

## ORDINANCE NO. 1047

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.21 "HCO HIGHWAY CORRIDOR OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending (1) Section 5.21 of the zoning ordinance adding Alternative Energy Production to the list of permitted and conditional permitted uses not allowed in the HCO District and (2) removing regulations pertaining to Solar Energy from Subsection H Criteria for Appearance, and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.21 is hereby amended as follows:

### Section 5.21 HCO Highway Corridor Overlay District

#### D. Permitted and Conditional Permitted Uses:

All permitted and special permitted principal uses contained in the underlying base zoning district are allowed in the HCO District, except for the following and location of specific uses is determined by the current land use plan and zoning map.

- (1) livestock sales
- (2) large alternative energy production devices
- (3) recycling processing
- (4) construction batch plants
- (5) landfills
- (6) self-service car wash operations that constitute the primary use
- (7) hazardous waste storage, as a primary use
- (8) mobile home parks
- (9) mobile home sales
- (10) pawn shops
- (11) salvage or junk yard operations and transfer stations, as a primary use
- (12) tow lots, as a primary use
- (13) extraction and processing of rock, gravel, sand, clay and dirt
- (14) licensed recreational vehicle storage – out of doors
- (15) unlicensed recreational vehicle storage – out of doors
- (16) concrete recycling and distribution plant
- (17) truck and freight terminals
- (18) contractor yards
- (19) Alternative Energy Production

(4) Towers, Alternative Energy, Signs

~~(b) Solar Energy~~

~~(i) Purpose~~

~~This section is intended to promote the compatible use of solar energy systems and to assist in decreasing Springfield's dependence upon non-renewable energy systems through the encouragement of solar energy systems for the generation of energy and the heating of buildings and water.~~

~~(ii) Standards~~

~~Solar energy systems shall be a permitted use. Private restrictions on solar energy systems, such as business owner's association covenants or restrictions, are not permitted.~~

~~(iii) Height~~

~~In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may exceed by three feet the local maximum height limits. Systems taller than three feet above any maximum height shall be subject to local approval.~~

~~(iv) Setbacks and Screening~~

~~In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may extend into the required setbacks a maximum of three feet. Systems extending more than three feet into any required setback shall be subject to approval. Where possible, such solar equipment shall be screened from public view within the right-of-ways with structures or plant material when adjacent to Highways 50.~~

~~(v) Conflict with Other City Policies and Ordinances~~

~~Nothing in this subsection does, or is intended to abrogate the owner's responsibility to meet all other requirements of the city's land use regulations, including, but not limited to, the preservation of private and public views, the quality of architectural design, and the preservation of historic landmark structures.~~

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20<sup>TH</sup> DAY OF OCTOBER, 2020.

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Mayor

(SEAL)

Attest:

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City Clerk