

AGENDA
VALLEY CITY COUNCIL
Tuesday, July 15, 2025
City Hall
203 North Spruce
Valley, NE 68064
4:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proof of Publication**
5. **Visitors/Correspondence**

Anyone desiring to speak on any item or issue not on the agenda or any item on the agenda that does not include a public hearing may do so, but shall be limited to three (3) minutes. Persons should identify themselves by name and address. Persons speaking should not expect the Planning Commission to engage in back-and-forth dialogue regarding their comments. Unless an agenda item includes a public hearing, no person may speak during the business portion of the meeting; provided, however, persons speaking during a public hearing are limited to between five (5) and twenty (20) minutes.

The public is advised that a copy of the Open Meetings Act is located on the north wall of the Council Chamber, and one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

6. **Approval of Agenda**
7. **Consent Agenda**

All agenda items on the consent agenda will be acted on in a single motion. Consent agenda items are being forwarded to the Commission Members. Any individual item may be removed by a commission member for special discussion and consideration.

7.A. Approve Minutes of June 17, 2025 Planning Commission meeting

8. **Public Hearings**

8.A. Ordinance - consideration and recommendation to amend existing sections of the City of Valley Zoning Regulations relating to Use Limitations

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council

8.B. Ordinance - consideration and recommendation to amend existing sections of the City of Valley Zoning Regulations relating to Commercial Design Standards in Designated Commercial Areas

- Open Public Hearing
- Public comments: proponents and opponents
- Close Public Hearing
- Discussion and questions by Planning Commission Members
- Vote on recommendation to City Council

9. Adjourn

The City Council reserves the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the City Council to take up the items on the agenda in sequential order. However, the City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, persons having items on the agenda, and the public.

CITY OF VALLEY
VALLEY PLANNING COMMISSION MINUTES
June 17, 2025

1 and 2. Roll Call and Call to Order: Larry Bottger, Chairman, Kyle Anderson, Scott Burke, Mark Conrey, Brian Foutch, Greg Sunde and Jim Tomanek. Absent: Daneille Lowry and Jeremy Mayer. Also present: Mayor Cindy Grove, Clerk Christie Donnermeyer, Deputy Clerk Jon Barnhart, Building Inspector Rune van den Boogaart, City Engineer Greg Perry, and City Attorney Andrea Griffin.

Chairman Bottger noted the location of the open meetings act, and stated one copy of all reproducible written material to be discussed at this meeting is available for examination or copying.

3. Pledge of Allegiance: The Pledge of Allegiance was recited.

4. Proof of Publication: The Proof of Publication was on the desk.

5. Visitors/Correspondence: No one spoke.

6. Approval of Agenda: Member Tomanek moved to approve the agenda. Anderson seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.

7. Consent Agenda: Member Foutch moved to approve the consent agenda. Conrey seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried. Items on the consent agenda: May 20, 2025 meeting minutes.

8. Public Hearings

Centaur Development hearing to recommend approval of waiver from site design standards Lots 2, L and J subdivision. Chairman Bottger opened the public hearing. Travis Brodersen, 27080 Rainwood Rd, Valley addressed the commission regarding the request for the waiver. The Building Inspector addressed the Commission and requested that the Commission enforce the design standards already in place. Chairman Bottger closed the public hearing. After discussion, Bottger moved to deny the waiver request. Foutch seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.

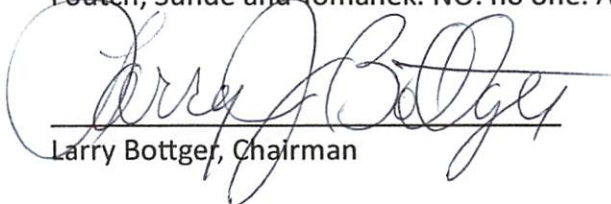
Ordinance hearing to recommend amending existing sections of the City of Valley Zoning Regulations relating to Use Limitations within I-1 light industrial districts. Chairman Bottger opened the public hearing. The Building Inspector addressed the Commission and recommended an addition to the matrix to add a line item for a conditional use permit and limit the percentage to 25%. Chairman Bottger closed the public hearing. After discussion, Bottger moved to table the


matter. Conrey seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.

Ordinance hearing to recommend amending existing sections of the City of Valley Zoning Regulations relating to Commercial Design Standards in Designated Commercial Areas. Chairman Bottger opened the public hearing. The Building Inspector addressed the Commission regarding the request. City Attorney Griffin addressed the Commission to clarify where we are regarding the standards and what options were available. Bob Hampton, Hampton Development, 4089 S. 84th St. Omaha. Bob addressed the Commission with concerns regarding the current design standards, and recommended formation of a committee to develop simpler design standards or minimum design standards. Michael Nachreiner and Cathy Nachreiner, JNM Construction, 314 W Reichmuth Rd. addressed the Commission with concerns regarding the design standards for commercial areas. They would like to expand and build a new building. The Building Inspector addressed this concern and informed them that the design standards are not applicable in industrial areas. Jason Troshynski, Grace Homes, Elkhorn, wanted clarification if the design standards applied in transitional ag. The Building Inspector responded that the original idea was to differentiate between different types of streets and apply different standards to the respective street types. The City Engineer was then asked to define and determine the street types in Valley. The Building Inspector requested that the fee for the City Engineer to define and determine the street types be assessed to the requestor. After discussion, Bottger moved to recommend the amendment to City Council. Motion failed due to lack of second. After further discussion, Bottger moved to table the matter. Foutch seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.

Flatwater Lakes Estates LLC (Champion Shores) hearing to recommend approval of the substandard and blight study. Chairman Bottger opened the public hearing. City Attorney Griffin addressed the Commission with an overview of the process for approval of the study. Brent Beller, attorney for the developer, addressed the Commission regarding the terms “blighted and substandard” are TIF requirement terms and not the opinion of the developer. Chairman Bottger closed the public hearing. After discussion, Tomanek moved to recommend that the City Council declare the area as blighted and substandard. Anderson seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.

Chairman Bottger moved to adjourn. Sunde seconded. YES: Bottger, Anderson, Burke, Conrey, Foutch, Sunde and Tomanek. NO: no one. ABSENT: Lowry and Mayer. Motion carried.


Larry Bottger, Chairman


Christie Donnermeyer, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND EXISTING SECTIONS OF THE CITY OF VALLEY ZONING REGULATIONS RELATING TO USE LIMITATIONS WITHIN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. That existing Section 5.13.07 of the City of Valley Zoning Regulations is hereby repealed.

Section 2. That a new Section 5.13.07 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

5.13.07 USE LIMITATIONS:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.04.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light on any property located in a residential or mobile home district.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Upon obtaining a Conditional Use Permit, a portion of motor vehicle, boat, and trailer rental/sales lots and construction laydown yards may be drained and surfaced with crushed rock, except in those portions of the

lot maintained as landscape area; in no event shall the total area surfaced with crushed rock exceed twenty-five percent (25%) of the total lot size.

9. 35% of the required front yard shall be maintained in landscaping.
10. Lots along the highways shall be required to gain access through a paved service road.

Section 3. That existing Section 5.15.07 of the City of Valley Zoning Regulations is hereby repealed.

Section 4. That a new Section 5.15.07 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

5.15.07 USE LIMITATIONS:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 15 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.04.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. All new buildings constructed within the C-3 Highway Commercial District shall meet the design guidelines found in Articles 11 and 12 of this ordinance.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Upon obtaining a Conditional Use Permit, a portion of motor vehicle, boat, and trailer rental/sales lots and construction laydown yards may be drained and surfaced with crushed rock, except in those portions of the lot maintained as landscape area; in no event shall the total area surfaced with crushed rock exceed twenty-five percent (25%) of the total lot size.
9. 35% of the required front yard shall be maintained in landscaping.
10. Lots along the highways shall be required to gain access through a paved service road.

Section 5. That existing Section 5.16.07 of the City of Valley Zoning Regulations is hereby repealed.

Section 6. That a new Section 5.16.07 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

5.16.07 USE LIMITATIONS:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 30 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.04
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. When adjacent to an alley, the width of the alley shall be included in computing the minimum rear yard setback.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Upon obtaining a Conditional Use Permit, a portion of motor vehicle, boat, and trailer rental/sales lots and construction laydown yards may be drained and surfaced with crushed rock, except in those portions of the lot maintained as landscape area; in no event shall the total area surfaced with crushed rock exceed twenty-five percent (25%) of the total lot size.

Section 7. That existing Section 5.17.07 of the City of Valley Zoning Regulations is hereby repealed.

Section 8. That a new Section 5.17.07 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

5.17.07 USE LIMITATIONS:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 25 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.04.
3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. When adjacent to an alley, the width of the alley shall be included in computing the minimum rear yard setback.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Upon obtaining a Conditional Use Permit, a portion of motor vehicle, boat, and trailer rental/sales lots and construction laydown yards may be drained and surfaced with crushed rock, except in those portions of the lot maintained as landscape area; in no event shall the total area surfaced with crushed rock exceed twenty-five percent (25%) of the total lot size.

Section 9. That existing Section 5.18.07 of the City of Valley Zoning Regulations is hereby repealed.

Section 10. That a new Section 5.18.07 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

5.18.07 USE LIMITATIONS:

1. When adjacent to any residential district, no parking, drives or signs shall be allowed in the required front yard within 25 feet of such residential district.
2. When adjacent to any residential district, new construction shall provide permanent screen with a height of six feet or six feet four inches if a fence, in order to minimize impacts on residentially zoned property, pursuant to Section 9.04.

3. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
4. Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
5. When adjacent to an alley, the width of the alley shall be included in computing the minimum rear yard setback.
6. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot in a residential district shall be conducted wholly within an enclosed building, unless screened from the residential district by a sight-obscuring fence permanently maintained at least six feet in height.
7. Openings to structures on sides adjacent to or across the street from a residential district shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential properties.
8. Upon obtaining a Conditional Use Permit, a portion of motor vehicle, boat, and trailer rental/sales lots and construction laydown yards may be drained and surfaced with crushed rock, except in those portions of the lot maintained as landscape area; in no event shall the total area surfaced with crushed rock exceed twenty-five percent (25%) of the total lot size.

Section 11. This Ordinance shall take effect and be in force after its passage and approval, as provided by law.

Section 12. If any section, clause, provision or part or portion of any section, clause or provision of this ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this ordinance.

Section 13. All ordinances, sections, or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 12th DAY OF AUGUST, 2025.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND EXISTING SECTIONS OF THE CITY OF VALLEY ZONING REGULATIONS RELATING TO DESIGN STANDARDS FOR COMMERCIAL AREAS; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. That existing Section 12.05 of the City of Valley Zoning Regulations is hereby repealed.

Section 2. That a new Section 12.05 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

Section 12.05 Design Standards for Designated Commercial Areas.

All commercial uses immediately adjacent to or within one hundred (100) feet of an arterial or collector street shall comply with the following standards. This section does not apply to areas zoned residential or transitional agricultural within the Highway Corridor Protection District. In addition, the applicant shall submit building elevations for review by the City. Any structure existing at the time of adoption of this Code which is expanded for retail commercial use by 25 percent or more to the building area shall be subject to these Design Standards.

The City Engineer shall create and maintain a map delineating all arterial, collector and local streets.

Intent: The building facades shall be designed including architectural features that contribute to visual interest at the pedestrian scale, reduce the massive scale of the building, minimize a uniform and impersonal appearance of the building, and will provide visual interest consistent with the community's identity, character, and scale. The design shall provide variations in the roofline, add interest to, and reduce the massive scale of large buildings.

All commercial uses within the Highway Overlay District or within any designated commercial areas shall comply with the following standards:

1. Definitions. For purposes of this section, the building types and the façades of a building shall be defined as follows:
 - a. Large free-standing commercial retail. A singular retail or wholesale user that occupies no less than 30,000 square feet of gross floor area. These uses typically include: membership wholesale clubs, discount stores, pharmacies, and grocery stores. See Exhibit A at the end of this section.

- b. Contractor bay. A bay style industrial flex space that occupies no more than 10,000 square feet which have limited office space with a large open bay and either a loading dock or overhead doors. Uses typically include: auto repair, small building contractors, distributors, machine shops, plumbing and heating contractors, electricians, roofer, etc. See Exhibit B at the end of this section.
 - c. Shopping Center, Commercial Strip. A commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, and small linear shopping centers with shallow on-site parking in front of the stores. See Exhibit C at the end of this section.
 - d. Façade. The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
 - e. Front façade. The front or principal face of a building, containing the main entrance; any building face, which can be touched by a line drawn perpendicular to street (public or private).
 - f. Side façade. The face of a building extending from the front façade to the rear façade of the building.
 - g. Rear façade. The face of a building extending along the rear of the lot or site, containing employee and service entrances, loading docks, and service areas (e.g., trash dumpster, utility boxes, and HVAC equipment).
2. Façade Design. Front and street facing side façades greater than 100 feet in length, measured horizontally, shall:
- a. Incorporate wall plane projections or recessions of at least twelve (12) inches in depth of the same durable material, extend at least twenty (20) percent of the length of the façade, and extend full height of the wall. The maximum uninterrupted length of wall shall be no more than 100 feet. The use of contrasting materials and color shall allow wall plane projections or recessions to be less than twelve (12) inches in depth.
 - b. Have a change in at least one of the following elements each 100 feet along the front and all street facing sides: color change, material change, and/or texture change.
 - c. The front façade shall include architectural elements, such as columns, awnings, projecting canopies, accent lines, colonnades, arcades, reveals or projecting ribs along at least 40 percent of the front façade length.
 - d. Except for entrances to the building, any part of the front façade higher than 11 feet shall give the visual exterior appearance of having more than one

floor for each additional 11 feet in height, i.e., a 22-foot-high building shall give the appearance of a two-story building.

3. Entryways.

- a. Front facades shall have visible, clearly defined entrances that include at least three of the following elements: canopies or porticos, awnings, overhangs, recesses or projections, arcades, raised corniced parapets over the door, distinctive roof forms, arches, or display windows.

4. Rooflines.

- a. Rooflines shall be varied in height, at least each one hundred (100) feet, measured horizontally, along the front façade and any side of a building facing a street. Hips, gables, or changes in parapet elevation shall be used to provide relief in height.
- b. Gables and hip roofs are permitted. Parapets shall be used on flat roofs to conceal rooftop mechanical equipment. The parapet design shall be a minimum of three (3) feet in height.

5. Transparent windows and doors.

- a. A minimum of 20 percent of the surface area of the front façade and street facing walls shall be transparent. Transparency may include glazed doors, windows, overhead doors and display windows.
- b. Highly reflective or glare producing glass with an external reflectance factor of 25 percent or higher is prohibited on all facades.
- c. All overhead doors (frame and paneling) on the front façade and street facing walls shall vary from the adjacent building panels and façade and shall not be white. A minimum of 50 percent of all overhead doors shall be glass or resembling glass (acrylic, polygal or approved equivalent) and may be transparent, tinted, frosted, or opaque. The color and appearance of the glass or glass resembling material must contrast from the color of the frame and paneling of the overhead door.

6. Materials.

- a. Not less than 50 percent of the front of the building and 25 percent of the sides of the building exclusive of transparent windows and doors shall be durable material including brick, stone, masonry units that are integrally colored, burnished, glazed, or textured concrete, drainable EFIS (Stucco). Painted R and PBR panels, and prefinished metal panel systems (e.g., Aluminum Composite Material (ACM) panels) are allowed but do not count towards the required percentage as stated hereinabove. Cementitious lap siding may be used as an accent material only.

- b. The following exterior materials are prohibited: Materials with the appearance of unfinished concrete block, smooth natural (grey) concrete, painted smooth faced concrete block, vinyl siding, corrugated metal, or tilt-up concrete panels without an architectural finish.

7. Colors

- a. Predominant building colors shall be subtle, neutral, or earth tone that have low reflectivity with less than a 30 percent reflection factor. Intense, bright, fluorescent, or metallic colors (e.g., bright yellow, orange, bright red) shall not be used as the predominant color on any wall or roof. These colors may be used as the building accent color but shall not constitute more than 10 percent of the area of each building façade.

8. Landscape Buffer or Screening

- a. A landscape buffer shall meet requirements of section 12.04.07 and shall be required near or offset from the property line to screen service areas and rear facades so they shall not be easily visible to the public from streets, parking lots or adjacent properties. If the dumpsters or HVAC equipment are not located along the rear faced, they shall be screened per section 12.04.08

9. Maximum Parking:

- a. The maximum number of off-street parking spaces allowed shall be equal to 125 percent of the required minimum number of spaces.
- b. Parking spaces in excess of the maximum number permitted may be allowed, provided:
 - i. Each parking space provided in excess of the maximum number allowed shall be paved with a permeable paving material approved by the City; or
 - ii. For each parking space provided in excess of the maximum number allowed, 300 square feet of additional on-site green space shall be provided and maintained with landscaping.

10. Amenities.

- a. Commercial building sites with a lot size of 10-acres or more shall include at least one public gathering space, such as a patio seating area, pedestrian plaza with benches, outdoor play area, and not less than two public space amenities, such as kiosks, a water feature, a clock tower, or a landscaped site for public artwork. Pedestrian public space shall be shaded, landscaped, and screened. The size of the public gathering space shall not be less than one percent of the gross enclosed building area.

11. Accessory Building or Accessory Structure Exception.

- a. An accessory structure or accessory building shall not be subject to the Design Standards for Commercial Areas contained in this Section 12.05

provided that all of the following requirements are satisfied:

- i. The primary structure has been finalized.
 - ii. The total footprint of all accessory structures/buildings is ten percent (10%) or less than the total footprint of the primary structure.
 - iii. No occupancy shall be allowed in any accessory structure/building.
 - iv. No plumbing or electrical shall be allowed in any accessory structure/building.
 - v. Any accessory structure/building shall only be used for dead storage, to be defined as the safekeeping or holding of warehouse goods; said warehouse goods to be removed at a later date.
 - vi. Any accessory structure/building shall only be used only in connection with the specific commercial use of the lot, and shall not be leased or rented to any third party.
 - vii. No accessory structure/building shall be visible from the street.
 - viii. Any accessory structure/building shall be engineered.
 - ix. A conditional use permit must be obtained for any accessory structure/building.
12. Any conflict between these standards and the CMD Ordinance shall be resolved in favor of the stricter standard.
 13. These guidelines are not intended to inhibit creativity and innovation in building design. The City will consider other building materials if the applicant demonstrates that the use of such materials results in a quality, durable building.

Exhibit A: Large Free-Standing Commercial Retail



Exhibit B: Contractor Bay



Exhibit C: Shopping Center, Commercial Strip



Section 3. That a new Section 12.05.01 of the City of Valley Zoning Regulations shall be inserted and shall read as follows:

Section 12.05.01 Design Standards for Designated Commercial Areas; Secondary Structures.

All commercial uses not immediately adjacent to or within one hundred (100) feet of an arterial or collector street shall be deemed to be Secondary Structures and shall comply with the following standards. This section does not apply to areas zoned residential or transitional agricultural within the Highway Corridor Protection District. In addition, the applicant shall submit building elevations for review by the City. Any structure existing at the time of adoption of this Code which is expanded for retail commercial use by 25 percent or more to the building area shall be subject to these Design Standards.

The City Engineer shall create and maintain a map delineating all arterial, collector and local streets.

Intent: The building facades shall be designed including architectural features that contribute to visual interest at the pedestrian scale, reduce the massive scale of the building, minimize a uniform and impersonal appearance of the building, and will provide visual interest consistent with the community's identity, character, and scale. The design shall provide variations in the roofline, add interest to, and reduce the massive scale of large buildings.

All ~~commercial uses~~ Secondary Structures within the Highway Overlay District or within any designated commercial areas shall comply with the following standards:

1. Definitions. For purposes of this section, the building types and the façades of a building shall be defined as follows:
 - a. Large free-standing commercial retail. A singular retail or wholesale user that occupies no less than 30,000 square feet of gross floor area. These uses typically include: membership wholesale clubs, discount stores, pharmacies, and grocery stores. See Exhibit A at the end of this section.
 - b. Contractor bay. A bay style industrial flex space that occupies no more than 10,000 square feet which have limited office space with a large open bay and either a loading dock or overhead doors. Uses typically include: auto repair, small building contractors, distributors, machine shops, plumbing and heating contractors, electricians, roofer, etc. See Exhibit B at the end of this section.
 - c. Shopping Center, Commercial Strip. A commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, and small linear shopping centers with shallow on-site parking in front of the stores. See Exhibit C at the end of this section.
 - d. Façade. The portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
 - e. Front façade. The front or principal face of a building, containing the main entrance; any building face, immediately adjacent to an arterial or collector street which can be touched by a line drawn perpendicular to street (public or private).
 - f. Side façade. The face of a building extending from the front façade to the rear façade of the building.
 - g. Rear façade. The face of a building extending along the rear of the lot or site, containing employee and service entrances, loading docks, and service areas (e.g., trash dumpster, utility boxes, and HVAC equipment).

2. Façade Design. Front-Arterial and collector and-street facing side façades greater than 100-150 feet in length, measured horizontally, shall:
 - a. Incorporate wall plane projections or recessions of at least twelve (12) inches in depth of the same durable material, extend at least twenty (20) percent of the length of the façade, and extend full height of the wall. The maximum uninterrupted length of wall shall be no more than 100-150 feet. The use of contrasting materials and color shall allow wall plane projections or recessions to be less than twelve (12) inches in depth.
 - b. Have a change in at least one of the following elements each 100-150 feet along the front and all street facing sides: color change, material change, and/or texture change.
 - c. The front façade shall include architectural elements, such as columns, awnings, projecting canopies, accent lines, colonnades, arcades, reveals or projecting ribs along at least 40-20 percent of the front façade length.
 - d. Except for entrances to the building, any part of the front façade higher than 11 feet shall give the visual exterior appearance of having more than one floor for each additional 11 feet in height, i.e., a 22-foot-high building shall give the appearance of a two-story building.
3. Entryways.
 - a. Front facades shall have visible, clearly defined entrances that include at least three-two of the following elements: canopies or porticos, awnings, overhangs, recesses or projections, arcades, raised corniced parapets over the door, distinctive roof forms, arches, or display or storefront windows.
4. Rooflines.
 - a. Rooflines shall be varied in height, at least each one hundred fifty (10050) feet, measured horizontally, along the front façade and any side of a building facing a street. Hips, gables, or changes in parapet elevation shall be used to provide relief in height.
 - b. Gables and hip roofs are permitted. Parapets shall be used on flat roofs to conceal rooftop mechanical equipment. The parapet design shall be a minimum of three (3) feet in height.
5. Transparent windows and doors.
 - a. A minimum of 20-5 percent of the surface area of the front façade and street facing walls shall be transparent. Transparency may include any glazed surface including but not limited to doors, windows, overhead

doors and display windows.

- b. Highly reflective or glare producing glass with an external reflectance factor of 25 percent or higher is prohibited on all facades.
- c. All overhead doors (frame and paneling) on the front façade and street facing walls shall vary from the adjacent building panels and façade and shall not be white. A minimum of ~~50~~10 percent of all overhead doors shall be glass or resembling glass (acrylic, polygal or approved equivalent) and may be transparent, tinted, frosted, or opaque. The color and appearance of the glass or glass resembling material must contrast from the color of the frame and paneling of the overhead door.

6. Materials.

- a. Not less than ~~50~~25 percent of the front of the building and ~~25~~5 percent of the sides of the building exclusive of transparent windows and doors shall be durable material including brick, stone, masonry units that are integrally colored, burnished, glazed, or textured concrete, drainable EFIS (Stucco). Painted R and PBR panels, and prefinished metal panel systems (e.g., Aluminum Composite Material (ACM) panels) are allowed but do not count towards the required percentage as stated hereinabove. Cementitious lap siding may be used as an accent material only.
- b. The following exterior materials are prohibited: Materials with the appearance of unfinished concrete block, smooth natural (grey) concrete, painted smooth faced concrete block, vinyl siding, corrugated metal, or tilt-up concrete panels without an architectural finish.

7. Colors

- a. Predominant building colors shall be subtle, neutral, or earth tone that have low reflectivity with less than a 30 percent reflection factor. Intense, bright, fluorescent, or metallic colors (e.g., bright yellow, orange, bright red) shall not be used as the predominant color on any wall or roof. These colors may be used as the building accent color but shall not constitute more than 10 percent of the area of each building façade.

8. Landscape Buffer or Screening

- a. A landscape buffer shall meet requirements of section 12.04.07 and shall be required near or offset from the property line to screen service areas and rear facades so they shall not be easily visible to the public from streets, parking lots or adjacent properties. If the dumpsters or HVAC equipment are not located along the rear faced, they shall be screened per section 12.04.08

9. Maximum Parking:

- a. The maximum number of off-street parking spaces allowed shall be

equal to ~~125~~200 percent of the required minimum number of spaces.

- b. Parking spaces in excess of the maximum number permitted may be allowed, provided:
 - i. Each parking space provided in excess of the maximum number allowed shall be paved with a permeable paving material approved by the City; or
 - ii. For each parking space provided in excess of the maximum number allowed, 300 square feet of additional on-site green space shall be provided and maintained with landscaping.

10. Amenities.

- a. Commercial building sites with a lot size of 10-acres or more shall include at least one public gathering space, such as a patio seating area, pedestrian plaza with benches, outdoor play area, and not less than two public space amenities, such as kiosks, a water feature, a clock tower, or a landscaped site for public artwork. Pedestrian public space shall be shaded, landscaped, and screened. The size of the public gathering space shall not be less than one percent of the gross enclosed building area.

11. Accessory Building or Accessory Structure Exception.

- a. An accessory structure or accessory building shall not be subject to the Design Standards for Commercial Areas contained in this Section 12.05 provided that all of the following requirements are satisfied:
 - i. The primary structure has been finalized.
 - ii. The total footprint of all accessory structures/buildings is ten percent (10%) or less than the total footprint of the primary structure.
 - iii. No occupancy shall be allowed in any accessory structure/building.
 - iv. No plumbing or electrical shall be allowed in any accessory structure/building.
 - v. Any accessory structure/building shall only be used for dead storage, to be defined as the safekeeping or holding of warehouse goods; said warehouse goods to be removed at a later date.
 - vi. Any accessory structure/building shall only be used only in connection with the specific commercial use of the lot, and shall not be leased or rented to any third party.
 - vii. No accessory structure/building shall be visible from the street.
 - viii. Any accessory structure/building shall be engineered.
 - ix. A conditional use permit must be obtained for any accessory structure/building.

- 12. Any conflict between these standards and the CMD Ordinance shall be resolved in favor of the stricter standard.

13. These guidelines are not intended to inhibit creativity and innovation in building design. The City will consider other building materials if the applicant demonstrates that the use of such materials results in a quality, durable building.

Section 4. This Ordinance shall take effect and be in force after its passage and approval, as provided by law.

Section 5. If any section, clause, provision or part or portion of any section, clause or provision of this ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this ordinance.

Section 6. All ordinances, sections, or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 12th DAY OF AUGUST, 2025.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

Cindy Grove, Mayor

ATTEST:

Christie Donnermeyer, City Clerk