

**AGENDA**  
**VALLEY CITY COUNCIL**  
Tuesday, August 19, 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 July 15, 2025 Planning Commission meeting

8. **Public Hearings**

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.

8.A. 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

8.B. Flatwater Lakes Estates LLC (Champion Shores) consideration and approval of Redevelopment Plan:

- 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. **Discussion Only an Ordinance amending zoning regulations relating to use limitations within commercial and industrial zoning districts**

10. **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.

**NOTICE OF PUBLIC HEARING  
PLANNING COMMISSION  
CITY OF VALLEY, NEBRASKA**

PUBLIC NOTICE is hereby given by the Chairman of the Planning Commission of the City of Valley, Nebraska that a public hearing will be held on **Tuesday, August 19, 2025** at **4:30 p.m.** at **Valley City Hall, 203 North Spaulding Street, Valley, Nebraska**. The purpose of the hearing is to obtain public comment prior to the Planning Commission's review of a **Redevelopment Plan** prepared by **Heimann Ventures III, LLC**, a Nebraska limited liability company. The Planning Commission shall review the Redevelopment Plan and make a recommendation as to the Plan's conformity with the general plan for the City as a whole, including but not limited to the City's Comprehensive Development Plan and Future Land Use map. The below-described area will have been declared as blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

The property that is the subject of the Redevelopment Plan and of the public hearing is described as follows:

**A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER, NORTH HALF OF THE SOUTHWEST QUARTER, WEST HALF OF THE NORTHEAST QUARTER, AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 36, THE EAST HALF OF THE NORTHEAST QUARTER, AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 35, THE SOUTH HALF OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 25, ALL IN TOWNSHIP 16 NORTH, RANGE 9 EAST OF THE SIXTH P.M., IN CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BREAKWATER ADDITION TO THE CITY OF VALLEY; THENCE SOUTHERLY ON THE WESTERLY LINE OF SAID BREAKWATER ADDITION TO THE SOUTHWEST CORNER OF SAID BREAKWATER ADDITION; THENCE EASTERLY ON THE SOUTH LINE OF SAID BREAKWATER ADDITION TO THE SOUTHEAST CORNER OF SAID BREAKWATER ADDITION; THENCE SOUTHERLY ON THE WESTERLY LINE OF PLEASURE LAKES 3RD ADDITION TO THE CITY OF VALLEY TO THE NORTH RIGHT OF WAY LINE OF WEST VALLEY STREET; THENCE SOUTH TO THE SOUTH RIGHT OF WAY LINE OF SAID WEST VALLEY STREET; THENCE WESTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE OF NORTH 288TH STREET; THENCE WEST TO THE WEST RIGHT OF WAY LINE OF SAID NORTH 288TH STREET; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF A PARCEL OF LAND AS DESCRIBED IN BOOK 1951, PAGES 148-149; THENCE EASTERLY ON SAID WESTERLY EXTENSION AND SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE NORTHERLY ON THE EAST LINE OF SAID PARCEL OF LAND AND IT'S NORTHERLY EXTENSION TO THE NORTHERLY RIGHT OF WAY LINE OF IDA STREET; THENCE EASTERLY ON SAID NORTHERLY RIGHT OF WAY LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE SOUTHEASTERLY ON SAID SOUTHWESTERLY RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY LINE OF IDA CIRCLE; THENCE EASTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING, Douglas County, Nebraska.**

All interested parties shall be afforded a reasonable opportunity to express their views at the public hearing regarding the proposed redevelopment plan. A copy of the proposed Redevelopment Plan, including a map showing the area covered by the Redevelopment Plan, and an associated Cost-Benefit Analysis is available at Valley City Hall.

Larry Bottger, Chair  
City of Valley, Planning Commission

8/1, 8/8 ZNEZ



**Proof of Publication**

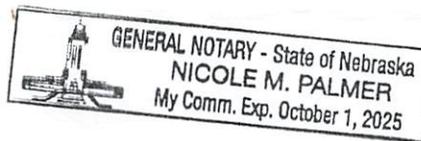
**JASON W. HUFF, Publisher**

UNITED STATES OF AMERICA,  
The State of Nebraska,  
District of Nebraska,  
County of Douglas,  
City of Omaha } ss.

JASON W. HUFF, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 2 consecutive weeks on:

8/1/25                      8/8/25

That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee \$149.38

Additional Copies \$ \_\_\_\_\_

Filing Fee \$ \_\_\_\_\_

Total \$149.38

*Jason W. Huff*  
Subscribed in my presence and sworn to before  
me this AUGUST 08 2025

*Nicole M. Palmer*  
Notary Public in and for  
Douglas County, State of Nebraska

# Brookly Record



Published Daily

Volume 1, No. 1

Published by the  
Brookly Record Co.  
123 Main Street  
Brookly, N.Y.

THE BROOKLY RECORD  
PUBLISHED DAILY  
EXCEPT ON SUNDAYS  
AND HOLIDAYS  
Subscription Price  
\$1.00 per Annum  
In Advance

Published by the  
Brookly Record Co.  
123 Main Street  
Brookly, N.Y.

RECEIVED  
MAY 15 1964  
U.S. DEPARTMENT OF JUSTICE

THE BROOKLY RECORD

*[Handwritten Signature]*

123 Main Street, Brookly, N.Y.

RECEIVED  
MAY 15 1964  
U.S. DEPARTMENT OF JUSTICE

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**NOTICE OF MEETING  
PLANNING COMMISSION  
CITY OF VALLEY, NEBRASKA**

Notice is hereby given that a meeting of the City of Valley Planning Commission will be held on **Tuesday, August 19, 2025**, at **4:30 p.m.** at **Valley City Hall**. PUBLIC HEARINGS will be held on the following:

1. Ordinance to Amend Existing Sections of the City of Valley Zoning Regulations relating to Commercial Design Standards in Designated Commercial Areas.
2. Flatwater Lakes Estates LLC (Champion Shores)
  - Consideration and approval of Redevelopment Plan (see separate published notice).

An agenda kept continually current shall be available for public inspection at Valley City Hall.

Larry Bottger, Chair  
City of Valley, Planning Commission

8/8 ZNEZ



***Proof of Publication***

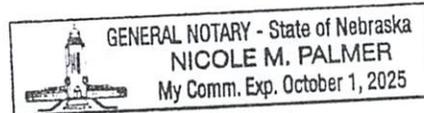
**JASON W. HUFF, Publisher**

UNITED STATES OF AMERICA,  
 The State of Nebraska,  
 District of Nebraska,  
 County of Douglas,  
 City of Omaha } ss.

JASON W. HUFF, being duly sworn, deposes and say that they are the PUBLISHER and/or MANAGING EDITOR of THE DAILY RECORD, of Omaha, a legal newspaper, printed and published daily in the English language, having a bona fide paid circulation in Douglas County in excess of 300 copies, and a general circulation in Sarpy, Lancaster, Cass and Dodge Counties, printed in Omaha, in said County of Douglas, Nebraska for more than fifty-two weeks last past; that the printed notice here-to attached was published in THE DAILY RECORD, of Omaha, for 1 consecutive weeks on:

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That said Newspaper during that time was regularly published and in general circulation in the County of Douglas, and State of Nebraska.



Publisher's Fee \$28.67

Additional Copies \$ \_\_\_\_\_

Filing Fee \$ \_\_\_\_\_

Total \$28.67

Jason W. Huff

Subscribed in my presence and sworn to before me this AUGUST 08 2025

Nicole M. Palmer

Notary Public in and for  
Douglas County, State of Nebraska

# County Record

NOTICE TO THE PUBLIC  
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except on legal holidays.

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GENERAL NOTARY - Class in Kentucky  
MICHAEL M. PALMER  
Exp. Comm. Exp. October 1, 2022

Notary Public  
MICHAEL M. PALMER  
Notary Public  
Notary Public

CITY OF VALLEY  
VALLEY PLANNING COMMISSION MINUTES  
July 15, 2025

**1 and 2. Roll Call and Call to Order:** Larry Bottger, Chairman, Scott Burke, Brian Foutch, Greg Sunde and Jim Tomanek. Absent: Kyle Anderson, Mark Conrey, Daneille Lowry, and Jeremy Mayer. Also present: Mayor Cindy Grove, Council President John Batchner, 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 Foutch moved to approve the agenda. Sunde seconded. YES: Bottger, Burke, Foutch, Sunde, and Tomanek. NO: no one. ABSENT: Anderson, Conrey, Lowry, and Mayer. Motion carried.

**7. Consent Agenda:** Member Foutch moved to approve the consent agenda. Tomanek seconded. YES: Bottger, Burke, Foutch, Sunde, and Tomanek. NO: no one. ABSENT: Anderson, Conrey, Lowry, and Mayer. Motion carried. Items on the consent agenda: June 17, 2025 meeting minutes.

**8. Public Hearings**

**8.A. Ordinance hearing to recommend amending existing sections of the City of Valley Zoning Regulations relating to Use Limitations.** Chairman Bottger opened the public hearing. No one spoke. Chairman Bottger closed the public hearing. The Building Inspector addressed the Commission and brought up the previous discussions about C1, C3 and the industrial use limitations. After discussion, Foutch moved to recommend that the City Council approve the Ordinance regarding the amendment to the sections of the City of Valley Zoning Regulations relating to Use Limitations. Bottger seconded. YES: Bottger, Burke, Foutch, Sunde, and Tomanek. NO: no one. ABSENT: Anderson, Conrey, Lowry, and Mayer. Motion carried.

**8.B. 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. No one spoke. Chairman Bottger closed the public hearing. The Building Inspector addressed the Commission with his concerns regarding the wording of the Ordinance and as currently written, may have developers not prioritizing the screening buildings.

His recommendation was not to approve the Ordinance as written. Council President Batchner spoke in support of revising the Design Standards in Designated Commercial Areas Section 12.05 for simple changes to make building more affordable. He does not support eliminating the standards, only changing the standards for secondary buildings. Discussions were held and it was decided that the screening building would need to be built concurrent with any secondary buildings and no certificate of occupancy would be issued for the secondary building until the screening building was completed. After further discussion, Bottger moved to table the matter to give the Building Inspector and the City Attorney time to revise the Ordinance and present a final version at the next Planning Commission meeting. Tomanek seconded. YES: Bottger, Burke, Foutch, Sunde, and Tomanek. NO: no one. ABSENT: Anderson, Conrey, Lowry, and Mayer. Motion carried.

9. **Adjourn** Member Sunde moved to adjourn. Bottger seconded. YES: Bottger, Burke, Foutch, Sunde, and Tomanek. NO: no one. ABSENT: Anderson, Conrey, Lowry, and Mayer. Motion carried. The meeting adjourned at 5:32 p.m.

  
Larry Bottger, Chairman

  
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 an arterial or collector street or any commercial uses not screened from an arterial or collector street by an existing building for which a certificate of occupancy has been issued 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 finished.
  - 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 immediately adjacent to a local street or any commercial uses screened from an arterial or collector street by an existing building for which a certificate of occupancy has been issued 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 usesSecondary 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 12<sup>th</sup> DAY OF AUGUST, 2025.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

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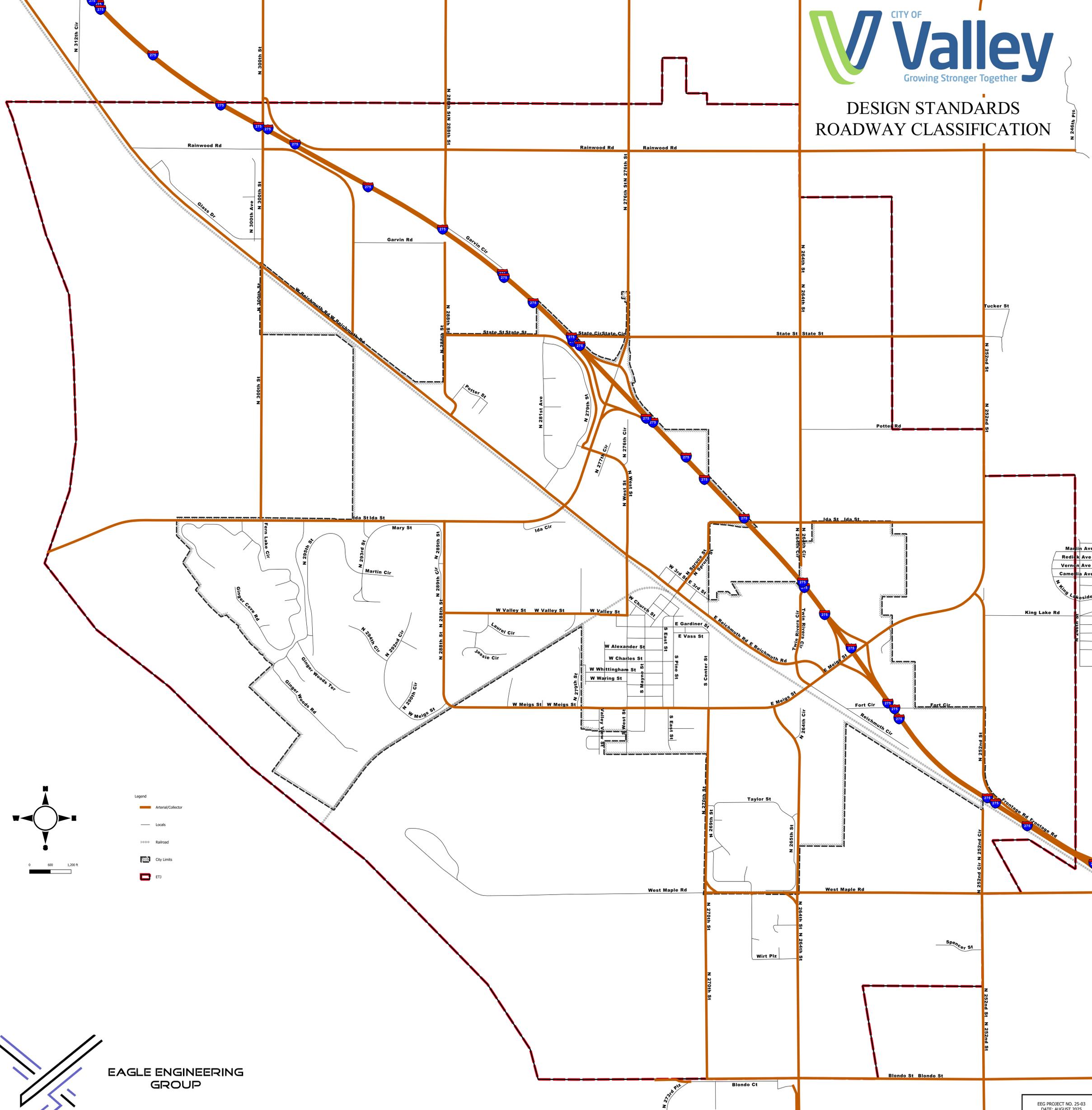
Cindy Grove, Mayor

ATTEST:

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Christie Donnermeyer, City Clerk

## DESIGN STANDARDS ROADWAY CLASSIFICATION



**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. A portion of the side or rear yard of a 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, provided, however, that all such lots shall be subject to all impervious coverage requirements.
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. A portion of the side or rear yard of a 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, provided, however, that all such lots shall be subject to all impervious coverage requirements.
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. A portion of the side or rear yard of a 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, provided, however, that all such lots shall be subject to all impervious coverage requirements.

*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. A portion of the side or rear yard of a 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, provided, however, that all such lots shall be subject to all impervious coverage requirements.

**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. A portion of the side or rear yard of a 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, provided, however, that all such lots shall be subject to all impervious coverage requirements.

**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 14<sup>th</sup> DAY OF OCTOBER, 2025.

CITY OF VALLEY, DOUGLAS COUNTY, NEBRASKA

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Cindy Grove, Mayor

ATTEST:

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Christie Donnermeyer, City Clerk