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GAS STATION. A retail establishment at which motor vehicles are refueled.

HOME OCCUPATION. A business, occupation or profession carried on within a residential dwelling by the resident thereof, which is incidental and secondary to the residential occupancy and does not change the residential character thereof. The regulations pertaining to home occupations are included in section 11-512 of this ordinance.

LANDFILL: A disposal site employing an engineering method of disposing solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day and in conformance with the requirements of the Nebraska Department of Health and Human Service System.

LIVESTOCK CONFINEMENT FACILITY OR OPERATION. The confined feeding of food, fur or pleasure animals in buildings, lots, pens, pools or ponds which normally are not used for raising crops or for grazing animals, which are designed and/or used for on-going confined raising, feeding or management of animals for more than 180 consecutive days.

LOADING SPACE, OFF-STREET. Space logically and conveniently located for bulk pickups and deliveries, sealed to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.

Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

LOCATE. To construct, place, insert or excavate.

LOT. Any parcel, lot, tract, or portions of lots of record which is or may be occupied by a use herein permitted, together with yards, and other open spaces herein required, that has frontage upon a street, and is a part of a recorded subdivision plat or has been recorded prior to the adoption of the ordinance, or a parcel of real property delineated on an approved record of survey, lot-split or sub-parceling map as filed in the office of the County Recorder and having frontage along at least one public street or

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right-of-way, permanent ingress/egress easement meeting city standards, or on a private road.

LOT AREA. The total area, on a horizontal plane, within the lot lines of a lot, but not including any area occupied by the waters of a lake or river.

LOT CORNER. A lot located at the intersection of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an "Interior Lot". The front of such lot shall be the shortest of the two sides fronting on streets. The other yard shall be referred to as the street side yard. The street side yard setback may conform to existing setbacks of existing principal structures along that street, however in new developments (approved since 1998), the street side yard setback shall be equal to the front yard setback. See Yard, Front. See Municipal Code 8-301.

LOT, COVERAGE. The portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy or not.

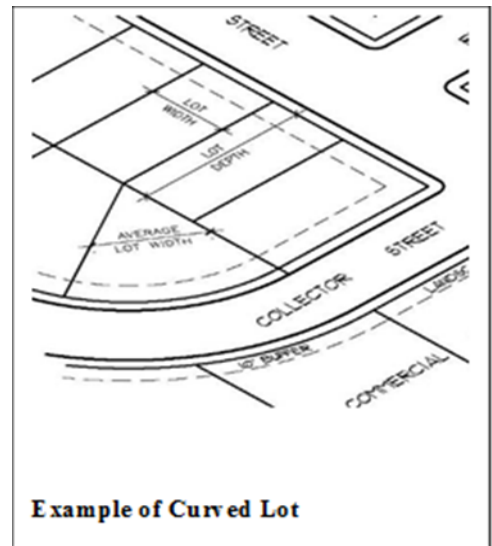
LOT, CURVED. A lot fronting on the outside curve of the right-of-way of a curved street, which street has centerline radius of 300 feet or less.

LOT DEPTH. The horizontal distance between the front and rear lot lines measured within the lot boundaries.

LOT, DOUBLE FRONTAGE. A lot having a frontage on two non-intersecting streets as distinguished from a corner lot. On a double frontage lot, both street lines shall be deemed front lot lines.

LOT, FLAG. A lot with frontage and access provided to the bulk of the lot by means of a narrow corridor.

LOT FRONTAGE. The front of a lot shall be construed to be the portion nearest to and facing the street. In all zoning areas, for



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the purpose of determining yard requirements on a corner lot, all sides of a lot adjacent to streets shall be considered frontage, and must meet the minimum front yard requirements. Except in R-2 through R-5 developed before 1994, one front yard, other than the apparent front yard may be reduced in depth to conform with other "existing residences" located on that side of the block, provided that the yard frontage shall not be less than ten (10) feet (3.05 meters).

Front yards in R-2 and R-3 zoning areas developed before 1994, which have existing residential structure located with less than twenty-five (25) foot (7.62 meters) front yard minimum, may be reduced to a distance of not less than twenty (20) feet (6.10 meters).

LOT, INTERIOR. A lot other than a corner lot.

LOT LINE. The property line bounding a lot.

LOT LINE, FRONT. The property line abutting a street, and where no public street exists, it shall be where line abuts to a public or private way as designated.

LOT LINE, REAR. A lot line not abutting a street which is opposite and most distant from the front lot line.

LOT LINE, SIDE. Any lot line not a front lot line or rear lot line.

LOT MEASUREMENT.

A. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

B. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80%) percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the eighty (80%) percent requirement shall not apply.

LOT, THROUGH. A lot having frontage on two dedicated streets, not including a corner lot.

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LOT OF RECORD. A lot which is part of a subdivision recorded in the office of the County Clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT WIDTH. The horizontal distance between the side lot lines, measured at the front yard setback line.

LOT, ZONING. A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on the approved private street, and may consist of:

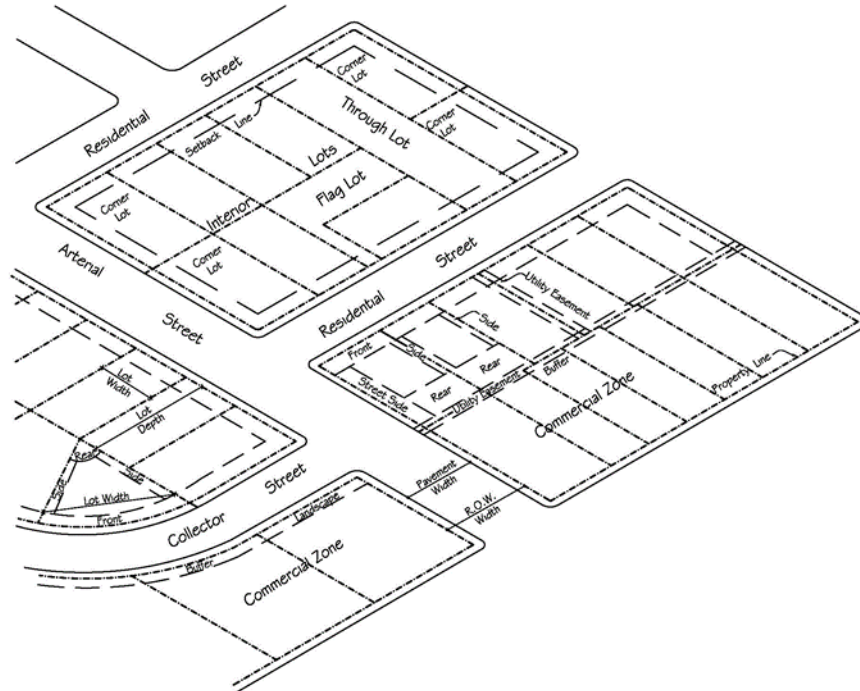
1. A single lot of record;
2. A portion of a lot of record;

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1. A combination of complete lots of record and portions of lots of record, or of portions of record;
2. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this ordinance.

MIXED

U S E



BUILDING: A building with 2 or more primary uses. The building must contain a permitted use for the district in which it is located.

MANUFACTURED HOME DWELLING: A factory built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site: does not have permanently attached to its body or frame any wheels or axles: bears a label certifying that it was built in compliance with the National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280 et seq., promulgated by the US Department of Housing and Urban Development; and which complies with the following architectural and aesthetic standards:

- (a) The home shall have at least 900 square feet of floor area;

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(b) The home shall have an exterior width of at least 18 feet;

(c) The roof shall be pitched with a maximum vertical rise of 2.5 inches for each 12 inches of horizontal run;

(d) The exterior material is of a color, material, and scale comparable with those existing in the residential site on which the manufactured home dwelling is being permanently installed;

(e) The home shall have a no-reflective roof material which is or simulates asphalt or wood shingles, tile, or rock;

(f) Permanent utility connections shall be installed in accordance with local regulations;

(g) The home shall have all wheels, axles, transporting lights, and towing apparatus removed; and

(h) The home shall be installed upon a permanent foundation that is constructed and built in accordance with local regulations.

MOBILE HOME: A building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Nebraska Department of Health and Human Services System or conformance to the manufactured home procedural and enforcement regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings.

MOBILE HOME PARK: Any area of land which two (2) or more mobile homes are parked, connected to utilities and used by one (1) or more persons for living or sleeping purposes and is licensed accordingly by the state as described in these regulations. A mobile home parked in this area can either be placed on permanent foundation or supported only by its wheels, jacks, blocks, or skirting's or a combination of these devices. A mobile home park includes any premises set apart for supplying to the public parking space, either free of charge or for revenue purposes for one (1) or more mobile homes, connected to utilities and used by one (1) or more persons living, or sleeping purposes and shall include only those dwelling units that are in compliance with standards as defined herein

MODULAR HOME: Any dwelling whose construction consists entirely of or the major portions of its construction consist of a unit or

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units not fabricated on the final site for the dwelling units, which units are movable or portable until placed on a permanent foundation and connected to utilities. All modular homes shall bear a label or seal indicating that it was built in accordance with the Nebraska Uniform Standards for Modular Housing Units Act, as established in Section 71-1557 of the Nebraska revised Statutes.

NATURAL OBSTRUCTION. Any rock, tree, gravel or analogous natural material that is an obstruction and has been located within the floodway by a non-human cause.

NET METERING: A utility policy for consumers in which a property owner utilizes one or a combination of alternative energy sources including Wind, Solar, Geothermal, Biomass, or Methane, to generate a portion or all of their electrical energy needs for their home or business. If the property owner is able to generate more power than needed for the home or business, the local utility company is required by Nebraska Law to purchase the "extra" or excess electrical power from the property owner.

NON-FARM BUILDING. All buildings except those utilized for agricultural purposes on a farmstead of twenty (20) acres or more which produces one thousand (\$1,000.00) dollars or more of farm products each year.

OBSTRUCTION. Any structure, dam, wall, wharf, embankment, levy, dike, pile, abutment, projection, excavation, channel rectification bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, or other analogous structure or matter in, along, across or projecting into any floodway which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.

ONE HUNDRED YEAR FREQUENCY FLOOD. A flood magnitude expected to recur on the average of once every one hundred (100) years or a flood magnitude which has a one (1%) percent chance of occurring in any given year.

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OUTDOOR ADVERTISING BUSINESS. The provision of outdoor displays or display space on a lease or rental basis and in conformity with the outdoor advertising standards as set forth in this Article.

OUTDOOR STORAGE CONTAINER. A fully enclosed, detached, and self-supporting structure, by itself incapable of motion or movement. The container must be manufactured/assembled off-site and transportable, by means other than its own, to a location where it is set into place on a graded surface of concrete, asphalt, or gravel and not upon a foundation or wheels. It shall be made of metal or a similar stable, durable, and acceptable material and shall not include a foundation, electricity, plumbing, or other mechanical systems as part of its assembly or use. Truck boxes meeting this definition shall be considered outdoor storage containers.



Outdoor Storage Container

RECYCLING CENTER: A facility which accepts salvage material limited to paper, aluminum foil, containers made of glass, plastic, metal, aluminum, and paper; and similar household wastes; no hazardous material as defined by state and federal law is accepted; there is no wrecking or dismantling of salvage material and no salvage material is held outside a building.

SANITARY LANDFILL: A lot or parcel of land used primarily for the disposal, abandonment, dumping, burial or burning of garbage, sewage, trash, refuse, junk, discarded machinery or motor vehicles, or parts thereof, or other waste, and which is in conformance with the requirements of the Nebraska Department of Health and Human Service System.

SALVAGE OR JUNK YARD: A place where waste, discarded or salvaged metals, building materials, paper, textiles, used plumbing



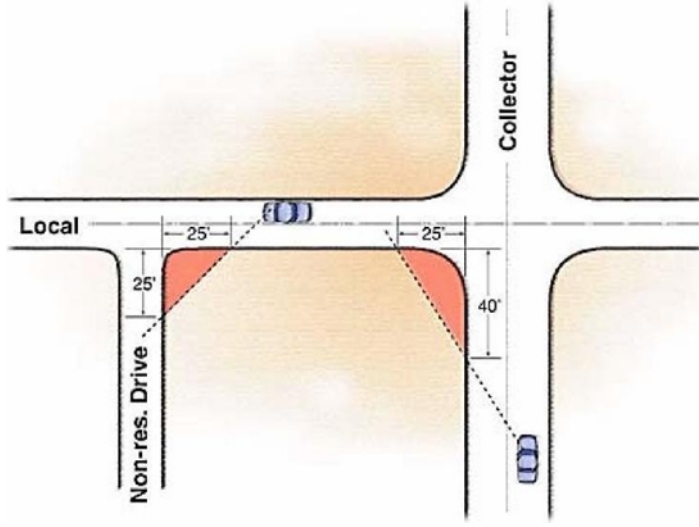
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fixtures, abandoned or inoperable motor vehicles or parts thereof, and other used materials are bought, sold, exchanged, stored, baled or cleaned; and places or yards for the storage of salvaged metal, materials and equipment; but not including pawn shops and establishments for the sale, purchase or storage of used cars or trucks presently in operable condition, boats or trailers presently in operable condition, and used furniture and household equipment in usable condition and not including the processing of used, discarded or salvaged material as part of manufacturing operations.

SERVICE STATION. A retail establishment at which motor vehicles are refueled and repairs made.

SIGHT TRIANGLE. No fence, wall, hedge, shrub, structure or other Obstruction to view shall be erected, placed or maintained within a triangle formed by the property line immediately adjacent to a street, road, railroad right-of-way, or nonresidential drives as illustrated in the figure below.

<b>Street/ Road</b>	<b>Required Distance from</b>
Alley	20'
Non- residential	25'
Local	25'
Collector	40'
Arterial	<b>55' Distance of Vision</b>



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SIGN. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided, however, that the following shall not be Included in the application of the regulations herein:

- A. Signs not exceeding one (1) square foot (0.09 sq. meters) in area and bearing only property numbers, post box number, names of occupants or premises, or other identification of premises not having commercial connotations;
- B. Flags and insignia of any government except when displayed in connection with commercial promotion;
- C. Legal notices; identification, informational, or directional signs erected or required by governmental bodies;
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights;
- E. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

SIGN, ON-SITE. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises, and conforming to the on-site sign standards contained in this Article. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

SPECIAL EXCEPTION. A special exception is a use that would not be appropriate generally or without restriction throughout the zoning division or district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.

STREET LINE. The right-of-way line of a street.

STRUCTURE. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards and poster panels.

TRAVEL TRAILER. A portable structure or vehicle, having a body which is less than eight (8') feet (2.44 meters) wide and forty (40') feet (12.19 meters) long, which is supported upon its own

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chassis and wheels and is so constructed as to permit its being used as a conveyance, either propelled or drawn by its own or other motive power, for purposes of occupancy as a temporary dwelling or sleeping place for recreational, vacation or travel purposes.

VARIANCE. Relief from or variation of the provisions of those regulations, other than use regulations, as applied to a specific piece of property, as distinct from rezoning, as further set out hereinafter in section 2-401 of this Code relating to the powers and duties of the Board of Adjustment.

WATERCOURSE. Any depression two (2') feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year, having a bed and well-defined banks; provided, that it shall, upon order of the Nebraska Natural Resources Commission, also include any particular depression which would not otherwise be within the definition of a watercourse.

WIND ENERGY CONVERSION SYSTEM (COMMERCIAL) - A wind energy conversion system under common or aggregated ownership or operating control that includes substations, MET towers, cables/wires and other building accessories, whose main purpose is to supply electricity to off-site customers.

WIND ENERGY CONVERSION SYSTEM (SMALL) - A wind energy conversion system which has a rated capacity of up to Twenty-Five (25) kilowatts and which is incidental and subordinated to another use of the same parcel. A system is considered a small wind energy system only if it supplies electrical power for site use, except that when a parcel on which the system is installed also received electrical power supplied by a utility company, access electrical power generated and not presently needed for onsite use may be sold back to the utility company. *(25 Kilowatt limit approved by the Crete Planning Commission and City Council may be increased to a maximum of 100 Kilowatts with Nebraska State Legislature authorization by future amendment)*

YARD (SETBACK). An open space on the same lot with a building, buildings, structure or structures, lying between the front, side or rear wall of such building, buildings, or such structure or structures and the nearest lot line, unoccupied except for

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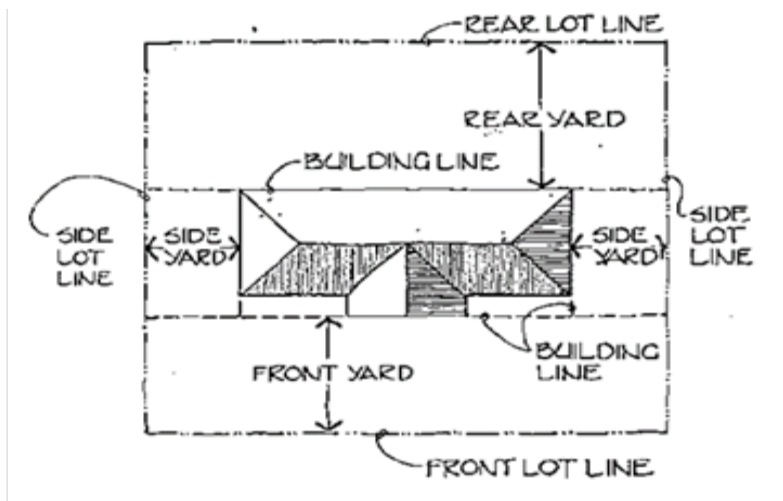
specific minor structures permitted to be located in this open space by this Ordinance.

YARD, FRONT (SETBACK). A yard extending across the entire width of the lot between the front lot line and the nearest point of the primary building. For purposes of determining yard requirements for corner and through lots, all sides of a lot abutting a street shall be considered a front yard and shall comply with the requirements thereof. (Refer to "X" on the LOCATION AND MEASUREMENT OF YARDS ON LOTS diagram).

YARD, REAR (SETBACK). A yard extending across the entire width of the lot between the rear lot line and the nearest part of the primary building. (Refer to "Z" on the LOCATION AND MEASUREMENT OF YARDS ON LOTS diagram).

YARD, SIDE (SETBACK). On single frontage lots, a yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of a primary building. On through lots, a yard extending along the side lot line from front yard to front yard and lying between the side lot lines and the nearest part of the primary building. On corner lots, a yard extending along the side lot line from the front yard to the opposite side lot line, lying between the side lot line and the nearest part of the primary building. (Refer to "Y" on the LOCATION AND MEASUREMENT OF YARDS ON LOTS diagram).

YARD, TRANSITIONAL (SETBACK). A yard in effect where a non-residential zoning district abuts or is adjacent across a street or alley from a residential zoning district.



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Source: "A Survey of Zoning Definitions", Planning Advisory Service Report Number 421, American Planning Association, December 1989.

YARD, FRONT. A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.

YARD, SIDE. A yard between the main building and the adjacent side line of the lot, and extending entirely from a front yard to the rear yard.

YARD, REAR. A yard across the full width of the lot between the back line of the main building and the back line of the lot.

ZONING MAP: The term "Zoning Map" means a map or maps officially enacted by the governing body as part of this ordinance showing the boundaries of a zoning district or districts, a copy or copies of which, certified to have been enacted as provided by law, is filed in the office of the City Clerk as an official record of the City.

*(Amended by Ord. No. 1142, 8/6/91; 1262, 3/7/95; 1926, 05/19/15; 1965, 1/19/2016; 1974, 6/7/2016; 2021, 11/7/17)*