopy, electronic message, island canopy, manual changeable copy, ~~marquee~~, monument, pole, sidewalk, temporary ~~(banner, flag, poster, wayfinding, street banner)~~, wall, ~~billboard sign, iconic/historic, portable, drive-thru, ground, building marker~~, and window signs.
- B. **Permitted Off-Premise Signs:** See Sec. 34-919, Off-Premise Advertising Signs.
- C. **Number of Signs Permitted:** No limitation, except: ~~5 per 100 linear ft./frontage; maximum 15~~
 - 1. Awning Signs, Canopy Signs, and Marquee Signs: No more than three per building façade.
 - 2. Electronic Message Sign or Manual Changeable Copy Sign: One per lot.

3. Island Canopy Sign
 - a. Canopy Fascia: No more than two signs per canopy fascia.
 - b. Spanner Board Signs: No limit. Must be permanently mounted on or between the canopy support poles and in all cases below the canopy.
 4. Monument Sign or Pole Sign: One per lot or parcel per street frontage.
 5. Sidewalk Sign: One per business.
 6. Temporary Signs: Three per lot.
- D. **Maximum Sign Area**: The total surface area of all signs on a street frontage may not exceed four square feet for each linear foot of street frontage, provided no single sign may be greater than 260 square feet in surface area. The total allowed sign areas may not be combined and applied, in whole or in part, to one street frontage on lots or parcels with more than one street frontage. The following individual sign standards are included in the calculation of the total surface area of all signs:
1. Awning Sign, Canopy Sign, Marquee Sign, and Wall Sign: The total surface area of all signs on a building façade may not exceed 20 percent of the building façade the signs are attached to. ~~Awning: 20% of face; Canopy: 10 sq ft; Marquee Sign: 10 sq ft/face; Wall Sign: 20% of building facade~~
 2. Electronic Message Sign and Manual Changeable Copy Sign: 32 square feet. ~~(unclear)~~
 3. Island Canopy Sign
 - a. Canopy Fascia Sign: The total surface area of all signs on a single common canopy fascia may not exceed 30 percent of the area of the canopy fascia signs are attached to.
 - b. Spanner Board Sign: The total surface area may not exceed a total of 50 square feet of signage per island canopy.
 4. Monument Sign: 96 square feet ~~(unclear)~~
 5. Pole Sign: 150 square feet ~~(unclear)~~
 6. Window Sign: 30 percent ~~coverage~~ of the ~~total~~ window area the sign is attached to.
- E. **Height Standards**
1. Awning Sign and Canopy Sign: May not extend above, below, or beyond the awning or canopy structure, or above the highest point of the wall the sign is attached to. ~~Maximum Heights—Canopy: 12 ft except for freestanding canopies for which maximum height is 18 ft; Awning: 12 ft; Marquee: 15 ft~~
 1. Electronic Message Sign and Manual Changeable Copy Sign ~~(unclear)~~
 - a. Attached to a building façade: Maximum height of 14 feet, or the top of the façade, whichever is less.
 - b. Attached to a pole sign: Maximum height of 40 feet.
 - c. Attached to an island canopy: May not project above, below, or beyond the canopy fascia.
 2. Island Canopy Sign: May not extend above, below, or beyond the perimeter of the island canopy.
 3. Spanner Board Sign: Permanently mounted on or between the canopy support poles and in all cases below the canopy.
 4. Monument Sign and Temporary Sign: Maximum height of six feet. ~~Monument: unclear; banner: 6 ft; flag: 30 ft; poster: 3 ft; wayfinding: 3 ft; street banner: 24 ft~~
 5. Pole Sign: Maximum height of 40 feet. ~~unclear~~
 6. Wall Sign: May not project above the building façade to which the sign is attached to. ~~N/A~~

7. Window Sign: Window signs may only displayed on the ground floor of the building. ~~N/A~~

F. **Required Sign Setback**

1. No sign may project over the public right-of-way.
1. Signs greater than 200 square feet in area must be set back the required distance for the principal structure.
2. Island canopy sign: At least six feet from the front property line.
3. Temporary sign: Zero feet from all property lines ~~banner: N/A; flag: N/A; poster: 5 ft from ROW and 3 ft from property lines; wayfinding: N/A; street banner: N/A~~
4. Wall signs must follow the minimum setback of the principal structure.
5. All other permanent signs must be set back a minimum of 10 feet from any property line. ~~Canopy/Awning: May extend into setback; Electronic Message: unclear; Hanging Sign: N/A; Projecting Sign: N/A; Marquee: 5 ft from ROW and 3 ft from property lines; Monument and Pole Signs: 5 ft from ROW and property lines; Sidewalk Sign: Signs must be placed to accomodate a minimum 5-foot pedestrian clear zone on the sidewalk; Wall Sign: N/A; Window Sign: N/A; Building Marker, Ground, and Drive Thru Signs: N/A~~

G. **Illumination**

1. All permanent signs may be externally or internally illuminated.
2. Temporary Signs: May be externally illuminated.

11. 34-916. Signs in the I-1, Light Industrial District and I-2, Heavy Industrial District

- a. **Permitted On-Premises Signs:** Awning, canopy, electronic message, manual changeable copy, monument, off-site advertising ~~(billboard), iconic/historic, portable, ground building marker~~, pole, temporary ~~(poster, wayfinding)~~, and wall signs.
- b. **Permitted Off-Premise Signs.** See Sec. 919, Off-Premise Advertising Signs.
- c. **Number of Signs Permitted:** ~~five~~
 1. Awning or Canopy Signs, and Wall Sign: No more than three per building façade.
 2. Electronic Message Sign or Manual Changeable Copy Sign: One per lot.
 3. Monument Sign or Pole Sign: One per lot or parcel per street frontage.
 4. Temporary Sign: Two per lot.
- d. **Maximum Sign Area**
 1. Awning or Canopy Signs, Electronic Message Sign, Manual Changeable Copy Sign, and Wall Sign: The total surface area of all signs of these types may not exceed 20 percent of the total surface area of the building façade the signs are

attached to, provided no sign may be larger than 200 square feet in area. ~~Awning: 20% of face; Canopy: 10 sq ft; Electronic Message: unclear; Wall sign: 20% of building facade~~

2. Monument Sign or Pole Sign: 200 square feet ~~(unclear)~~
3. Temporary Sign: 32 square feet. ~~(poster: 8 sq ft; wayfinding: 6 sq ft)~~

e. **Height Standards**

1. Awning or Canopy Signs, and Wall Sign: May not project above the highest point of the wall they are attached to. ~~Maximum Heights—Canopy: 12 ft except for freestanding canopies for which maximum height is 18 ft; Awning: 12 ft; Wall signs shall be attached to a wall and shall not extend above the parapet or eave of the building.~~
2. Electronic Message Sign or Manual Changeable Copy Sign: Must follow sign height requirements for the most similar sign type (i.e. wall sign or monument sign) ~~(unclear)~~
3. Monument Sign and Temporary Sign: Maximum height of six feet. ~~Monument: unclear; Poster and Wayfinding: 3 ft;~~
4. Pole Sign: Maximum height of 12 feet. ~~(unclear)~~

f. **Required Sign Setback**

1. Awning or Canopy Signs: Maximum four feet from the building façade. ~~Canopy/Awning: May extend into setback;~~
2. Electronic Message Sign or Manual Changeable Copy Sign: Must follow sign setback requirements for the most similar sign type (i.e. wall sign or monument sign) ~~(unclear)~~
3. Monument Sign or Pole Sign: Five feet.
4. Temporary Sign: Zero feet. ~~Poster sign: 5 ft from ROW and 3 ft from property lines; Wayfinding sign: N/A~~
5. Wall Sign: Must follow the established setback of the principal structure. ~~N/A~~

- g. **Illumination**: All permanent signs may be internally or externally illuminated. Temporary signs may only be externally illuminated.

34-917. Signs in the CMP, Campus Institutional District

This Section intends to regulate signs on educational and research campuses associated with institutions when such signs are located along, and are intended to be visible and read from, abutting or nearby public street rights-of-way or travel easements that generally form the perimeter or boundary of such campus, or are along an arterial or collector street corridor passing through such campus. All other signs located in the interior of a campus setting are exempt from this Division.

- A. **Permitted On-Premises Signs**: Awning, Canopy, Manual Changeable Copy, Electronic Message, Monument, Pedestrian, Pole, Projecting, Sidewalk, Temporary, Wall, and Window.

B. **Number of Signs Permitted**

1. Awning Sign, Canopy Sign, Pedestrian Sign, Projecting Sign, Sidewalk Sign, Temporary Sign, Wall Sign, and Window Sign: No limit
2. Electronic Message Sign or Manual Changeable Copy Sign: One per campus building.

3. Monument Sign: One sign per entrance onto a public street.
 4. Pole Sign: One per 600 feet of frontage along a single street.
 5. Temporary Sign: One per lot street frontage.
- C. **Maximum Sign Area**
1. Temporary Sign: 32 square feet.
 2. Monument Sign and Pole Sign: The total surface area may not exceed one square foot for each linear foot of frontage that the sign abuts. Such signs may not exceed 260 square feet.
 3. All Other Permitted Signs: The total surface area of signs located on a street-facing building façade may not exceed 20 percent of the building façade's surface area.
- D. **Height Standards**
1. Manual Changeable Copy Sign: Must follow sign height requirements for the most similar sign type (i.e. wall sign or monument sign)
 2. Monument Sign and Temporary Sign: Maximum height of six feet.
 3. Pole Sign: Maximum height of 20 feet
 4. Window Sign: Window signs may be displayed on the ground floor of the building.
 5. All Other Permitted Signs: May extend above the roof peak or parapet of the principal structure.
- E. **Required Sign Setback**:
1. Permanent Sign: 15 feet from any public right-of-way.
 2. Temporary Sign
 - a. Front yard: Zero feet.
 - b. Side Yard and Rear Yard: 15 feet.
- F. **Illumination**
1. A permanent sign may be internally or externally illuminated.
 2. A temporary sign may be externally illuminated.

34-918. Signs in the PD, Planned District

- A. **Established by Ordinance**. The regulations pertaining to signage located in a planned development district shall be set forth in the ordinance establishing the PD.
- B. **Sign Types**. The applicant shall identify permitted, temporary, and prohibited signs as a part of the detailed development plan application documents. In establishing such regulations, the Planning Board shall, as a general rule, consider:
 1. Residential PDs: The restrictions apply as set out in the most applicable of:
 - a. Sec. 34-910, Signs in the Residential Districts R-1, R-1A, R-1S, R-2, or
 - b. Sec. 34-911, Signs in the R-3 District
 2. Commercial PDs: The restrictions apply as set out in the sign provisions of the C-O, C-1, C-2, or C-3 districts that are most similar in nature and character to the proposed PD; or
 3. Industrial PDs: The restrictions apply as set out in Sec 34-916. Signs in the I-1, Light Industrial District and I-2, Heavy Industrial District.
- C. **Amendments**. Signs in a PD may be amended by the City Council, as recommended by the Planning Board through the processes set out in Sec. 34-215, P.D. Planned District.

34-919. Off-Site Advertising

- A. **Permitted Districts:** A, C-3, I-1, I-2, PD.
- B. **Permitted Off-Premises Advertising Signs:** Electronic Copy, monument, pole, and wall signs.
- C. **Sign Separation Distances.** The following distances are measured from one sign's extremity to another:
 - 1. The minimum separation distance between two electronic copy off-site advertising signs is 5,000 feet.
 - 2. The minimum separation distance between an electronic copy, off-site advertising sign, and all other off-site advertising signs is 800 feet.
 - 3. The minimum separation distance between all off-site advertising signs that are not electronic copy signs is 800 feet.
- D. **Separation from Residential Districts:** Off-site advertising signs may be no closer than 200 feet to a residential district.
- E. **Required Sign Setback**
 - 1. Front Yard and Rear Yard: 25 feet
 - 2. Side Yard: Must follow the applicable minimum side yard setback requirements, as cited in **Sec. 34-200**, On-Premises District Regulations.
- F. **Maximum Surface Area:** 378 square feet
- G. **Height Standards for All Off:-Premises Advertising Signs.**
 - 1. Wall sign: Must not project above the building façade it is attached to.
 - 2. Monument sign: Maximum height of six feet.

3. Pole sign: Maximum height of 30 feet.

H. **Illumination:** Except for electronic copy off-site advertising signs, the off-site advertising sign must be externally illuminated.

1. The external illumination must be directed upward.

I. **Use Limitations:**

1. Off-premises advertising signs must be:

a. Located on a parcel, tract, or lot that conforms to the minimum lot size requirements of the zoning district in which the sign is located.

b. Oriented towards the abutting street.

c. Constructed using an unipole design, except for wall signs.

2. The surface area of the off-premises advertising pole sign does not count towards the permitted maximum surface area for all signs associated with a separate principal use located on the same property.

3. The surface area of off-premises advertising monument signs and wall signs shall count towards the total permitted surface area for all signs associated with a separate principal use located on the same property.

4. Off-premises advertising sign faces must not be placed side by side or stacked vertically.

5. Double-faced off-premises advertising signs having nonparallel faces must be constructed so that the angle between the sign faces does not exceed 24 degrees and the total distance between the open ends of the faces does not exceed 10 feet.

6. Off-premises advertising signs must not incorporate digital animated signs.

7. Any trim surrounding an off-premises advertising sign face and any extension(s) of the display surface must be included in the maximum allowed surface area. The sign base, structural members, and supports shall be excluded from the maximum surface area, provided they don't constitute part of the display message.

8. Digital Graphic Off-Premises Advertising Sign

a. Duration of Message and Transition. The sign message must remain static for at least 20 seconds. The transition from one message to the next must be direct and immediate, without special effects, including dissolving, fading, scrolling, starbursts, and wiping.

b. Image characteristics. Signs must have a pitch no greater than 20 millimeters between each pixel.

c. Luminance. During daylight hours (i.e., between sunrise and sunset) luminance cannot exceed 5,000 nits. During nighttime hours (i.e., between sunset and sunrise) luminance cannot exceed 500 nits. All signs with a digital display having illumination by means other than natural light, must have an automatic dimmer or other mechanism that automatically controls the sign's brightness to comply with these requirements.

d. Conversion of Billboards. The conversion of an existing off-premises advertising sign to a digital graphic off-premises advertising sign is not considered "maintenance" for purposes of **Sec. 904 Maintenance, Repair, Removal, and Abandonment**. Such conversions are subject to the permitting and requirements of this Section.

- e. Permitting. A sign permit is required to install a new digital graphic off-premises advertising sign or convert an existing, static off-premises advertising sign to a digital graphic off-premises advertising sign. The sign permit applicant must provide the following information in writing or through site or elevation drawings, as applicable:
 - 1. The location and size in square feet of the sign to be installed or converted.
 - 2. The location and size, in square feet, of the existing off-premises advertising sign to be removed.
 - 3. Stamped drawings from a professional engineer licensed in the State of Nebraska showing required structural improvements, upgrades, or alterations to support the weight of the added digital technology necessary for a new or converted digital graphic off-premises advertising sign.
 - 4. A statement that the sign(s) being removed meet the removal criteria of [subparagraph 34-922-I-8f](#), below.
- f. Removal Criteria for Digital Graphic Off-Premises Advertising Sign. The permit applicant must, at their sole expense, conform to the following:
 - 1. Remove at least three off-premises advertising signs, either conforming or nonconforming, in the city limits of Hastings, Nebraska, at the same time as; the digital graphic off-premises advertising sign is installed or erected. The conversion of an existing off-premises advertising sign to a digital graphic off-premises advertising sign does not count as removal.
 - 2. Removal of nonconforming off-premises advertising signs in a zoning district where these signs are no longer permitted is preferred.
 - 3. If the owner/applicant fails to remove the required off-premises advertising signs within 30 days of completion of the new or converted digital graphic off-premises advertising sign, such failure shall result in a violation of this section and grounds for revocation of the applicant's sign permit. For this Paragraph, construction or conversion of a digital graphic off-premises advertising sign shall be deemed complete when all supporting structures, cabinets, and electronic fixtures are installed, even if messages have not yet begun displaying on the digital graphic off-premises advertising sign.

Art. VI. Nonconformities

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Sec. 34-601, Purpose, Policy, and Applicability

- A. **Purpose.** The purpose of this Article is to enable development that is consistent with the Hastings Comprehensive Plan by regulating uses, structures, lots, and site development that do not conform to one or more standards of this Chapter, but meet the definition of nonconformity.
- B. **Policy.** This Article is intended to allow property owners the reasonable use of their nonconforming property or use. The general policy of the City for nonconformities is to :
 - 1. Allow them to continue to exist and be used productively, but to bring as many aspects of the nonconformity into compliance with this Article, and other applicable standards and codes, as is reasonably practicable.
 - 2. Allow them to be maintained to be made safe, comfortable, and habitable while restricting their expansion and the re-establishment of abandoned or substantially damaged nonconformities.
 - 3. Not penalize uses, structures, lots, and site development features that became noncompliant as a result of a governmental acquisition of property.
 - 4. In certain instances, encourage redevelopment of a nonconforming use that shall decrease its degree of nonconformity.
 - 5. Address any uses, structures, lots, and site developments that were established contrary to the zoning regulations that applied at the time of their establishment and are considered illegal under the applicable measures in Article X, Enforcement.
- C. **Applicability.** The provisions of this Article apply to the use, structure, lot, and site development standards and regulations in Article II, District Regulations, Article III, Supplemental District Regulations, and Article V – Mobile Home Park Regulations, except for Divisions specifically exempted below. The provisions of this Article do not apply to:
 - 1. Public rights-of-way or public improvements in the rights-of-way.
 - 2. Wireless telecommunication facilities, as defined in *Sec. 34-315, Communication towers*.
 - 3. Sexually oriented businesses and uses, as defined in *Chapter 41 – Sexually Oriented Businesses*.
 - 4. Illegal uses.

Sec. 34-602, Determination of Nonconforming Status

It is the property owner's responsibility to prove by a preponderance of the evidence that a use, structure, lot, or site development meets the definition of a nonconformity.

Sec. 34-603, Nonconforming Uses

- A. **Rights of a Registered Nonconforming Use.** The rights to continue, expand, or alter a nonconforming use are specifically conditioned upon the registration of the nonconforming use with the Director of Development Services. Only nonconforming uses

that were lawful at the time of their establishment and have been continued since such time may be registered. The Director of Development Services and Building Official shall not permit the expansion, continuance, repair, maintenance, or other continuation of nonconforming status for a nonconformity not registered under this Article.

B. Registration of Nonconforming Use

1. **Registration Process.** The Director of Development Services shall establish a process for the registration of nonconforming uses and shall develop and provide the required registration forms.
2. **Registration Determination and Appeal.** The Director of Development Services shall determine the qualification of a use for registration under this Division and render a decision to the applicant as an Administrative decision.
3. **Revocation.** The Director of Development Services may revoke an approved registration if a nonconforming use is discontinued pursuant to Sec. 34-608, *Discontinuance*, or if it is later discovered that the evidence submitted to support the registration was false, or upon the discovery of additional information.
4. **Evidentiary Considerations.** In determining the qualification of a use for registration under this Article, the Director of Development Services shall consider all relevant and material evidence, whether submitted by the applicant, by any other person supporting or opposing the registration application or registration determination, or otherwise available to the Director of Development Services. Relevant evidence is materials that tend to show the lawful or unlawful establishment of the use and whether the use has been continued since such time. Relevant evidence may include, but is not limited to, the following examples:
 - a. Building permits, certificates of occupancy, licenses, or other permits issued by a governmental entity,
 - b. County appraisal information,
 - c. Photographs, video, or other visual types of evidence that can be verified as predating the effective date of the code provisions involved,
 - d. Contracts, deeds, or other legal instruments that are dated, whether or not recorded or filed in any public office,
 - e. Books, magazine articles, or newspaper clippings that are dated,
 - f. Tax returns, receipts, or other financial records that are dated, or
 - g. Statements made by witnesses, in the form of affidavits, that are made based upon personal knowledge.

- C. Nonconforming Use within a Zoning District.** A registered nonconforming use shall be regulated as a conditional use within the zoning district where it is located.

D. Maintenance and Repair

1. The registered nonconforming use must discontinue if the structure it is located within is damaged to the extent of 60 percent or more of its fair market value by fire, wind, tornado, earthquake, or other non-criminal calamity. A registered nonconforming use that is primarily conducted outside of a building must discontinue if its inventory and equipment are damaged to the extent of 60 percent or more of its fair market value by fire, wind, tornado, earthquake, or other non-criminal calamity.
2. The owner of any structure devoted to a registered nonconforming use protected under this Division may conduct repairs and maintenance to keep a structure in sound condition provided they do not increase the degree of nonconformity as determined by the Director of Development Services.
3. Renovation or remodeling of a registered nonconforming use is permitted provided it does not increase the degree of nonconformity as determined by the Director of Development Services. Renovations or remodels may include, but not limited to, repairing, updating, or replacing the following:
 - a. Fixtures
 - b. Finishes
 - c. Utility systems
 - d. Non-structural cladding
 - e. Windows and doors
 - f. Roofing
 - g. Non-structural features to increase energy efficiency.

E. **Expansion of a Registered Nonconforming Use.** Any expansion of a nonconforming use is prohibited unless approved through a conditional use permit as set forth in X, *Conditional Use for Registered Nonconforming Use*.

1. Expansion shall include:
 - a. Changes of nonresidential use categories.
 - b. Changing to a more intensive nonresidential use within the use category.
 - c. An increase in the number of dwelling units.
 - d. An increase in the number of bedrooms and/or bathrooms.
 - e. An increase in the gross floor area of the structure.
2. An expansion shall not include modifications to walls or arrangement of spaces that do not result in a net gain of bedrooms, kitchens, or floor space.

F. **Adjustment of a Registered Nonconforming Use.** An applicant may request that the Director of Development Services amend the registration of a registered nonconforming use, and the Director of Development Services shall grant such request and amend the registration for the following types of changes:

1. A registered nonconforming nonresidential use may be changed to another similar or less intensive use within the same use category as determined and approved by the Director of Development Services. The Director of Development Services may

use the following factors to determine if the proposed use is similar or less intensive:

- a. If the required parking for the proposed use complies with Sec. 34-308, *Parking and loading*.
 - b. The proposed use shall employ a similar or fewer number of employees.
 - c. The proposed use shall have similar business hours.
2. A registered nonconforming residential use may be changed to a less intensive nonconforming residential use as determined and approved by the Director of Development Services. Changing a nonconforming residential use to a less intensive use precludes subsequent reversion to a more intensive use not permitted by zoning.
 3. A commercial use in a residential district that does not permit commercial uses as a standard development may be changed to another similar or less intensive use within the same use category as determined and approved by the Director of Development Services.
 4. If the Director of Development Services cannot reasonably determine whether the requested change in use meets the requirements of this paragraph, then the Director of Development Services may defer the decision to the Planning Board pursuant to *Subsec. E. Expansion of a Registered Nonconforming Use*, above.
- G. **Parking.** Improvements related to parking devoted to a nonconforming residential use, including surfacing and number of spaces, may be made at any time without constituting an enlargement or expansion of the use, provided it results in a more conforming state as determined by this chapter. Parking may be required to come into full conformance in concert with other improvements pursuant to *Sec. 34-606, Nonconforming Site Development*.
- H. **Expansion of an Outdoor Nonconforming Use.** A nonconforming use of premises for which the principal use is a land use conducted primarily outside of a building, including a wrecking/salvage yard, storage yard, or vehicle and equipment sales lot, shall not be expanded except in conformance with all requirements of this Chapter.

Sec. 34-604, Nonconforming Structures

- A. **Rights of a Nonconforming Structure.** The rights to continue, expand, or alter a nonconforming structure are specifically outlined in this Section.
- B. **Maintenance and Repair**
1. Remodeling of a nonconforming structure devoted to a conforming use may occur within the existing footprint of the structure.
 2. Any nonconforming structure damaged to the extent of less than 60 percent of its fair market value by fire, wind, tornado, earthquake, or other non-criminal calamity, not including the willful act of the property owner, may be rebuilt, provided such rebuilding does not increase the degree of nonconformity.

3. With the exception of historic structures as set forth in Subsec. 34-604.B.4, any nonconforming structure damaged to the extent of 60 percent or more of its fair market value by fire, wind, tornado, earthquake, or other non-criminal calamity shall not be rebuilt, repaired, or used, unless the structure and use(s) conforms to all requirements of this Chapter. This standard shall apply to both the use and the structure.
 4. When a nonconforming historic structure is damaged or destroyed to any extent, and by any means, other than the willful act of the owner, such structure may be restored and its use at the time of damage may continue if a building permit is issued and restoration/reconstruction is begun within three years of the damage, is diligently pursued to completion, and no greater nonconformity exists than existed prior to the damage.
 5. The rebuilding or repair of a structure in a flood fringe overlay district area must comply with the requirements of Sec. 34-216, F.D. *Flood Hazard District regulations*.
- C. **Enlargement, Expansion, and Relocation.** An enlargement or expansion that does not increase the degree of nonconformity is permitted. If a nonconforming structure is relocated within the City limits, it must be placed in a location and manner that conforms to the requirements of this Chapter.
- D. **Unsafe Structures.** Nothing in this Section shall be construed to permit the continuing occupation of a structure that is found to be uninhabitable due to violations of applicable City codes.

Sec. 34-605, Nonconforming Lots

- A. **Rights of the Nonconforming Lot.** The rights to continue, expand, or alter a nonconforming lot are specifically outlined in this Section. The Board of Adjustment may hear requests for variances to bring a lot into conformance, where applicable.
- B. **Vacant Lot.** New development on a nonconforming lot must comply with the dimensional standards of the base district and any applicable overlay district, except as expressly stated in this Section. These provisions shall not be interpreted as requiring a greater lot area or setback than specified by the base district or applicable overlay district.
- C. **Lot area.** A lot that does not conform to the required minimum lot area for the zoning district may be developed to the extent that the development can be accomplished with the following limitations:
1. Where the area of a nonconforming lot conforms to some uses permitted in the base district or applicable overlay district, but not for other permitted uses, then that lot shall be used for the permitted use or uses it conforms to.
 2. If a lot fails to conform to the applicable requirements of the zoning district or the applicable overlay district, then the lot may be used only for those permitted uses in that zoning district requiring the smallest minimum lot area.

- D. **Lot width.** A lot that does not conform to the required minimum lot width for the base district or applicable overlay district may be developed to the extent that the development can be accomplished in accordance with the other standards set out in this Division.
- E. **Bulk.** New development, redevelopment, or additions must follow the required bulk regulations as defined by the specific zoning district standards the property is in, found in Art. II – District Regulations, with the following allowances:
1. *Front-Yard Setback.* No reduction allowance.
 2. *Side yard Setback.* The minimum side yard setback for the principal structure proposed on a nonconforming lot must be at least five feet, or 10 percent of the lot width, whichever is greater, up to the minimum setback required by the zoning district or applicable overlay district. This provision does not require a setback when none is required by the district standards.
 3. *Rear-Yard Setbacks.* The minimum rear yard setback for the principal structure proposed on a nonconforming lot must be at least 15 feet, or 20 percent of the lot depth, whichever is greater, up to the minimum setback required by the zoning district or applicable overlay district. This provision does not require a setback when none is required by the district standards.
 4. *Height and Building Coverage.* Development must comply with the height and building coverage requirements of the base district and any applicable overlay district.
- F. **Lot Merger by Zoning Lot Status.** If the lot is smaller than would otherwise be required by this Chapter and such lot is, at any time on or after the effective date of this Chapter, under common control with a contiguous lot, then the two lots shall be consolidated into one lot for the purposes of this Chapter and shall be considered together for purposes of determining conformance.
1. If the consolidated lots contain sufficient area and lot width for the actual or proposed use, then they shall be deemed fully conforming.
 2. If the lots together do not provide sufficient lot area and/or lot width for the actual or proposed use, they shall nonetheless be consolidated for purposes of reducing the degree of nonconformity.
 3. When a nonconforming lot has been consolidated with the adjacent lot, such lots shall not again be used as separate lots unless they are lawfully subdivided.

Sec. 34-606, Nonconforming Site Development

- A. **Policy.** Because site development features, such as landscaping and screening, generally involve less investment and are relatively more easily corrected than nonconforming lots, buildings or structures, and uses, it is the policy of the City to eliminate such site development nonconformities as quickly as is practical. See also Sec. 34-308, *Parking and loading*, for parking conformity requirements.

- B. **Timely Conformance.** A site development nonconformity must be brought into conformance upon the occurrence of any of the following:
1. Any increase to the gross floor area exceeding 30 percent;
 2. Construction, remodeling, or other alterations that exceed 50 percent of the fair market value of the structure; or
 3. For non-residential uses only, any change in use to a more intensive permitted use that requires a building permit or certificate of occupancy.

Sec. 34-607, Nonconformities Created by Public Acquisition

When the governmental acquisition of a portion of a property for right-of-way, easement, or other governmental use results in noncompliant lot area, lot width, setbacks, or site development features, the resulting failure to comply does not constitute a nonconformity.

Sec. 34-608, Discontinuance

- A. **Nonconforming Use.** When a nonconforming use has been abandoned, as defined in this Section, such nonconforming use shall not be renewed, and any registration pursuant to *Sec. 34-603, Nonconforming Use*, shall be revoked.
- B. **Abandonment.** A nonconforming use shall be presumed abandoned when any one or more of the following has occurred:
1. The owner's intent to abandon the use is apparent.
 2. The building or structure has been removed through the applicable procedures for the condemnation of unsafe structures.
 3. The owner has physically changed the building or structure or its permanent equipment in such a way as to indicate clearly a change in use or activity to something other than the nonconforming use.
 4. The lot has been vacant or the use discontinued for six consecutive months where the nonconforming use is one that is conducted primarily outside of a building.
 5. The use has been discontinued for 24 consecutive months where the nonconforming use is one that is conducted primarily inside of a building.
 6. The building or structure has been damaged to the extent of 60 percent or more of its fair market value by fire, wind, tornado, earthquake, or other non-criminal calamity.
- C. **Nonconforming Mobile Home or Manufactured Home Lots**
1. The failure to license a nonconforming mobile or manufactured home park lot pursuant to *Sec. 34-503, Mobile home park annual permit required*, of the Code of Ordinances, for a period of 12 consecutive months shall constitute abandonment of the nonconforming use for that lot. Such a lot may not be

subsequently licensed by *Article V, Mobile Home Park Regulations*, and has lost its allowed nonconforming use.

2. The failure to occupy a nonconforming mobile or manufactured home park lot for a period of 24 consecutive months shall constitute an abandonment of the nonconforming use for that particular lot. A lot shall be considered occupied if the manufactured or mobile home meets the minimum requirements for a residential occupancy permit and utilities have not been disconnected.

DRAFT

Sec. 34-314. Small wind energy systems.

Small wind energy systems are allowed as a restricted use in all zoning districts. The following specific conditions shall apply:

1. Minimum setbacks
 - a. The base of the tower shall be setback a minimum of 50 feet from the front property line. The furthest extent of a turbine blade shall not extend across the front property line.
 - b. The furthest extent of the turbine blade shall be set back a minimum of 10 feet from the side and rear property lines.
 - c. Any facility-mounted small wind energy system shall meet the minimum setbacks required for a principal structure in the zoning district.
 - d. The base of the tower shall not encroach into a dedicated public utility easement.
2. Maximum tower height, measured to the highest point of the turbine blades:
 - a. In all Residential districts, C-O, C-1, and C-2 Districts: 60 feet;
 - b. In Agricultural districts: 100 feet;
 - c. In all Industrial districts and the C-3 District: 150 feet.
3. Noise. Small wind energy systems shall not exceed 60 dba measured at the closest neighboring residential structure. The level may be exceeded during short-term events such as utility outages or severe wind events greater than 50 mph.
4. All small wind energy systems shall be designed and approved by a listing agency such as the American Wind Energy Association, UL, Factory Mutual, or other listing agency, or be designed by a licensed engineer.
5. If a tower is designed with a hinge for maintenance or another engineered failure point(s), the installation of the tower shall ensure that the hinge or failure point is not towards adjacent property, utility easements, or right-of-way that is within a distance equal to the height of the support tower.
6. All building permit applications shall be accompanied by engineered drawings and specifications for the tower, base, footings, and other facilities from the manufacturer or designer.
7. All small wind energy systems shall be located, constructed, and operated to comply with any applicable FAA Regulations or Guidelines.
8. All small wind energy systems shall comply with the National Electric Code.
9. Utility notification. No small wind energy system shall be installed without prior notification and approval of the Board of Public Works of the intent to construct, install, and operate an interconnected customer-owned generator and must meet all the requirements of the Board for interconnection. Off-grid systems shall be exempt from this requirement.
10. All small wind energy systems shall have utility company approved metering transfer switches.
11. If a wind generator is inoperable for more than one year, the owner shall be notified that they must, within three months of receiving notice, restore to working order or remove the system.
12. No signs other than manufacturer, safety, and warning labeling shall be placed on the tower of the turbine. For systems that exceed 12 volts, "High Voltage" warning signs shall be posted on or near the system.
13. The wind generator system shall not have any illumination unless required by FAA regulations or guidelines.

-
14. Any climbing devices shall be removed below 12 feet to prevent unauthorized climbing.
 15. The tower shall be freestanding without the aid of guy wiring.
 16. Turbine blades, whether horizontal or vertical shall be a minimum of 12 feet above the adjacent grade.
 17. All communications and connector lines associated with the installation shall be buried. If obstacles prevent an underground installation, the applicant shall receive a waiver from the Board of Public Works.

Department: Development Services
Staff Contact: Lee Vrooman
Planning Commission Meeting Date: 5/20/2025
File No: 2025-218
Prepared By: Ember Batelaan, City Planner

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for vacation of the Right-of-Way of St. Joseph Avenue from West South Street to the north until the roadway ends at the railroad tracks, Johnson's Addition, City of Hastings, Adams County, Nebraska.

Motion to recommend vacation of the Right-of-Way of St. Joseph Avenue from West South Street to the north until the roadway ends at the railroad tracks, Johnson's Addition, City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

The applicant, adjacent property owners, the people of Hastings, and the City

Why Planning Commission action is required:

Per public feedback, an administrative decision has been made to have the Planning Commission review and recommend street vacations to the City Council if the vacation is 1 block or more and improved.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

City Council will hear this item on June 9, 2025.

Department head comments:

Bruckman Rubber has requested that St. Joseph Avenue from South Street north to the BNSF tracks be vacated and conveyed so that they can expand their business. This business expansion will happen in phases as described in the narrative they've provided. Vacation of the street will allow Bruckman Rubber to install a larger nitrogen tank which would replace the existing tank that sits on the west side of their business (east side of St. Joseph). If approved, the vacated street will be conveyed to Bruckman Rubber except for the half of the street that is adjacent to Kully Pipe and Steel which will be conveyed to them. A private access agreement will be required for the vacated street so that all parties can access their buildings.

Bruckman Rubber has a phased plan for expansion. Work in 2025-2026 includes the vacation of St. Joseph Avenue and then the expansion of the nitrogen tank along with the possible vacation and conveyance of the north/south alley between St. Joseph and Kansas Avenues. Bruckman Rubber and Robert Wallace own both sides of the alley in its entirety. Closure of the alley helps Bruckman Rubber ensure the safety of their employees that cross the alley many times a day.

Work in 2026-2027 would include the construction of Building #1. And work in 2028-2029 per Bruckman Rubber's strategic plan includes the possible purchase of the City parking lot to further expand the business and construction of Building #2.

Upon the vacation and conveyance of St. Joseph Avenue and the alley ROW, a final plat will be required to ensure there are no landlocked lots.

Recommendation:

Staff recommends a motion to recommend vacation of the Right-of-Way of St. Joseph Avenue from West South Street to the north until the roadway ends at the railroad tracks, Johnson's Addition, City of Hastings, Adams County, Nebraska.



BRUCKMAN RUBBER CO.

ISO 9001 Certified

Bruckman Rubber Co. is a privately owned custom molding rubber manufacturer that has been in Hastings since 1961. Bruckman Rubber specializes in industrial rubber parts for a variety of markets worldwide. We started in the agricultural business with manufacturing rubber gaskets for gravity flow irrigation. While we still service a sizable portion of the pivot business with gaskets, this market is quickly becoming stagnant with new technologies and innovations and requires Bruckman Rubber to expand and look at other product lines to continue long-term sustainable growth. One such product line in development is the creation, and selling straight to the end user, of a line of dog toys. Another product line in development is in medical grade rubber parts that requires a warehousing facility separate from manufacturing facilities.

Bruckman Rubber is vertically integrated in that we can manufacture the entire process from compounding the raw ingredients, all the way to packaging and shipping out the finished products. This allows Bruckman Rubber the ability to meet last-minute customer demands and seats us in a position as a leader in the rubber manufacturing field.

Bruckman Rubber Co. is requesting a closure of South St. Joseph Avenue from South Street to the BNSF Right of Way. We are asking for the street to be closed to allow for the expansion of our manufacturing capabilities. Bruckman Rubber is seeking to increase the capacity of the liquid nitrogen storage tank located on the west side of the 101 South St. Joseph Avenue address. An increase in storage capacity will allow us to reduce our production costs by being able to negotiate with more than one company as is the case currently. We would also be able to reduce the number of times the storage tank is filled, which would also reduce costs (delivery fees, driver availability fees, and fuel surcharges). With the anticipated Q3 rollout of our proprietary dog toy line, we anticipate a significant increase in the amount of liquid nitrogen that will be required to satisfy customer demands.

Furthermore, we are requesting a closure of the alley between South St. Joseph Avenue and South Kansas Avenue. Bruckman Rubber Co. and Robert Wallace currently own both sides of the alley and in agreement with this decision. The closure of this alley would allow Bruckman Rubber to increase employee safety by building a cover/breezeway between the two buildings to transfer material between buildings during rain and snow events.

In the second phase of our strategic plan, Bruckman Rubber Co. would look to purchase the city owned parking lot directly north of 115 South Denver Avenue. We would use this property to expand manufacturing facilities by erecting a new building in this area. This facility would be used to expand our product offerings into medical grade rubber parts, which would be a new product market for Bruckman Rubber. As required by the distributor of these products, the products must be stored separately from the manufacturing facilities.

In conclusion, allowing Bruckman Rubber to acquire these parcels will allow the company to expand into two new product lines that will afford Bruckman Rubber an opportunity for continued, sustainable growth. Furthermore, these additional product lines will lead to additional job opportunities for our local communities and increased revenue for the City of Hastings by putting these parcels on the tax rolls.

**BRC****BRUCKMAN RUBBER CO.**

ISO 9001 Certified

Strategic Footprint Growth Plan

2025-2026 – Update/enlarge Liquid Nitrogen Tank on West side of Main Building

- Current capacity only allows for 8-10 days of use. It would expand capacity to 3X current.
- Only 1 provider will fill the tank. Bruckman is looking for more options to reduce costs.

2026-2027 – Purchase/Erect Building #1 on Site Plan

- Additional warehouse for expanded production of pet toy line.
- Additional warehouse for raw material storage related to the pet toy line.
- Provides efficiency in production.
- Adds jobs to local economy.
- Adds more real estate taxes into local government.

2028-2029 – Purchase/Erect Building #2 on Site Plan

- The building would be used to store, package, and ship medical grade rubber parts.
- Provides efficiency in production.
- Adds jobs to local economy.
- Adds more real estate taxes into local government.



South St. Joseph Right-of-Way Vacation

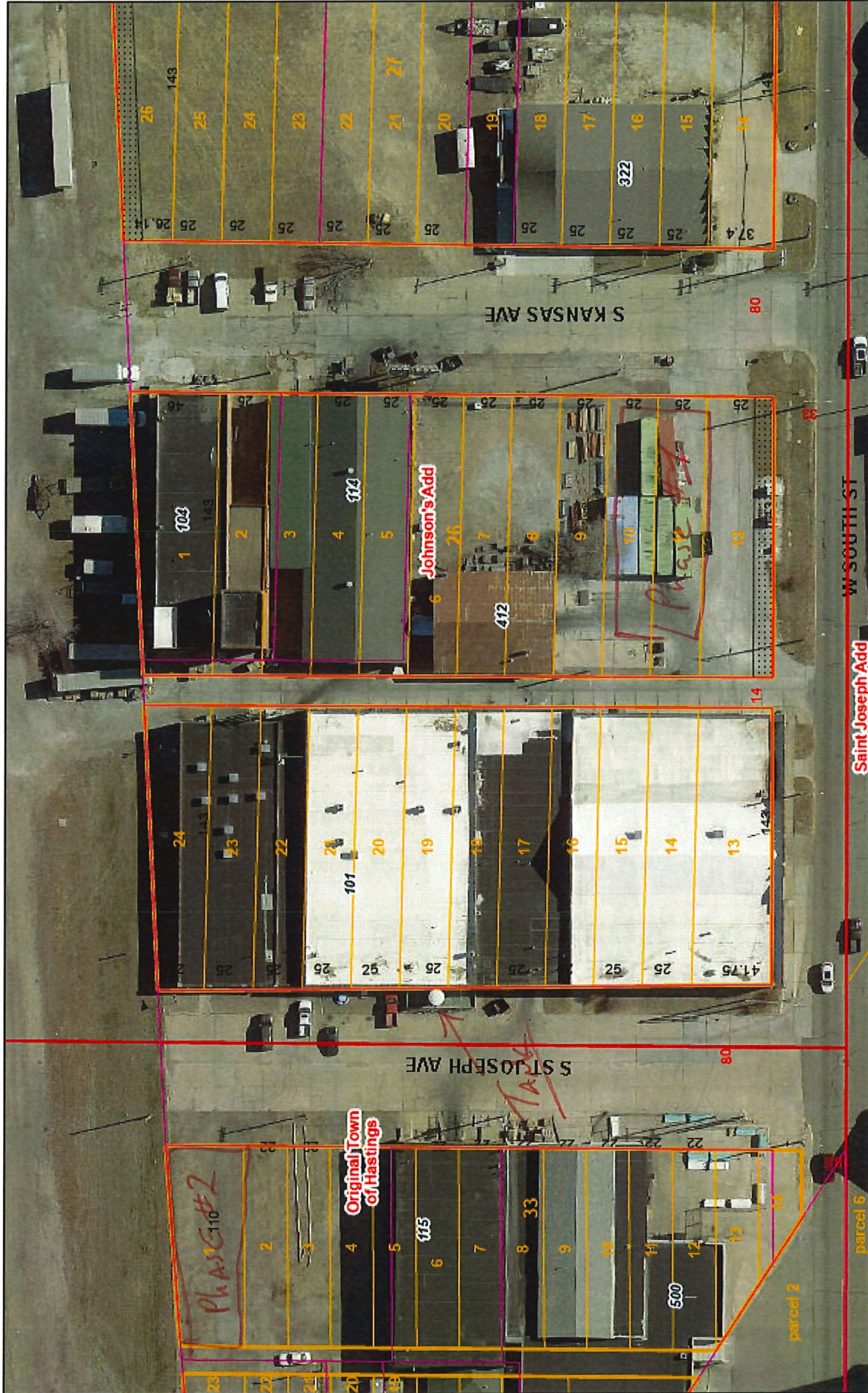


 ROW Vacation

0 55 110 220 Feet



ArcGIS Web AppBuilder



5/12/2025, 7:13:20 AM

- ☐ BLOCKS
- ☐ Easements
- ☐ Parcels
- ☐ Limits
- ☐ LOTS
- ☐ Subdivisions
- ☐ TwoMile



BRC

BRUCKMAN RUBBER CO.

ISO 9001 Certified

Date: April 1, 2025

To: Whom It May Concern

From: Robert Wallace

RE: Closure of St. Joseph Avenue from South Street North to the Railroad Tracks

Let this memo serve as notice that Robert Wallace agrees with the decision to close St. Joseph Ave as noted above.

Robert Wallace



BRC

BRUCKMAN RUBBER CO.

ISO 9001 Certified

Date: March 26, 2025

To: Whom It May Concern

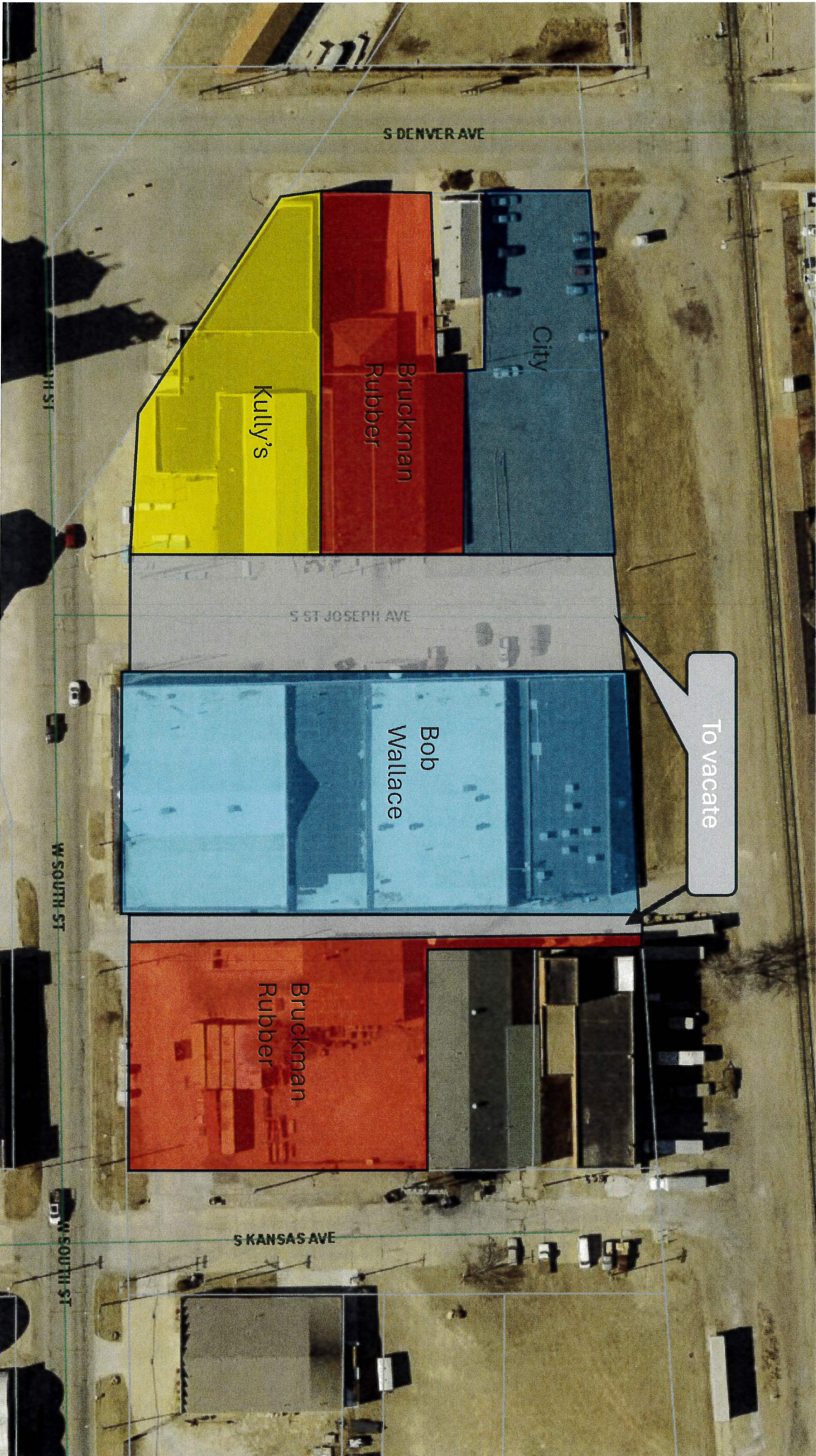
From: Jeff Kully, President Kully Pipe & Steel

RE: Closure of St. Joseph Avenue from South Street North to the Railroad Tracks

Let this memo serve as notice that Kully Pipe & Steel agrees with the decision to close St. Joseph Ave as noted above and agree to a cross-access easement between the two properties to allow for the two businesses and their customers to use the share driving space that is currently St. Joesph Ave.



*President
Kully Pipe & Steel Supply, Inc
4/2/25*



S DENVER AVE

City

Bruckman
Rubber

Kully's

S ST JOSEPH AVE

Bob
Wallace

Bruckman
Rubber

S KANSAS AVE

W SOUTH ST

W SOUTH ST

W SOUTH ST

To vacate

**BRC****BRUCKMAN RUBBER CO.**

ISO 9001 Certified

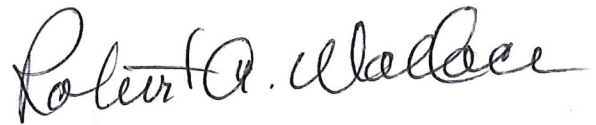
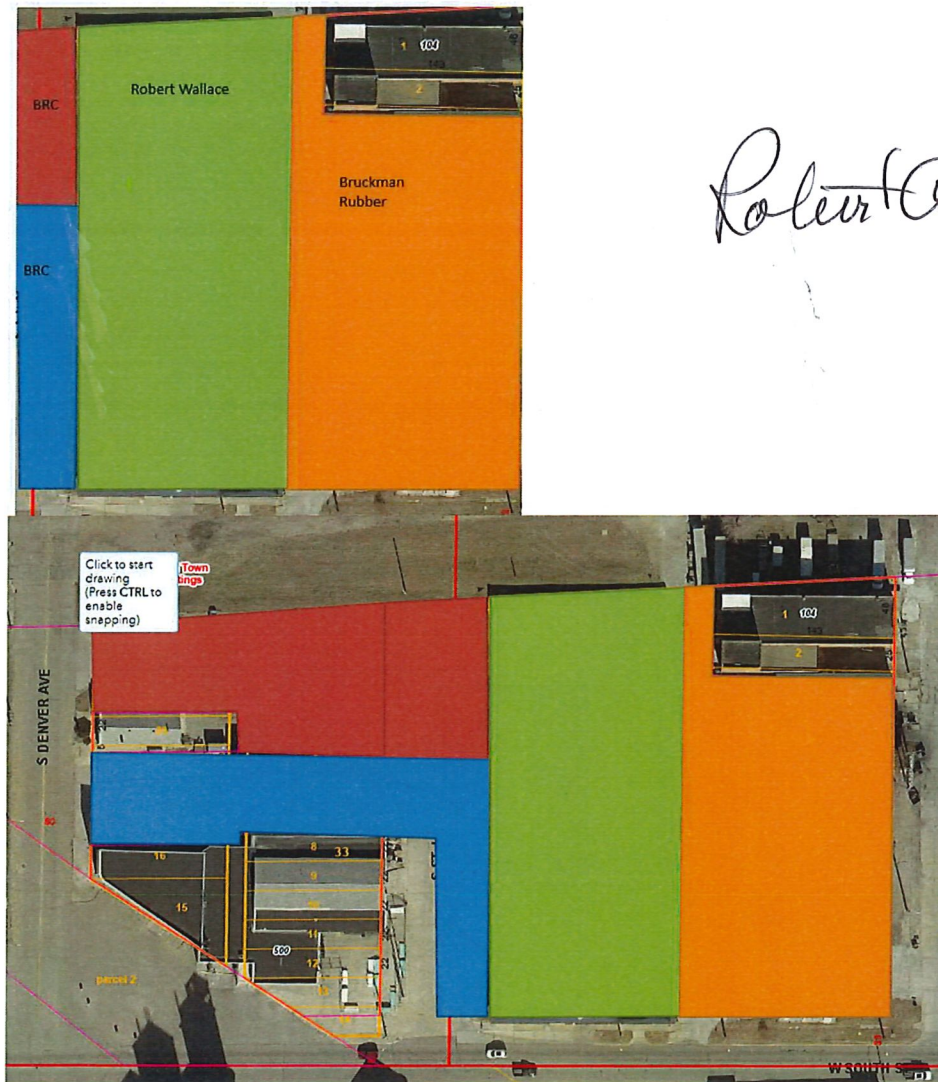
Date: April 21, 2025

To: Whom It May Concern

From: Robert Wallace

RE: Conveyance of St. Joseph Avenue from South Street North to the Railroad Tracks

Let this memo serve as notice that Robert Wallace agrees with the decision to convey the east half of St. Joseph Ave and the west half of the alleyway between South St. Joseph Avenue and South Kansas Avenue to Bruckman Rubber Co.



Robert A. Wallace

Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 5/20/2025
File No: 2025-185
Prepared By: Ember Batelaan, City Planner

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicant, Engel Construction Inc., has requested to annex a 0.5-acre, undeveloped tract of land into the City limits of Hastings. The request to annex the site is related to the proposed Final Plat of the Cimarron Meadows 13th Addition. This will be the next phase of the Cimarron Meadows development.

Names of People/Business affected by this action:

The applicant, surrounding neighborhood, people of Hastings, and the City.

Why Planning Commission action is required:

Sec. 38-104 of the City Code gives the City the authority to annex land adjacent to the City limits. The Planning Commission should review the annexation request to ensure conformance with City development policies.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

The request to annex is scheduled to be heard at the City Council Regular meeting on June 9, 2025.

Department head comments:

Development Services staff has reviewed the application to annex property generally located southeast of the intersection of Fisherman Ln and Outrigger Ave. The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

Staff recommends that the Planning Commission recommend APPROVAL to the City Council for the request to annex property generally located southeast of the intersection of Fisherman Ln and Outrigger Ave.



City of Hastings Planning Commission

STAFF REPORT

Final Plat: Cimarron Meadows 13th Addition

File No. 2025-185

Applicant Engel Construction Inc.

Property Location: Generally located southeast of the intersection of Fisherman Ln and Outrigger Ave.

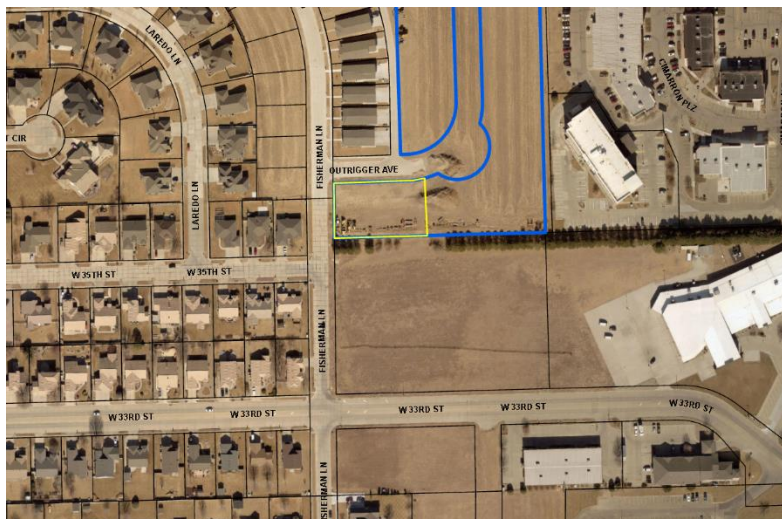
Lot Size: 0.5 acres

Date of Public Hearing: May 20, 2025

Zoning CP-3, Commercial Business Planned District

Adjacent Zoning:

- North: CP-3, Commercial Business Planned District
- East: C-3, Commercial Business District
- South: R-1, Urban Single-Family Residential District
- West: R-1, Urban Single-Family Residential District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF AN ANNEXATION OF SUBDIVIDED LAND:

- **Sec. 38-104. – Annexation of Subdivided Land – Authorized.**

DESCRIPTION OF ANNEXATION REQUESTED:

The applicant, Engel Construction, Inc., has requested the area to be annexed into the Hastings city limits in conjunction with the Final Plat of the Cimarron Meadows 13th Addition. The area to be annexed is 0.5 acres. The site is zoned C-3, Commercial Business District. The subdivision will create two new single-family residential lots in conformance with the zoning regulations.

Please note: In the past, these requests were combined with the subdivision process to create an “annexation by plat” procedure where the approval of the Final Plat also annexed the land. However, the City has recently discovered that the “annexation by plat” process created some unintended consequences for land not within the City limits.

To address this potential issue in the future, City staff will concurrently follow the process established by [Sec. 38-104. Annexation of subdivided land - Authorized](#) that requires the Hastings Planning Commission and City Council to consider and pass an ordinance to annex the land. The approved ordinance will be filed with the Register of Deeds. This concurrent step will create documentation that will easily verify if land is annexed or not.

Property Descriptions

The site is a 0.5-acre, undeveloped tract of land. The land is relatively flat, with a gentle slope from the northwest to the southeast. The land currently consists of grass cover.

CONSIDERATIONS OF ANNEXATION:

1. *The land is contiguous or adjacent to the corporate limits of Hastings and is urban or suburban in character.*

The land is contiguous to the Hastings corporate limits. This area is the next phase of the Cimarron Meadows development. Previous phases of Cimarron Meadows can be considered suburban in character. Once developed, it is anticipated that this phase will also be suburban.

2. *The location, circulation, and access to the property to be annexed align with the policy guidance of the adopted Comprehensive Plan and the Future Land Use Map.*

The site is shown on the Future Land Use Map of the 2025 Comprehensive Plan as High Density Residential land use category.

The High Density Residential land use district includes both existing and new residential neighborhoods with multi-family residential development on moderate to large-sized lots with supporting community facilities. It is intended to

encourage creative development patterns. Streets are paved with sidewalks, curb, and gutter. This land use type is ideally located near intersections of arterial streets to act as a buffer between more high intensity uses and lower density residential uses.

The proposed development does not align with the Comprehensive Plan's future land use map, however the future land use map is intended to serve as a guide for development throughout this community. This area is intended to be a transition area from the Low Density Residential land use category to the west to the Highway Commercial land use category to the east. This intent for a transition area is reflected in the zoning, which is the CP-3, Commercial Business Planned District. This planned district allows slightly smaller lots and smaller setbacks with single-family homes that match the neighborhood character. The proposed single-family homes are compatible with the existing single-family homes to the north and west. The proposed annexation generally conforms with the intent of the Comprehensive Plan's future land use map.

Access to the annexation area conforms with the policy guidance of the adopted Comprehensive Plan.

3. *The site can be served by City utilities.*

Existing utilities are in the general area to serve the site. The majority of the utilities will be extended from the west to serve the homes.

Staff Recommendation

Staff recommends **APPROVAL** of the request to annex the Cimarron Meadows 13th Addition, which is adjacent to the City limits, based on its general conformance with the adopted Comprehensive Plan and ability to be served by public utilities.

PREPARED BY: Ember Batelaan, City Planner

DATE: May 6, 2025

ATTACHMENTS:

1. Applicant's request to annex
2. Final Plat of Cimarron Meadows 13th Addition
3. 2025 Comprehensive Plan Future Land Use Map

ENGEL CONSTRUCTION CO.
3525 Laredo Lane
Hasting, Nebraska

April 17, 2025

To Amber Batelaan
City Planner
City of Hastings, NE.

Engel Construction Co. of Hastings is requesting that Cimarron Meadows 13th Subdivision be annexed into the City of Hastings, Nebraska. See final plat from Tom Krueger for legal description of the above 13th Subdivision.

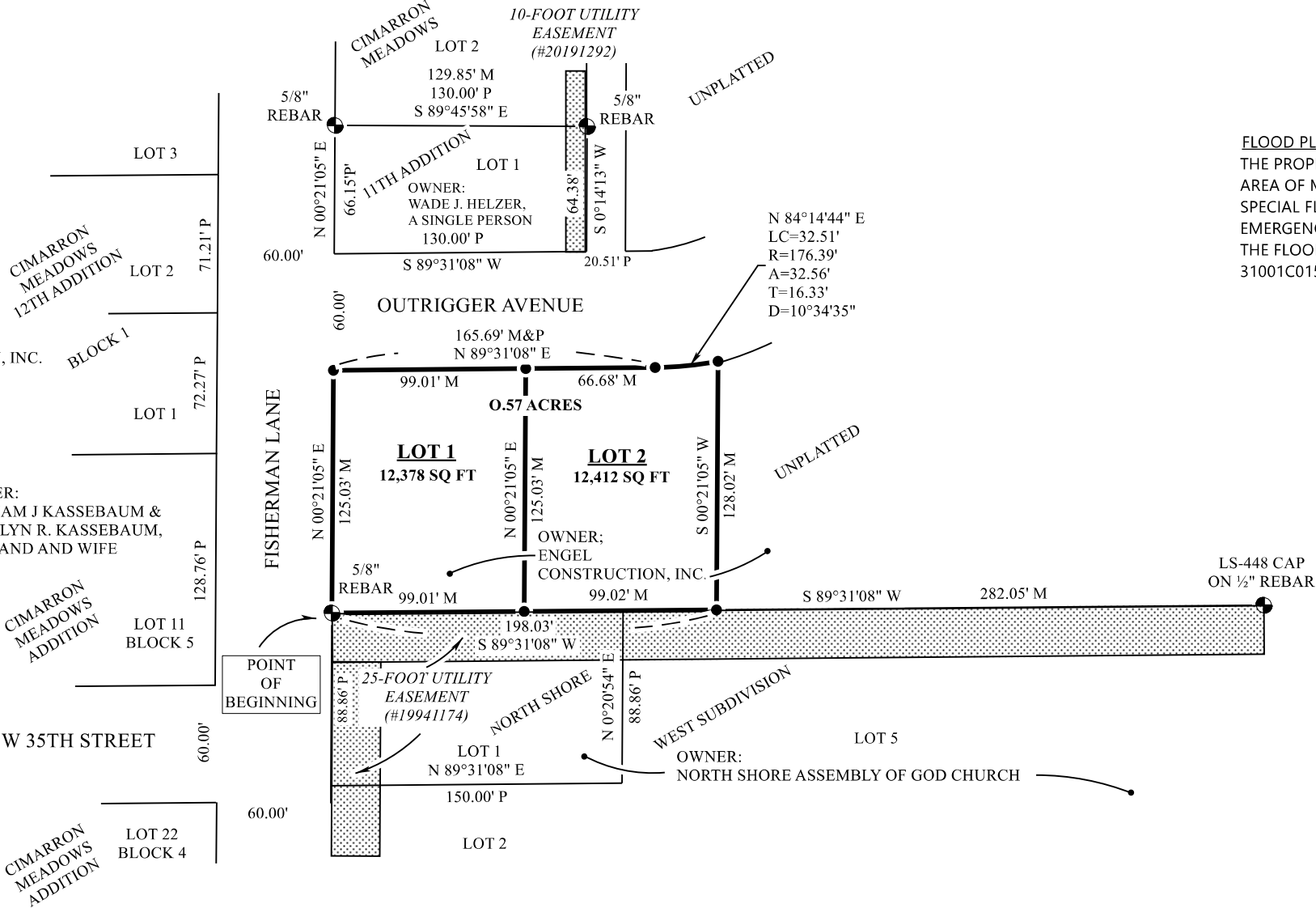
Yours Truly


Dennis Engel

CIMARRON MEADOWS 13TH ADDITION

FINAL PLAT

AN ADDITION TO THE CITY OF HASTINGS,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
ADAMS COUNTY, NEBRASKA



FLOOD PLAIN STATEMENT

THE PROPERTY AS LEGALLY DESCRIBED ON THIS PLAT IS IN ZONE X,
AREA OF MINIMAL FLOOD HAZARD, AND NOT WITHIN THE
SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY (FEMA) AS INDICATED ON
THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO.
31001C0157C AND 31001C0160C EFFECTIVE 7/05/2018.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I AM A DULY PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.



THOMAS L. KRUEGER | PLS-448

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
	SET PLASTIC CAP (LS-448) ON ½" REBAR
	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE
	EXISTING UTILITY EASEMENT

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF NORTH SHORE WEST SUBDIVISION IN THE CITY OF HASTINGS, THIS BEING THE POINT OF BEGINNING; THENCE N00°21'05"E (ASSUMED BEARING) ON THE EAST LINE OF FISHERMAN LANE, A DISTANCE OF 125.03 FEET TO THE SOUTHWEST CORNER OF CIMARRON MEADOWS 11TH ADDITION TO THE CITY OF HASTINGS; THENCE N89°31'08"E, PARALLEL WITH THE NORTH LINE OF SAID NORTH SHORE WEST SUBDIVISION, A DISTANCE OF 165.69 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 176.39 FEET; THENCE NORTHEASTERLY ON SAID CURVE, THE CHORD OF WHICH BEARS N84°14'44"E, AN ARC DISTANCE OF 32.56 FEET; THENCE S00°21'05"W, PARALLEL WITH THE EAST LINE OF SAID FISHERMAN LANE, A DISTANCE OF 128.02 FEET TO THE NORTH LINE OF SAID NORTH SHORE WEST SUBDIVISION; THENCE S89°31'08"W, ON SAID NORTH LINE, A DISTANCE OF 198.03 FEET TO THE POINT OF BEGINNING CONTAINING 0.57 ACRES, MORE OR LESS.

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME CIMARRON MEADOWS 13TH ADD, HASTINGS		
SCALE 80 Ft/In	DATE 5-2-2025	DRAWN BY T. KRUEGER
JOB KLS-25027	FIELD WORK TK	SHEET 1 OF 2

CIMARRON MEADOWS 13TH ADDITION
FINAL PLAT

AN ADDITION TO THE CITY OF HASTINGS,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT ENGEL CONSTRUCTION INC, A NEBRASKA CORPORATION, OWNER(S) OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA. AND THAT THE FOREGOING ACTIONS ARE DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND BE IT FURTHER KNOWN THAT SAID OWNERS HEREBY DEDICATE ALL THE STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SIGNED THIS _____ DAY OF _____, 20_____.

DENNIS E. ENGEL, CORPORATION PRESIDENT

ACKNOWLEDGEMENT)

)
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2025, BY DENNIS E. ENGEL, CORPORATION PRESIDENT.

MY COMMISSION EXPIRES THE _____ DAY OF _____, 20_____.

NOTARY

CITY ENGINEER'S APPROVAL

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA HAS BEEN RECEIVED AND REVIEWED BY ME AND IS IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 38 OF THE CITY CODE FOR THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, PROVIDING FOR THE APPROVAL OF SUBDIVISIONS AND PLATS BY THE CITY ENGINEER UNDER CERTAIN CIRCUMSTANCES.

APPROVED THIS _____ DAY OF _____, 20_____.

CITY ENGINEER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED

THIS _____ DAY OF _____, 20_____.

CHAIRMAN

DIRECTOR

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE DELINQUENT OR DUE UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF

THIS _____ DAY OF _____, 20_____.

CITY OF HASTINGS TREASURER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF THIS _____ DAY OF _____, 20_____.

ADAMS COUNTY TREASURER

WAIVER FOR STREET GRADES

APPLICANT(S) HEREBY WAIVE(S) ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS AND ALLEYS TO CONFORM TO SAID GRADES AS ESTABLISHED.

SIGNED THIS _____ DAY OF _____, 20_____.

DENNIS E. ENGEL, CORPORATION PRESIDENT

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED

THIS _____ DAY OF _____, 20_____.

MAYOR

CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
) SS
COUNTY OF ADAMS)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.

DATE: _____ TIME: _____ INSTRUMENT NO: _____

REGISTER OF DEEDS

FILE NAME CIMARRON MEADOWS 13TH ADD, HASTINGS		
SCALE 1000 Ft/In	DATE 5-1-2025	DRAWN BY T. KRUEGER
JOB KLS-25027	FIELD WORK TK	SHEET 2 OF 2



HDR - High Density Residential

General Purpose

The High Density Residential land use district includes both existing and new residential neighborhoods with multi-family residential development on moderate to large-sized lots with supporting community facilities. It is intended to encourage creative development patterns. Streets are paved with sidewalks, curb, and gutter. This land use type is ideally located near intersections of arterial streets to act as a buffer between more high intensity uses and lower density residential uses.

Compatible Uses

1. Missing Middle residential development (such as cottage court, townhouses, duplex, fourplex)
2. Multi-family residential development/apartment complexes
3. Residential care facilities
4. Large-scale mixed-use development
5. Public facilities (such as fire stations, public utility substations, community centers, etc.)
6. Religious and Educational uses and structures
7. Renewable Energy facilities, within performance standards

Incompatible Uses

1. Industrial uses
2. Commercial uses, except in large-scale mixed use developments

Issues

1. Off-site impacts - visual, noise odors, runoff
2. Traffic and site access
3. Natural amenities such as trees and waterways
4. Topography and drainage
5. Municipal water and sewer availability
6. Sidewalks and multi-modal accessibility

Special Policies

1. Densities should start at 15 or above dwelling units per acre

ORDINANCE NO. 4587

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE CERTAIN PROPERTY FROM "R-1, SINGLE FAMILY RESIDENTIAL AND R-3, MULTIPLE FAMILY RESIDENTIAL DISTRICT" TO "CP-3, COMMERCIAL BUSINESS PLANNED DISTRICT"; TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

SECTION 1. That the following described real property, to wit:

Cimarron Meadows 11th Addition and the Northeast Quarter of Section 36, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska, *excepting* all dedicated rights-of-way and *excepting* the following platted subdivisions, to wit: Cimarron Meadows Addition, Cimarron Meadows First Addition, Cimarron Meadows Second Addition, Cimarron Meadows 3rd Addition, Cimarron Meadows 4th Addition, Cimarron Meadows 5th Addition, Cimarron Meadows 6th Addition, Cimarron Meadows 7th Addition, Cimarron Meadows 8th Addition, Cimarron Meadows 9th Addition, Cimarron Meadows 10th Addition, Cimarron Meadows Subdivision No. 1, Cimarron Meadows Subdivision No. 2, Cimarron Meadows Subdivision No. 3, Cimarron Meadows Subdivision No. 4, North Shore West Subdivision, Assembly of God Second Subdivision, First Assembly of God Third Subdivision, Cimarron Plaza Addition, and Heartland Vet Subdivision,

currently zoned "R-1, Single Family Residential District and R-3, Multiple Family Residential District" to "CP-3, Commercial Business Planned District".

SECTION 2. That the City Engineer is hereby directed to cause the Official Zoning District Map of the City of Hastings, Nebraska to be changed in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form, said effective date being the 8th day of May, 2019, and this ordinance shall not be included in the Hastings City Code Book.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings,
Nebraska, this 22ND day of APRIL, 2019.

ATTEST:



Mayor

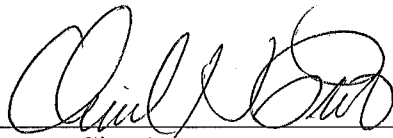


City Clerk

(S E A L)



APPROVED TO FORM:



City Attorney

Department: Development Services
Staff Contact: Donald Threewitt
Council Meeting Date: 4/22/2019

AGENDA ITEM SUMMARY SHEET

Description of Item:

Approval of Ordinance No. 4587 to Amend the Official City Zoning Map for Certain Property from "R-1, Single Family Residential District and R-3, Multiple Family Residential District" to CP-3, Commercial Business Planned District

Names of People/Business affected by this action:

The applicant, the people of Hastings, and the City.

Why Council action is required:

Upon the final hearing of an application to amend the zoning map, the Commission shall approve or deny the same and a report of such action, together with a recommendation for final approval or denial, shall be made by the Commission to the City Council [34-801 (2)(f)].

Type of action requested:

Ordinance

Suggested motion:

Motion to approve an Ordinance No. 4587 on First Reading , and if successful move to suspend the rules and pass Ordinance No. 4587 on Second and Third Reading.

Deadlines associated with action:

Department head comments:

This zone change is related to the Cimarron Meadows 11th plat located north of West 33rd Street and east of and adjacent to Fisherman Lane, but will also encompass the remainder of the Cimarron Meadows development as depicted on the Preliminary Plat filed August, 2004. The zone change to CP-3 Commercial Business Planned District is due to:

- the need for more flexible development standards for the immediate residential product in order to address variable side yard setbacks and smaller lot sizes,
- the need to maintain flexibility in the northern blocks adjacent to 42nd Street for potential development to include a combination of neighborhood commercial and compact residential, or

traditional mixed-use.

Specific reasons for the zone change are based on the following factors:

The requirements for R-1 Single family are a minimum lot area of 7,000 sf, side yard setbacks of 7' or 10%, and a minimum lot width of 70'.

As depicted on the Cimarron Meadows 11th Addition plat filing, the subject property exhibits an average lot area of 7,271 sf, side setbacks at 0' and 16' respectively, and an average lot width of 51', where most lots are less than 50'. Considering these criteria, the R-1 base designation is inadequate.

In a C-3 Commercial Business Planned district, residential uses require a minimum lot area of 6,000 square feet.

Side yard setbacks are the primary concession from the base district standards. In this development, staff recommends the following side yard setback standards:

For residential one- and two- unit structures, side yard may vary between 0 and 16 feet on each side, but need not exceed 25 feet combined;

For commercial structures, side yard shall be 0 feet, however if the building is set back from the property line it shall be a minimum of 5 feet, and if abutting a strictly residential use the side setback shall be a minimum of 10 feet. For the purposes of side yard setbacks, mixed-use buildings shall be considered commercial.

Future land use designation in Imagine Hastings is Mixed Use - Neighborhood, which supports the proposed development. Surrounding zoning is A Agricultural to the north, R-1 Single Family Residential to the south and west, and C-3 Commercial Business to the east.

Overall, the proposed development density and use would provide a desired transitional development pattern from the single-family uses to the west to the commercial uses to the east.

On March 18, Planning Commission voted 8-0 in favor of approval.

City Administrator comments:

Recommend approval

Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 5/20/2025
File No: 2025-186
Prepared By: Ember Batelaan, City Planner

AGENDA ITEM SUMMARY SHEET

Description of Item:

Final Plat of the Cimarron Meadows 13th Addition, generally located southeast of the intersection of Fisherman Ln and Outrigger Ave. in the City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

The applicant, the City of Hastings and Adams County

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 states that the city council shall not take final action on subdivision development matters without the recommendation of the Planning Commission.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

The case will be presented for approval at the City Council Regular Meeting to be held on June 9, 2025.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in City Code Section 38-203. All related easement locations have been reviewed and approved by the Utilities Coordinator as part of this plat process.

A complete review of the Final Plat can be found in the attached Staff Report.

Recommendation:

Staff recommends a motion to recommend approval to City Council of the Final Plat of the Cimarron Meadows 13th Addition.



City of Hastings Planning Commission

STAFF REPORT

Final Plat: Cimarron Meadows 13th Addition

File No. 2025-186

Applicant Engel Construction, Inc.

Property Location: Generally located southeast of the intersection of Fisherman Ln and Outrigger Ave.

Lot Size: 0.5 acres

Date of Public Hearing: May 20, 2025

Zoning CP-3, Commercial Business Planned District

Adjacent Zoning:

- North: CP-3, Commercial Business Planned District
- East: C-3, Commercial Business District
- South: R-1, Urban Single-Family Residential District
- West: R-1, Urban Single-Family Residential District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF A FINAL PLAT:

- **Sec. 38-201. – Approval of subdivision plats**
- **Sec. 38-203. – Final Plat:** describes intent and submittal requirements.
- **Chapter 28, Article III. – Planning and Community Design Standards:** describes various plat, lot, and site design requirements.
- **Chapter 28, Article IV. – Engineering and Technical Standards:** describes technical standards of public infrastructure and other improvements.

DESCRIPTION OF FINAL PLAT REQUESTED: The applicant has submitted the Final Plat of the Cimarron Meadows 13th Addition to provide for the next phase of the development. The subdivision will create two lots for single-family homes. The applicant has also requested the annexation of the subdivision.

Property Description: The site is a 0.5-acre, undeveloped tract of land. The land is relatively flat, with a gentle slope from the northwest to the southeast. The land currently has grass cover.

CONSIDERATIONS OF THE FINAL PLAT:

Subsection 38-201(1). – Approval of subdivision plats states “No plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions set forth in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.”

City and County staff reviews the following topics to ensure that the proposed final plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards and Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to City of Hastings Planning Commission and Hastings City Council.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the final plat of **Cimarron Meadows 13th Addition**.

PREPARED BY: Ember Batelaan, City Planner

DATE: May 6, 2025

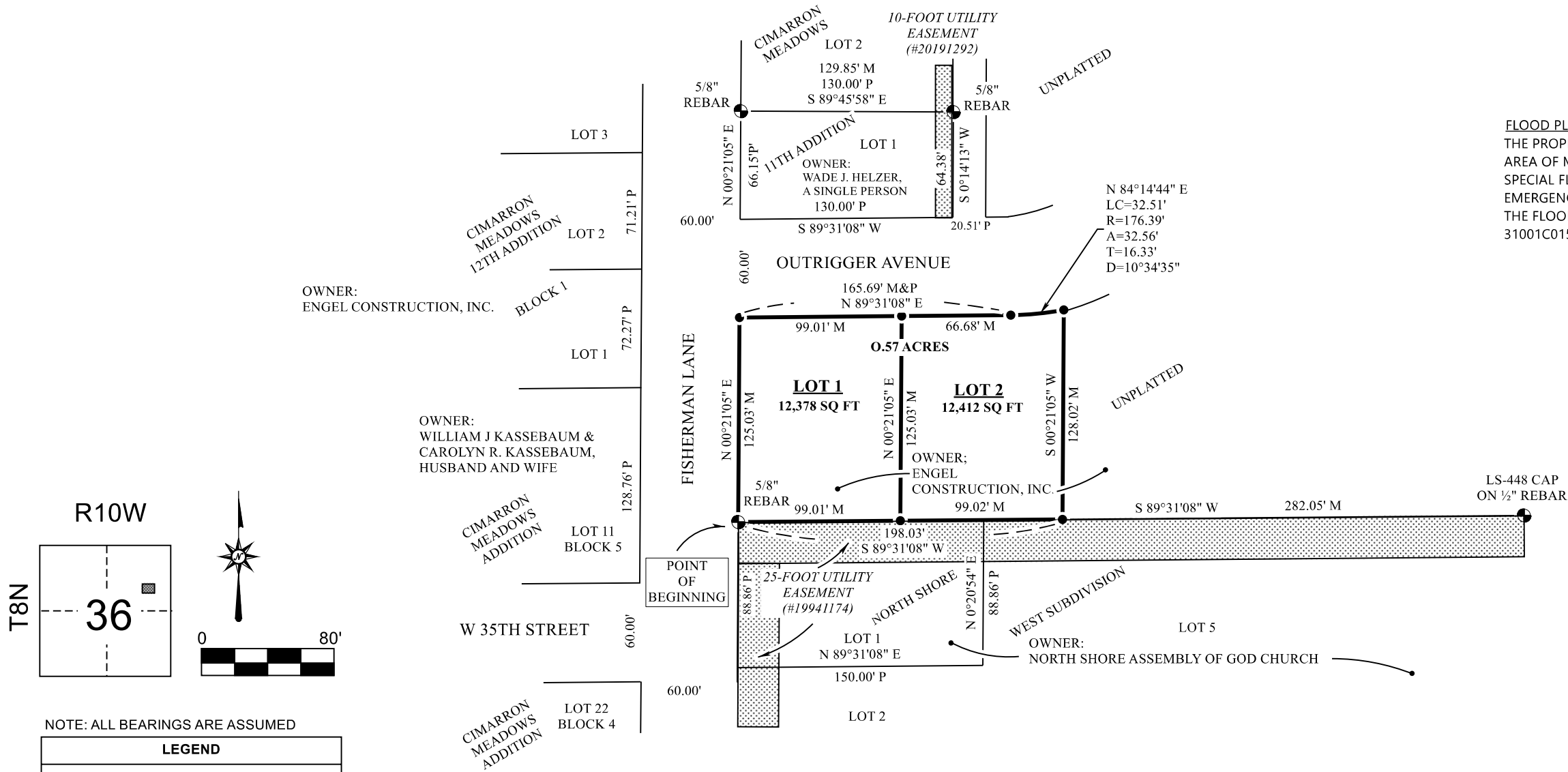
ATTACHMENTS:

1. Final Plat of Cimarron Meadows 13th Addition
2. Amended Preliminary Plat of Cimarron Meadows Subdivision (approved July 2021)

CIMARRON MEADOWS 13TH ADDITION

FINAL PLAT

AN ADDITION TO THE CITY OF HASTINGS,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
ADAMS COUNTY, NEBRASKA



FLOOD PLAIN STATEMENT
THE PROPERTY AS LEGALLY DESCRIBED ON THIS PLAT IS IN ZONE X, AREA OF MINIMAL FLOOD HAZARD, AND NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS INDICATED ON THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 31001C0157C AND 31001C0160C EFFECTIVE 7/05/2018.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I AM A DULY PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

THOMAS L. KRUEGER | PLS-448



KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

LEGAL DESCRIPTION
A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF NORTH SHORE WEST SUBDIVISION IN THE CITY OF HASTINGS, THIS BEING THE POINT OF BEGINNING; THENCE N00°21'05"E (ASSUMED BEARING) ON THE EAST LINE OF FISHERMAN LANE, A DISTANCE OF 125.03 FEET TO THE SOUTHWEST CORNER OF CIMARRON MEADOWS 11TH ADDITION TO THE CITY OF HASTINGS; THENCE N89°31'08"E, PARALLEL WITH THE NORTH LINE OF SAID NORTH SHORE WEST SUBDIVISION, A DISTANCE OF 165.69 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 176.39 FEET; THENCE NORTHEASTERLY ON SAID CURVE, THE CHORD OF WHICH BEARS N84°14'44"E, AN ARC DISTANCE OF 32.56 FEET; THENCE S00°21'05"W, PARALLEL WITH THE EAST LINE OF SAID FISHERMAN LANE, A DISTANCE OF 128.02 FEET TO THE NORTH LINE OF SAID NORTH SHORE WEST SUBDIVISION; THENCE S89°31'08"W, ON SAID NORTH LINE, A DISTANCE OF 198.03 FEET TO THE POINT OF BEGINNING CONTAINING 0.57 ACRES, MORE OR LESS.

FILE NAME CIMARRON MEADOWS 13TH ADD, HASTINGS		
SCALE 80 Ft/In	DATE 5-2-2025	DRAWN BY T. KRUEGER
JOB KLS-25027	FIELD WORK TK	SHEET 1 OF 2

CIMARRON MEADOWS 13TH ADDITION
FINAL PLAT

AN ADDITION TO THE CITY OF HASTINGS,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT ENGEL CONSTRUCTION INC, A NEBRASKA CORPORATION, OWNER(S) OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA. AND THAT THE FOREGOING ACTIONS ARE DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND BE IT FURTHER KNOWN THAT SAID OWNERS HEREBY DEDICATE ALL THE STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SIGNED THIS _____ DAY OF _____, 20_____.

DENNIS E. ENGEL, CORPORATION PRESIDENT

ACKNOWLEDGEMENT)

)
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2025, BY DENNIS E. ENGEL, CORPORATION PRESIDENT.

MY COMMISSION EXPIRES THE _____ DAY OF _____, 20_____.

NOTARY

CITY ENGINEER'S APPROVAL

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA HAS BEEN RECEIVED AND REVIEWED BY ME AND IS IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 38 OF THE CITY CODE FOR THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, PROVIDING FOR THE APPROVAL OF SUBDIVISIONS AND PLATS BY THE CITY ENGINEER UNDER CERTAIN CIRCUMSTANCES.

APPROVED THIS _____ DAY OF _____, 20_____.

CITY ENGINEER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED

THIS _____ DAY OF _____, 20_____.

CHAIRMAN

DIRECTOR

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE DELINQUENT OR DUE UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF

THIS _____ DAY OF _____, 20_____.

CITY OF HASTINGS TREASURER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF THIS _____ DAY OF _____, 20_____.

ADAMS COUNTY TREASURER

WAIVER FOR STREET GRADES

APPLICANT(S) HEREBY WAIVE(S) ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS AND ALLEYS TO CONFORM TO SAID GRADES AS ESTABLISHED.

SIGNED THIS _____ DAY OF _____, 20_____.

DENNIS E. ENGEL, CORPORATION PRESIDENT

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF CIMARRON MEADOWS 13TH ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED

THIS _____ DAY OF _____, 20_____.

MAYOR

CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
) SS
COUNTY OF ADAMS)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.

DATE: _____ TIME: _____ INSTRUMENT NO: _____

REGISTER OF DEEDS

FILE NAME CIMARRON MEADOWS 13TH ADD, HASTINGS		
SCALE 1000 Ft/In	DATE 5-1-2025	DRAWN BY T. KRUEGER
JOB KLS-25027	FIELD WORK TK	SHEET 2 OF 2

CIMARRON MEADOWS

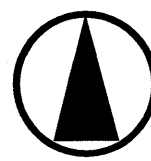
AMENDED PRELIMINARY PLAT AS OF 7/5/2021

Part of the Northeast Quarter of Section 36, Township 8 North
Range 10 West of the Sixth P.M., Adams County, Nebraska

Underground Electric

Gas

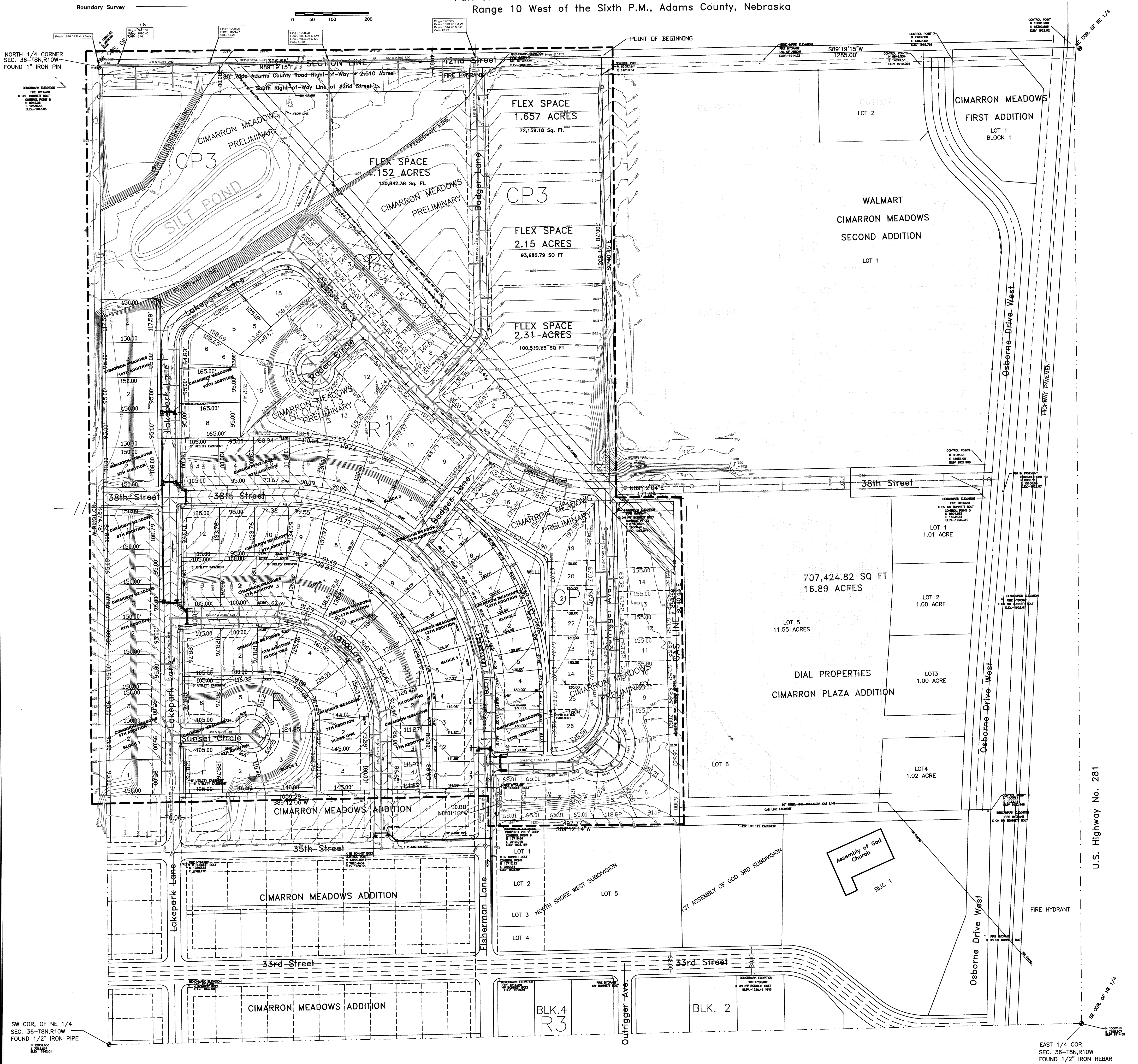
Proposed Lot Lines =
Proposed Building Setbacks =
Proposed Utility Easements =
Boundary Survey



North

Scale in feet:

0 50 100 200



MAYOR AND CITY COUNCIL ACTION

THIS PRELIMINARY PLAT OF "CIMARRON MEADOWS" A PROPOSED ADDITION TO THE CITY OF HASTINGS, NEBRASKA, HAS BEEN BY MOTION DULY PASSED ON THIS _____ DAY OF _____, 2021.

CITY CLERK

MAYOR

LEGAL DESCRIPTION

A TRACT OF LAND IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID NE 1/4; THENCE ON AN ASSUMED BEARING OF S89°19'15"W ALONG THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 1285.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S0°40'45"E ALONG THE WESTERN LINE OF CIMARRON MEADOWS SECOND ADDITION A DISTANCE OF 1208.10 FEET TO A POINT; THENCE N89°12'04"E A DISTANCE OF 171.94 FEET TO A POINT ON THE N.W. CORNER OF CIMARRON MEADOWS THIRD ADDITION; THENCE S0°40'45"E ALONG THE WESTERN LINE OF CIMARRON MEADOWS 3RD ADDITION A DISTANCE OF 854.60 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF CIMARRON MEADOWS 3RD ADDITION; THENCE S89°12'04"W ALONG THE NORTH LINE OF THE NORTH SHORE WEST SUBDIVISION A DISTANCE OF 497.77 FEET, SAID POINT BEING THE NORTHWEST CORNER OF SAID NORTH SHORE WEST SUBDIVISION; THENCE N0°11'18"W A DISTANCE OF 90.88 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF CIMARRON MEADOWS ADDITION TO THE CITY OF HASTINGS; THENCE S89°12'06"W ALONG THE NORTH LINE OF SAID CIMARRON MEADOWS ADDITION TO THE CITY OF HASTINGS A DISTANCE OF 1059.28 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF CIMARRON MEADOWS ADDITION TO THE CITY OF HASTINGS; THENCE N0°10'16"W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER (NE 1/4) OF SECTION 36 A DISTANCE OF 1974.78 FEET TO A POINT, SAID POINT BEING THE NW CORNER OF SAID NORTHEAST QUARTER OF SECTION 36; THENCE N89°19'15"E A DISTANCE OF 1366.55 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 66.35 ACRES MORE OR LESS.

EASEMENTS AND SETBACKS

FRONT SETBACKS ON ALL LOTS EXCEPT RP1 LOTS SHALL BE 25 FEET. CORNER LOTS STREET SIDE SETBACKS SHALL BE 15 FEET.
REAR UTILITIES AND DRAINAGE EASEMENTS SHALL BE 10', AND WATER DRAINAGE MAY NOT BE BLOCKED IN THIS AREA.

CITY PLANNING COMMISSION RECOMMENDATION

THIS PRELIMINARY PLAT OF "CIMARRON MEADOWS" A PROPOSED ADDITION TO THE CITY OF HASTINGS, NEBRASKA, HAS BEEN PRESENTED TO AND REVIEWED BY THE HASTINGS PLANNING COMMISSION AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, NEBRASKA, WITH THE RECOMMENDATION THAT SAID PLAT BE _____

SIGNED THIS _____ DAY OF _____, 2021.

CHAIRMAN

DIRECTOR OF PLANNING

SECTION CORNER TIES

N E COR. OF SEC. 36-8-10
FOUND 5/8" REBAR IN CONC.
W 174.83' REBAR IN CONC.
W 11.60' CENTERLINE OF SOUTHWEST LANE
NE 138.51' 5/8" REBAR
NE 148.31' 5/8" REBAR BY ROW MARKER
SE 164.84' 5/8" REBAR BY ROW MARKER

SW COR. OF NE 1/4 OF SEC. 36-8-10
FOUND 1/2" IRON PIPE
NORTH 0.25' TO STEEL FENCE POST
SW 0.25' TO CHAIN LINK FENCE POST
WNW 1.20' TO CABLE TV RISER

EAST 1/4 COR. OF SEC. 36-8-10
FOUND 1/2" IRON REBAR
E 36.87' TO X MARK IN POWER POLE
NE 53.96' TO X MARK IN POWER POLE
NW 79.55' TO X MARK IN LIGHT POLE BASE
SW 82.20' TO X ON TOP OF FES OF 24" RCP

N 1/4 COR. OF SEC. 36-8-10
FOUND 1" IRON PIN
NE 39.03' TO 5/8" REBAR W/WM CAP
SE 41.30' TO 5/8" REBAR W/WM CAP
SW 46.20' TO 5/8" REBAR W/WM CAP
S 46.80' TO NORTH FACE OF KNE MARKER POST

Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 5/20/2025
File No: 2025-191
Prepared By: Ember Batelaan, City Planner

AGENDA ITEM SUMMARY SHEET

Description of Item:

The proposed Cedar Park Subdivision Preliminary Plat is to subdivide the unplatted tract into 12 lots designed for townhomes and apartments. A total of 58 units are planned for this development.

Names of People/Business affected by this action:

The applicant, the City of Hastings and Adams County.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 states that city council shall not take final action on subdivision development matters without the recommendation of the Planning Commission.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

The Preliminary Plat is scheduled to be reviewed by the City Council on June 9, 2025.

Department head comments:

The Development Services Department and Plat Track review teams (to include County officials) have reviewed this subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in City Code Section 38-203. All related utility easement locations have been reviewed and approved by the Utilities Coordinator as part of this plat process.

A complete review of the Preliminary Plat can be found in the attached Staff Report.

Recommendation:

Staff recommends the Planning Commission recommend APPROVAL to the City Council for the PRELIMINARY PLAT of the Cedar Park Subdivision, generally located southeast of the intersection of East D Street and South Cedar Avenue.



City of Hastings Planning Commission

STAFF REPORT

Preliminary Plat: Cedar Park Subdivision

Case No. 2025-191

Applicant Hoppe Development

Property Location: Generally located southeast of the intersection of East D Street and S Cedar Avenue.

Lot Size: 3.67 acres

Date of Public Hearing: May 20, 2025

Zoning R-3, Multiple-Family Residential District

Adjacent Zoning: North: R-3, Multiple-Family Residential District

East: I-1, Light Industrial District

South: I-2, Heavy Industrial District

West: R-3, Multiple-Family Residential District and I-1, Light Industrial District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF A PRELIMINARY PLAT:

- **Sec. 38-201. – Approval of subdivision plats**
- **Sec. 38-202. – Preliminary Plat:** describes intent, submittal requirements and approval limitations.
- **Chapter 28, Article III. – Planning and Community Design Standards:** describes various plat, lot, and site design requirements.
- **Chapter 28, Article IV. – Engineering and Technical Standards:** describes technical standards of public infrastructure and other improvements.

DESCRIPTION OF PRELIMINARY PLAT REQUESTED:

The Preliminary Plat name is Cedar Park Subdivision and is designed to subdivide the vacant, unplatted tract into 12 lots. Lots 1-10 are designed for attached dwellings (townhouses). Lots 11 and 12 are designed for multi-dwelling buildings (apartments) and a clubhouse for the development. A total of 58 units are planned for this development. The target tenant is to be community members from 40% Area Median Income (AMI) up to 120% AMI.

Property Description:

The property generally slopes gently from the west to the east. It is currently primarily vacant land with grassland cover. The existing house was built in 1923 and will be demolished.

The CRA acquired the land in 2023 to encourage residential development on the land using the financial incentive available to the redevelopment authority.

CONSIDERATIONS OF THE PRELIMINARY PLAT:

Subsection 38-201(1). – Approval of subdivision plats states no plat or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions outlined in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument affecting a subdivision until it has received the recommendation of the Hastings Planning Commission.

City staff reviews the following topics to ensure that the proposed preliminary plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards and Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to the City of Hastings Planning Commission and Hastings City Council.

Pursuant to Sec. [34-402](#) of the City Code of Ordinance, the City Council, by recommendation from the City Planning Commission, will base its decision on the following:

1. Conformance to the Comprehensive Plan

The City of Hastings Comprehensive Plan, adopted in 2025, shows the site as the Medium Density Residential land use category. The policy statement for this use designation is:

The Medium Density Residential land use district includes both existing and new residential neighborhoods with a mix of single-family, two-family, and multi-family dwellings on small to moderately-sized lots with supporting community facilities. It is intended to encourage creative development patterns and adaptive reuse of existing structure. Streets are paved with sidewalks, curb, and gutter.

The proposed development is for 10 attached (townhouse) homes, four multi-dwellings buildings (apartments), and a clubhouse, which is a compatible use in the Medium Density Residential land use category. The development would create 58 dwelling units on the 3.67 acres of land, which equates to a residential density of 15.8 dwellings per acre. The Medium Density Residential land use category states that densities should range between seven and 15 dwelling units per acre.

The proposed Preliminary Plat conforms to the City's Comprehensive Plan.

2. Conformance with the Applicable Zoning Regulations

The property is zoned R-3, Multiple-Family Residential District. The proposed uses are permitted in this district. Each lot meets the minimum lot area and the required setbacks. Other zoning requirements, such as off-street parking, screening, and landscaping will be addressed at the time of building permits. The proposed development is in conformance with the applicable zoning regulations.

3. Adequate and Appropriate Access

The townhomes will gain access from South Cedar Avenue, which will be paved. The apartments will gain access off of East D Street.

There are no sidewalks in the surrounding area, however the development will provide sidewalks along East D Street and South Cedar Avenue.

East D Street is a paved road designed to serve the adjacent commercial and residential zoned properties. This roadway is sufficient to handle the current traffic and future traffic.

Adequate and appropriate access will be provided.

4. Design of Public Infrastructure

a. Access to public right-of-way

As stated above, the townhomes will gain access off of South Cedar Avenue and the apartments will gain access off of East D Street.

b. Public utilities

Public utilities are present in the immediate area. Sanitary sewer and water will be extended into the development to serve each lot.

c. Floodplain and stormwater management

The City's Engineering Department has reviewed the planned stormwater management for the development and agrees with the planned design.

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the **PRELIMINARY PLAT** of the Cedar Park Subdivision, generally located southeast of the intersection of East D Street and South Cedar Avenue, on the east side of South Cedar Avenue.

PREPARED BY: Ember Batelaan, City Planner

DATE: May 5, 2025

ATTACHMENTS:

1. Cedar Park Subdivision Preliminary Plat
2. Application Materials
3. 2025 Future Land Use Map

April 18, 2025

Mr. Chad Bunger
Development Services, City of Hastings
3505 Yost Ave
Hastings, NE 68901

RE: Cedar Park Preliminary Plat
South Cedar Ave & East "D" Street

Dear Mr. Bunger:

Enclosed please find the following for the above-mentioned project:

1. Application (submitted electronically)
2. Preliminary Plat Site Plan (submitted electronically)
3. Preliminary Plat Street & Utility Plan (submitted electronically)
4. Preliminary Plat Grading & Drainage Plan (submitted electronically)
5. Drainage Memo (submitted electronically)
6. Preliminary Plat Checklist (submitted electronically)

On behalf of the Developer, Hoppe Development, we are submitting a Preliminary Plat, located at the southeast corner of the intersection of S. Cedar Ave & E. "D" Street. This preliminary plat is to enable the construction of 58 mixed-income, mixed-type rental homes of townhomes and apartments targeting community members from 40% area median income up to 120% area median income. The proposed Lot 12 will enable the construction of 24 rental homes in the Nebraska Affordable Housing Trust Fund program and the proposed Lots 1-11 will enable the construction of 34 rental homes in the Low Income Housing Tax Credit program.

Sincerely,



Tim Gergen

CEDAR PARK PRELIMINARY PLAT

DWELLING UNITS R-3 ZONE: 58
DWELLING UNITS PER ACRE: 15.9
PRELIMINARY PLAT IS ENTIRELY IN FEMA FLOOD ZONE X.



CLARK & ENERSEN

Architecture \ Engineering \ Planning \ Landscape Architecture \ Commissioning

clarkenersen.com
Fort Collins, Colorado
Lawrence, Kansas
Kansas City, Missouri
Lincoln, Nebraska
Omaha, Nebraska
Portland, Oregon
Charleston, South Carolina

OWNER
COMMUNITY REDEVELOPMENT AUTHORITY
OF THE CITY OF HASTINGS
301 S. BURLINGTON AVE
HASTINGS, NE 68901

ENGINEER
CLARK & ENERSEN
1010 LINCOLN MALL, SUITE 200
LINCOLN, NE 68508

LAND SURVEYOR
JEO CONSULTING GROUP
319 NORTH LOCUST STREET
GRAND ISLAND, NE 68801

SUBDIVISION AREA
3.641± ACRES

LOT USAGE
10 - TOWNHOMES
2 - MULTIFAMILY

LAYOUT IS CONCEPTUAL AND WILL HAVE FINAL LAYOUT AT TIME OF BUILDING PERMIT.
RIGHT-OF-WAY AND EASEMENTS SHOWN ON PLAT TO BE DEDICATED AT TIME OF FINAL PLAT.

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH LINE OF "D" STREET IN COLE'S 1ST ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, 346 FEET EAST OF THE NORTHEAST CORNER OF LOT NINE (9), IN H.R. SMITH'S SUB-DIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, RUNNING THENCE N89°30'24"E A DISTANCE OF 30.00 FEET ALONG THE SOUTH LINE OF SAID "D" STREET, THENCE N89°20'08"E A DISTANCE OF 307.78 FEET ON SAID SOUTH LINE, THENCE S00°17'11"W A DISTANCE OF 469.35 FEET, THENCE S89°14'28"W A DISTANCE OF 337.84 FEET, THENCE N00°17'28"E A DISTANCE OF 469.99 FEET TO THE POINT OF BEGINNING; BEING WHAT WAS FORMERLY KNOWN AS BLOCK TWO (2), STEVEN'S SUBDIVISION OF A PART OF BLOCK THIRTEEN (13), IN COLE'S ADDITION TO HASTINGS, ADAMS COUNTY, NEBRASKA, TOGETHER WITH ONE-HALF THE VACATED STREET ON THE EAST, SOUTH AND WEST SIDES OF SAID BLOCK AS THEY EXISTED BEFORE VACATION.

HASTINGS PLANNING COMMISSION RECOMMENDATION
THIS PRELIMINARY PLAT OF CEDAR PARK SUBDIVISION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, WITH THE RECOMMENDATION THAT THE SAID PRELIMINARY PLAT BE APPROVED THIS ___ DAY OF ____, 2025.

MAYOR AND CITY COUNCIL RECOMMENDATION
THIS PRELIMINARY PLAT OF CEDAR PARK SUBDIVISION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, IS HEREBY APPROVED THIS ___ DAY OF ____, 2025.

CHAIRMAN
DIRECTOR
MAYOR
CLERK

LEGEND

- PROPERTY BOUNDARY
- PROPERTY LINE
- SHARED TOWNHOME PROPERTY LINE
- ROAD CENTERLINE
- EASEMENT LINE
- LOT SETBACK LINE
- EX. NEIGHBORING PROPERTY

Preliminary Plat

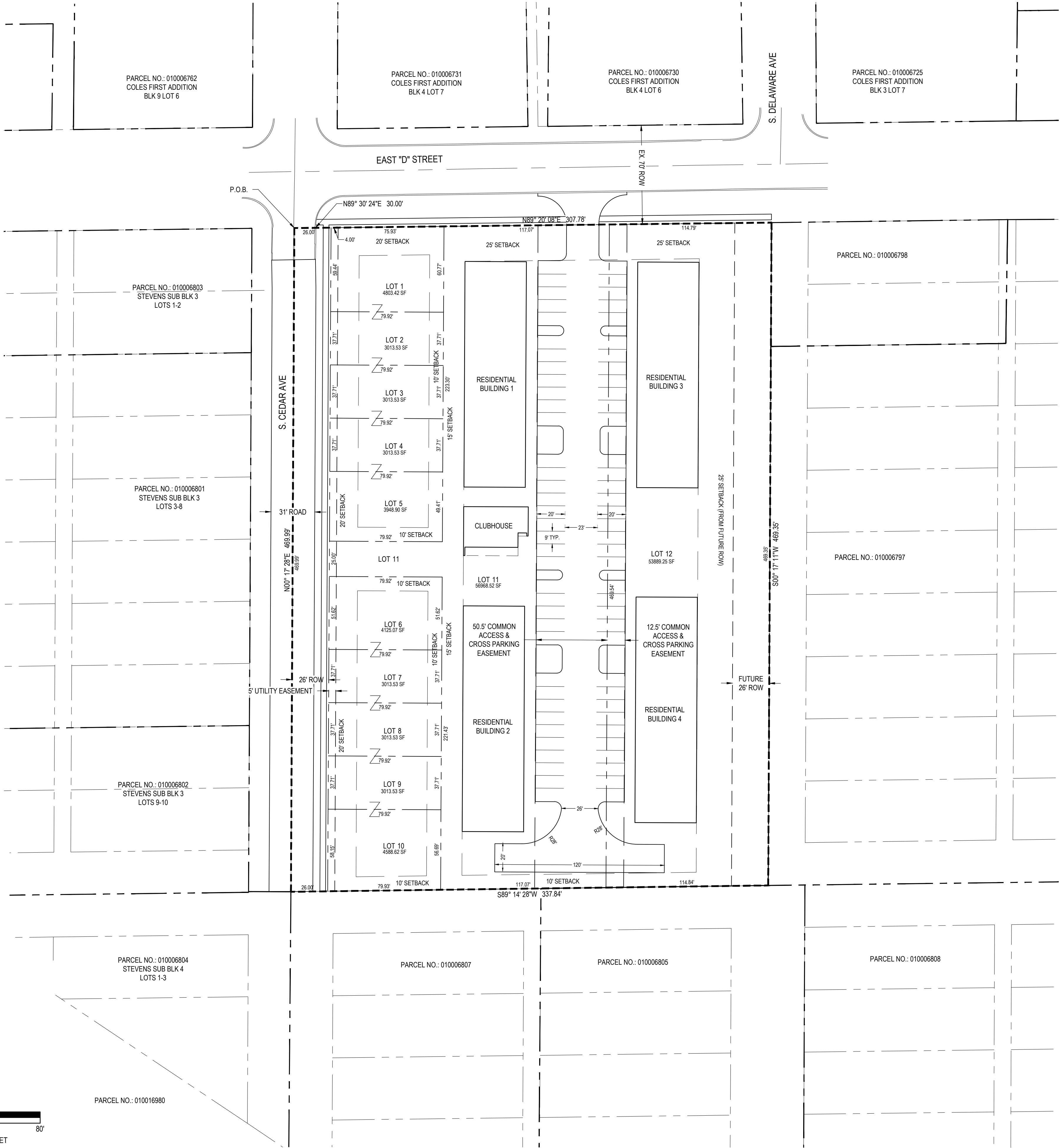
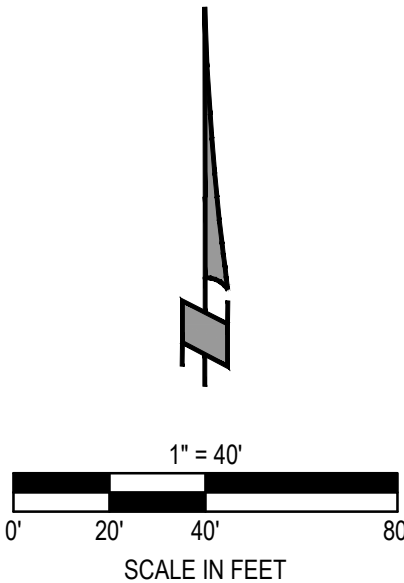
Cedar Park
502 E 'D' Street
Hastings, Nebraska

CE No.: 450-002-25

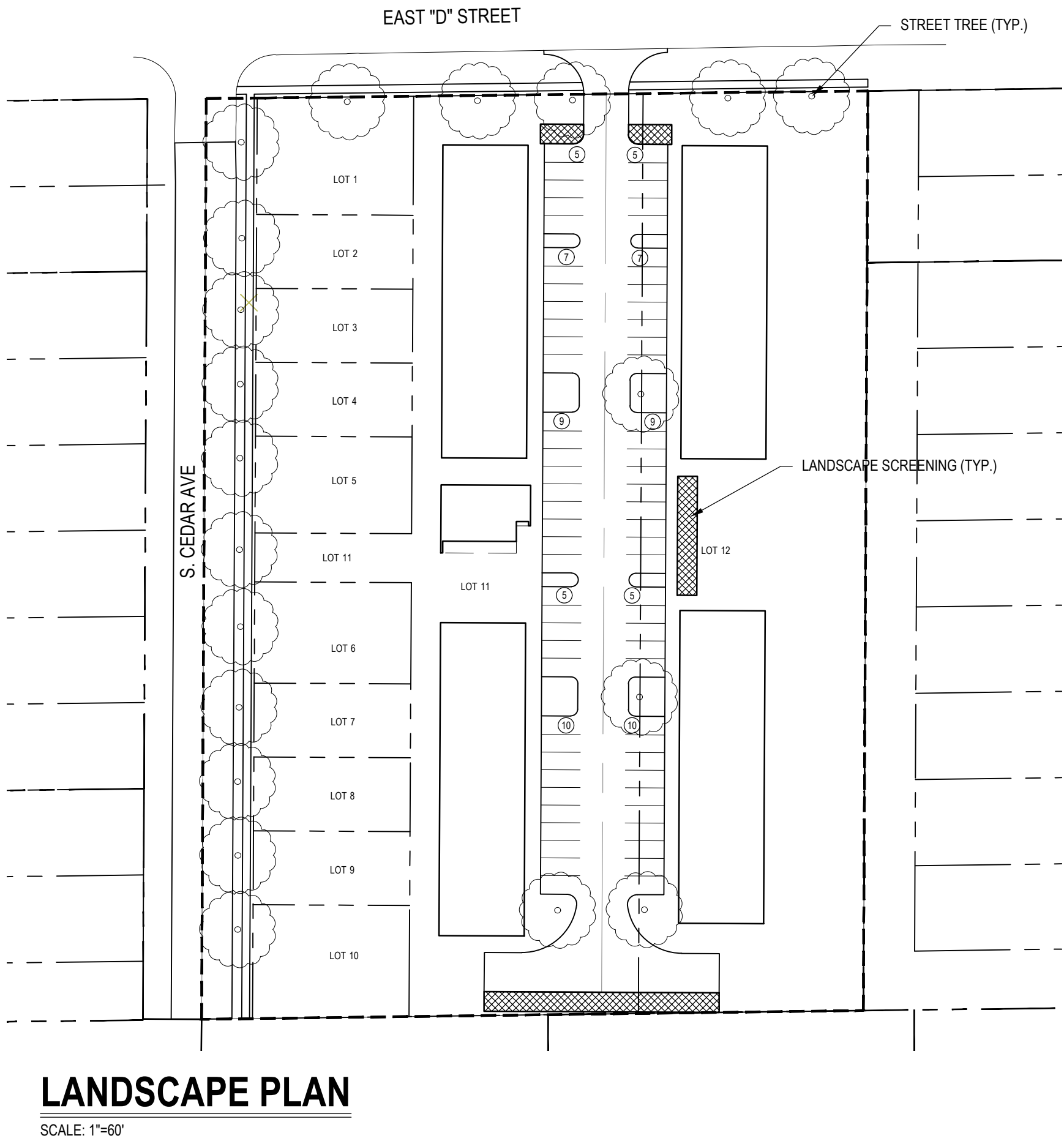
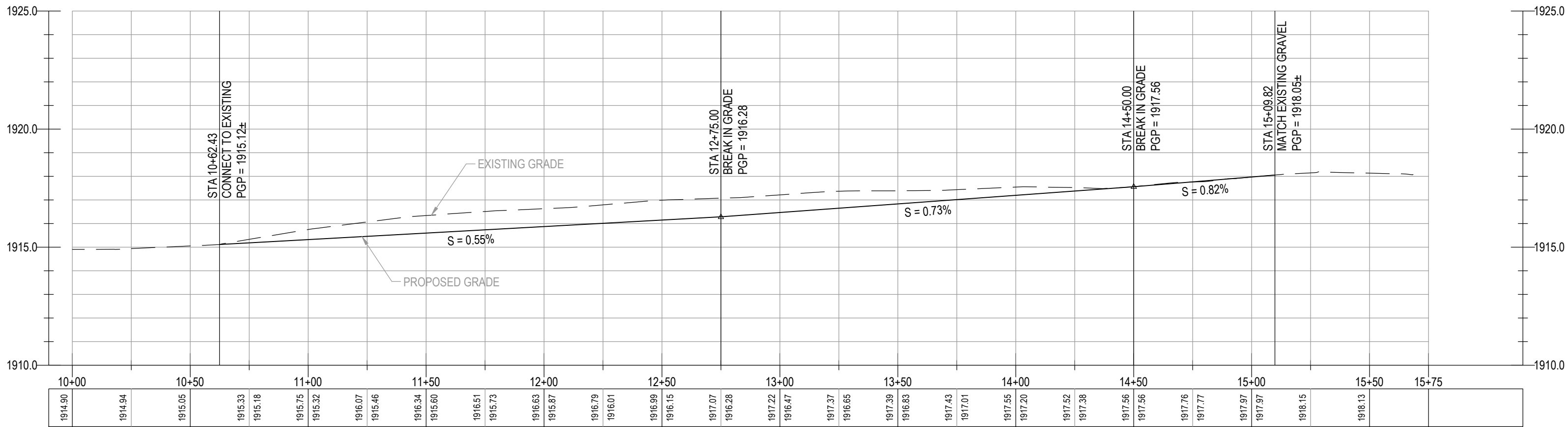
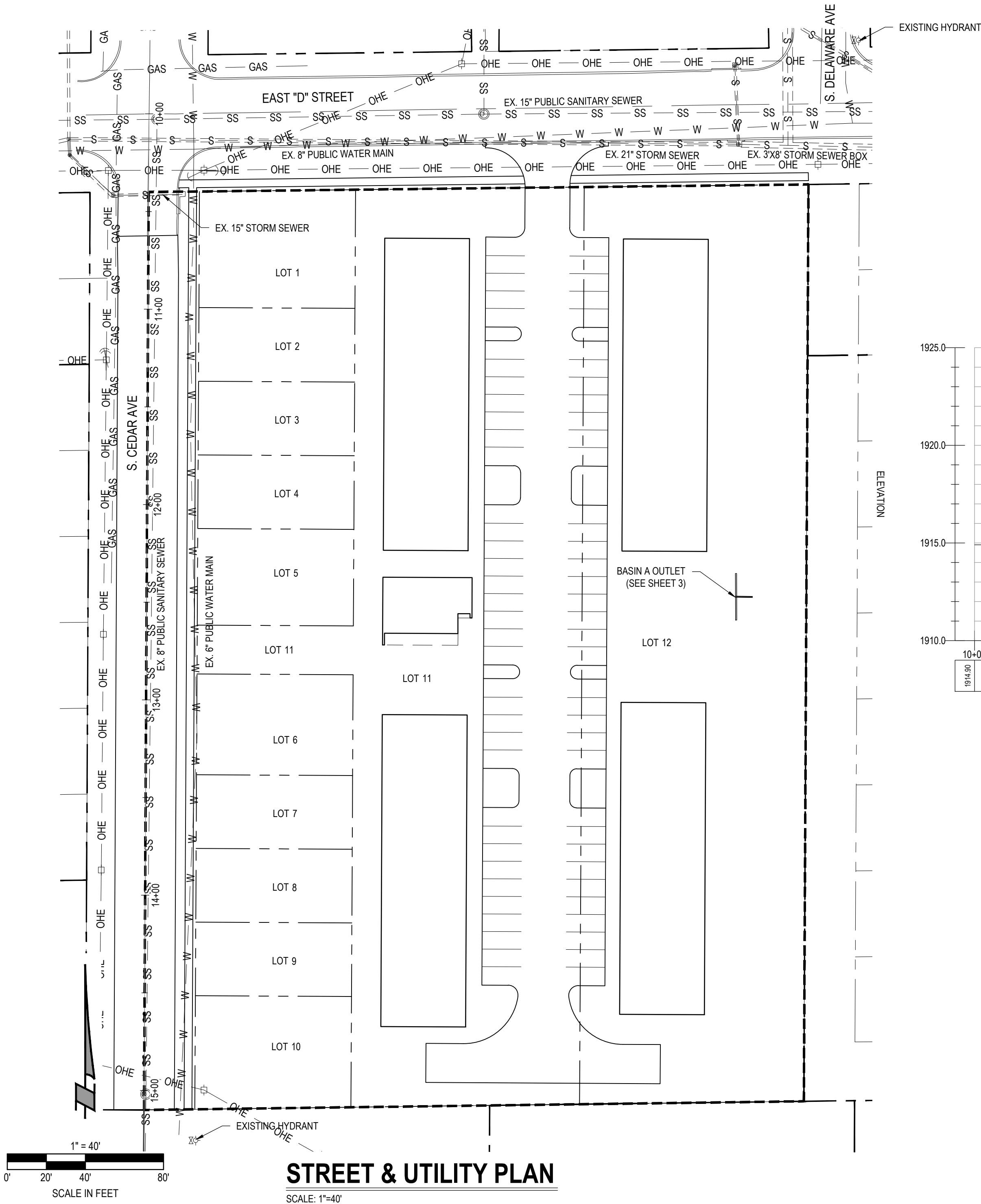
April 18, 2025

Cover Sheet

Plot Time Stamp: 5 / 08 / 2025 9:16:21 AM
File Location/Name: \\C:\h-srv-004\400-499\450-002-25 Hoppe Hastings Cedar Park\03 AutoCAD\Prelim Plat\450002-Sheet 1.dwg



CEDAR PARK PRELIMINARY PLAT



Preliminary Plat

Cedar Park
502 E 'D' Street
Hastings, Nebraska

CE No.: 450-002-25

April 18, 2025

Street & Utility Plan

CEDAR PARK PRELIMINARY PLAT

LEGEND

- PROPERTY BOUNDARY
- PROPERTY LINE
- CENTERLINE
- EASEMENT LINE
- LOT SETBACK LINE

EXISTING DRAINAGE CALCULATIONS

EWS_1
DRAINAGE AREA = 3.455 ACRES
CN = 74
TC = 14.7 MIN.
Q₂ = 3.48 CFS
Q₁₀ = 7.76 CFS
Q₁₀₀ = 16.83 CFS

EWS_2
DRAINAGE AREA = 1.47 ACRES
CN = 80
TC = 5.0 MIN.
Q₂ = 0.39 CFS
Q₁₀ = 0.76 CFS
Q₁₀₀ = 1.47 CFS

LAND USE
1/2 ACRE LOTS, 25% IMP, HSG C
WOODS/GRASS COMB., GOOD, HSG C
PASTURE/GRASSLAND/RANGE, GOOD, HSG C

LAND USE
1/2 ACRE LOTS, 25% IMP, HSG C

PROPOSED DRAINAGE CALCULATIONS

PWS_1A
DRAINAGE AREA = 1.343 ACRES
CN = 88
TC = 8.7 MIN.
Q₂ = 3.67 CFS
Q₁₀ = 6.17 CFS
Q₁₀₀ = 10.81 CFS

PWS_1B
DRAINAGE AREA = 1.234 ACRES
CN = 87
TC = 10.4 MIN.
Q₂ = 3.00 CFS
Q₁₀ = 5.13 CFS
Q₁₀₀ = 9.10 CFS

PWS_1C
DRAINAGE AREA = 0.591 ACRES
CN = 89
TC = 6.4 MIN.
Q₂ = 1.84 CFS
Q₁₀ = 3.03 CFS
Q₁₀₀ = 5.23 CFS

PWS_2
DRAINAGE AREA = 0.764 ACRES
CN = 89
TC = 10.6 MIN.
Q₂ = 2.01 CFS
Q₁₀ = 3.33 CFS
Q₁₀₀ = 5.77 CFS

LAND USE
>75% GRASS COVER, GOOD, HSG C
PARKING & BUILDING, HSG C

LAND USE
>75% GRASS COVER, GOOD, HSG C
PARKING & BUILDING, HSG C

LAND USE
>75% GRASS COVER, GOOD, HSG C
PARKING & BUILDING, HSG C

LAND USE
>75% GRASS COVER, GOOD, HSG C
PARKING & BUILDING, HSG C

RATING CURVE FOR PROPOSED BASIN A

ELEV.	DISCHARGE (CFS)	STORAGE (CF)
1912	0.00	0
1913	0.72	144
1914	1.10	1,100
1915	22.67	3,257

MINIMUM OPENING ELEVATIONS

BLOCK/LOT	MIN. OPENING ELEVATION (FT)
BLOCK 1, LOT 12	1915.50

NET RUNOFF COMPARISON

TOTAL EXISTING RUNOFF
Q₂ = 3.64 CFS
Q₁₀ = 8.07 CFS
Q₁₀₀ = 17.44 CFS

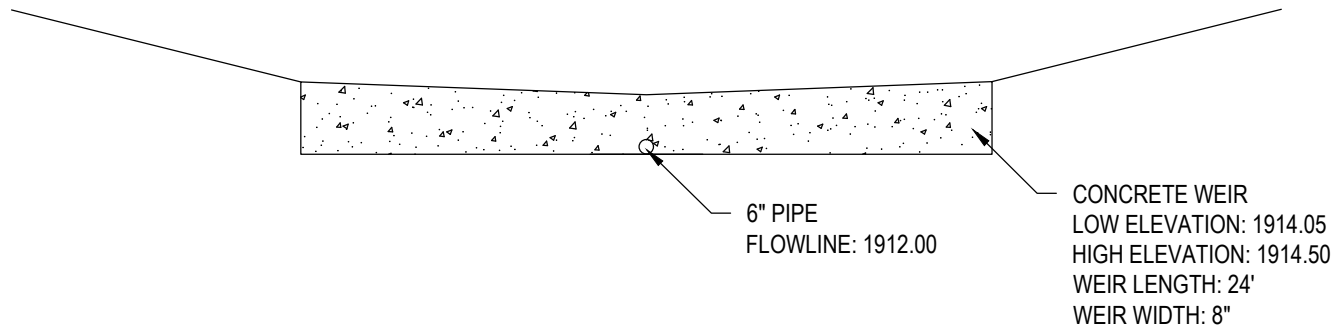
TOTAL PROPOSED RUNOFF
Q₂ = 7.79 CFS
Q₁₀ = 17.32 CFS
Q₁₀₀ = 30.19 CFS

EXISTING RUNOFF (EAST)
Q₂ = 3.48 CFS
Q₁₀ = 7.76 CFS
Q₁₀₀ = 16.83 CFS

PROPOSED RUNOFF (EAST)
Q₂ = 4.99 CFS
Q₁₀ = 11.10 CFS
Q₁₀₀ = 19.69 CFS

EXISTING RUNOFF (NORTHWEST)
Q₂ = 0.39 CFS
Q₁₀ = 0.76 CFS
Q₁₀₀ = 1.47 CFS

PROPOSED RUNOFF (NORTHWEST)
Q₂ = 3.72 CFS
Q₁₀ = 6.17 CFS
Q₁₀₀ = 10.68 CFS



BASIN A OUTLET WEIR

NO SCALE

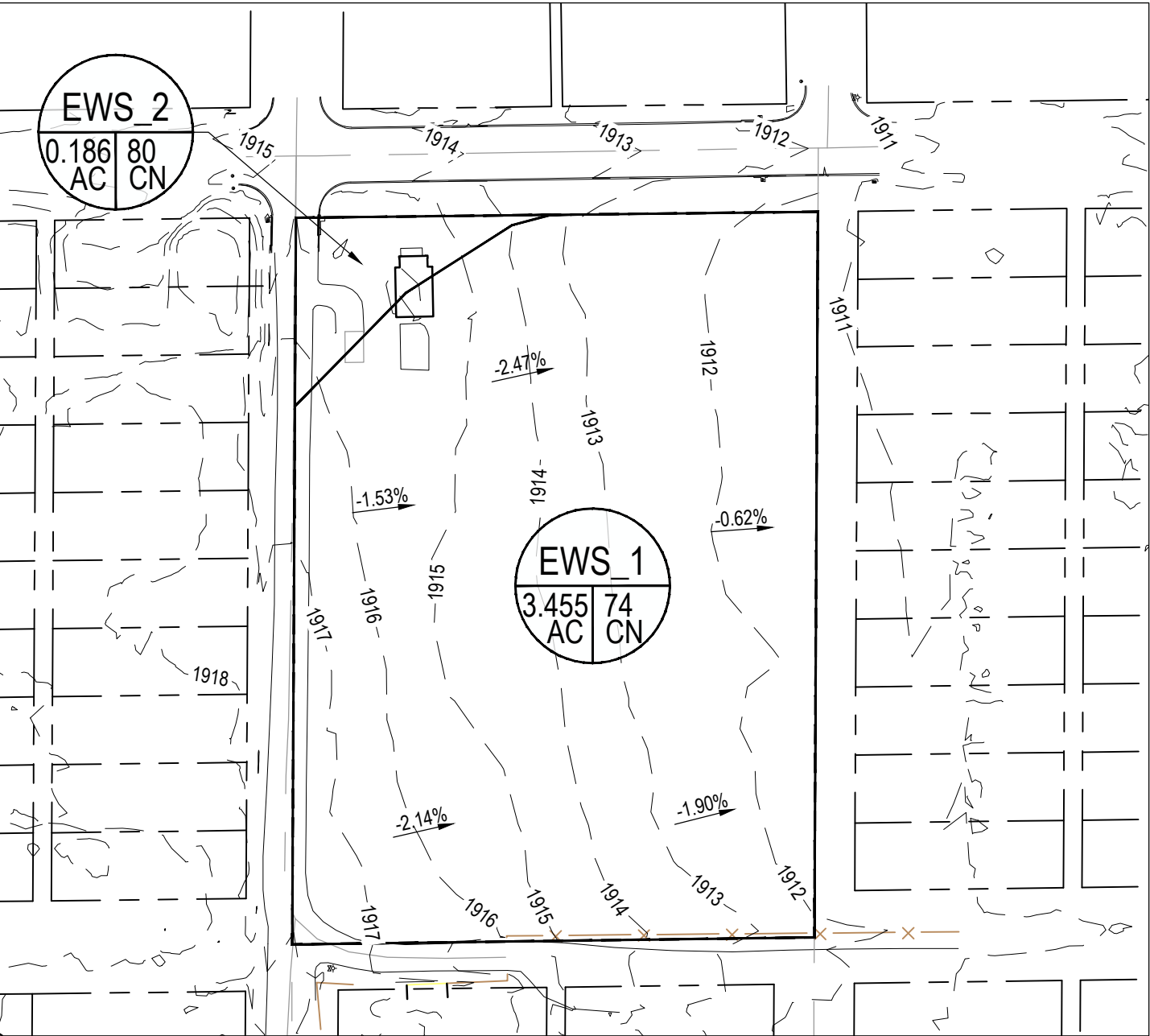
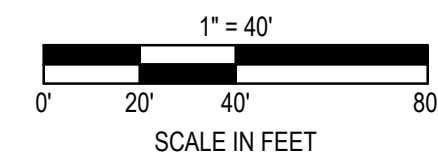
100YR - 1914.50
10YR - 1914.39
2YR - 1914.26

BASIN A:
WATER QUALITY AREA
WITH PIPE AND WEIR

FUTURE ROAD GRADING WITH
SUMP TO BE CONVEYED
TO THE NORTH
VIA PROPOSED STORM SEWER

PROPOSED GRADING & DRAINAGE

SCALE: 1" = 40'



EXISTING GRADING & DRAINAGE

SCALE: 1" = 100'

Preliminary Plat

Cedar Park

502 E 'D' Street
Hastings, Nebraska

CE No.: 450-002-25

April 18, 2025

Grading & Drainage Plan

Hydrologic Review Memo

Cedar Park Preliminary Plat
Hastings, NE

April 2025

CE Project No.: 450-002-25

This memo is prepared by:

Luke Summers, PE
Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
402-477-9291
COA No. CA0029AE



These calculations were prepared for the Cedar Park Preliminary Plat project. The project site is approximately 3.641 acres of total disturbed area. To determine time of concentration, we used the Lag Method due to the lack of defined drainageways on the site. We also included a minimum time of concentration of 5 minutes.

Pre-Development Conditions

The site consists of a mix of existing pavement, existing buildings, and existing wooded and grass areas. EWS_1 is the portion of the site that drains to the east, and EWS_2 is the portion of the site that drains to the north and west.

Table 1: Existing Conditions Sub basins & Peak Flows (HydroCAD)

Basin	Area (ac)	Curve Number	TC (min)	2 YR Flow (cfs)	10 YR Flow (cfs)	100 YR Flow (cfs)
EWS_1	3.455	74	14.7	3.48	7.76	16.83
EWS_2	0.186	80	5.0	0.39	0.76	1.47

Post-Development Conditions

The proposed development will consist of two sets of rowhouses, 4 multi-family residential buildings, and a clubhouse. There will also be 4 proposed watersheds. PWS_1A is the area in the middle of the site that will drain to Water Quality Basin A. PWS_1B is the area on the south side of the site that will drain to the east. PWS_1C is the area on the north side of the site that will drain primarily to the north. PWS_2 is the area on the west side of the site that will drain primarily to the north via Cedar Avenue.

There is no proposed storm sewer for the site, however there is a water quality basin (Basin A). Basin A has a 1,100 cubic foot storage volume.

Table 2: Proposed Conditions Sub basins & Peak Flows (HydroCAD)

Basin	Area (ac)	Curve Number	TC (min)	2 YR Flow (cfs)	10 YR Flow (cfs)	100 YR Flow (cfs)
PWS_1A	1.343	88	8.7	3.67	6.17	10.81
PWS_1B	1.234	87	10.4	3.00	5.13	9.10
PWS_1C	0.591	89	6.4	1.84	3.03	5.23
PWS_2	0.764	89	10.6	2.01	3.33	5.77

	<u>Existing Runoff</u>	<u>Post Development Runoff</u>
2 -Year Storm	3.64 cfs	7.79 cfs
10 -Year Storm	8.07 cfs	17.32 cfs
100 -Year Storm	17.44 cfs	30.19 cfs

Conclusion

Because this project does not have storm sewer and due to the site constraints/location, detention is not a practical option to meet the pre-development runoff with the post-development runoff. We have included some water quality volume that will outlet at-grade and not require any storm sewer to function.

Appendices

See Exhibit A for drainage maps and routing diagram.

See Exhibit B for existing runoff calculations.

See Exhibit C for proposed runoff calculations.

See Exhibit D for basin calculations

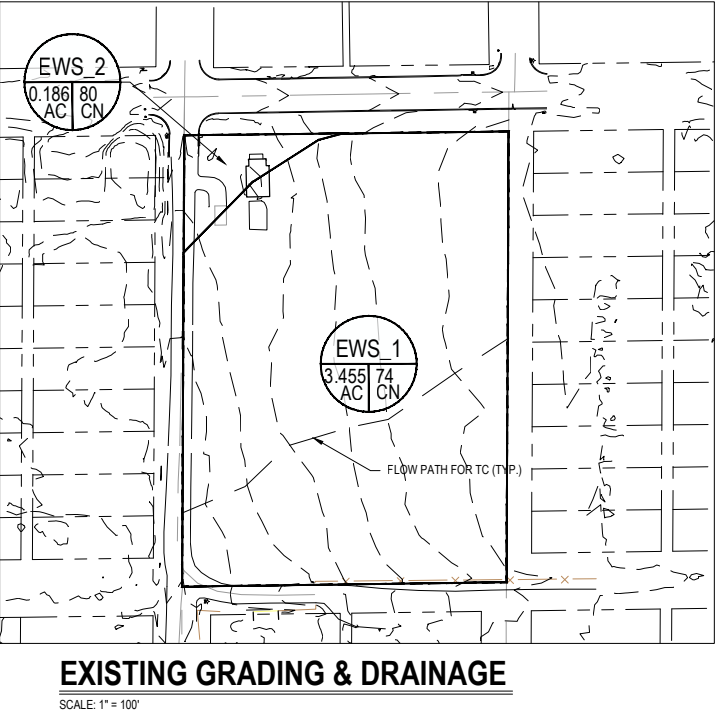
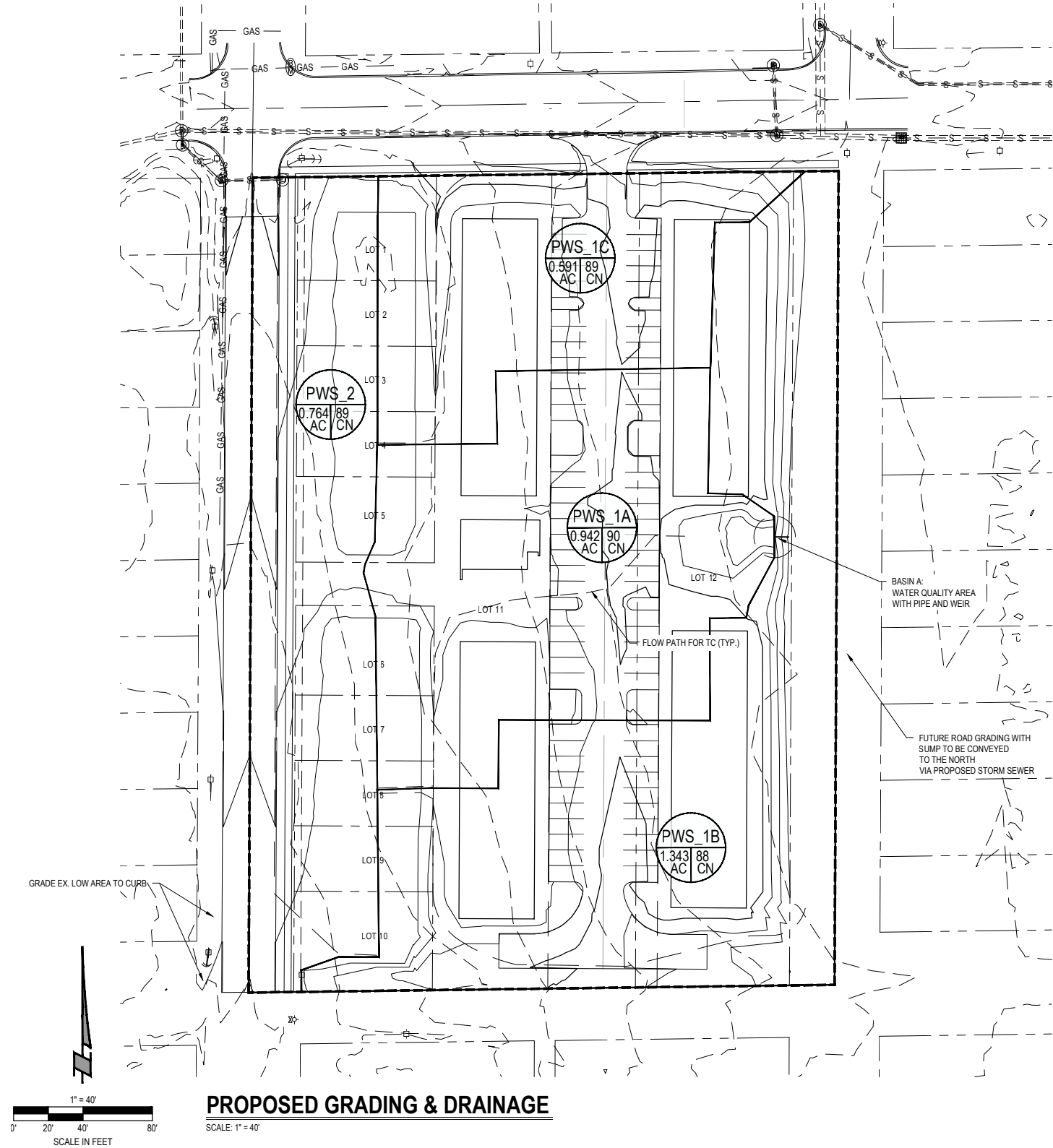
See Exhibit E for soils information

Exhibit A
Drainage Maps & Routing Diagram

CEDAR PARK PRELIMINARY PLAT

LEGEND

- PROPERTY BOUNDARY
- PROPERTY LINE
- CENTERLINE
- EASEMENT LINE
- LOT SETBACK LINE



Preliminary Plat

Cedar Park

502 E 'D' Street
Hastings, Nebraska

CE No.: 450-002-25

April 18, 2025

Drainage Map

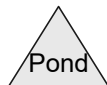
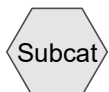
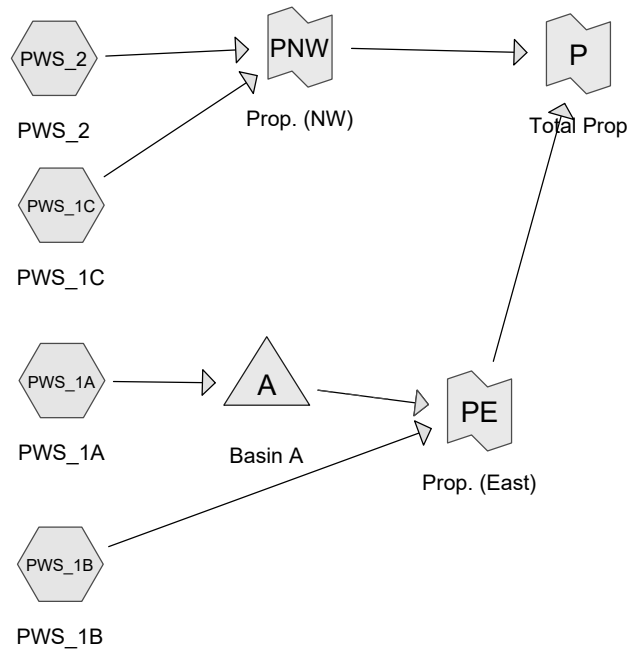
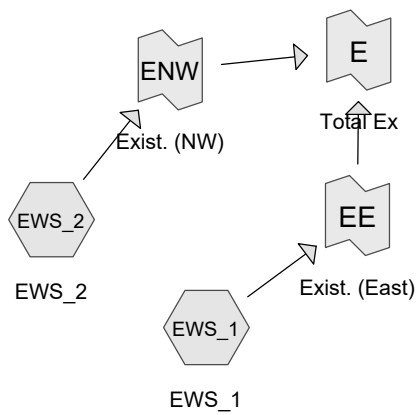


Exhibit B
Existing Site/Runoff

450002 - Cedar Park Drainage

Prepared by The Clark Enersen Partners

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Page 1

Area Listing (selected nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.377	80	1/2 acre lots, 25% imp, HSG C (EWS_1, EWS_2)
2.500	74	Pasture/grassland/range, Good, HSG C (EWS_1)
0.764	72	Woods/grass comb., Good, HSG C (EWS_1)
3.641	74	TOTAL AREA

450002 - Cedar Park Drainage

Prepared by The Clark Enersen Partners

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MSE 24-hr 3 2-Year Rainfall=2.87"

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Page 2

Summary for Subcatchment EWS_1: EWS_1

Runoff = 3.48 cfs @ 12.25 hrs, Volume= 0.238 af, Depth= 0.83"
Routed to Link EE : Exist. (East)

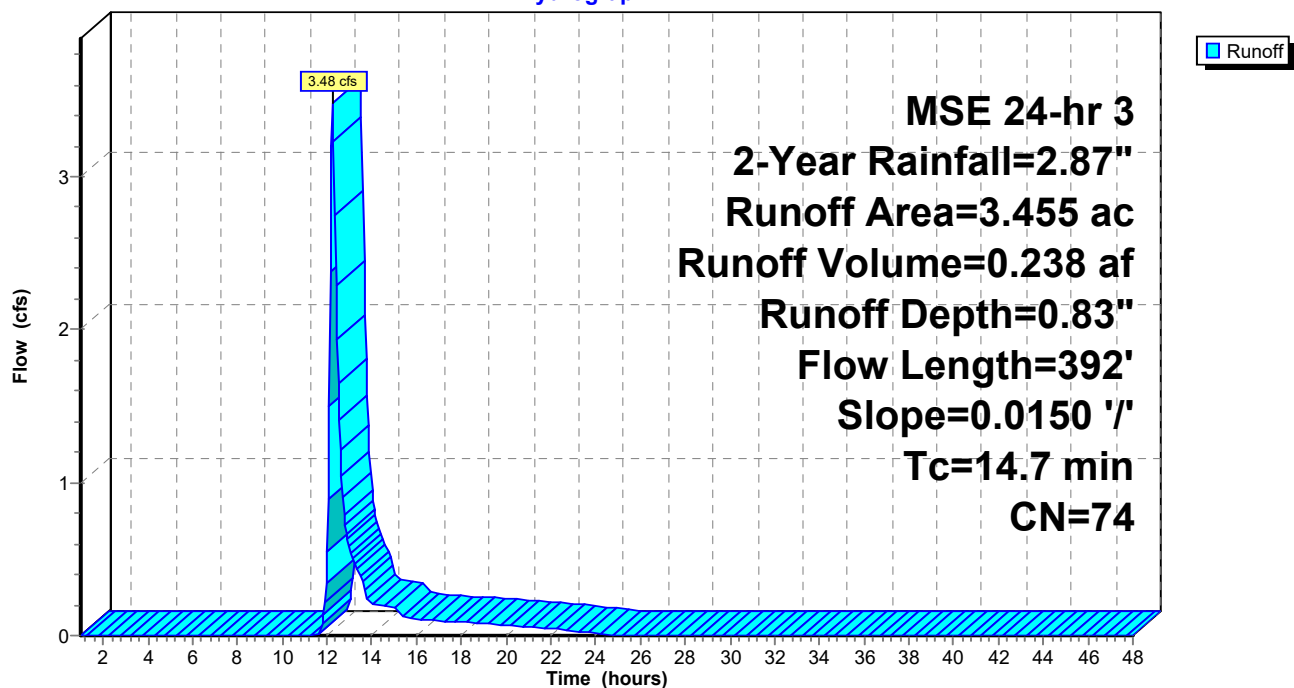
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.191	80	1/2 acre lots, 25% imp, HSG C
0.764	72	Woods/grass comb., Good, HSG C
2.500	74	Pasture/grassland/range, Good, HSG C
3.455	74	Weighted Average
3.407		98.62% Pervious Area
0.048		1.38% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	392	0.0150	0.45		Lag/CN Method,

Subcatchment EWS_1: EWS_1

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 2-Year Rainfall=2.87"

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Summary for Subcatchment EWS_2: EWS_2

Runoff = 0.39 cfs @ 12.12 hrs, Volume= 0.018 af, Depth= 1.15"
Routed to Link ENW : Exist. (NW)

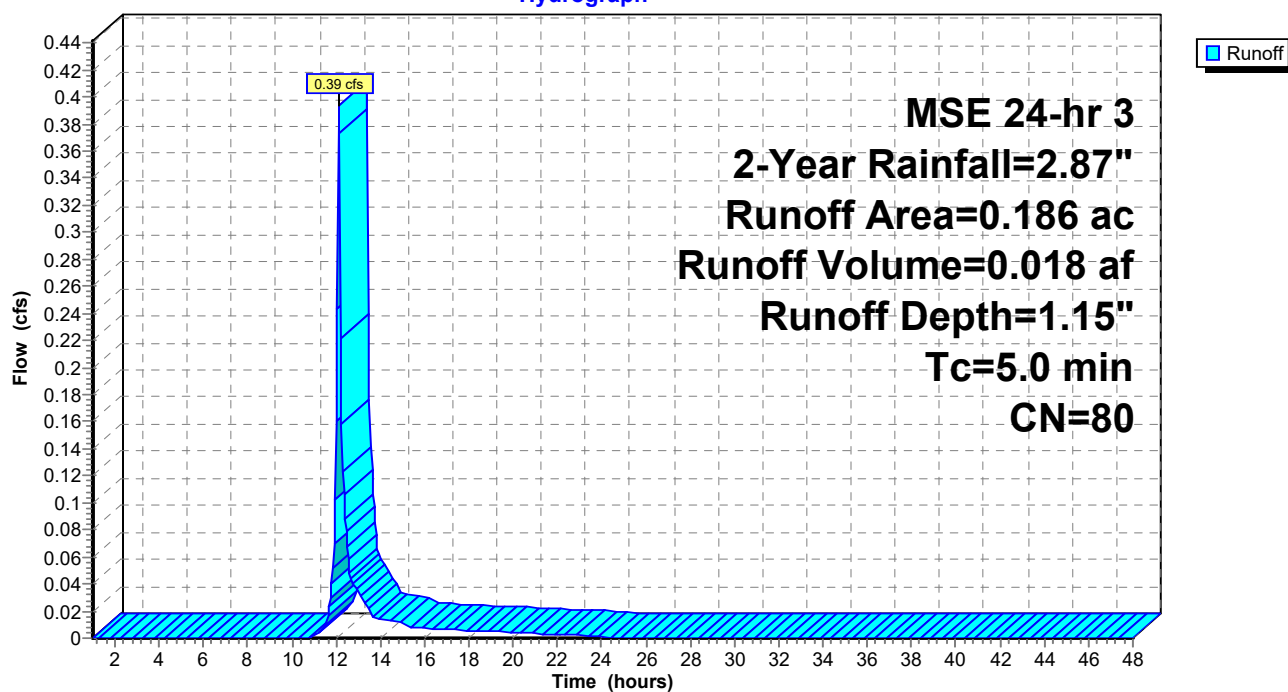
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.186	80	1/2 acre lots, 25% imp, HSG C
0.139		75.00% Pervious Area
0.046		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment EWS_2: EWS_2

Hydrograph



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MSE 24-hr 3 2-Year Rainfall=2.87"

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Page 4

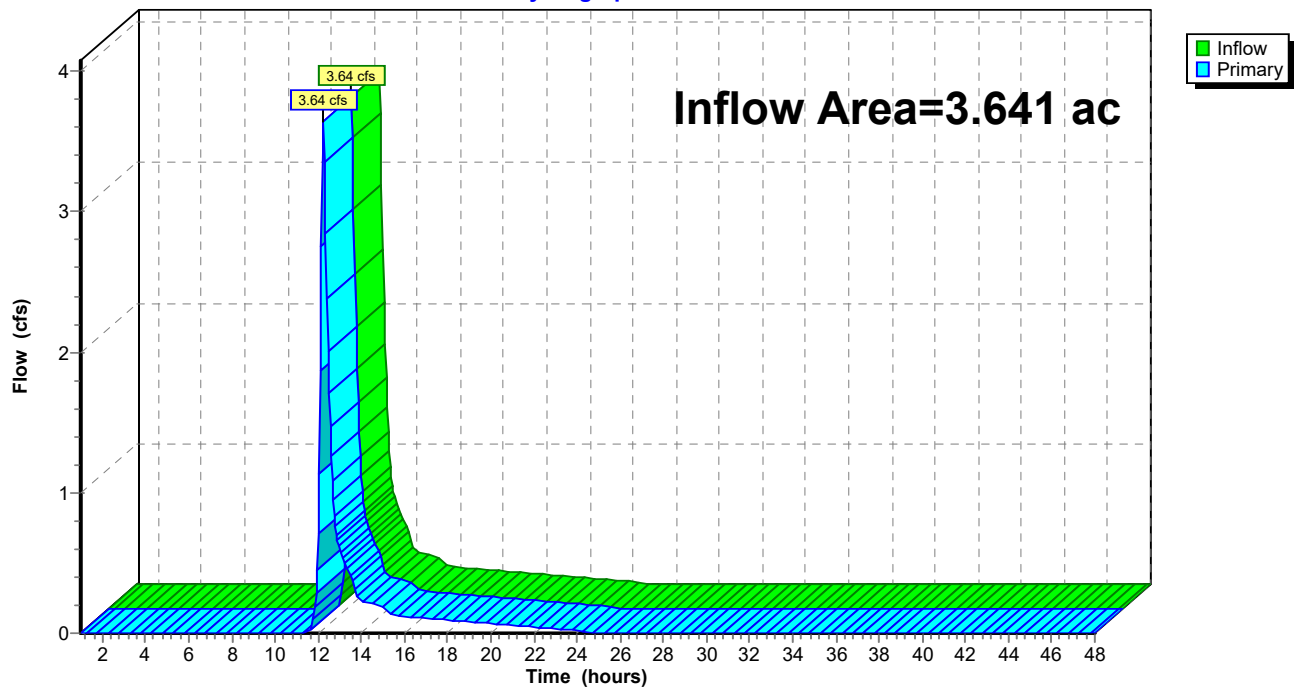
Summary for Link E: Total Ex

Inflow Area = 3.641 ac, 2.59% Impervious, Inflow Depth = 0.84" for 2-Year event
Inflow = 3.64 cfs @ 12.25 hrs, Volume= 0.256 af
Primary = 3.64 cfs @ 12.25 hrs, Volume= 0.256 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link E: Total Ex

Hydrograph



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MSE 24-hr 3 2-Year Rainfall=2.87"

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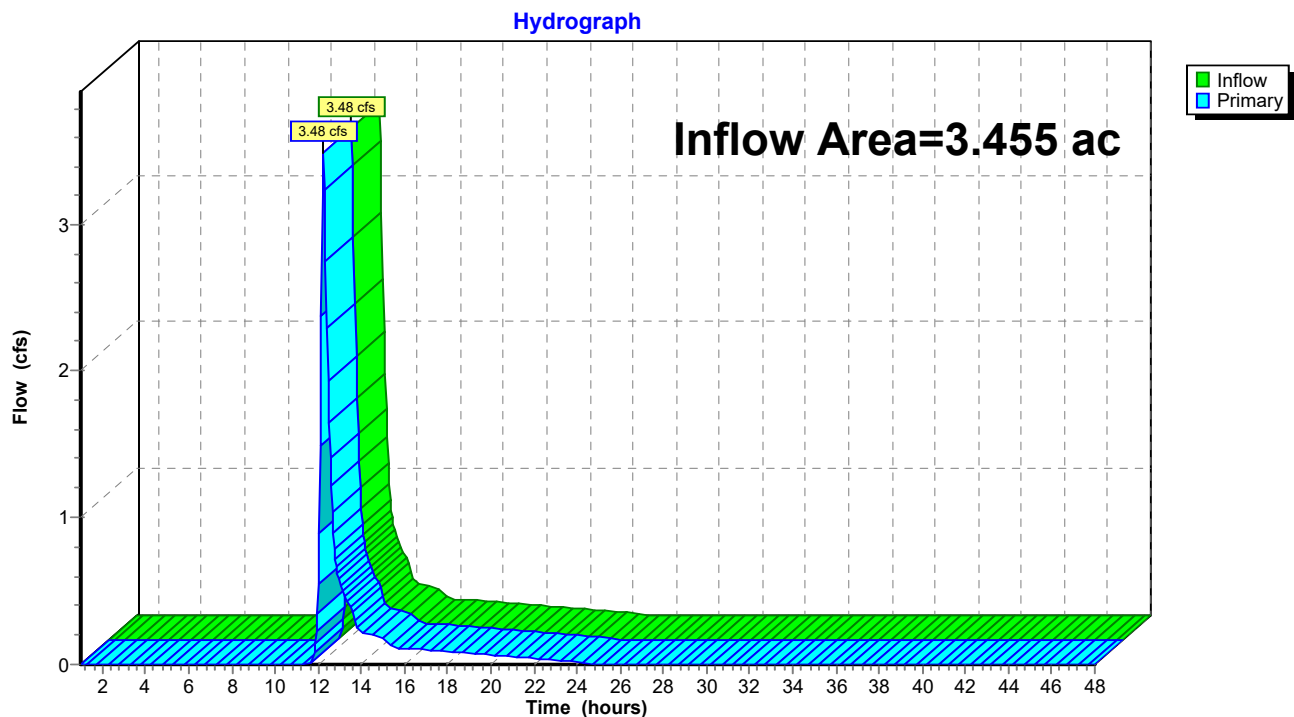
Page 5

Summary for Link EE: Exist. (East)

Inflow Area = 3.455 ac, 1.38% Impervious, Inflow Depth = 0.83" for 2-Year event
Inflow = 3.48 cfs @ 12.25 hrs, Volume= 0.238 af
Primary = 3.48 cfs @ 12.25 hrs, Volume= 0.238 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link EE: Exist. (East)



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MSE 24-hr 3 2-Year Rainfall=2.87"

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Page 6

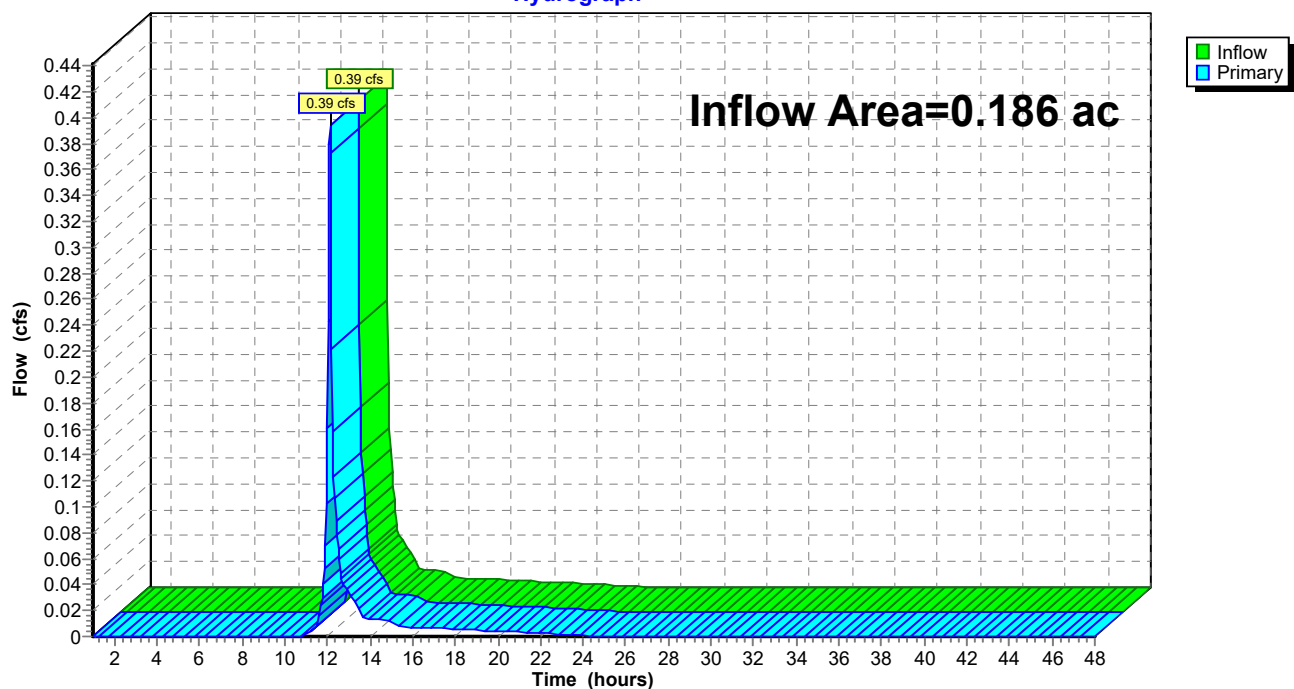
Summary for Link ENW: Exist. (NW)

Inflow Area = 0.186 ac, 25.00% Impervious, Inflow Depth = 1.15" for 2-Year event
Inflow = 0.39 cfs @ 12.12 hrs, Volume= 0.018 af
Primary = 0.39 cfs @ 12.12 hrs, Volume= 0.018 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link ENW: Exist. (NW)

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment EWS_1: EWS_1

Runoff = 7.76 cfs @ 12.24 hrs, Volume= 0.504 af, Depth= 1.75"
Routed to Link EE : Exist. (East)

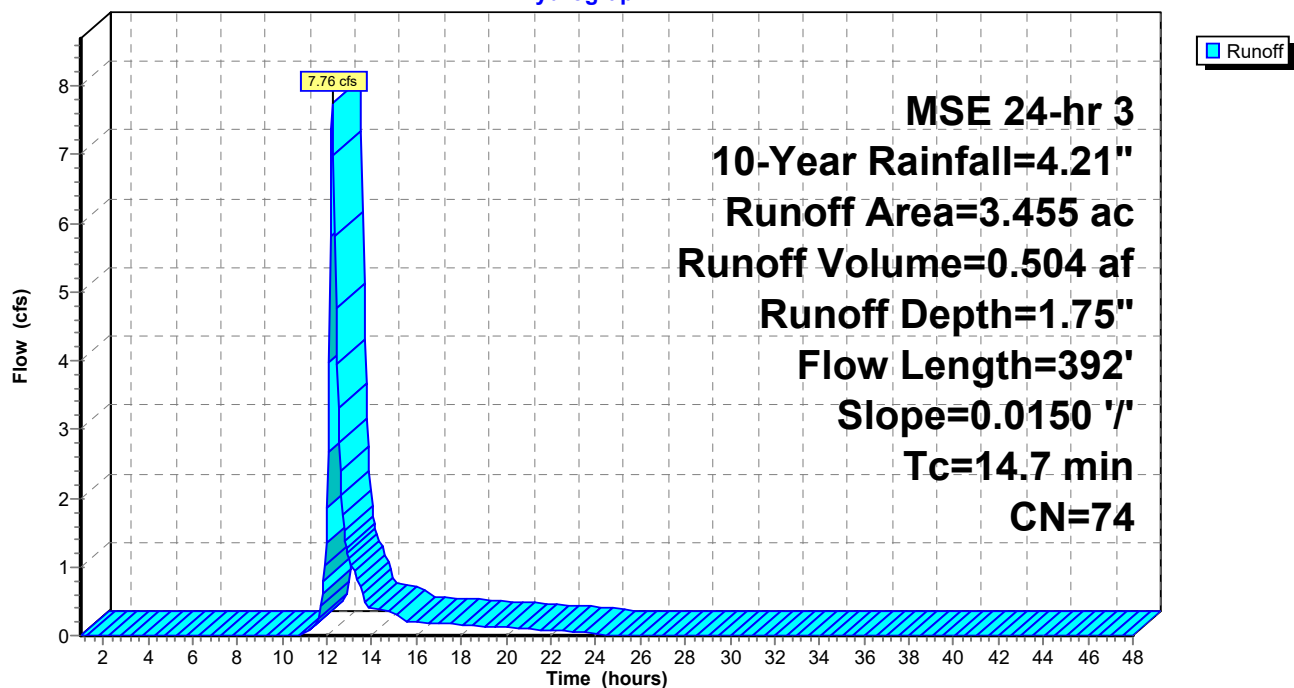
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.191	80	1/2 acre lots, 25% imp, HSG C
0.764	72	Woods/grass comb., Good, HSG C
2.500	74	Pasture/grassland/range, Good, HSG C
3.455	74	Weighted Average
3.407		98.62% Pervious Area
0.048		1.38% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	392	0.0150	0.45		Lag/CN Method,

Subcatchment EWS_1: EWS_1

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment EWS_2: EWS_2

Runoff = 0.76 cfs @ 12.12 hrs, Volume= 0.034 af, Depth= 2.22"
Routed to Link ENW : Exist. (NW)

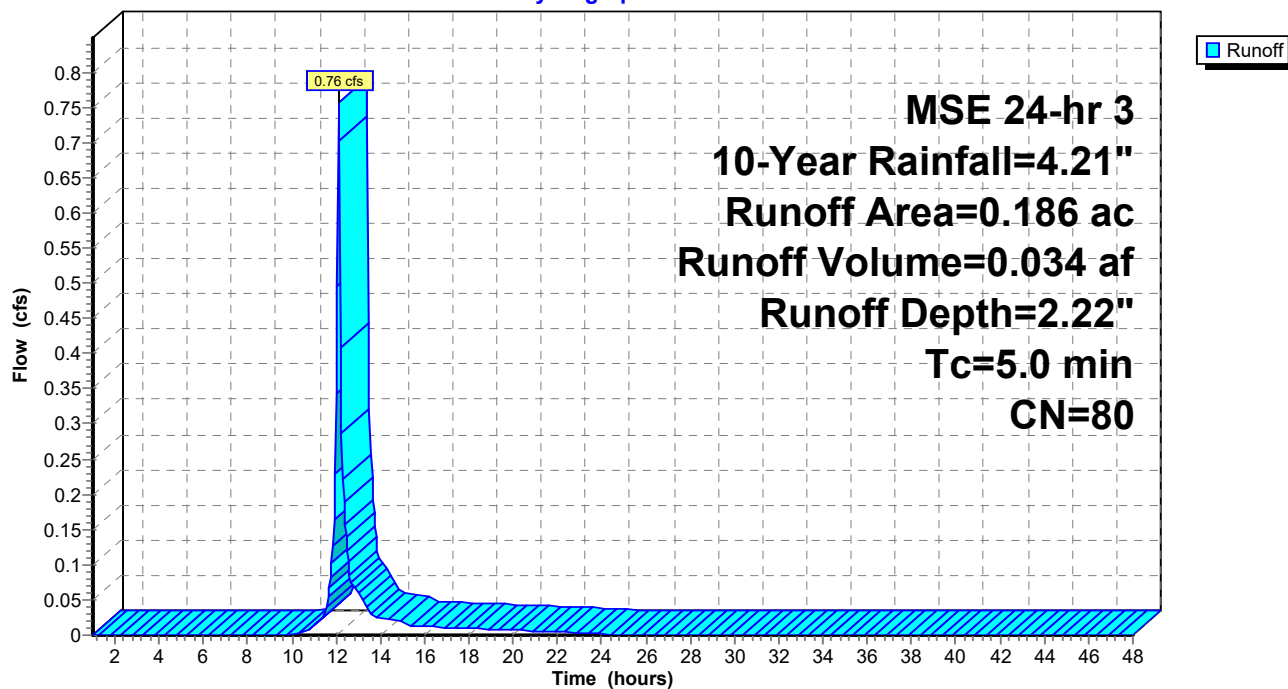
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.186	80	1/2 acre lots, 25% imp, HSG C
0.139		75.00% Pervious Area
0.046		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment EWS_2: EWS_2

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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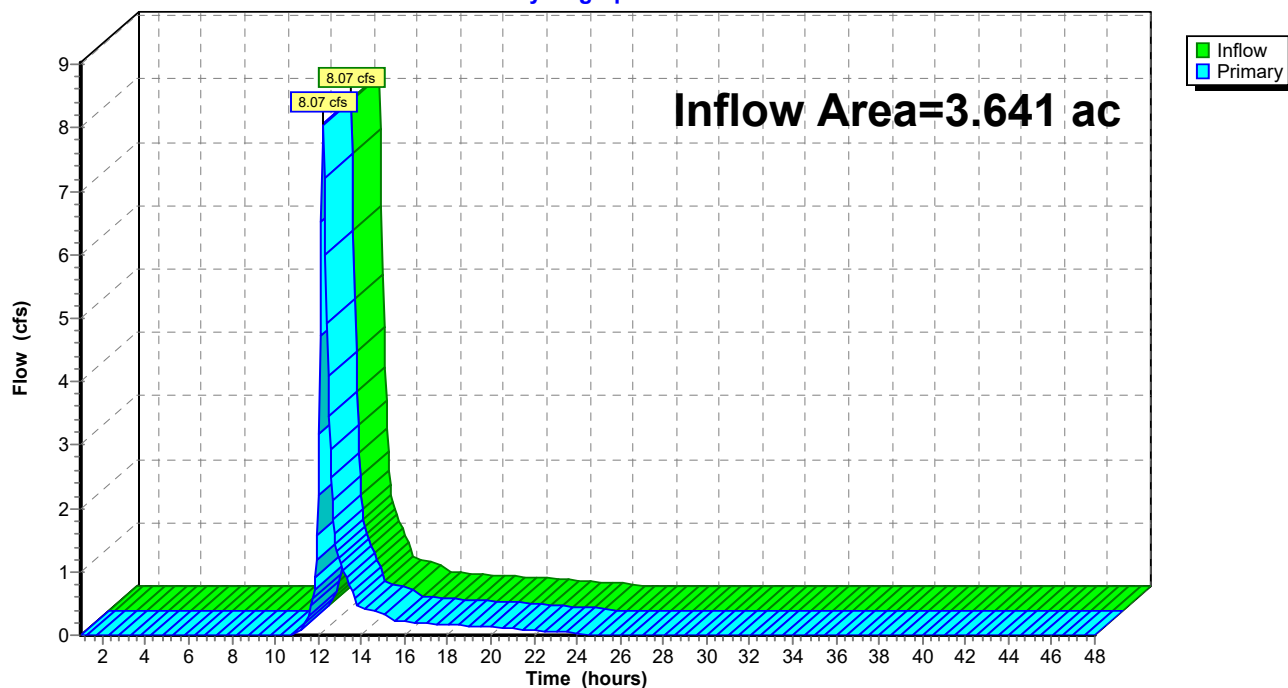
Summary for Link E: Total Ex

Inflow Area = 3.641 ac, 2.59% Impervious, Inflow Depth = 1.78" for 10-Year event
Inflow = 8.07 cfs @ 12.24 hrs, Volume= 0.539 af
Primary = 8.07 cfs @ 12.24 hrs, Volume= 0.539 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link E: Total Ex

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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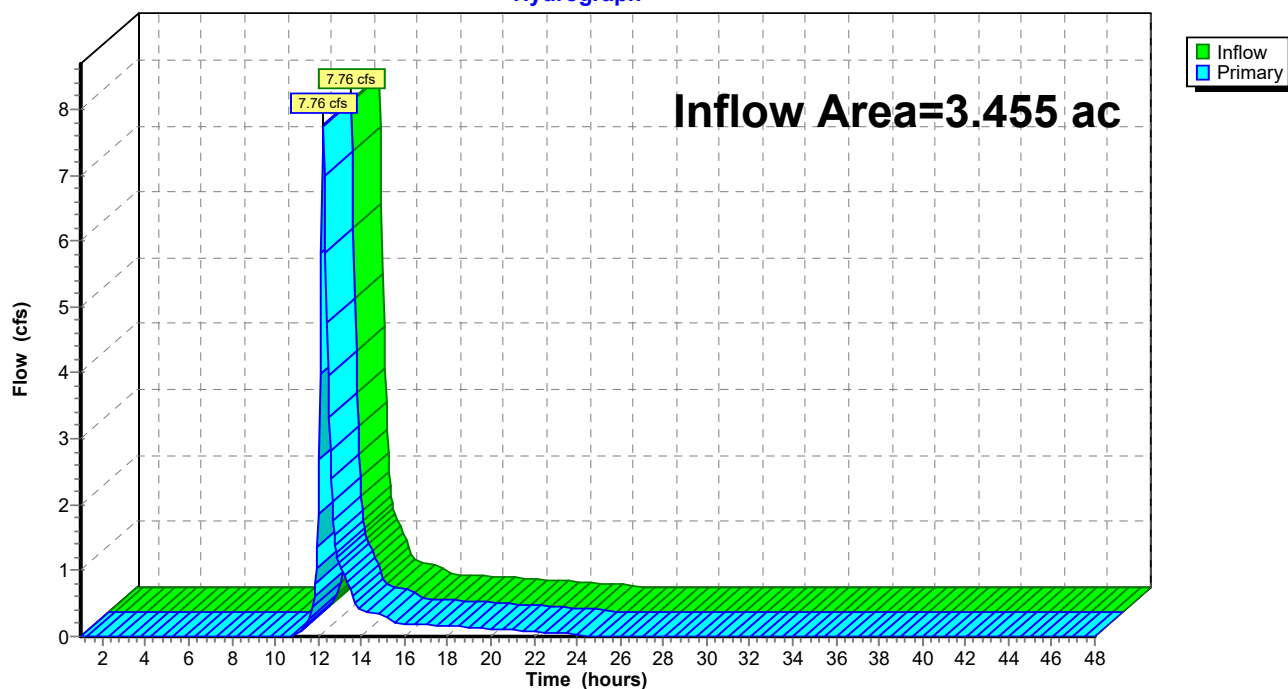
Summary for Link EE: Exist. (East)

Inflow Area = 3.455 ac, 1.38% Impervious, Inflow Depth = 1.75" for 10-Year event
Inflow = 7.76 cfs @ 12.24 hrs, Volume= 0.504 af
Primary = 7.76 cfs @ 12.24 hrs, Volume= 0.504 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link EE: Exist. (East)

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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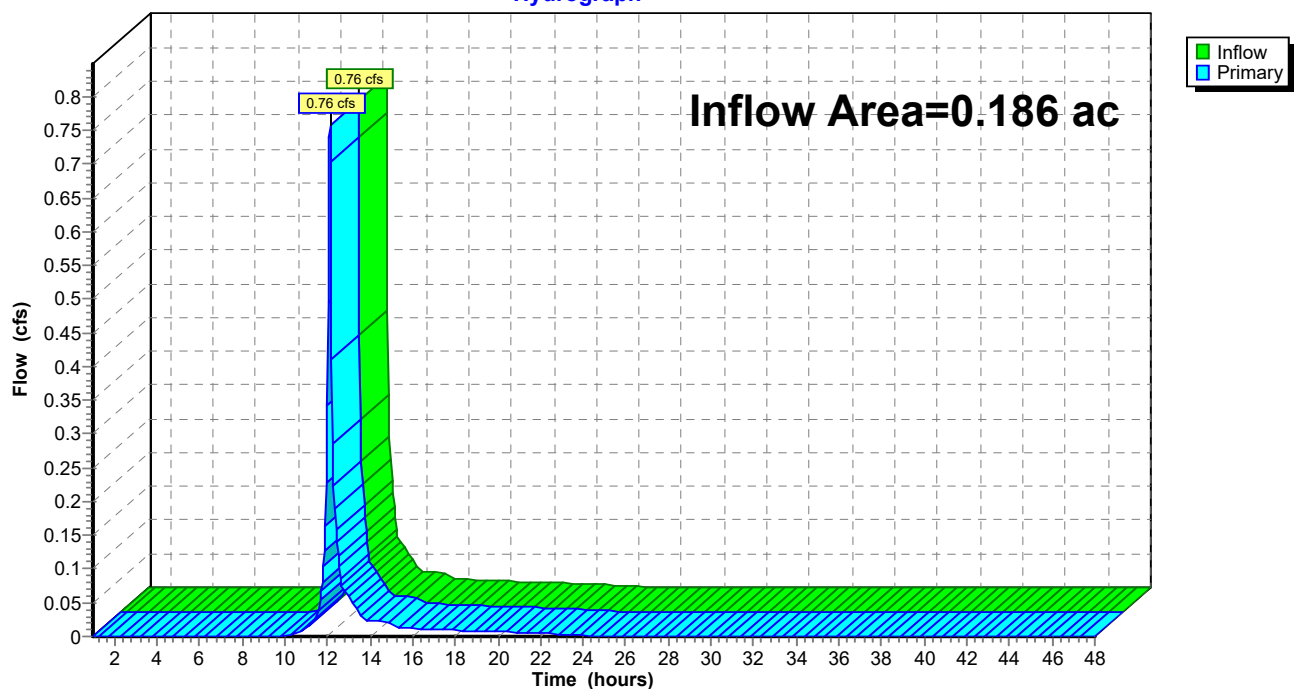
Summary for Link ENW: Exist. (NW)

Inflow Area = 0.186 ac, 25.00% Impervious, Inflow Depth = 2.22" for 10-Year event
Inflow = 0.76 cfs @ 12.12 hrs, Volume= 0.034 af
Primary = 0.76 cfs @ 12.12 hrs, Volume= 0.034 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link ENW: Exist. (NW)

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment EWS_1: EWS_1

Runoff = 16.83 cfs @ 12.23 hrs, Volume= 1.086 af, Depth= 3.77"
Routed to Link EE : Exist. (East)

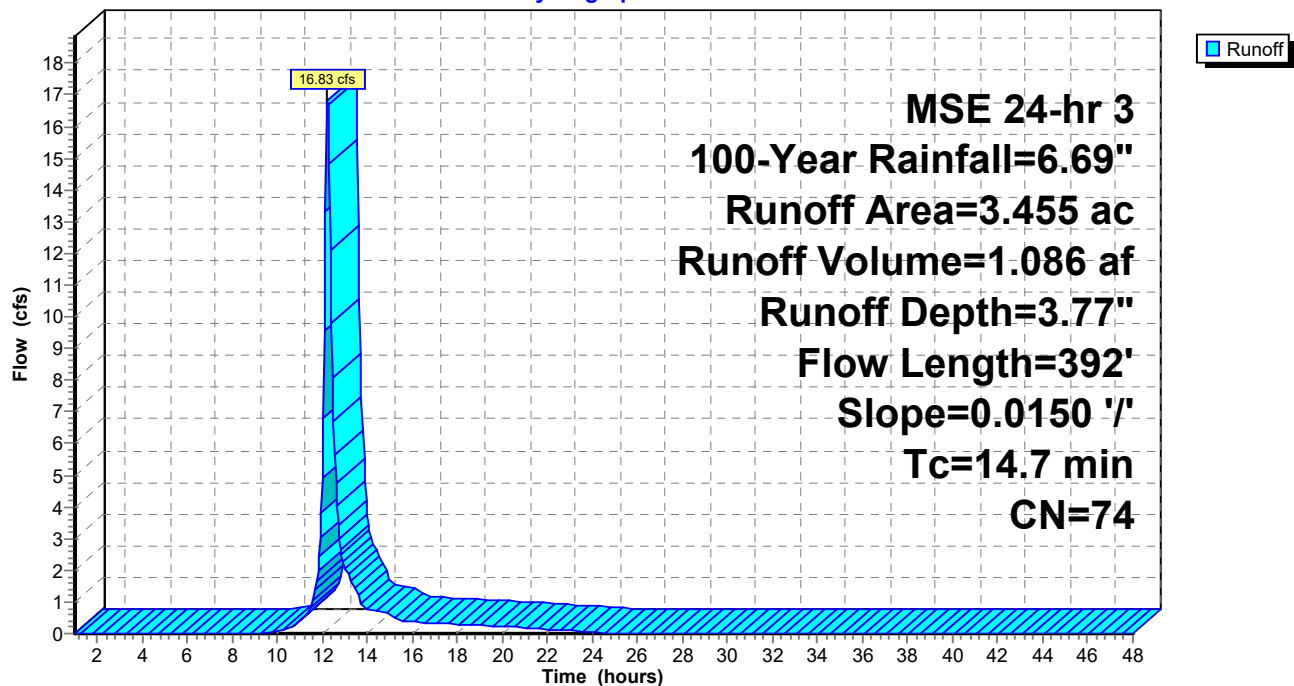
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.191	80	1/2 acre lots, 25% imp, HSG C
0.764	72	Woods/grass comb., Good, HSG C
2.500	74	Pasture/grassland/range, Good, HSG C
3.455	74	Weighted Average
3.407		98.62% Pervious Area
0.048		1.38% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	392	0.0150	0.45		Lag/CN Method,

Subcatchment EWS_1: EWS_1

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment EWS_2: EWS_2

Runoff = 1.47 cfs @ 12.12 hrs, Volume= 0.068 af, Depth= 4.41"
Routed to Link ENW : Exist. (NW)

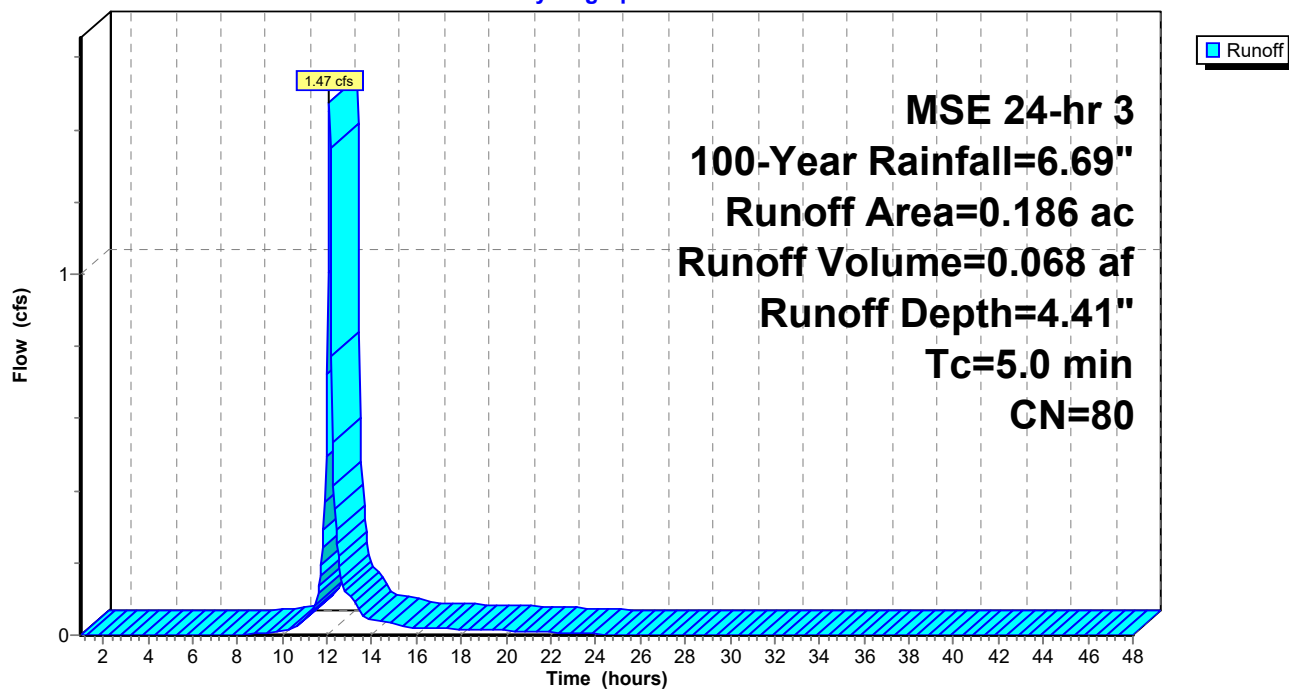
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.186	80	1/2 acre lots, 25% imp, HSG C
0.139		75.00% Pervious Area
0.046		25.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

Subcatchment EWS_2: EWS_2

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 100-Year Rainfall=6.69"

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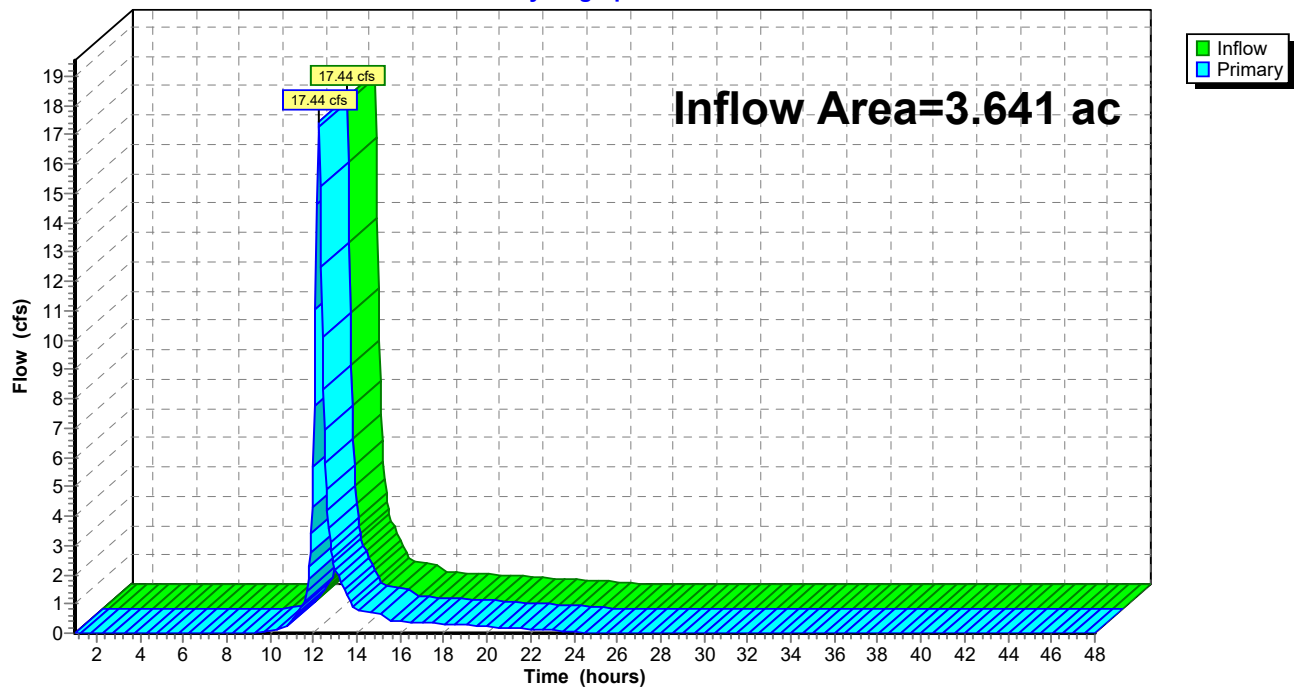
Summary for Link E: Total Ex

Inflow Area = 3.641 ac, 2.59% Impervious, Inflow Depth = 3.81" for 100-Year event
Inflow = 17.44 cfs @ 12.23 hrs, Volume= 1.155 af
Primary = 17.44 cfs @ 12.23 hrs, Volume= 1.155 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link E: Total Ex

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 100-Year Rainfall=6.69"

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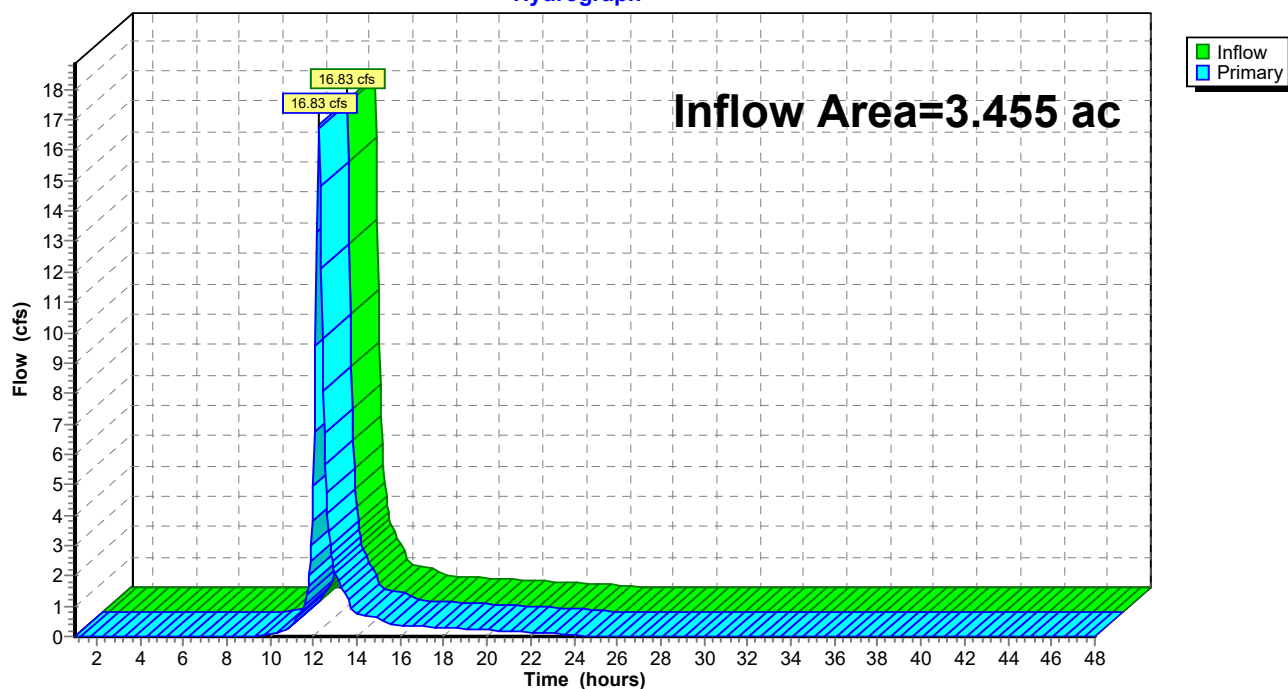
Summary for Link EE: Exist. (East)

Inflow Area = 3.455 ac, 1.38% Impervious, Inflow Depth = 3.77" for 100-Year event
Inflow = 16.83 cfs @ 12.23 hrs, Volume= 1.086 af
Primary = 16.83 cfs @ 12.23 hrs, Volume= 1.086 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link EE: Exist. (East)

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Link ENW: Exist. (NW)

Inflow Area = 0.186 ac, 25.00% Impervious, Inflow Depth = 4.41" for 100-Year event
Inflow = 1.47 cfs @ 12.12 hrs, Volume= 0.068 af
Primary = 1.47 cfs @ 12.12 hrs, Volume= 0.068 af, Atten= 0%, Lag= 0.0 min
Routed to Link E : Total Ex

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link ENW: Exist. (NW)

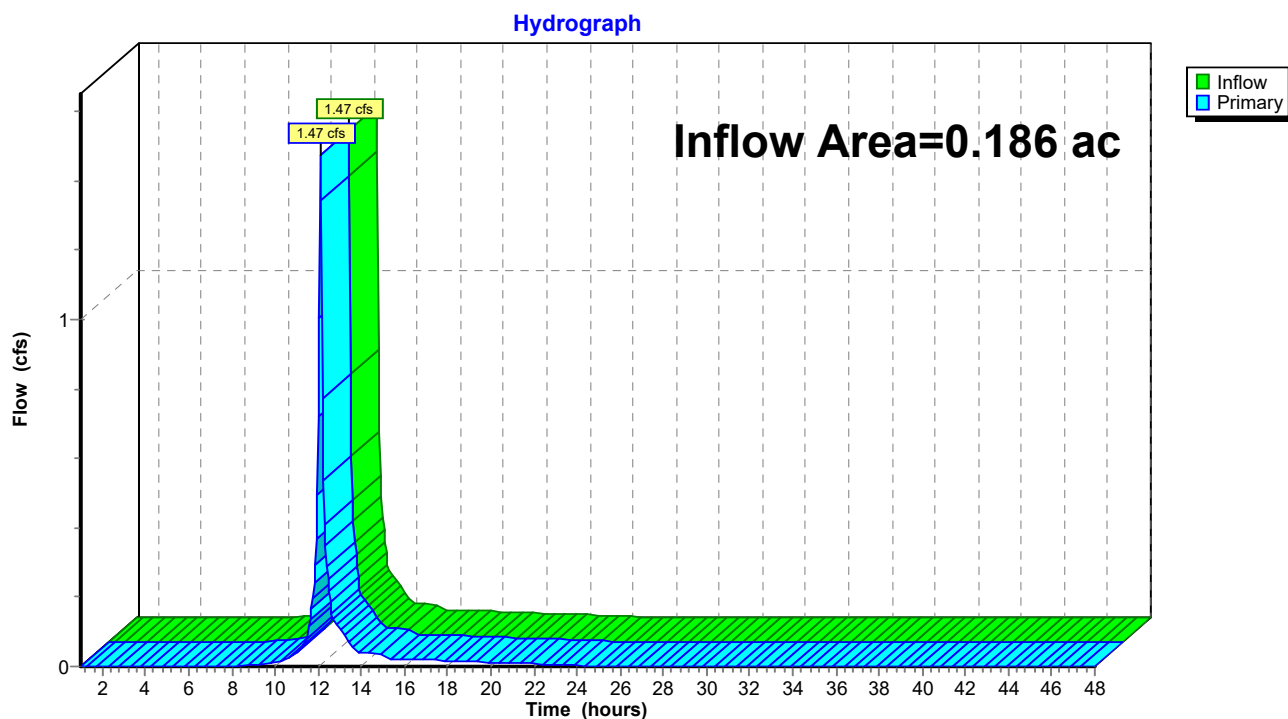


Exhibit C
Proposed Site/Runoff

450002 - Cedar Park Drainage

Prepared by The Clark Enersen Partners

Printed 4/16/2025

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Page 1

Area Listing (selected nodes)

Area (acres)	CN	Description (subcatchment-numbers)
1.630	74	>75% Grass cover, Good, HSG C (PWS_1A, PWS_1B, PWS_1C, PWS_2)
2.302	98	Unconnected roofs, HSG C (PWS_1A, PWS_1B, PWS_1C, PWS_2)
3.932	88	TOTAL AREA

450002 - Cedar Park Drainage

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MSE 24-hr 3 2-Year Rainfall=2.87"

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Page 2

Summary for Subcatchment PWS_1A: PWS_1A

Runoff = 3.67 cfs @ 12.16 hrs, Volume= 0.191 af, Depth= 1.70"
Routed to Pond A : Basin A

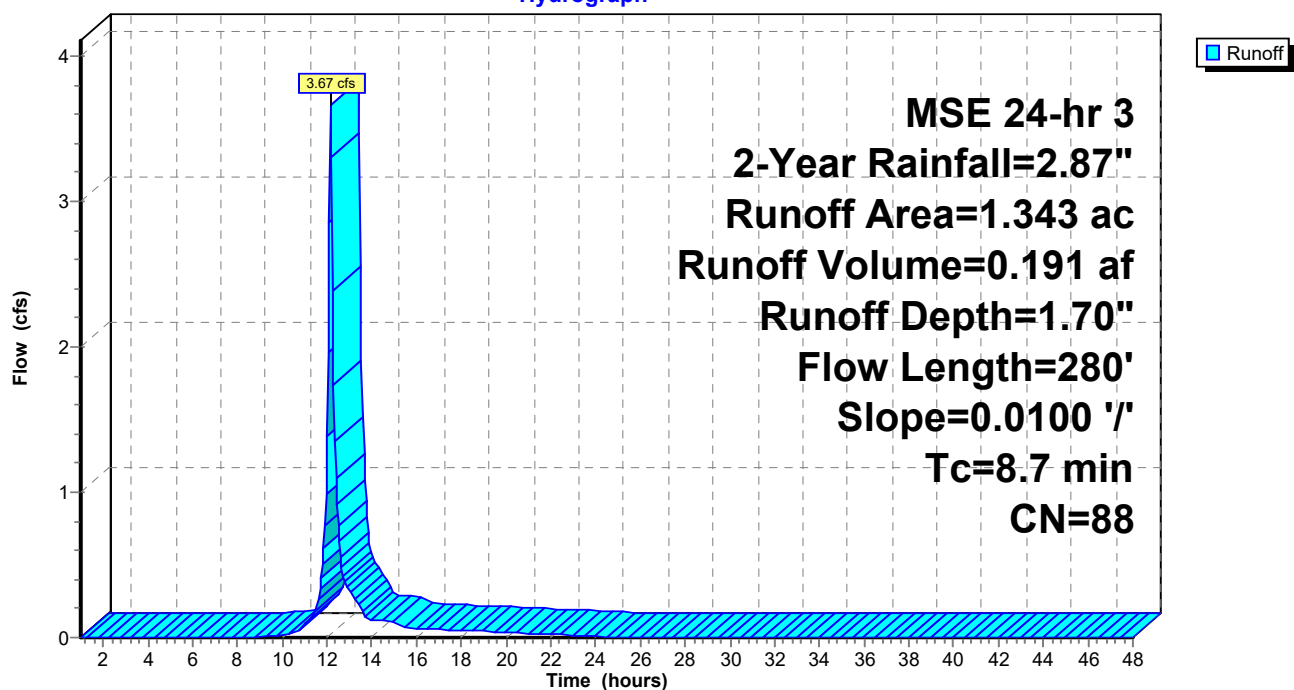
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.577	74	>75% Grass cover, Good, HSG C
0.766	98	Unconnected roofs, HSG C
1.343	88	Weighted Average
0.577		42.96% Pervious Area
0.766		57.04% Impervious Area
0.766		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.7	280	0.0100	0.54		Lag/CN Method,

Subcatchment PWS_1A: PWS_1A

Hydrograph



450002 - Cedar Park Drainage

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MSE 24-hr 3 2-Year Rainfall=2.87"

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Summary for Subcatchment PWS_1B: PWS_1B

Runoff = 3.00 cfs @ 12.18 hrs, Volume= 0.167 af, Depth= 1.63"
Routed to Link PE : Prop. (East)

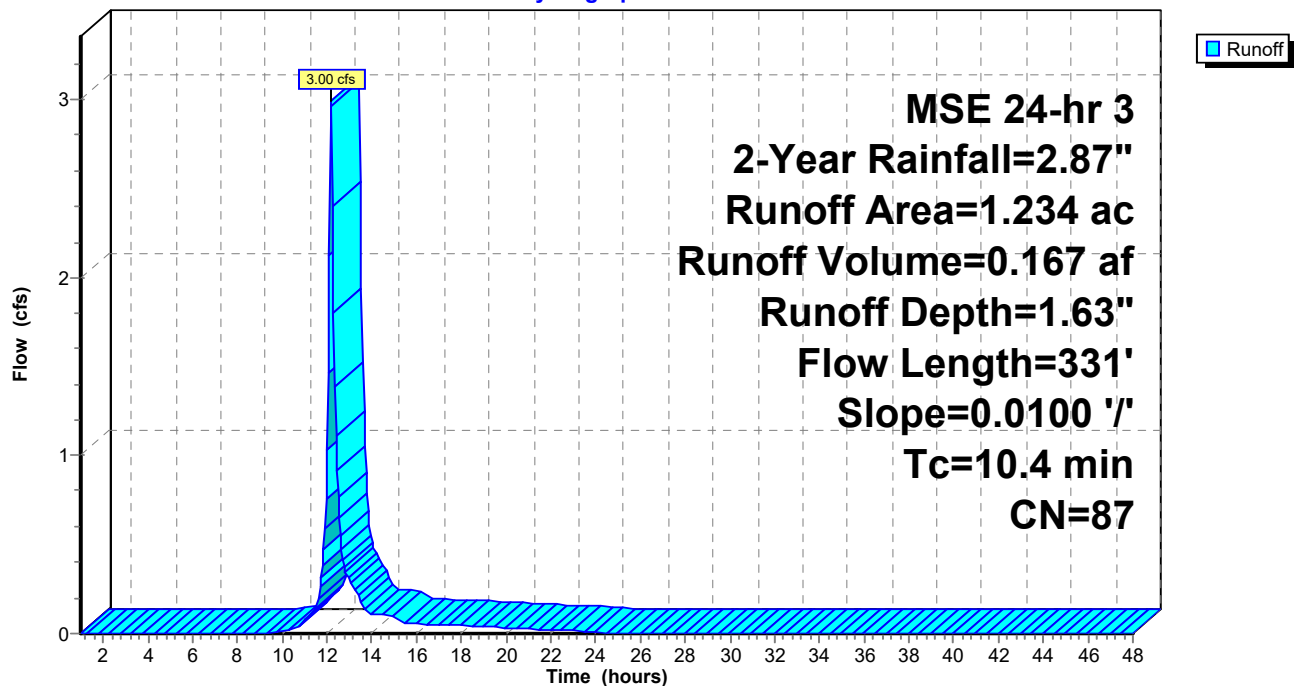
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.558	74	>75% Grass cover, Good, HSG C
0.676	98	Unconnected roofs, HSG C
1.234	87	Weighted Average
0.558		45.22% Pervious Area
0.676		54.78% Impervious Area
0.676		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.4	331	0.0100	0.53		Lag/CN Method,

Subcatchment PWS_1B: PWS_1B

Hydrograph



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MSE 24-hr 3 2-Year Rainfall=2.87"

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Summary for Subcatchment PWS_1C: PWS_1C

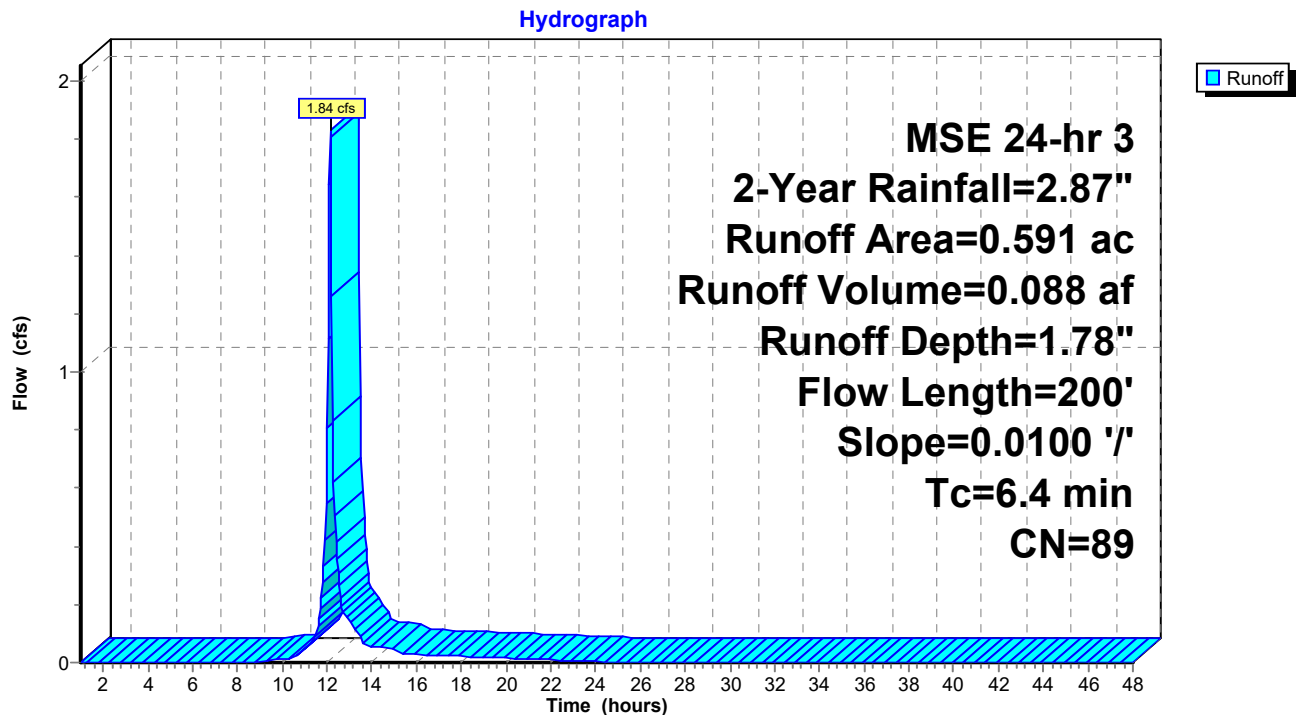
Runoff = 1.84 cfs @ 12.14 hrs, Volume= 0.088 af, Depth= 1.78"
Routed to Link PNW : Prop. (NW)

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.214	74	>75% Grass cover, Good, HSG C
0.377	98	Unconnected roofs, HSG C
0.591	89	Weighted Average
0.214		36.21% Pervious Area
0.377		63.79% Impervious Area
0.377		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.4	200	0.0100	0.52		Lag/CN Method,

Subcatchment PWS_1C: PWS_1C



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MSE 24-hr 3 2-Year Rainfall=2.87"

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Summary for Subcatchment PWS_2: PWS_2

Runoff = 2.01 cfs @ 12.18 hrs, Volume= 0.114 af, Depth= 1.78"
Routed to Link PNW : Prop. (NW)

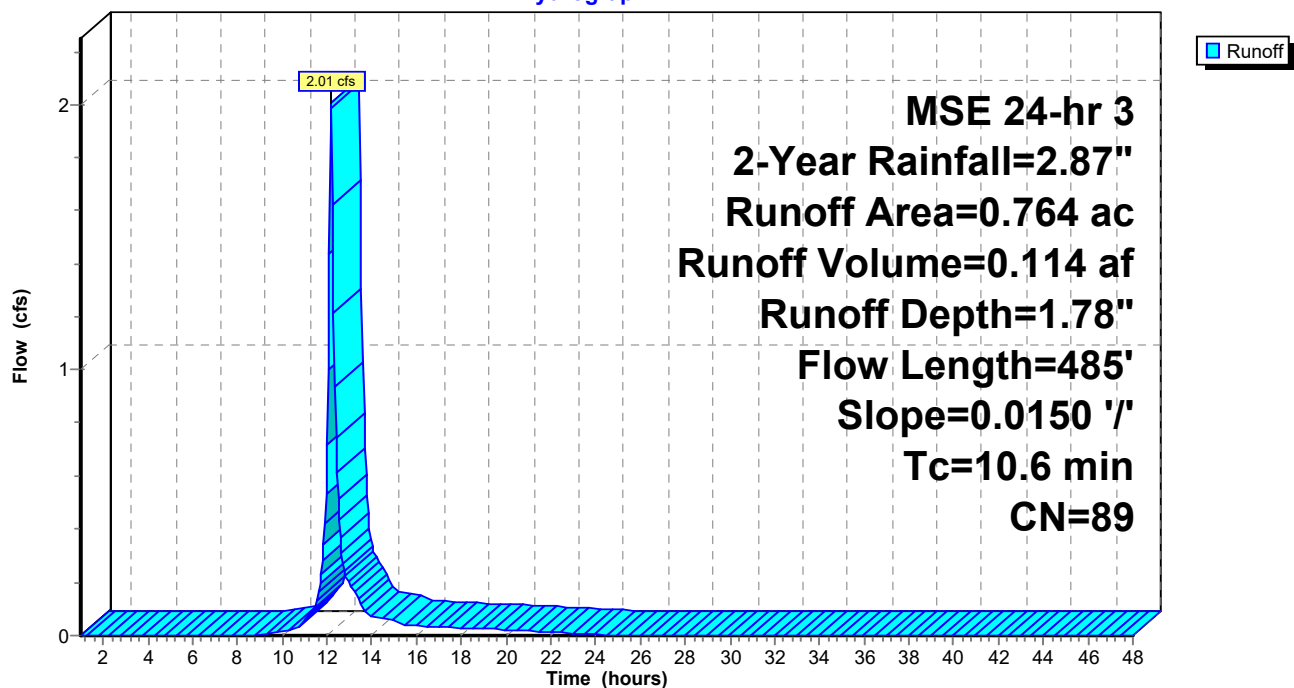
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 2-Year Rainfall=2.87"

Area (ac)	CN	Description
0.281	74	>75% Grass cover, Good, HSG C
0.483	98	Unconnected roofs, HSG C
0.764	89	Weighted Average
0.281		36.78% Pervious Area
0.483		63.22% Impervious Area
0.483		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.6	485	0.0150	0.76		Lag/CN Method,

Subcatchment PWS_2: PWS_2

Hydrograph



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MSE 24-hr 3 2-Year Rainfall=2.87"

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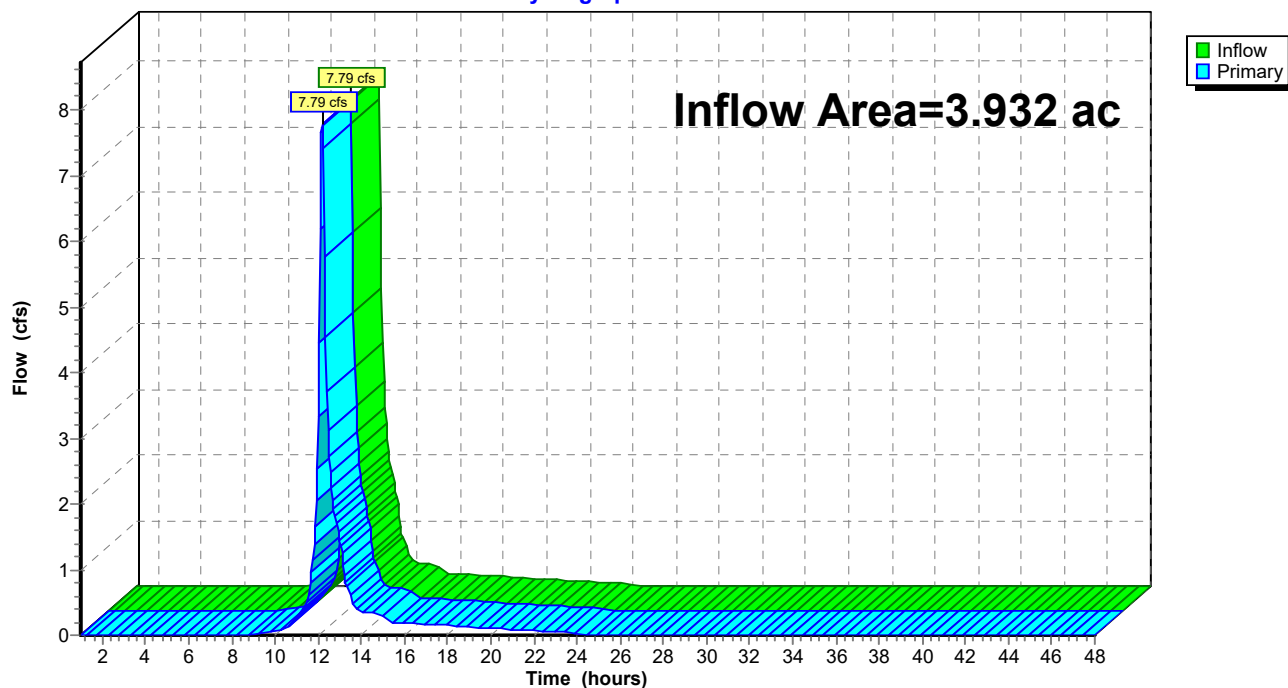
Summary for Link P: Total Prop

Inflow Area = 3.932 ac, 58.55% Impervious, Inflow Depth = 1.71" for 2-Year event
Inflow = 7.79 cfs @ 12.19 hrs, Volume= 0.559 af
Primary = 7.79 cfs @ 12.19 hrs, Volume= 0.559 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link P: Total Prop

Hydrograph



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MSE 24-hr 3 2-Year Rainfall=2.87"

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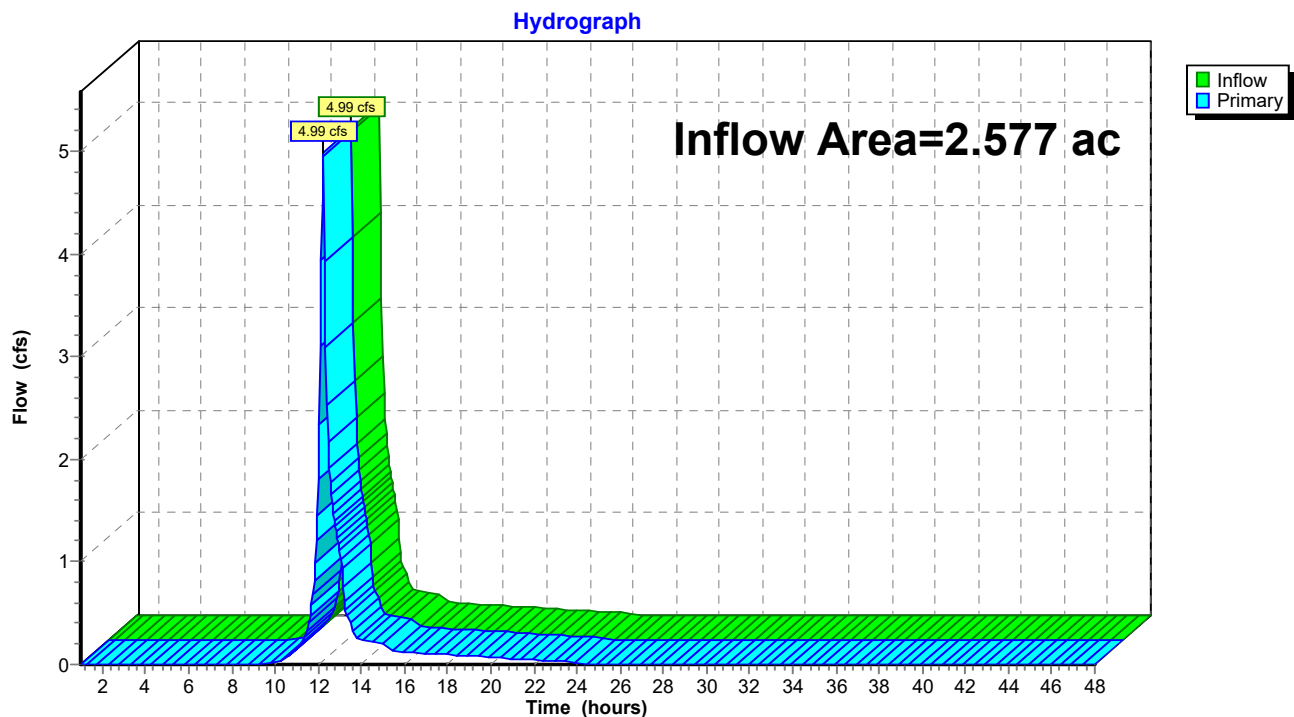
Page 7

Summary for Link PE: Prop. (East)

Inflow Area = 2.577 ac, 55.96% Impervious, Inflow Depth = 1.67" for 2-Year event
Inflow = 4.99 cfs @ 12.24 hrs, Volume= 0.358 af
Primary = 4.99 cfs @ 12.24 hrs, Volume= 0.358 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PE: Prop. (East)



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MSE 24-hr 3 2-Year Rainfall=2.87"

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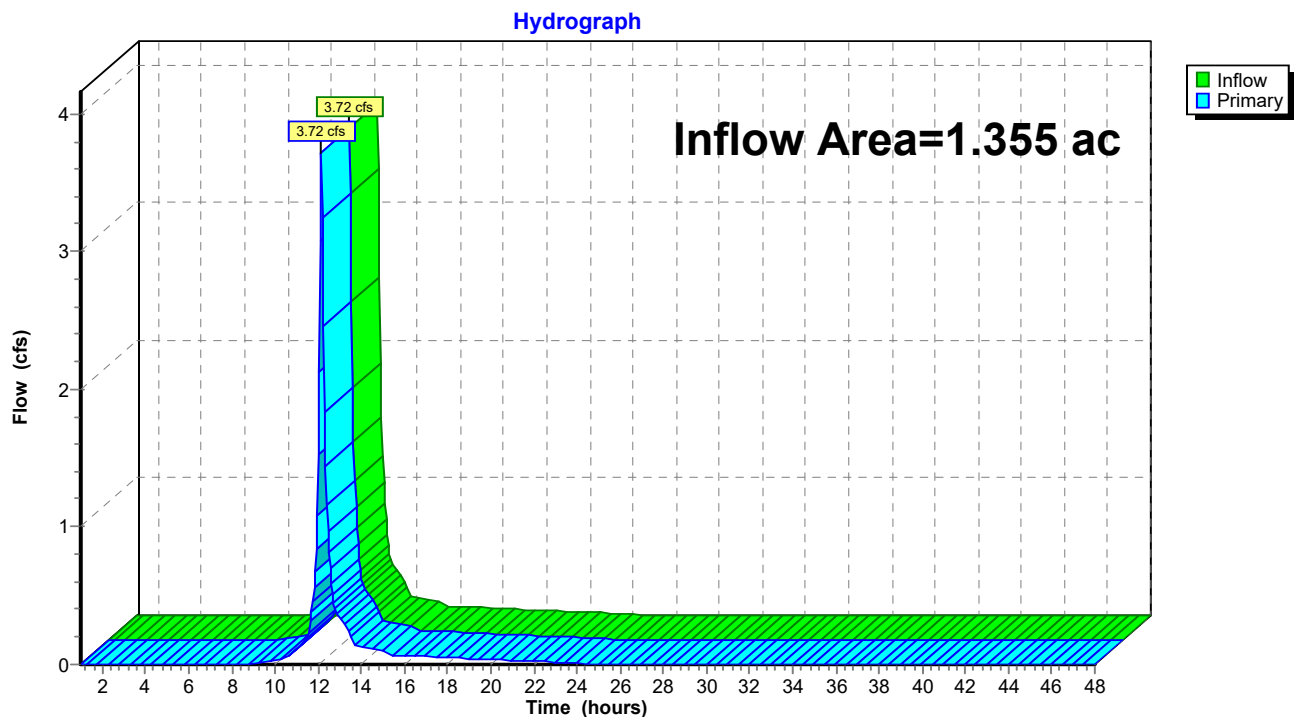
Page 8

Summary for Link PNW: Prop. (NW)

Inflow Area = 1.355 ac, 63.47% Impervious, Inflow Depth = 1.78" for 2-Year event
Inflow = 3.72 cfs @ 12.15 hrs, Volume= 0.201 af
Primary = 3.72 cfs @ 12.15 hrs, Volume= 0.201 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PNW: Prop. (NW)



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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment PWS_1A: PWS_1A

Runoff = 6.17 cfs @ 12.16 hrs, Volume= 0.327 af, Depth= 2.92"
Routed to Pond A : Basin A

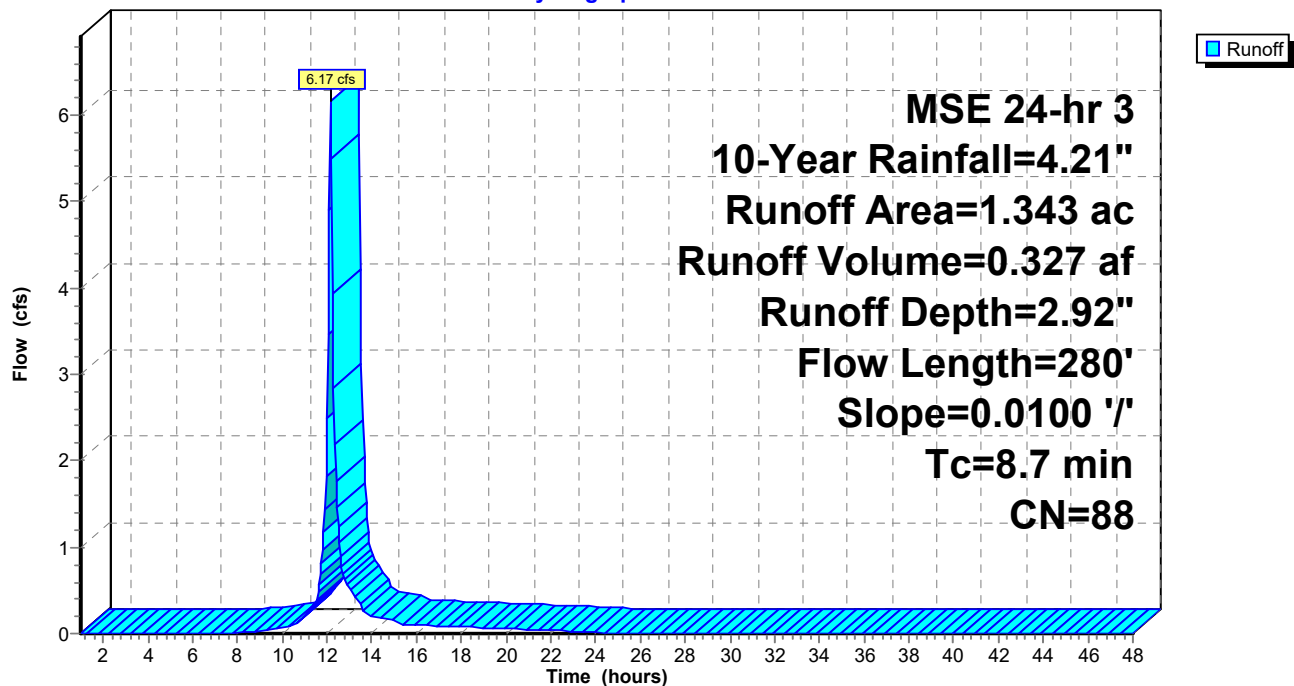
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.577	74	>75% Grass cover, Good, HSG C
0.766	98	Unconnected roofs, HSG C
1.343	88	Weighted Average
0.577		42.96% Pervious Area
0.766		57.04% Impervious Area
0.766		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.7	280	0.0100	0.54		Lag/CN Method,

Subcatchment PWS_1A: PWS_1A

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment PWS_1B: PWS_1B

Runoff = 5.13 cfs @ 12.18 hrs, Volume= 0.291 af, Depth= 2.83"
Routed to Link PE : Prop. (East)

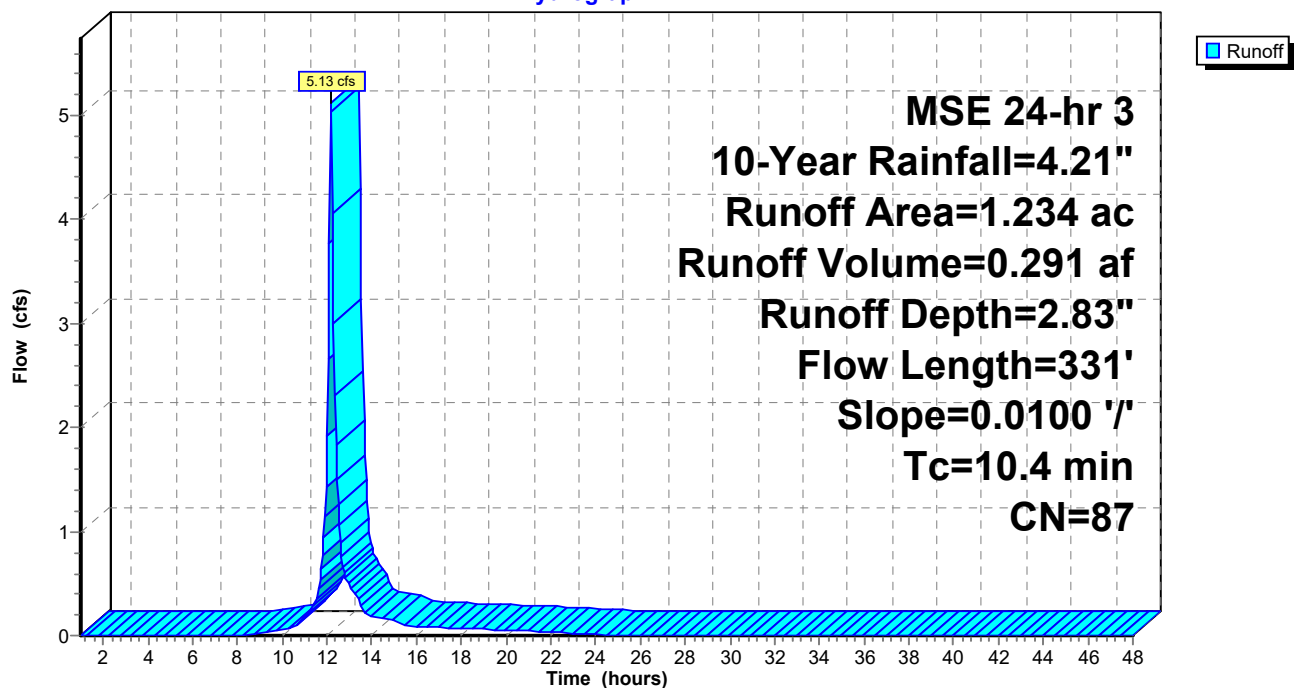
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.558	74	>75% Grass cover, Good, HSG C
0.676	98	Unconnected roofs, HSG C
1.234	87	Weighted Average
0.558		45.22% Pervious Area
0.676		54.78% Impervious Area
0.676		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.4	331	0.0100	0.53		Lag/CN Method,

Subcatchment PWS_1B: PWS_1B

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment PWS_1C: PWS_1C

Runoff = 3.03 cfs @ 12.13 hrs, Volume= 0.149 af, Depth= 3.02"
Routed to Link PNW : Prop. (NW)

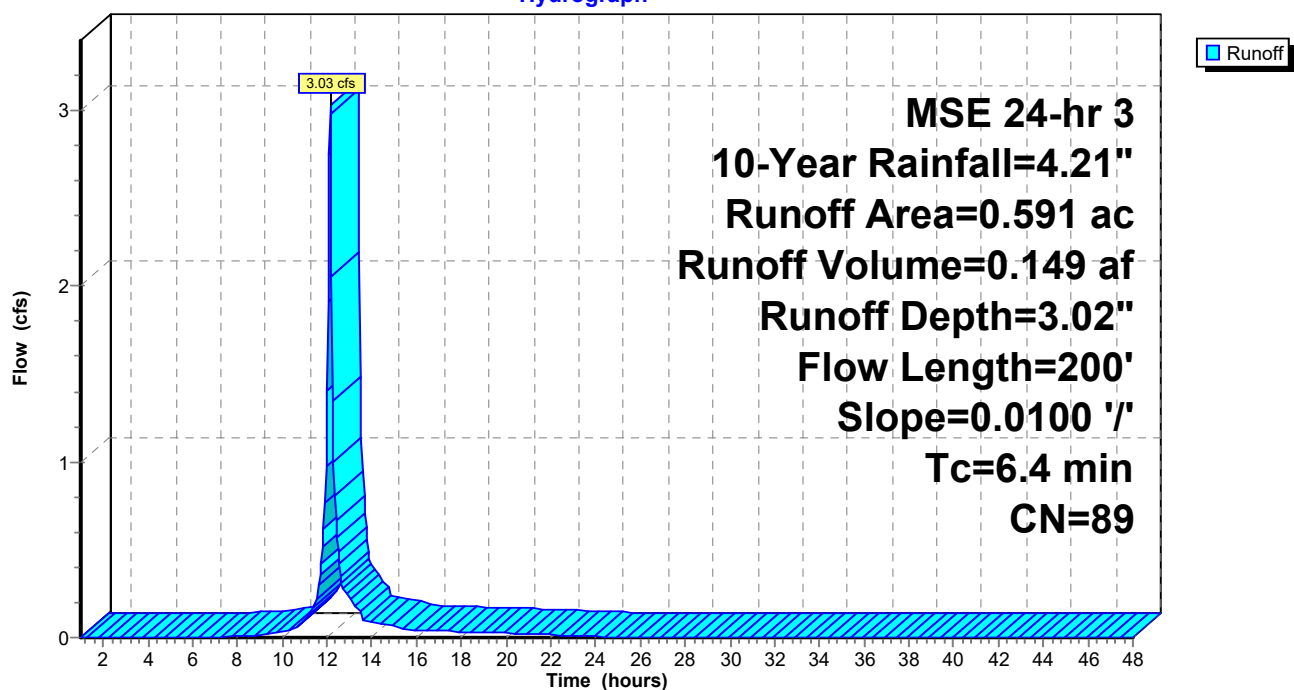
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.214	74	>75% Grass cover, Good, HSG C
0.377	98	Unconnected roofs, HSG C
0.591	89	Weighted Average
0.214		36.21% Pervious Area
0.377		63.79% Impervious Area
0.377		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.4	200	0.0100	0.52		Lag/CN Method,

Subcatchment PWS_1C: PWS_1C

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Subcatchment PWS_2: PWS_2

Runoff = 3.33 cfs @ 12.18 hrs, Volume= 0.192 af, Depth= 3.02"
Routed to Link PNW : Prop. (NW)

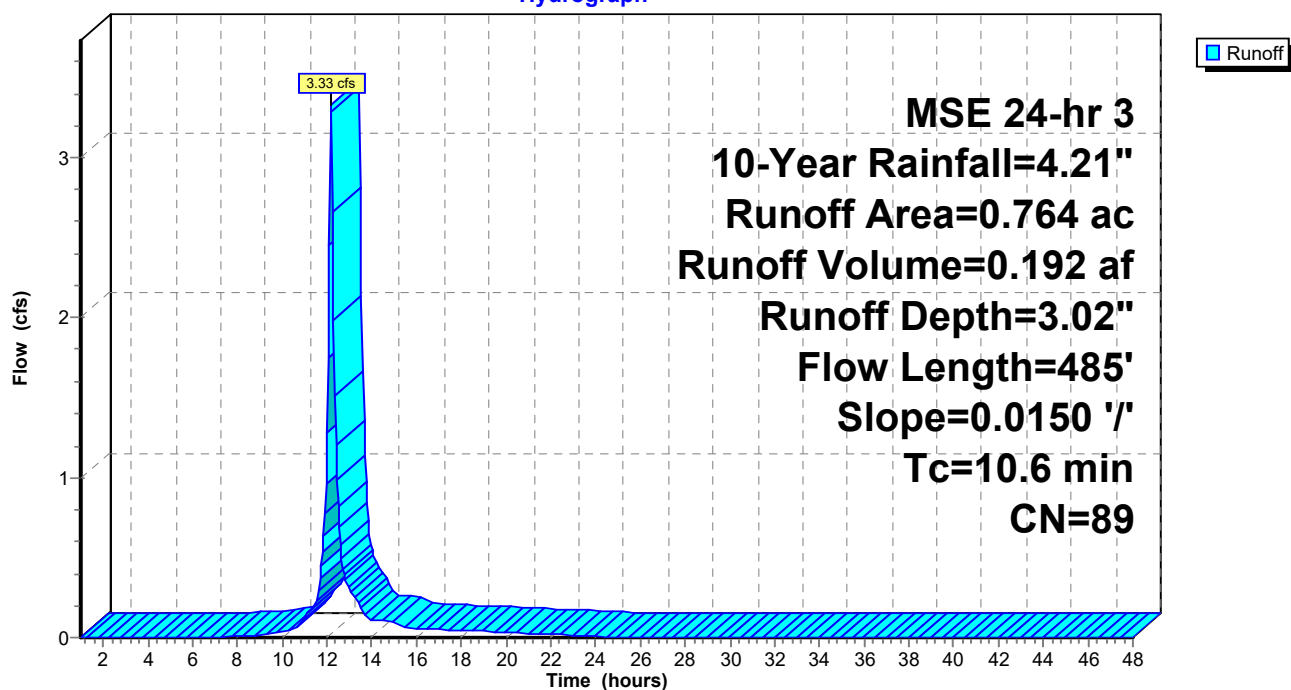
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 10-Year Rainfall=4.21"

Area (ac)	CN	Description
0.281	74	>75% Grass cover, Good, HSG C
0.483	98	Unconnected roofs, HSG C
0.764	89	Weighted Average
0.281		36.78% Pervious Area
0.483		63.22% Impervious Area
0.483		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.6	485	0.0150	0.76		Lag/CN Method,

Subcatchment PWS_2: PWS_2

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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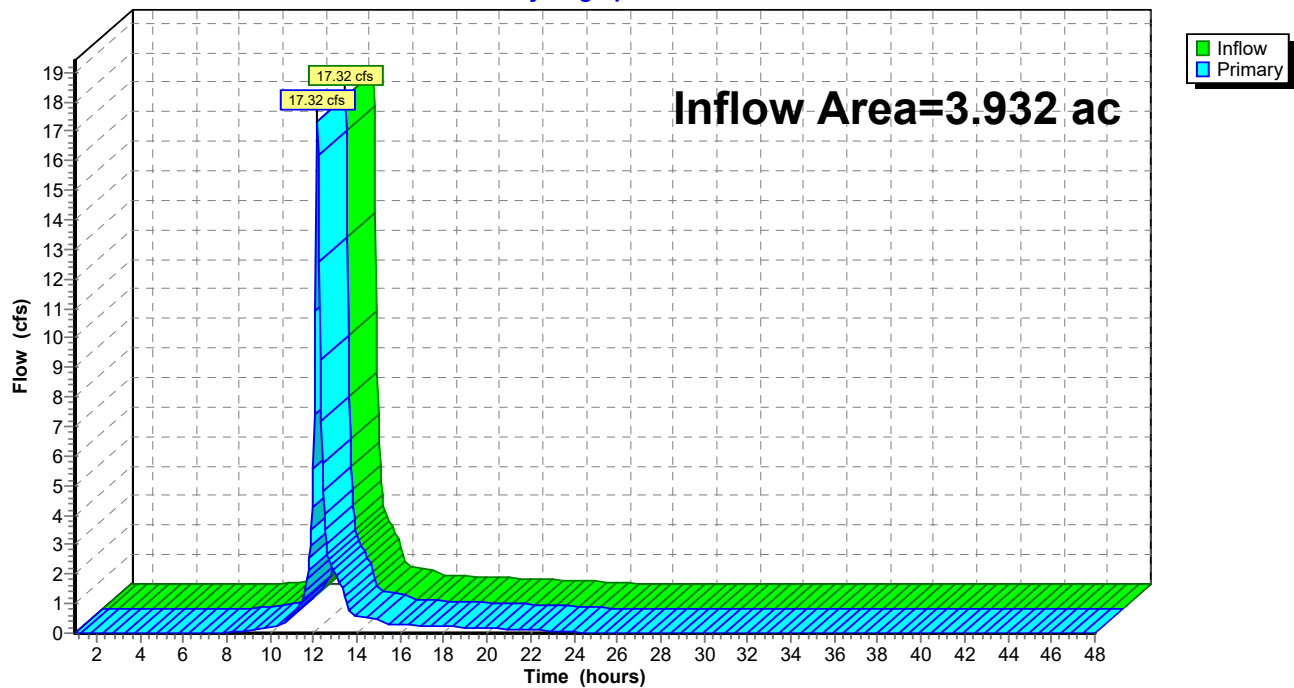
Summary for Link P: Total Prop

Inflow Area = 3.932 ac, 58.55% Impervious, Inflow Depth = 2.93" for 10-Year event
Inflow = 17.32 cfs @ 12.17 hrs, Volume= 0.959 af
Primary = 17.32 cfs @ 12.17 hrs, Volume= 0.959 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link P: Total Prop

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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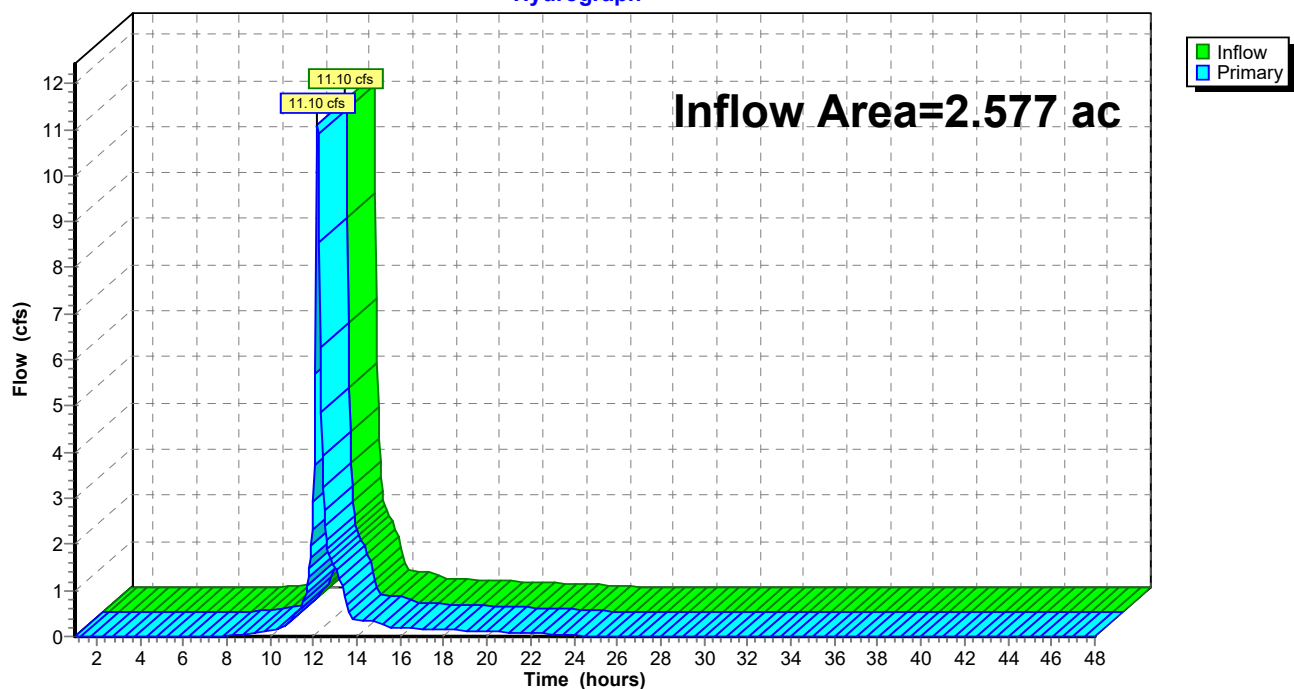
Summary for Link PE: Prop. (East)

Inflow Area = 2.577 ac, 55.96% Impervious, Inflow Depth = 2.88" for 10-Year event
Inflow = 11.10 cfs @ 12.18 hrs, Volume= 0.618 af
Primary = 11.10 cfs @ 12.18 hrs, Volume= 0.618 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PE: Prop. (East)

Hydrograph



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MSE 24-hr 3 10-Year Rainfall=4.21"

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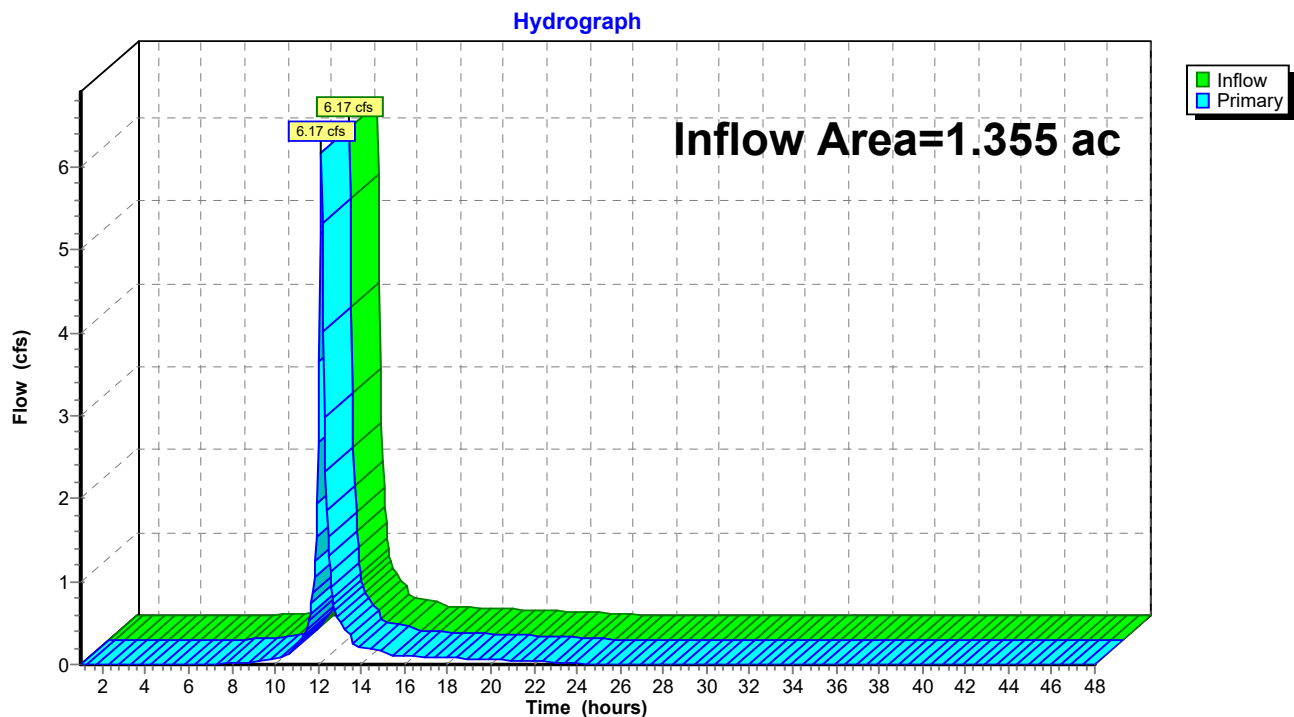
Page 15

Summary for Link PNW: Prop. (NW)

Inflow Area = 1.355 ac, 63.47% Impervious, Inflow Depth = 3.02" for 10-Year event
Inflow = 6.17 cfs @ 12.15 hrs, Volume= 0.341 af
Primary = 6.17 cfs @ 12.15 hrs, Volume= 0.341 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PNW: Prop. (NW)



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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment PWS_1A: PWS_1A

Runoff = 10.81 cfs @ 12.16 hrs, Volume= 0.592 af, Depth= 5.29"
Routed to Pond A : Basin A

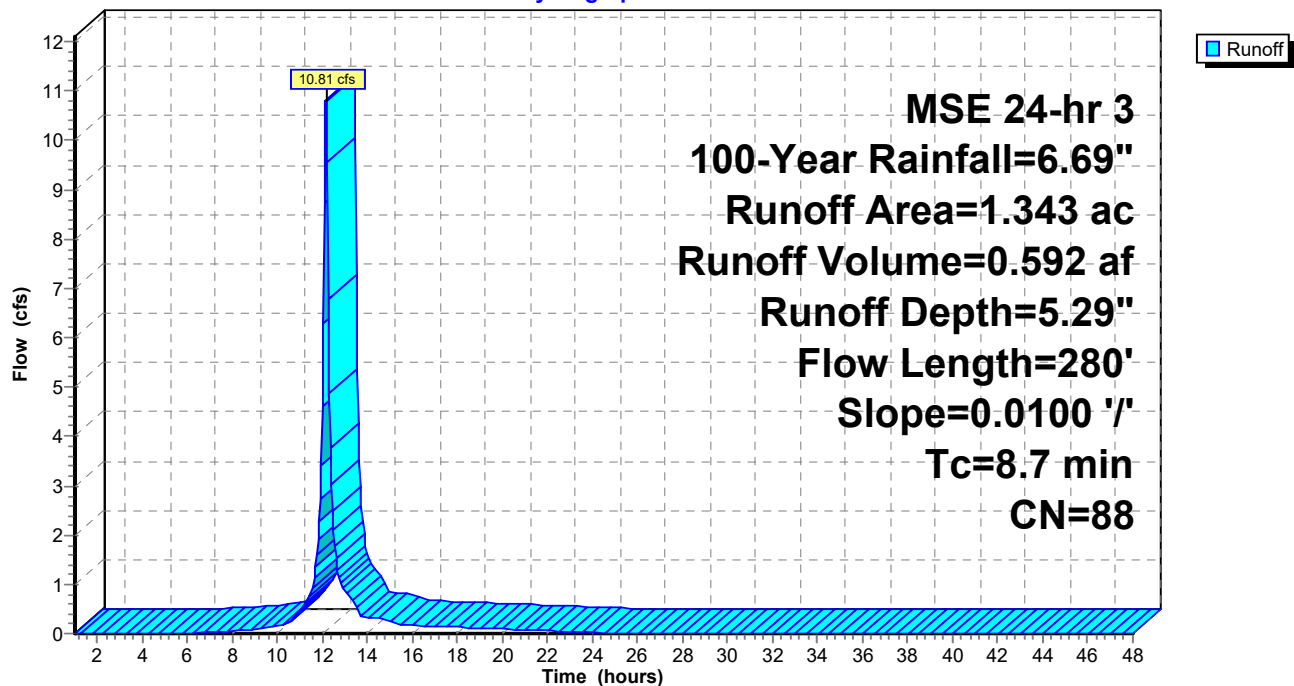
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.577	74	>75% Grass cover, Good, HSG C
0.766	98	Unconnected roofs, HSG C
1.343	88	Weighted Average
0.577		42.96% Pervious Area
0.766		57.04% Impervious Area
0.766		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.7	280	0.0100	0.54		Lag/CN Method,

Subcatchment PWS_1A: PWS_1A

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment PWS_1B: PWS_1B

Runoff = 9.10 cfs @ 12.18 hrs, Volume= 0.533 af, Depth= 5.18"
Routed to Link PE : Prop. (East)

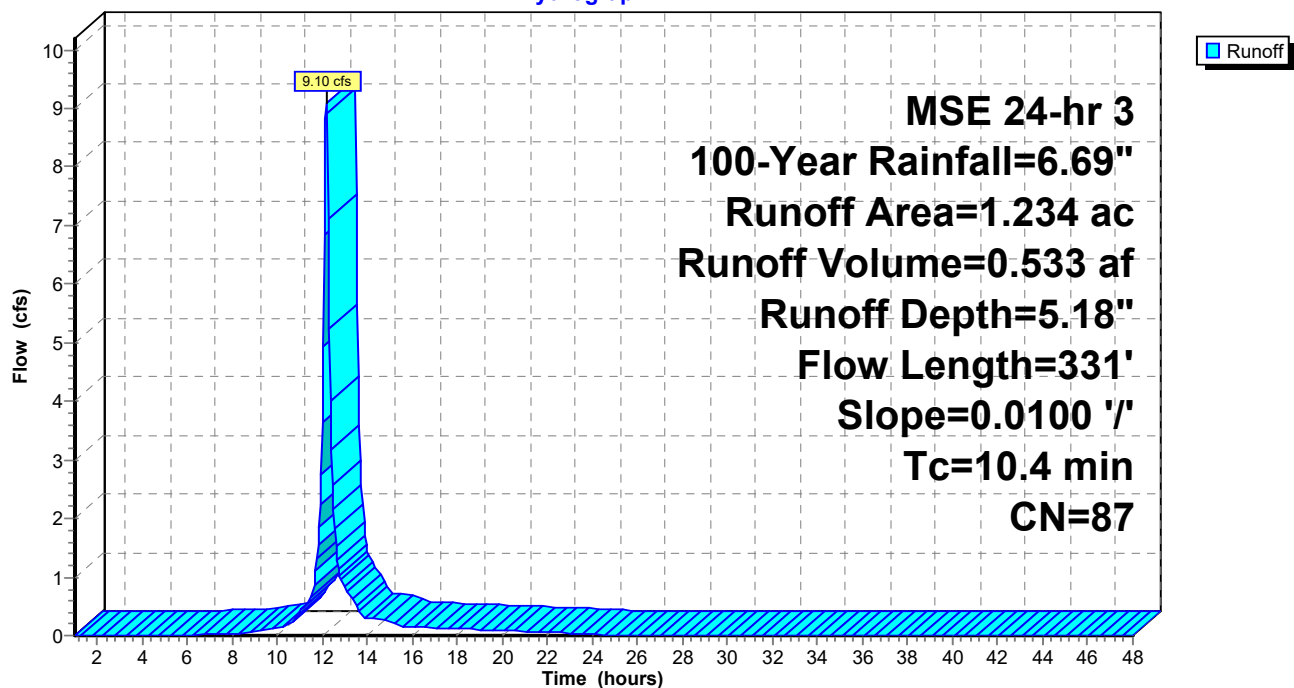
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.558	74	>75% Grass cover, Good, HSG C
0.676	98	Unconnected roofs, HSG C
1.234	87	Weighted Average
0.558		45.22% Pervious Area
0.676		54.78% Impervious Area
0.676		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.4	331	0.0100	0.53		Lag/CN Method,

Subcatchment PWS_1B: PWS_1B

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment PWS_1C: PWS_1C

Runoff = 5.23 cfs @ 12.13 hrs, Volume= 0.266 af, Depth= 5.41"
Routed to Link PNW : Prop. (NW)

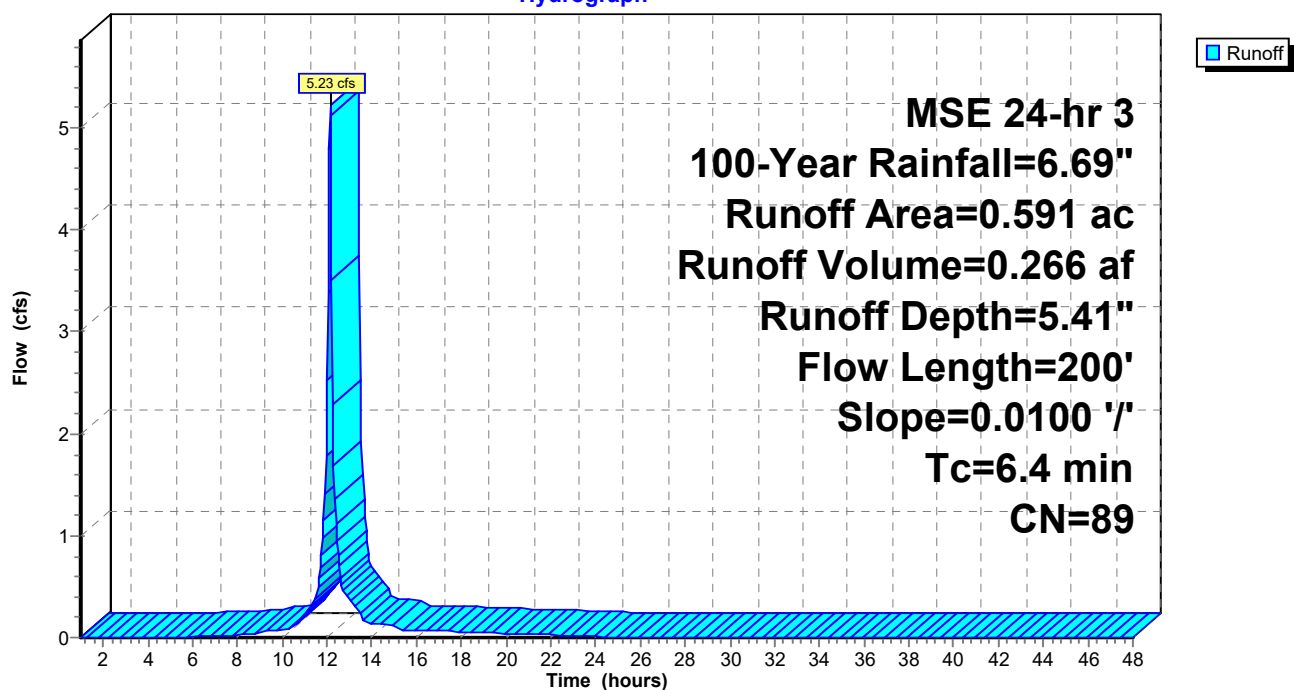
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.214	74	>75% Grass cover, Good, HSG C
0.377	98	Unconnected roofs, HSG C
0.591	89	Weighted Average
0.214		36.21% Pervious Area
0.377		63.79% Impervious Area
0.377		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.4	200	0.0100	0.52		Lag/CN Method,

Subcatchment PWS_1C: PWS_1C

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Subcatchment PWS_2: PWS_2

Runoff = 5.77 cfs @ 12.18 hrs, Volume= 0.344 af, Depth= 5.41"
Routed to Link PNW : Prop. (NW)

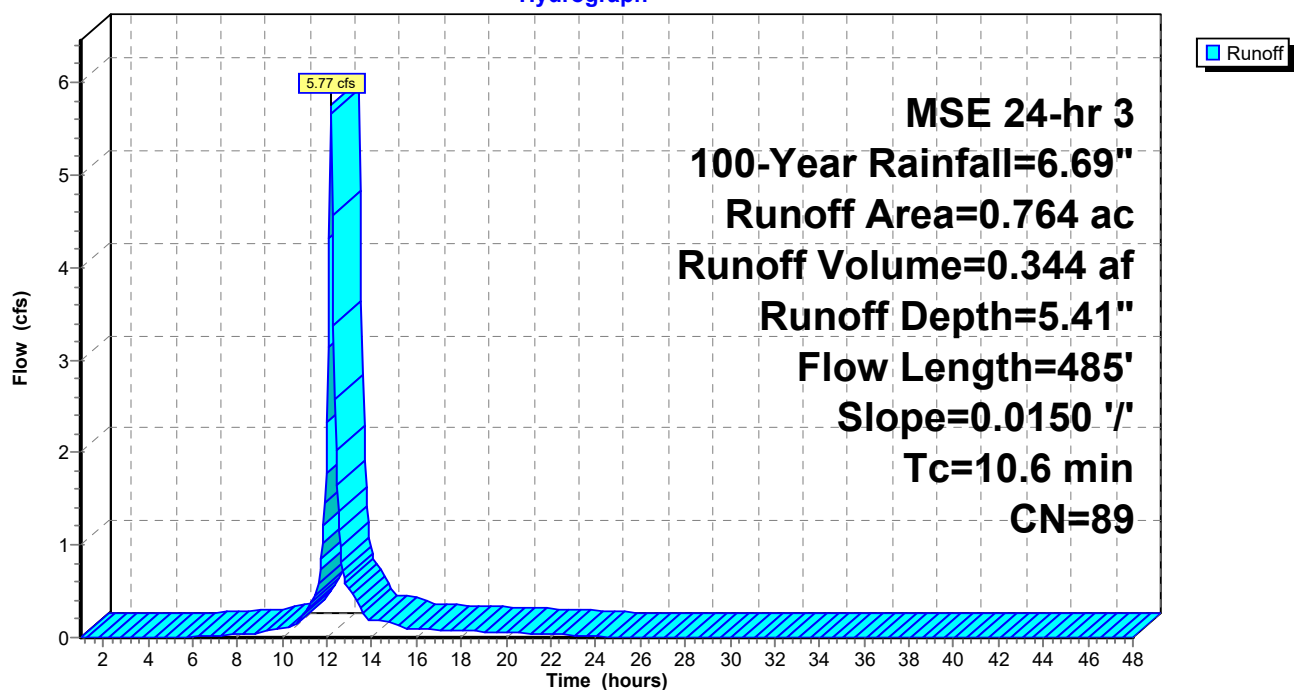
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
MSE 24-hr 3 100-Year Rainfall=6.69"

Area (ac)	CN	Description
0.281	74	>75% Grass cover, Good, HSG C
0.483	98	Unconnected roofs, HSG C
0.764	89	Weighted Average
0.281		36.78% Pervious Area
0.483		63.22% Impervious Area
0.483		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.6	485	0.0150	0.76		Lag/CN Method,

Subcatchment PWS_2: PWS_2

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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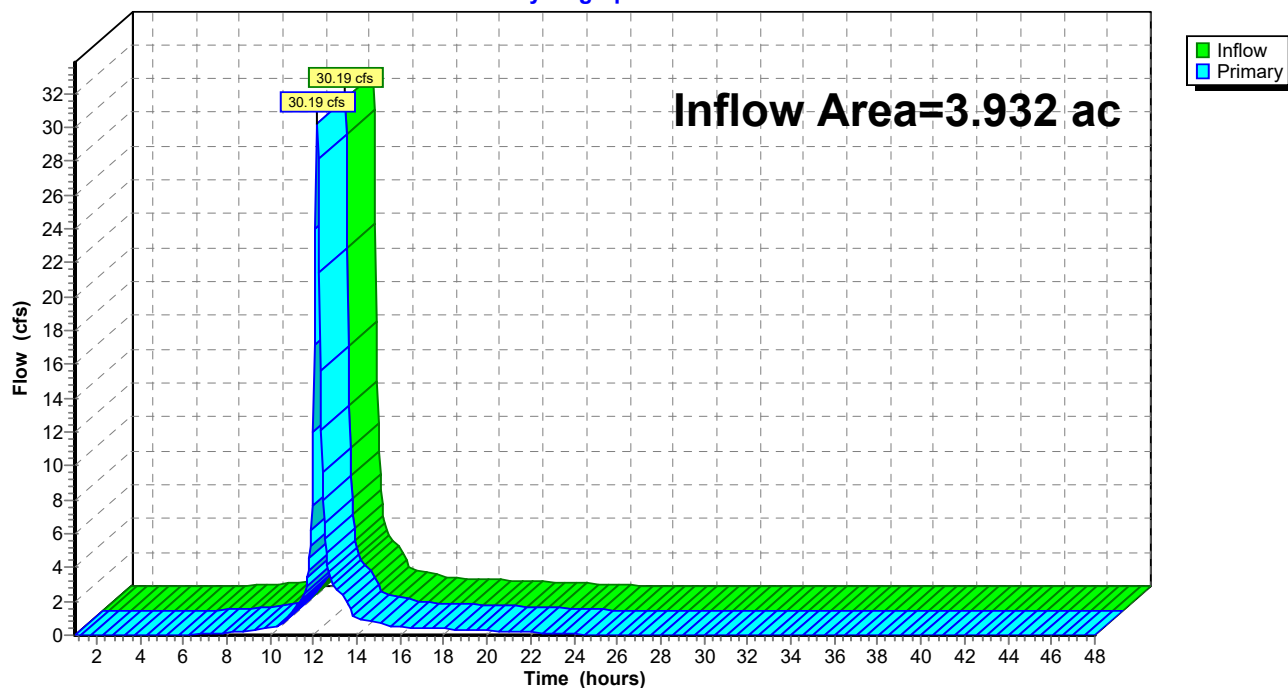
Summary for Link P: Total Prop

Inflow Area = 3.932 ac, 58.55% Impervious, Inflow Depth = 5.30" for 100-Year event
Inflow = 30.19 cfs @ 12.16 hrs, Volume= 1.735 af
Primary = 30.19 cfs @ 12.16 hrs, Volume= 1.735 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link P: Total Prop

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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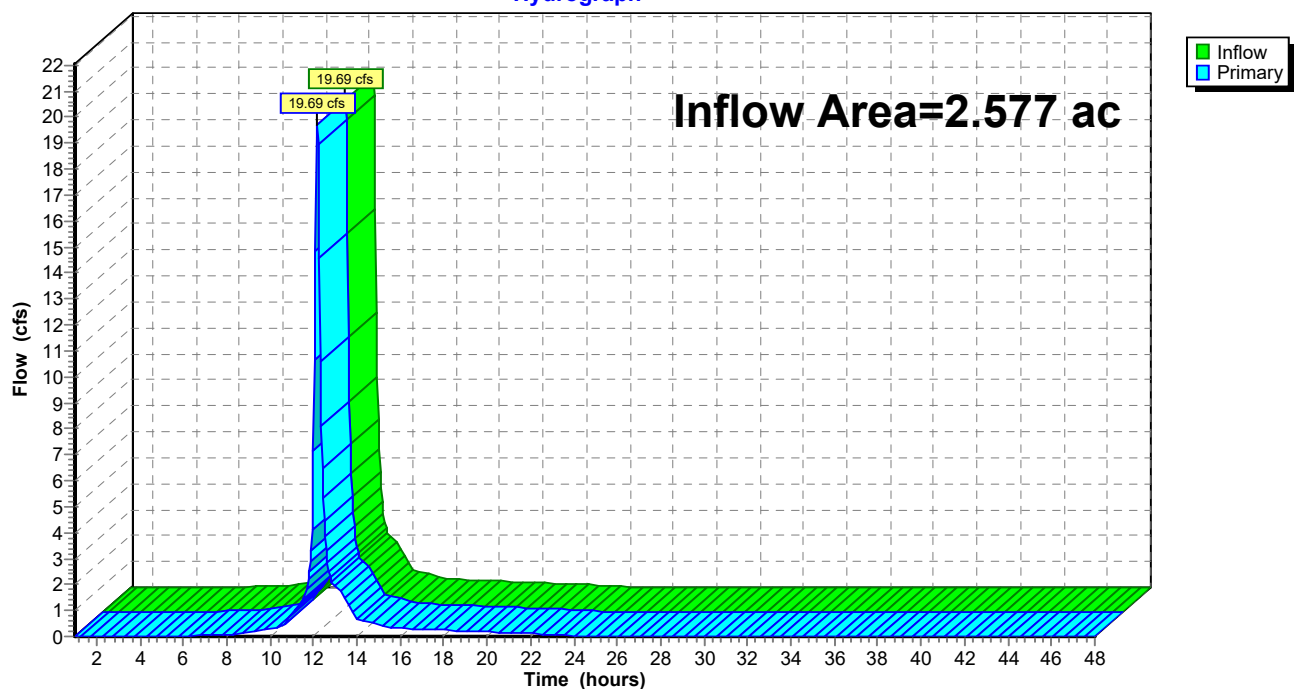
Summary for Link PE: Prop. (East)

Inflow Area = 2.577 ac, 55.96% Impervious, Inflow Depth = 5.24" for 100-Year event
Inflow = 19.69 cfs @ 12.17 hrs, Volume= 1.125 af
Primary = 19.69 cfs @ 12.17 hrs, Volume= 1.125 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PE: Prop. (East)

Hydrograph



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MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Link PNW: Prop. (NW)

Inflow Area = 1.355 ac, 63.47% Impervious, Inflow Depth = 5.41" for 100-Year event
Inflow = 10.68 cfs @ 12.15 hrs, Volume= 0.610 af
Primary = 10.68 cfs @ 12.15 hrs, Volume= 0.610 af, Atten= 0%, Lag= 0.0 min
Routed to Link P : Total Prop

Primary outflow = Inflow, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs

Link PNW: Prop. (NW)

Hydrograph

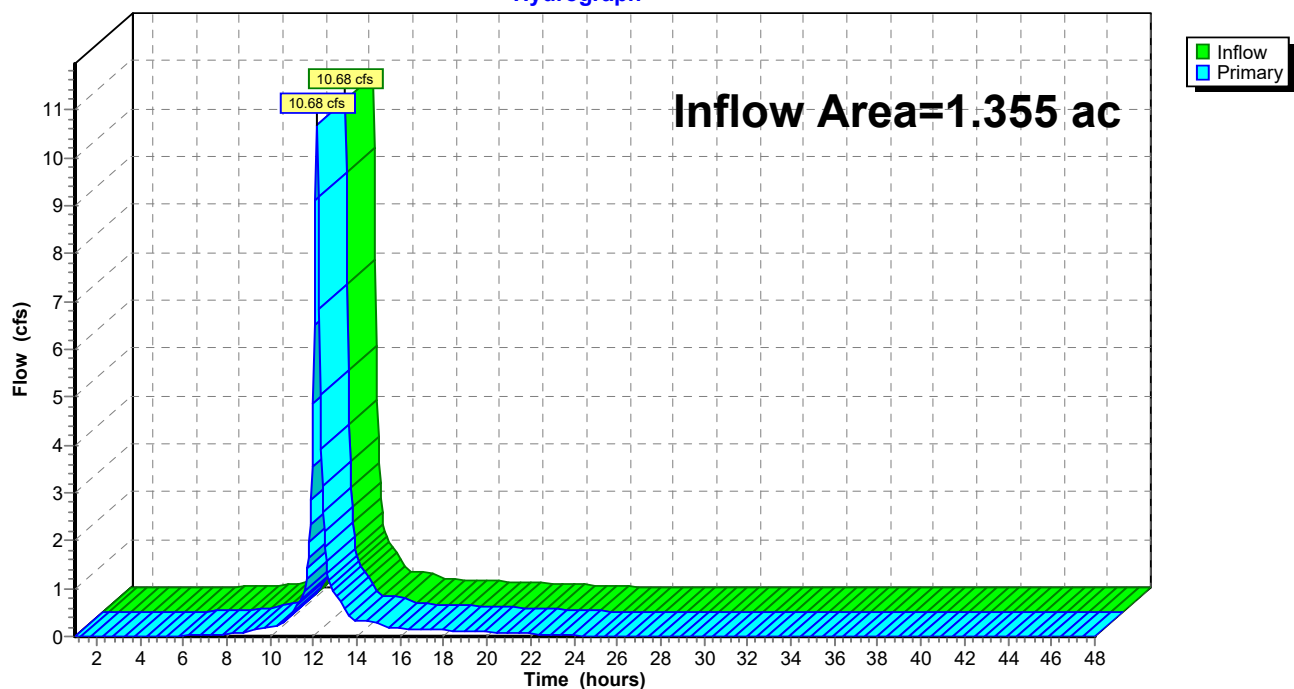


Exhibit D

Basin Calculations

450002 - Cedar Park Drainage

MSE 24-hr 3 2-Year Rainfall=2.87"

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Summary for Pond A: Basin A

Inflow Area = 1.343 ac, 57.04% Impervious, Inflow Depth = 1.70" for 2-Year event
 Inflow = 3.67 cfs @ 12.16 hrs, Volume= 0.191 af
 Outflow = 2.57 cfs @ 12.26 hrs, Volume= 0.191 af, Atten= 30%, Lag= 6.0 min
 Primary = 1.18 cfs @ 12.26 hrs, Volume= 0.176 af
 Routed to Link PE : Prop. (East)
 Secondary = 1.39 cfs @ 12.26 hrs, Volume= 0.015 af
 Routed to Link PE : Prop. (East)

Routing by Dyn-Stor-Ind method, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 1,914.26' @ 12.26 hrs Surf.Area= 1,814 sf Storage= 1,547 cf

Plug-Flow detention time= 8.0 min calculated for 0.191 af (100% of inflow)
 Center-of-Mass det. time= 7.3 min (807.7 - 800.5)

Volume	Invert	Avail.Storage	Storage Description
#1	1,912.00'	3,257 cf	Custom Stage Data (Irregular) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
1,912.00	1	4.0	0	0	1
1,912.50	87	40.8	16	16	133
1,913.00	478	94.8	128	144	716
1,913.50	892	124.9	337	482	1,245
1,914.00	1,618	161.2	619	1,100	2,075
1,914.50	2,005	177.9	904	2,004	2,534
1,915.00	3,041	214.6	1,253	3,257	3,684

Device	Routing	Invert	Outlet Devices
#1	Secondary	1,914.05'	Asymmetrical Weir, C= 3.27 Offset (feet) 0.00 12.00 24.00 Elev. (feet) 1,914.50 1,914.05 1,914.50
#2	Primary	1,912.00'	6.0" Round 6" PVC Pipe L= 8.0' CMP, mitered to conform to fill, Ke= 0.700 Inlet / Outlet Invert= 1,912.00' / 1,912.00' S= 0.0000 ' / ' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=1.18 cfs @ 12.26 hrs HW=1,914.25' TW=0.00' (Dynamic Tailwater)
 ↑ **2=6" PVC Pipe** (Inlet Controls 1.18 cfs @ 6.01 fps)

Secondary OutFlow Max=1.28 cfs @ 12.26 hrs HW=1,914.25' TW=0.00' (Dynamic Tailwater)
 ↑ **1=Asymmetrical Weir** (Weir Controls 1.28 cfs @ 0.59 fps)

450002 - Cedar Park Drainage

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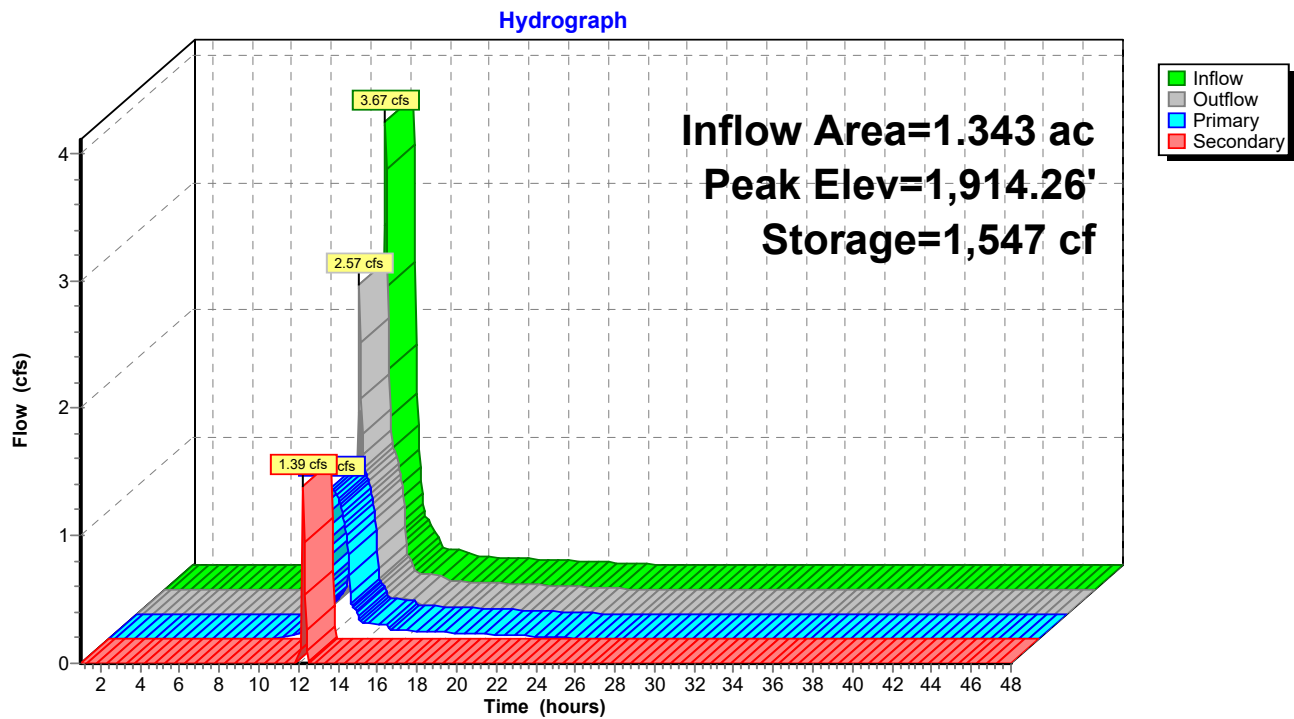
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MSE 24-hr 3 2-Year Rainfall=2.87"

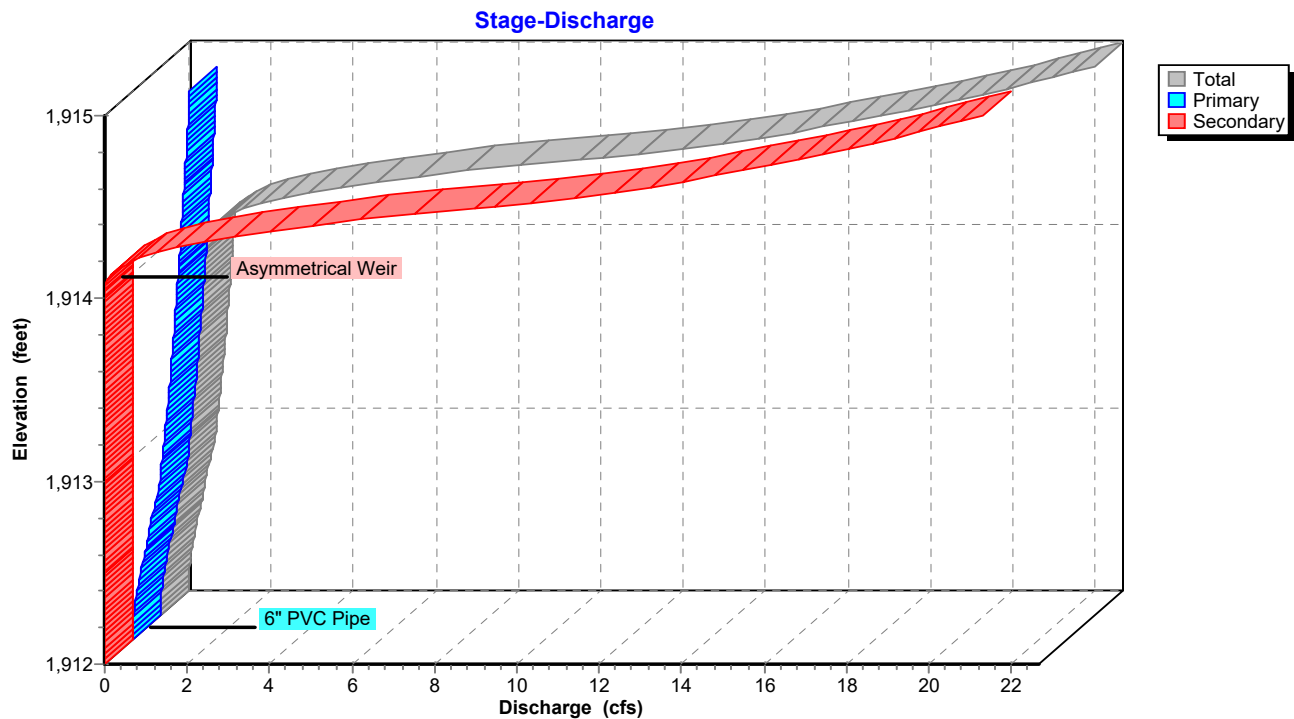
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Pond A: Basin A



Pond A: Basin A



450002 - Cedar Park Drainage

MSE 24-hr 3 10-Year Rainfall=4.21"

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Summary for Pond A: Basin A

Inflow Area = 1.343 ac, 57.04% Impervious, Inflow Depth = 2.92" for 10-Year event
 Inflow = 6.17 cfs @ 12.16 hrs, Volume= 0.327 af
 Outflow = 5.97 cfs @ 12.18 hrs, Volume= 0.327 af, Atten= 3%, Lag= 1.4 min
 Primary = 1.22 cfs @ 12.18 hrs, Volume= 0.250 af
 Routed to Link PE : Prop. (East)
 Secondary = 4.75 cfs @ 12.18 hrs, Volume= 0.077 af
 Routed to Link PE : Prop. (East)

Routing by Dyn-Stor-Ind method, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 1,914.39' @ 12.18 hrs Surf.Area= 1,918 sf Storage= 1,792 cf

Plug-Flow detention time= 6.4 min calculated for 0.327 af (100% of inflow)
 Center-of-Mass det. time= 6.4 min (796.1 - 789.7)

Volume	Invert	Avail.Storage	Storage Description
#1	1,912.00'	3,257 cf	Custom Stage Data (Irregular) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
1,912.00	1	4.0	0	0	1
1,912.50	87	40.8	16	16	133
1,913.00	478	94.8	128	144	716
1,913.50	892	124.9	337	482	1,245
1,914.00	1,618	161.2	619	1,100	2,075
1,914.50	2,005	177.9	904	2,004	2,534
1,915.00	3,041	214.6	1,253	3,257	3,684

Device	Routing	Invert	Outlet Devices
#1	Secondary	1,914.05'	Asymmetrical Weir, C= 3.27 Offset (feet) 0.00 12.00 24.00 Elev. (feet) 1,914.50 1,914.05 1,914.50
#2	Primary	1,912.00'	6.0" Round 6" PVC Pipe L= 8.0' CMP, mitered to conform to fill, Ke= 0.700 Inlet / Outlet Invert= 1,912.00' / 1,912.00' S= 0.0000 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=1.22 cfs @ 12.18 hrs HW=1,914.39' TW=0.00' (Dynamic Tailwater)
 ↑ **2=6" PVC Pipe** (Inlet Controls 1.22 cfs @ 6.21 fps)

Secondary OutFlow Max=4.57 cfs @ 12.18 hrs HW=1,914.39' TW=0.00' (Dynamic Tailwater)
 ↑ **1=Asymmetrical Weir** (Weir Controls 4.57 cfs @ 0.76 fps)

450002 - Cedar Park Drainage

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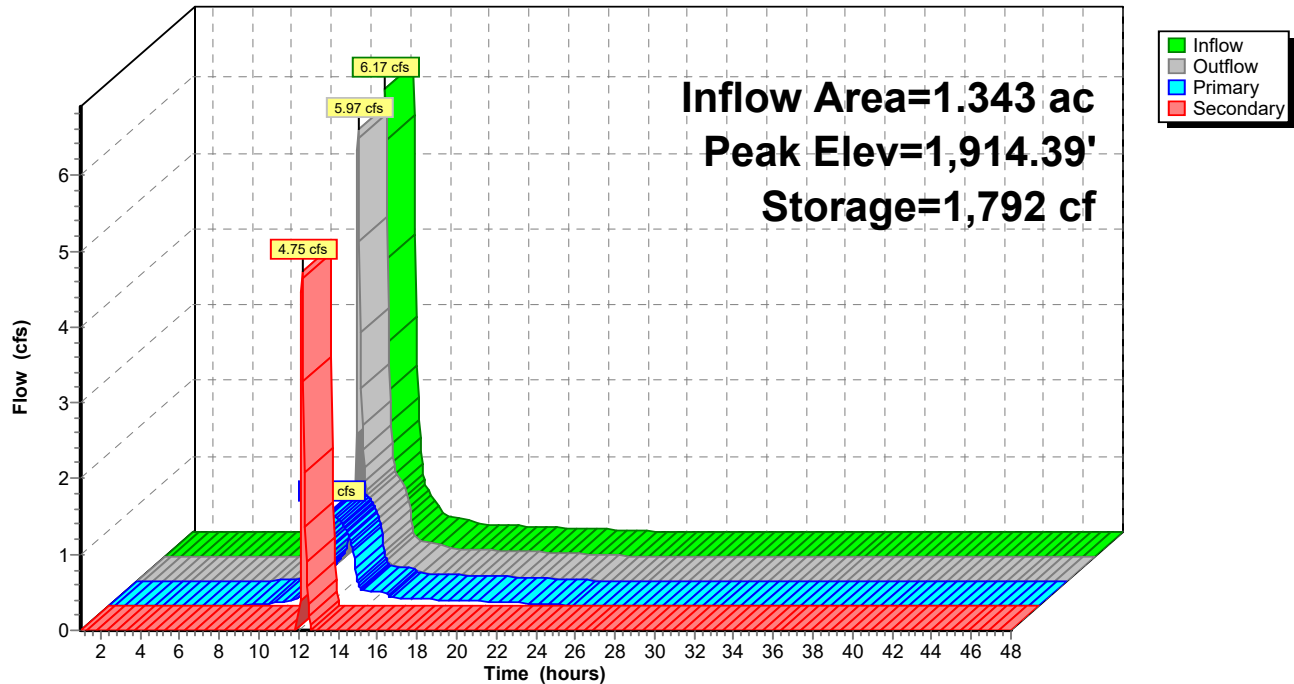
MSE 24-hr 3 10-Year Rainfall=4.21"

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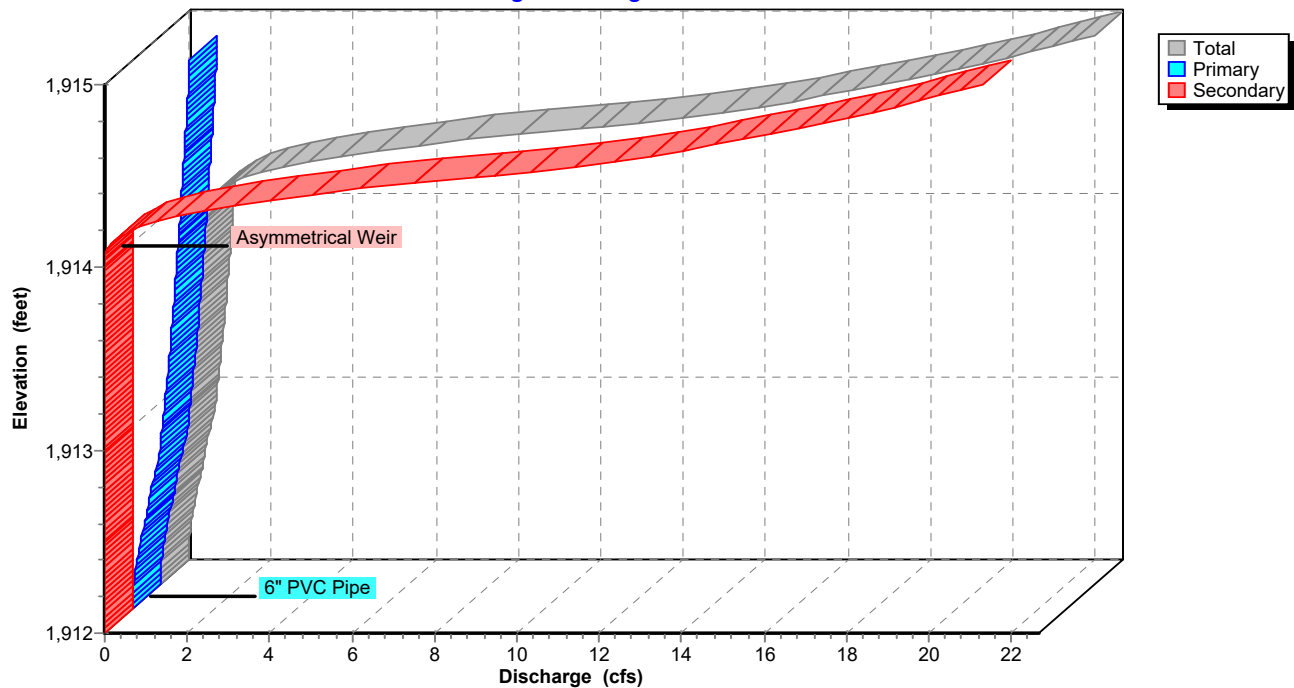
Pond A: Basin A

Hydrograph



Pond A: Basin A

Stage-Discharge



450002 - Cedar Park Drainage

MSE 24-hr 3 100-Year Rainfall=6.69"

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Summary for Pond A: Basin A

Inflow Area = 1.343 ac, 57.04% Impervious, Inflow Depth = 5.29" for 100-Year event
 Inflow = 10.81 cfs @ 12.16 hrs, Volume= 0.592 af
 Outflow = 10.60 cfs @ 12.17 hrs, Volume= 0.592 af, Atten= 2%, Lag= 0.8 min
 Primary = 1.25 cfs @ 12.17 hrs, Volume= 0.376 af
 Routed to Link PE : Prop. (East)
 Secondary = 9.35 cfs @ 12.17 hrs, Volume= 0.216 af
 Routed to Link PE : Prop. (East)

Routing by Dyn-Stor-Ind method, Time Span= 1.00-48.00 hrs, dt= 0.05 hrs
 Peak Elev= 1,914.50' @ 12.17 hrs Surf.Area= 2,003 sf Storage= 2,000 cf

Plug-Flow detention time= 6.5 min calculated for 0.592 af (100% of inflow)
 Center-of-Mass det. time= 5.8 min (783.7 - 778.0)

Volume	Invert	Avail.Storage	Storage Description
#1	1,912.00'	3,257 cf	Custom Stage Data (Irregular) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Perim. (feet)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)	Wet.Area (sq-ft)
1,912.00	1	4.0	0	0	1
1,912.50	87	40.8	16	16	133
1,913.00	478	94.8	128	144	716
1,913.50	892	124.9	337	482	1,245
1,914.00	1,618	161.2	619	1,100	2,075
1,914.50	2,005	177.9	904	2,004	2,534
1,915.00	3,041	214.6	1,253	3,257	3,684

Device	Routing	Invert	Outlet Devices
#1	Secondary	1,914.05'	Asymmetrical Weir, C= 3.27 Offset (feet) 0.00 12.00 24.00 Elev. (feet) 1,914.50 1,914.05 1,914.50
#2	Primary	1,912.00'	6.0" Round 6" PVC Pipe L= 8.0' CMP, mitered to conform to fill, Ke= 0.700 Inlet / Outlet Invert= 1,912.00' / 1,912.00' S= 0.0000 '/' Cc= 0.900 n= 0.010 PVC, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=1.25 cfs @ 12.17 hrs HW=1,914.49' TW=0.00' (Dynamic Tailwater)
 ↑ **2=6" PVC Pipe** (Inlet Controls 1.25 cfs @ 6.36 fps)

Secondary OutFlow Max=9.03 cfs @ 12.17 hrs HW=1,914.49' TW=0.00' (Dynamic Tailwater)
 ↑ **1=Asymmetrical Weir** (Weir Controls 9.03 cfs @ 0.87 fps)

450002 - Cedar Park Drainage

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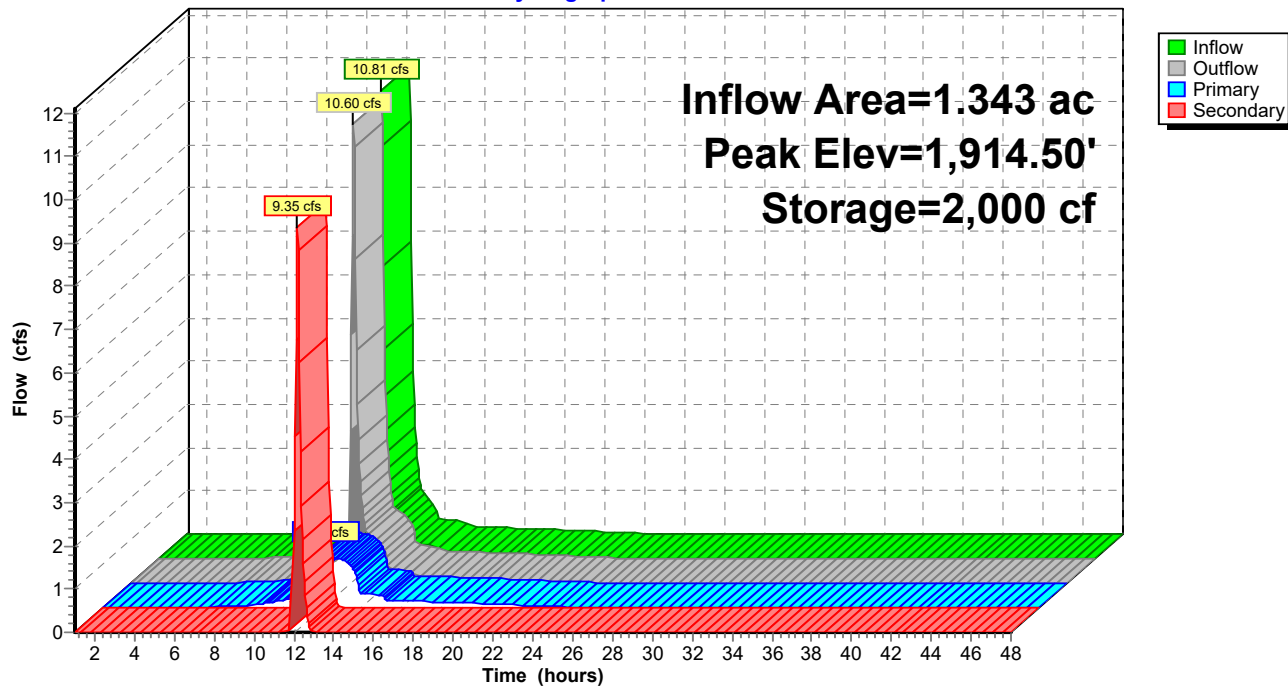
MSE 24-hr 3 100-Year Rainfall=6.69"

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Pond A: Basin A

Hydrograph



Pond A: Basin A

Stage-Discharge

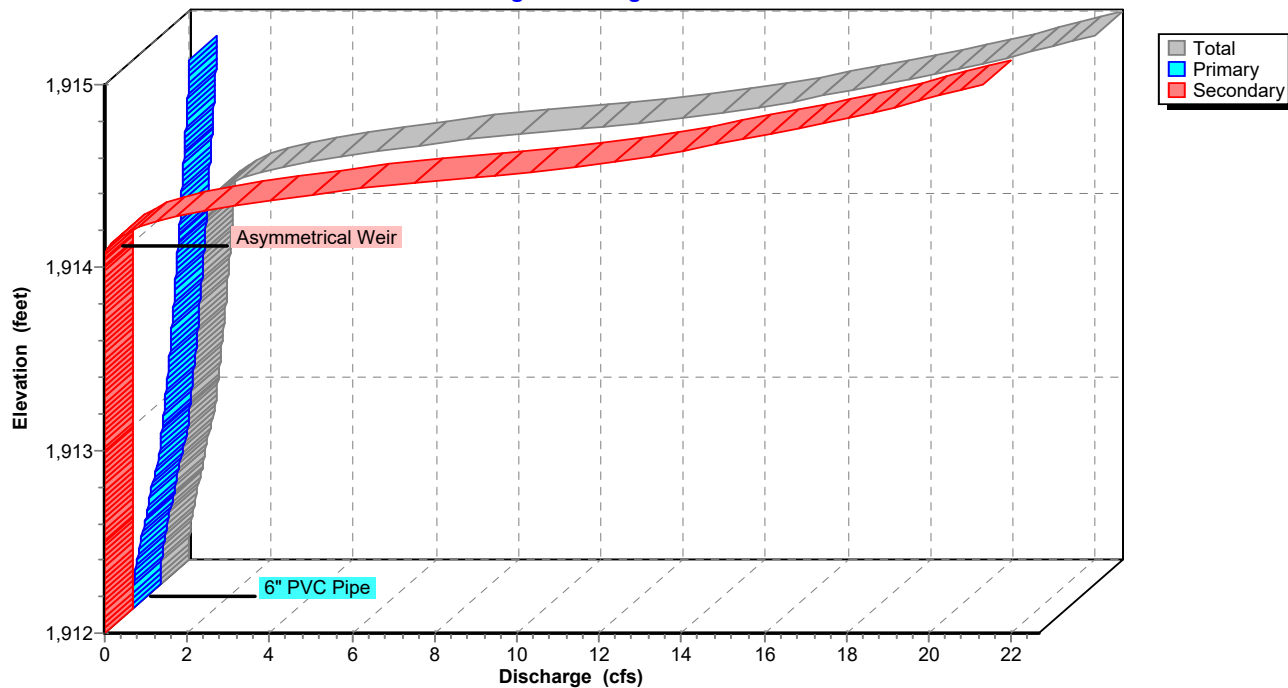
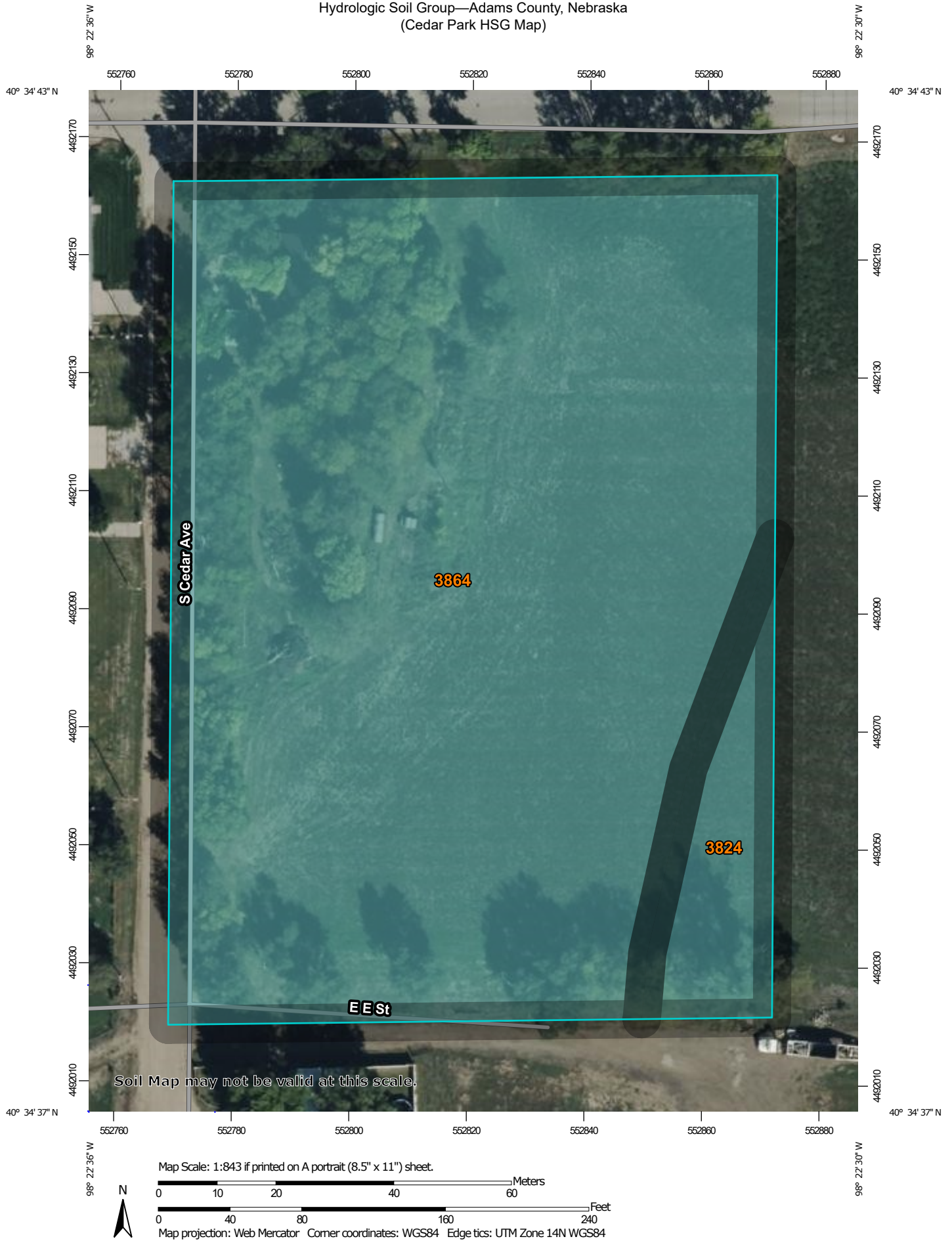


Exhibit E
Soils Information

Hydrologic Soil Group—Adams County, Nebraska
(Cedar Park HSG Map)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points

 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available

Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Adams County, Nebraska
Survey Area Data: Version 28, Aug 28, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 5, 2022—Oct 8, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
3824	Crete silt loam, 0 to 1 percent slopes	C	0.3	7.4%
3864	Hastings silt loam, 0 to 1 percent slopes	C	3.4	92.6%
Totals for Area of Interest			3.6	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher