

Memorandum



To: Planning Commission Members

CC:

From: Marcus Baker, City Planner

Date: 10/10/2008

Re: Revisions to the Zoning Ordinance, Definitions 2.02

Agenda Item 3A: Proposed Revisions to City of La Vista Zoning Ordinance - Section 2.02 Definitions

Revisions have been made to the definition section of the Zoning Ordinance to eliminate words or phrases that appear nowhere else in the code; to add definitions to uses that are elsewhere in the code; and to revise content for definitions that are in need of clarity, rewriting, and/or updating.

The American Planning Association's Planners Advisory Service has been utilized to help determine appropriate wording for definitions.

All revisions have been made by City staff, requested revisions from Planning Commission have been made, and a final draft is ready for Planning Commission's review.

Staff Recommendation Item 3A: Recommend Approval of the proposed revisions with any added changes, if applicable.

2.02.312 **PERMANENT TREE PROTECTION DEVICES** shall be structural measures, such as retaining walls or aeration devices that are designed to protect the tree and its root systems throughout its lifetime.

2.02.313 **PERMANENTLY ATTACHED** shall mean connected to real estate in such a way as to require dismantling, cutting away, or unbolting in order to remove, relocate, or replace.

2.02.314 **PERMITTED USE** shall mean any land use allowed without condition within a zoning district.

2.02.315 **PERSON** shall mean an individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, City, County, special district or any other group or combination acting as an entity, except that it shall not include La Vista, Nebraska.

2.02.316 **PET HEALTH SERVICE** (see Hospital, Animal) (*Ordinance No. 871, 10-15-02*)

2.02.317 **PET SHOP** shall mean a retail establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, cattle, goats, sheep and poultry.

2.02.318 **PINBALL or VIDEO GAMES BUSINESS** (See Amusement Arcade)

2.02.319 **PLANNED UNIT DEVELOPMENT** shall mean a development designed to provide for an unusual or different arrangement of residential, business, or industrial uses in accordance with an approved development plan. (*Ordinance No. 891, 2-04-03*)

2.02.320 **PLANNING COMMISSION** shall mean the Planning Commission of La Vista, Nebraska.

2.02.321 **PLANT MATERIALS** shall mean trees, shrubs, vines, ground covers, grass, perennials, annuals, and bulbs.

2.02.322 **PLAT** shall mean a map showing the location, boundaries, and legal description of individual properties.

2.02.323 **POSTAL STATION** shall mean a commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease.

2.02.324 **POLICY** shall mean a statement or document of the City, such as the comprehensive plan, that forms the basis for enacting legislation or making decisions.

2.02.325 **PREMISES** shall mean a tract of land, consisting of one lot or irregular tract, or more than one lot or irregular tract, provided such lots or tracts are under common ownership, contiguous, and used as a single tract. Shall also mean a building or land within a prescribed area.

2.02.326 **PRE-SCHOOL** shall mean a school or center for children under school age, whether licensed as a day care center or not, shall be approved by the Nebraska State Fire Marshall as being in safety conformance with the National Fire Protection Association, Pamphlet 101, known as the Life Safety Code and shall be approved by the Nebraska Department of Health and Welfare as meeting their health and welfare standards

2.02.327 **PRINCIPAL BUILDING** shall mean a building within which the main or primary use of the lot or premises is located. (See also Use, Principal)

2.02.328 **PROHIBITED USE** shall mean any use of land, other than nonconforming, which is not listed as a permitted use or conditional use within a zoning district.