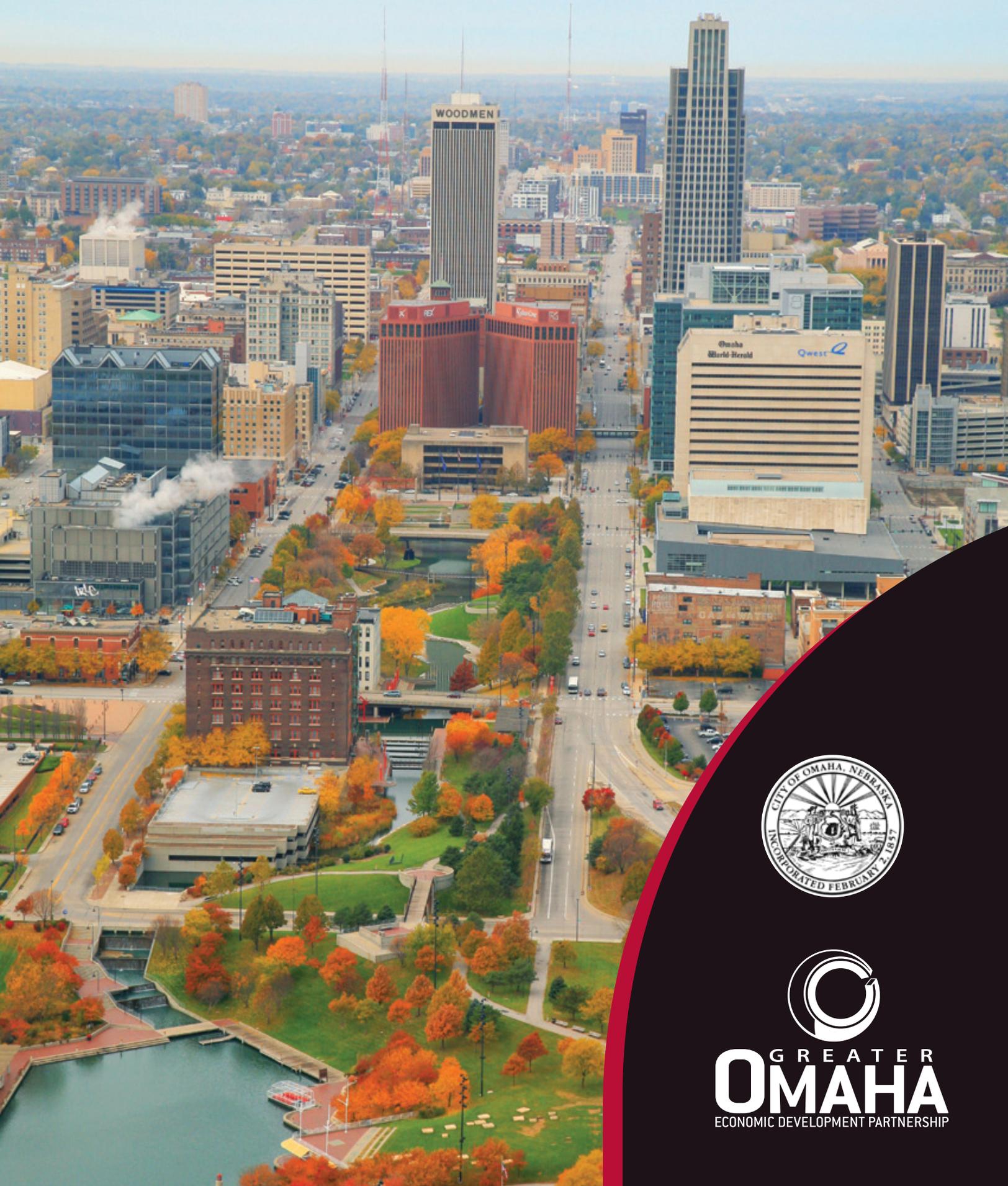


# THE DEVELOPER'S GUIDE TO OMAHA



GREATER  
**OMAHA**  
ECONOMIC DEVELOPMENT PARTNERSHIP

# INTRODUCTION

The *Developer's Guide to Omaha* is a digest of the regulations and procedures that you are most likely to encounter when building in the City of Omaha and its three-mile extraterritorial jurisdiction. It is designed to help you understand the review and permit process that is required of all development activity. It is intended to provide information about our regulatory processes and help expedite your project.

Omaha is a vibrant city that seeks both new construction and the renovation of our existing structures. The *Developer's Guide* is part of an effort to assist you with your development. The goal is to reduce the regulatory burden on developers while fulfilling the City's obligation to protect the public welfare. The City welcomes suggestions for improving our processes.

Naturally, all the conditions which you may encounter on your project cannot be anticipated. As such this guide should only be used as a reference. At the end of this publication, there is a list of those agencies and departments available to assist you and answer your questions.

## Acknowledgements

*The Developer's Guide to Omaha* was prepared by the Omaha Planning Department, R.E. Cunningham, Planning Director in partnership with the Greater Omaha Economic Development Partnership at the Greater Omaha Chamber, David G. Brown, president and CEO.

This document is to be utilized solely as a reference guide. For the most current version check [www.ci.omaha.ne.us](http://www.ci.omaha.ne.us). The procedures and/or ordinances contained herein may have changed since printing. The City of Omaha's Planning Department is the final authority on all topics covered in this document.

January 2010

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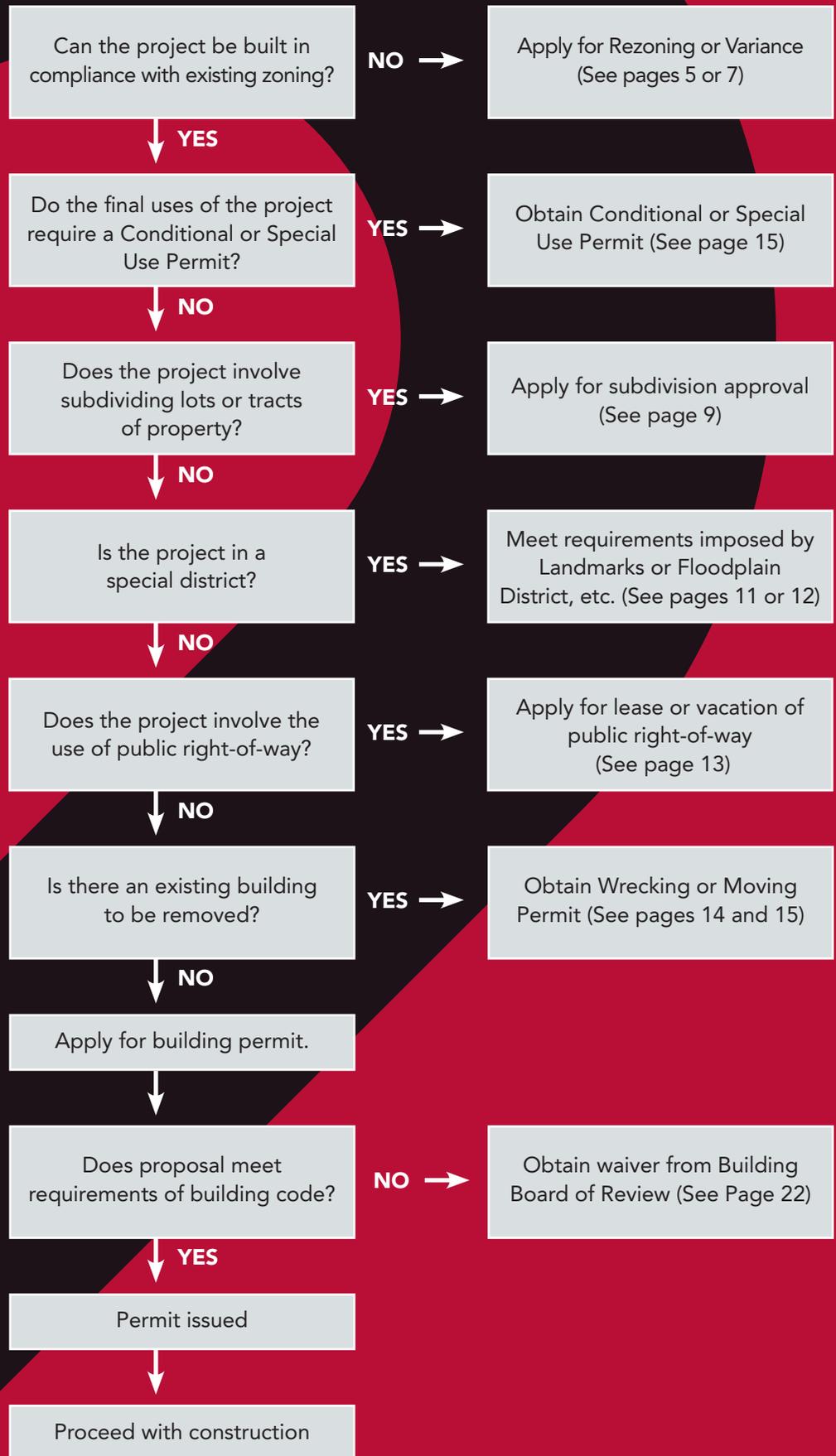
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# PROJECT APPROVAL PROCESS

If you intend to build a new building or make major alterations to an existing one, there are a variety of circumstances which may affect your project:



# ZONING CLASSIFICATION

(Omaha Municipal Code, Chapter 55)

Chapter 55 of the Omaha Municipal Code contains the City’s Zoning Ordinance. It provides information on zoning classifications including allowed uses, site development regulations, parking and signage. Copies are available online at [www.ci.omaha.ne.us](http://www.ci.omaha.ne.us).

Before purchasing a site for development, you may obtain the current zoning status by calling the Planning Department Help Desk at (402) 444-3426 or at [www.dogis.org](http://www.dogis.org). Each zoning classification allows a particular set of use types, and includes bulk regulations that limit what can be built upon the property.

If your project cannot comply with the zoning regulations for the property, there are two procedures available to

you. If the zoning classification must be changed for your project to proceed, you may initiate a rezoning request. If only a waiver of certain requirements is needed (such as setback or parking), you may submit a variance request to the Zoning Board of Appeals. Zoning changes will be evaluated based upon their conformance with the City’s Master Plan and general appropriateness. Zoning waivers may be approved if the applicant adequately demonstrates that the code provision(s) in question cause hardship or practical difficulty. An application for either does not guarantee approval.

# REZONING REQUEST

(Omaha Municipal Code, Chapter 55, Article XX, Section 886, Amendment Procedure)

Zoning of property in Omaha must be changed by ordinance. The Planning Department and Planning Board recommend action to the Omaha City Council. The Council then acts on the ordinance.

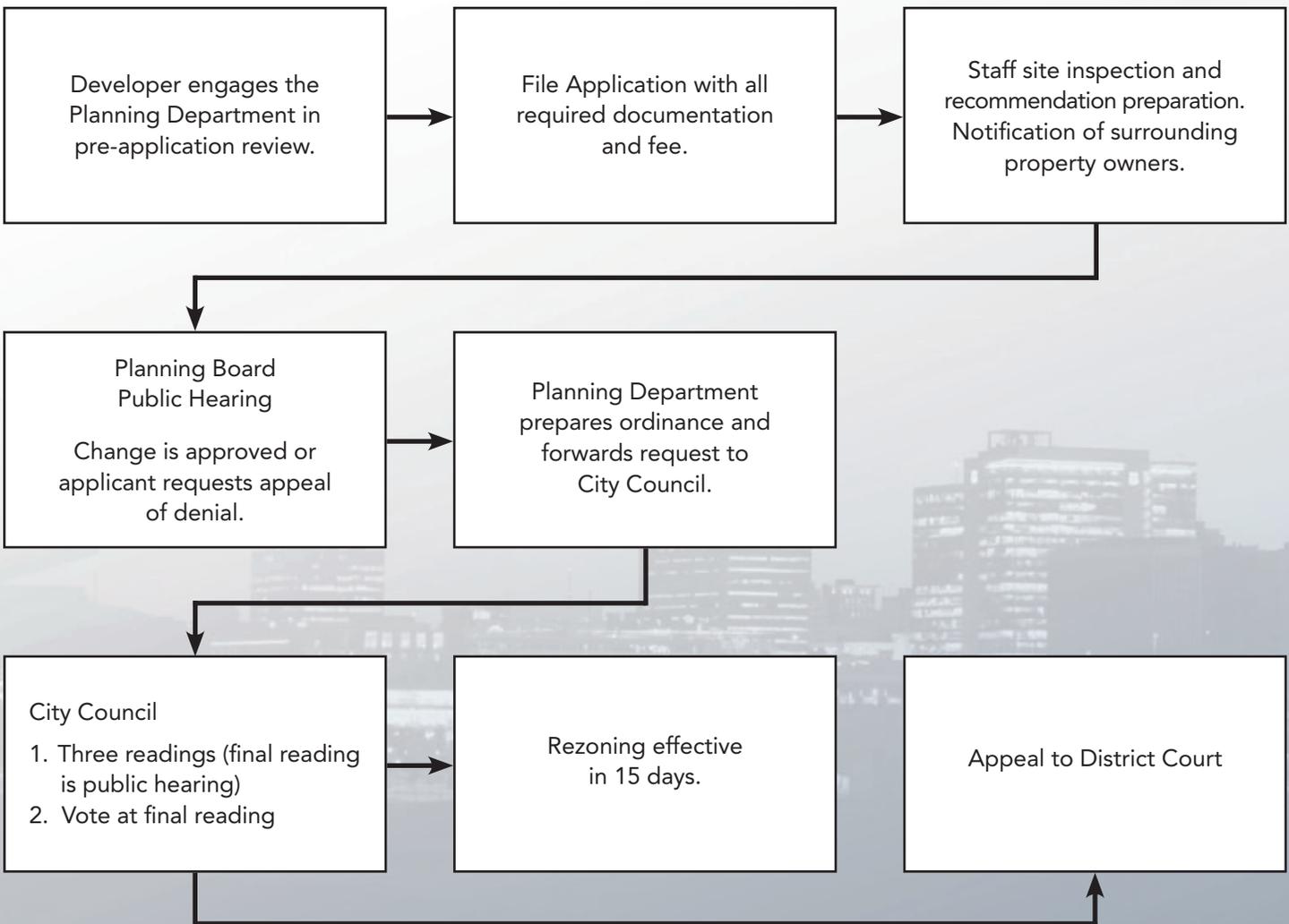
PROCESS	APPLICANT	PROCESSING AGENCY
Pre-application Conference	Contacts Planning Department and provides general outline of development and reason for zoning change request.	Planning Department discusses the project with the other departments and provides advice on a variety of development related issues back to the applicant.
Application and Planning Department Review	Files complete application form, supplemental information and required fee. Information required generally includes legal description of property, general development plans, and current and proposed zoning. Specific submittal requirements are detailed on the backside of the application form.	The Planning Department reviews the application, inspects the site, prepares its recommendation and notifies surrounding property owners of the request. The application and recommendation are forwarded to the Planning Board.
Planning Board Review and Public Hearing	Attends public hearing to formally present request, answer questions and provide additional information, if necessary.	Planning Board holds public hearing and formulates its recommendation. The Planning Department prepares an ordinance for the zoning change and forwards it to the City Council.
City Council Review and Public Hearing	Attends public hearing to City Council to formally present proposal, answer questions and provide additional information, if necessary.	City Council conducts three readings of the proposed zoning change, the last of which is a public hearing. The Council votes at the last reading following the public hearing. If approved, the ordinance is transmitted to the Mayor for signature. The change becomes final 15 days after Council action.

*Continued on next page*

# IF REZONING REQUEST IS DENIED BY THE PLANNING BOARD:

PROCESS	APPLICANT	PROCESSING AGENCY
Appeal to City Council	Request automatically proceeds to the City Council with the Planning Department and Planning Board recommendation, unless the applicant requests that it be withdrawn.	Planning Department prepares an ordinance for the zoning change and forwards it to City Council
City Council Approval	Attend public hearing to formally present proposal, answer questions, and provide additional information.	<p>City Council conducts 3 readings of the proposed zoning change, the last of which is a public hearing. The Council votes at the last reading following the public hearing. Ordinances that do not receive Planning Board approval require five votes for approval at City Council. If approved, the ordinance is transmitted to the Mayor for signature. The change becomes final 15 days after Council action.</p> <p>Processing time: Minimum 90 days from date of initial application.</p>

## REZONING PROCESS



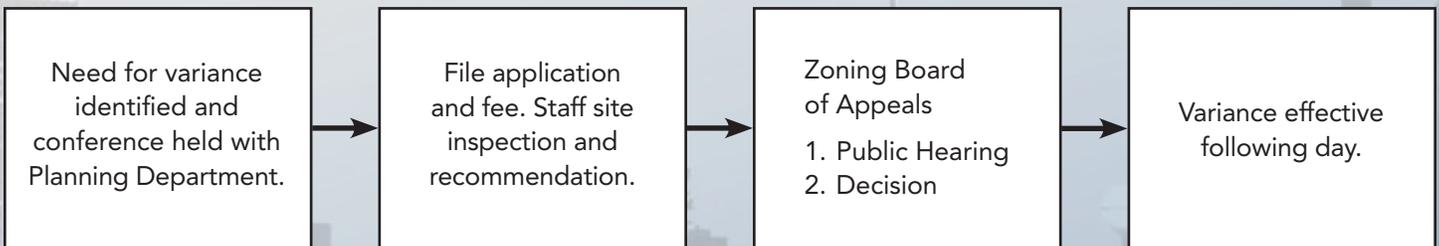
# ZONING VARIANCE

There may be times when the details of a project do not or cannot conform to the site development regulations for the current zoning of a property. The Zoning Board of Appeals (ZBA) is authorized to grant a waiver of the

- zoning ordinance when strict interpretation of the ordinance produces a hardship or practical difficulty.
- This waiver does not require Planning Board or City Council approval.

PROCESS	APPLICANT	PROCESSING AGENCY
Pre-application Conference	Contacts Planning Department to discuss project and need for a variance.	Planning Department discusses the project with the other departments and provides advice on a variety of development related issues back to the applicant.
Application and Planning Department Review	Files variance application, supplemental information, and fee.	Planning Department reviews application, site, and formulates its recommendation and notifies adjacent property owners. The application and recommendation are forwarded to Zoning Board of Appeals.
Zoning Board of Appeals Meeting	Attends ZBA public hearing to formally present proposal, provide information and answer questions.	ZBA holds a public hearing on the request and makes decision to grant or deny the variance.  All approved variance are effective the following business day.  Appeals of the ZBA's decision are made to District Court.  Processing time: 3-4 weeks.

## ZONING VARIANCE PROCESS





# SUBDIVISIONS

(Omaha Municipal Code, Chapter 53)

The owner of any lot tract within the City of Omaha or its extraterritorial jurisdiction subdividing land into two or more sites of less than ten acres for sale or construction must submit a subdivision plan for approval. When the tract of land involved is less than three acres or is affected by conditions such that application of these

requirements imposes undue hardship or inequities, the City Council, upon Planning Board recommendation, may modify the requirements. The Planning Director may waive any of the requirements subject to the rules governing administrative plats.

PROCESS	APPLICANT	PROCESSING AGENCY												
Pre-Application Review	Provides general sketch of plans for development, including all streets, lots and other public improvements. Provides location map showing relationship of site to abutting property, subdivisions and community facilities.	Planning Department reviews the plans with other departments and provides the developer written comments.												
Preliminary Plat Review – City Agencies	Provides 24 copies of the preliminary plat including proposed name, legal description of property, names of surveyor and developer, streets, utility, parks, sewers and zoning (both existing and proposed) along with application form and appropriate fees.	<p>Planning Department. transmits plat copies to the following agencies for their review:</p> <table style="width: 100%; border: none;"> <tr> <td>Public Works</td> <td>Health</td> </tr> <tr> <td>Parks &amp; Recreation</td> <td>County Surveyor</td> </tr> <tr> <td>Finance</td> <td>MUD</td> </tr> <tr> <td>Fire</td> <td>Telecommunications</td> </tr> <tr> <td>Police</td> <td>PMRNRD</td> </tr> <tr> <td>OPPD</td> <td>School District</td> </tr> </table> <p>Planning Department formulates its recommendation and notifies surrounding property owners, if required. The recommendation is forwarded to the Planning Board.</p>	Public Works	Health	Parks & Recreation	County Surveyor	Finance	MUD	Fire	Telecommunications	Police	PMRNRD	OPPD	School District
Public Works	Health													
Parks & Recreation	County Surveyor													
Finance	MUD													
Fire	Telecommunications													
Police	PMRNRD													
OPPD	School District													
Preliminary Plat Approval	Attends Planning Board public hearing to formally present proposal, provide additional information and answer questions.	The Planning Board holds a public hearing regarding the preliminary plat and either approves, denies or lays over the request for additional information. A preliminary plat must be approved by the Planning Board before it can be forwarded to the City Council. (NOTE: Preliminary plats become void two years after City Council acceptance. Revised preliminary plats may be required prior to that time if, in the opinion of the planning director, adopted changes to this chapter would affect the plat.)												
Preliminary Plat Approval – City Council	Attends public hearing of City Council to formally present proposal, provide additional information, and answer questions.	City Council holds public hearing and approves or disapproves the preliminary plat.												
Final Plat Review – Planning Department	Provides application form, appropriate fees, and 17 copies of final plat prepared by a registered engineer or surveyor (five mylar). Included must be: <ul style="list-style-type: none"> <li>1. Five signed copies of the subdivision agreement</li> <li>2. Three copies of any covenants or restrictions</li> <li>3. Proposed sanitary and improvement district boundaries</li> <li>4. Source and use of funds</li> <li>5. All certifications described in Sec. 53-7(4)</li> </ul>	Planning Department forwards final plat to Development Review Committee for recommendations.												
Final Plat Approval – Planning Board	Attends public hearing of Planning Board to provide additional information and answer questions.	Planning Board formulates its recommendation and transmits plat to City Council.												
Final Plat Approval – City Council	Attends public hearing of City Council to formally present proposal, provide additional information and answer questions.	City Council holds public hearing and approves or denies the plat (and subdivision agreement, if applicable). Processing Time: Minimum of 90 days from initial submittal.												

# URBAN DESIGN DISTRICTS

(Municipal Code Chapter 55, Article X, XI and XXII)

Certain areas of the City are designated as special urban design districts. These areas are created by overlay zoning such as Areas of Civic Importance districts (ACI), Civic Place districts (CP), Neighborhood Conservation and Enhancement districts (NCE), Industrial Gateways (IG), Major Commercial Corridor districts (MCC), or Mixed Use districts (MU). Projects within urban design

districts are subject to special review and approval criteria in addition to the regular review and permitting process. Review of urban design criteria may proceed concurrently with rezoning if necessary.

Urban Design Site Plan Review for ACI, CP, NCE, IG and MCC districts:

PROCESS	APPLICANT	PROCESSING AGENCY
Pre-application Conference	Contacts the Planning Department and provides general information on how the proposed development meets applicable urban design requirements.	Planning Department discusses the project with the applicant and provides guidance and advice for meeting the urban design requirements.
Application for Urban Design Site Plan Review	Files complete application form(s), supporting materials and review fee. Applications must include all required information to determine zoning compliance. Application early in the design process is recommended.	Planning Department reviews the application and site plan materials for both urban design and zoning requirements. A letter is provided to the applicant identifying any areas of non-conformance.
Review by the Urban Design Review Board	May request a special review by the Urban Design Review Board to clarify applicability and interpretation of urban design related issues.	The urban design review board makes a non-binding recommendation to the planning director for final judgment of applicability and interpretation of urban design related issues.  Processing Time: Within 30 days.

## Special Permit Review Procedures and MU district development agreements:

Within the City of Omaha, Mixed Use zoning districts are regulated by development agreements for each district. Each development agreement contains terms and conditions for development and an approved site plan. Development agreements are subject to the Special Use Permit Procedure and require City Council approval. Changes or amendments to a development agreement are classified as major or minor. Major amendments are required to follow the Special Use Permit Procedure requiring City Council approval. Minor amendments may be approved administratively by the planning director. The applicant should contact the planning department and schedule a pre-application meeting to determine if modifications to a development agreement are to be considered major or minor.

conform to the development agreement or the urban design regulations as required by the zoning ordinance, the building permit will not be issued until the proposed project is modified to be in accordance with the development agreement and urban design regulations or a change to the development agreement receives the appropriate approval.

It is the responsibility of the agency holding the development agreement to assure that all construction within the MU district implements the approved development agreement provisions and that major and minor amendments occur as required.

All construction within an MU district shall implement the approved development agreement and site plan for that district. Projects in MU districts must meet the provisions of the development agreement for that district and urban design regulations at the time of building permit application. If the building permit application does not

# LANDMARKS HERITAGE PRESERVATION DISTRICT

(Municipal Code Chapter 24, Article II)

A particular site or area may be designated for preservation as a heritage preservation site or heritage preservation district due to its historical, cultural, architectural or geographic importance. Developers in such areas can :

- take advantage of special federal investment tax credits,
- the State of Nebraska’s Valuation Incentive Program (VIP)
- and other tax incentives established to promote renovation
- and restoration.

## To establish a Heritage Preservation Site or Heritage Preservation District:

PROCESS	APPLICANT	PROCESSING AGENCY
Application	For District: 51 percent or more of the property owners must petition for the designation. For Individual Site: The City Council, property owner or Commission itself may initiate designation.	The Landmarks Heritage Preservation Commission and the Planning Department review the site or district for its historical, cultural, architectural or geographic significance.
Public Hearing – Landmarks Heritage Preservation Commission	Attends public hearing to formally present proposal, provide additional information and answer questions.	The Commission holds a public hearing and approves, modifies or disapproves the request. If approved, the application is forwarded to the Planning Board along with the Commission’s recommendation.
Public Hearing – Planning Board	Attends public hearing to formally present proposal, provide additional information and answer questions.	The Planning Board holds a public hearing and approves, modifies or disapproves the request. The application is then forwarded to the City Council along with an ordinance establishing the site or district.
City Council approval and Mayor’s signature	Attends public hearing to formally present proposal, provide additional information and answer questions.	The City Council conducts three readings of the request, the second of which is a public hearing. The vote is taken at the final meeting. If the Council approves the designation, it is forwarded to the Mayor for his signature. (Five votes of the seven member Council are required if a protest petition is filed by the owner of an individual site or by the owners of 20 percent of the total square footage of land within a district.)  Processing time: Minimum of 12 weeks.

*Continued on next page*



## Development in a District or on a Site:

PROCESS	APPLICANT	PROCESSING AGENCY
Application	Files application with Permits & Inspections Division. Information required includes detailed description of work to be performed and construction documents.	When Permits & Inspections Division receives a building permit application for a site or district, a copy is forwarded to the Planning Director for review and approval. Both the staff of the Planning Department and the Commission review the proposed work and formulate recommendations.
Public Hearing (If necessary)	Attends public hearing to formally present proposal, provide additional information and answer questions.	<p>The Commission holds a public hearing on the request.</p> <p>The Commission approves or modifies the request and issues a Certificate of Approval.</p> <p>If the request is not approved, the Commission may consult with the applicant for a period not to exceed 90 days. If an acceptable solution cannot be achieved, the Certificate will be finally denied. The applicant may then appeal the Commission's decision to the City Council.</p> <p>Processing time: Minimum of three weeks.</p>

# FLOOD PLAIN OVERLAY DISTRICT

(Municipal Code Chapter 55, Sections 651-663)

Certain limited areas of the city are designated as flood plains because of the probability of significant flooding. Any construction in the flood plain must meet specific standards relating to such items as finished floor elevation or flood proofing. As the Flood Plain District is an overlay, base district zoning regulations still apply in addition to the flood plain designation. The floodplain is made up of the floodway, which includes the channel itself, but may extend well beyond the top of banks, and the floodfringe,

which includes everything else up to the edge of the FEMA established 100-year flood elevation. A floodplain development permit must be obtained for any construction activity in a flood plain before an application for a building permit is made. Upon completion of construction and prior to occupancy, the applicant must submit a completed Elevation Certificate to the Planning Department.

PROCESS	APPLICANT	PROCESSING AGENCY
Application	Completes application form, including general information about project, and provides one set of plans (including elevations in the area, proposed structures, fill, drainage facilities and storage of materials.)	Planning Department receives the application and forwards a copy to the Papio-Missouri River Natural Resources District (PMRNRD) for its review.
Review	If necessary, meets with Planning Department and Papio-Missouri River Natural Resources District (PMRNRD) to provide further information.	The Planning Department and PMRNRD each review the site and its proposed use and formulate their recommendations.
Development Permit Issued		<p>Upon review by both the Planning Department and the PMRNRD, a flood plain development permit is issued. A building permit application may then be filed. Applicant must submit a completed Elevation Certificate prior to occupancy.</p> <p>Processing time: Depends on the complexity of project.</p>

# OTHER OVERLAYS AND SPECIAL DISTRICTS

(Municipal Code Chapter 55, Articles X-XII)

A number of additional overlay districts and special zones exist that may impact the uses or structures permitted on a parcel. A few examples are as follows, ED – Environmental District, PUD – Planned Unit Development, PK – Parking District and various airport zones.

## USE OF PUBLIC RIGHT-OF-WAY

(Municipal Code Chapter 27, Article II)

Balconies, entrance canopies, dumpsters, awnings and sidewalk cafes are a few examples of projects which may require the use of public right-of-way. It is unlawful for

- any person to use any space underneath, upon or above
- any street, alley or public grounds without first obtaining
- a permit to do so.

PROCESS	APPLICANT	PROCESSING AGENCY
Application for Lease	Complete application form. Information required includes dimensioned site plan of space desired, intended use (including materials to be used and estimated cost) and legal description of the abutting property.	Permits and Inspections Division receives the application and forwards copies to Planning and Public Works Directors for their review.
Recommendations	If necessary, meet with City departments to answer questions and provide information.	Recommendations are made by the reviewing City departments. If approved, the request is forwarded to the City Council in the form of a resolution, if necessary. Otherwise the application is forwarded to the Finance Department for the preparation of the lease and billing documentation.
City Council Approval	Attendance at the Council meeting to answer questions is recommended.	Two readings of the resolution are required. The Council votes at the second reading. If the Council approves the application, and it is signed by the Mayor, the change in use is effective the following business day.  Processing time: Approximately 4-6 weeks.

# VACATION OF STREETS AND ALLEYS

(Municipal Code Chapter 26-45)

Project development may require the permanent closing of a public thoroughfare. You may request that the City vacate a street or alley, with ownership of the property reverting to the owners of the abutting property.

PROCESS	APPLICANT	PROCESSING AGENCY
Application	Files a petition of owners of 75 percent of the taxable front footage abutting the requested vacation. Information required includes legal description of area to be vacated and reason for the request. (Streets and alleys may be vacated via replat, if appropriate.)	Public Works Department receives petition and forwards a copy to the Planning Department.
Review	If necessary, meet with departments to discuss proposal, and provide additional information.	Public Works and Planning Staff review the site and the vacation request and formulate their recommendations.
Planning Board Approval	Attends public hearing to formally present proposal, provide additional information, and answer questions.	The Planning Board conducts a public hearing and formulates its recommendation. If approved, an ordinance is forwarded to the City Council.
City Council Approval	Attends public hearing to formally present proposal, provide additional information and answer questions.	The City Council conducts three readings of the ordinance, the second of which is a public hearing. The Council votes at the last reading. If passed, the ordinance is forwarded to the Mayor for his signature. The City Council may require payment of fair market value for the vacated property by the applicant.  Processing time: 3-4 months

# DEMOLITION PERMIT

(Municipal Code Chapter 43, Article VII)

A permit is required for the razing of any structure. Demolition of a Heritage Preservation Site or a Heritage Preservation District requires a special permit (See Landmarks Heritage Preservation District, Page 11).

PROCESS	APPLICANT	PROCESSING AGENCY
Application	Completes application form including legal description of property, name of the owner, name of the contractor, and efforts to be made to protect the public safety.	The Permits & Inspections Division receives the application and checks the Assessor database to determine if the property has Landmark Designation.
Approval	Obtains written statement from a pest control contractor that states the premises are free of rodent, pigeon and/or vermin infestation.  Obtains written statement from an asbestos inspector that states the premises are free of asbestos.  If applicable, obtains written confirmation from MUD that gas and water utilities have been disconnected.	Upon submittal of all required paperwork the permit is issued. Permit is issued only to a bonded wrecker when other than a one-story structure with less than 1,500 sq. ft.  Processing time: Immediately if not a Heritage Preservation Site or a structure located in a Heritage Preservation District.

# HOUSE MOVING PERMIT

(Municipal Code Chapter 43, Article VI)

The moving of a structure from one lot to another or to a different location on the same lot requires a permit.

PROCESS	APPLICANT	PROCESSING AGENCY
Application and Review	Completes application including property locations and surveyor's certificates, qualifications of mover, route to be followed, two sets of plot plans and architectural plans and photograph of building.	Permits & Inspections Division receives application and reviews the condition of the building and its compatibility with the new neighborhood. Existing and future location of structure is posted for five days. (Locations outside the City of Omaha's territorial jurisdiction are not posted.)
Approval	Obtains written approval from all utility companies and from the City Parks and Public Works departments.	Permits & Inspections Division, after administrative hearing, issues the permit with specific designation as to route and time of day.
Actual Move	The house mover must provide at least 24-hour notice of the move to the Fire Department, Police Department, Public Works Department, Omaha Public Power District, Metropolitan Utilities District, Qwest and County Health Department.	Processing Time: 10 days.

## CONDITIONAL USE PERMITS (CUP), SPECIAL USE PERMITS (SUP) AND OTHER VARIOUS PERMITS

For a complete listing of Conditional and Special Use Permit uses please refer to the Omaha Zoning Ordinance, [www.ci.omaha.ne.us](http://www.ci.omaha.ne.us). Each zoning district within the ordinance will have a listing of permitted, conditional and special uses. The location of the uses requiring a Conditional Use Permit must be approved by the Planning

Board. The location of uses requiring a Special Use Permit must be approved by the City Council. The application process for each is similar to that for the rezoning of a property. In the case of conditional uses, the approval process ends with the Planning Board, unless an appeal is made to the City Council.

Many other businesses require annual permits to operate within the city. The following businesses require only an application to the Permits and Inspections Division:

Auctioneer	Flammable Liquid Sale	Pawnbroker	Soft Drink Dealer
Ballroom Dancehall	Helicopter Operation	Place of Assembly	Sound Truck Operations
Billboard Poster	House Mover	Pool Hall	Swimming Pool
Bingo	Kennel, Cattery, Pet Shop	Secondhand Dealer	Taxi
Circus, Carnival, Rodeo	Newsstand	Sidewalk Merchandise	Weight Master
Firearms Dealer	Passport Photo Shop	Stand	

The following businesses require annual inspections in addition to annual permits:

Bakeries	Homes for the Aged	Motorcycle Rental Shops
Food Stores	Meat Markets	Restaurants



# CONSTRUCTION SITE PERMITS

## **Grading Permit**      Contact: Public Works-Environmental Services

(Municipal Code Chapter 32, Article IV)

Any grading, clearing or excavation activities that result in the disturbance of any land areas one acre or greater must apply for a grading permit from the City of Omaha. The applicant will be required to submit:

- An application on the form provided by the department
- Stormwater Pollution Prevention Plan Site Map (SWPPP-SM)
- Stormwater Pollution Prevention Plan Narrative (SWPPP-N)

Upon submittal of the grading permit application, the applicant shall pay to the City a fee of \$500 for sites that are ten acres or less, or \$1,000 for sites that are more than ten acres. The Public Works Department will evaluate data submitted and may then issue the permit.

## **Post-Construction Stormwater Management**      Contact: Public Works-Environmental Services

(Municipal Code Chapter 32, Article V)

Land development projects that disturb one acre or more and significant redevelopment projects that disturb 5,000 sq. ft. or more are required to submit a Post Construction Stormwater Management Plan for City approval. The applicant will need to submit:

- An application on the form provided by the department
- Post Construction Stormwater Management Plan and maintenance agreement

For land development projects, the Post Construction Stormwater Management Plan shall include Low Impact Development (LID) Best Management Practices (BMP) to provide for water quality control of the first one-half inch of runoff from the site and maintain the two-year pre-development runoff condition. For redevelopment projects, the Post Construction Stormwater Management Plan shall include BMPs to maintain the 2, 10 and 100 year pre-redevelopment runoff conditions. The post-construction storm water management plan, at a minimum, shall include:

- Drainage Study
- The BMP or BMPs selected
- BMP design and plan sheets
- Schedules and procedures for inspection and maintenance of the BMPs.

Provisions for BMPs are set forth in the Omaha Regional Stormwater Design Manual.

# BUILDING PERMITS

The City requires building permits for all new construction, repairs and alterations to verify compliance with the City building, plumbing, electrical, mechanical and fire codes and to ensure access to buildings by the handicapped is provided. Municipal Code sections include Chapter 43,

- Building; Chapter 44, Electricity; Chapter 46, Fire Code;
- Chapter 40, Mechanical Code; and Chapter 49, Plumbing.
- Check our website at [www.ci.omaha.ne.us](http://www.ci.omaha.ne.us) for a link to the
- online version of the Omaha Municipal Code.
- 

## Building Permits Process

Building permit applications are processed by the Permits and Inspections Division of the Planning Department, Omaha-Douglas Civic Center, 1819 Farnam St., Suite 1100.

PROCESS	APPLICANT	PROCESSING AGENCY
Application (Optional by special appointment)	Provides preliminary plans and specifications to Permits & Inspections.	Permits & Inspections reviews development proposals with applicant and identifies possible problem areas.
Application	Files completed application form and required fee. Information required includes: legal description of property, proposed use, square footage, materials to be used, estimated cost, names of owners, architect, contractor, and three sets of plans including plot, foundation and floor plans, elevations, survey certificate and cross section of construction. All plumbing, electrical, and mechanical work must be noted. Plans must be signed and sealed by a licensed architect/engineer in accordance with Nebraska state law.	Permits & Inspections routes plans for review by: Planning (including Zoning, Urban Design, Landscaping), Building, Mechanical, Electrical, Plumbing, Public Works (including Traffic and Design) and Fire.
Plans Examination	Meets with Permits & Inspections to answer questions and provide additional information.	All applicable City departments review plans for completeness and adherence to City codes. If all is in order, building permit is issued.  Processing Time: 2-10 weeks, depending on complexity of project and accuracy of plans submitted.  NOTE: Construction must begin within six months after the permit is issued and be complete within 30 months.
Construction Inspection	Notifies Permits & Inspections at various stages of project construction so that work completed may be inspected.	Construction inspections of building, electrical, mechanical and plumbing systems.
Certificate of Occupancy	Notifies Permits & Inspections of project completion.	Building, electrical, mechanical, plumbing and fire inspectors verify completion of project is in compliance with the approved plans and all applicable codes. When all trades approve final inspection, the Permits Division issues the Certificate of Occupancy.

## ADDITIONAL BUILDING-RELATED PERMITS

In addition to the basic architectural or structural building permit, most construction projects will require one or more of the following permits:

	MUNICIPAL CODE REFERENCE	CONTACT
Electrical	Chapter 44	P & I
Plumbing	Chapter 49	P & I
Heating & Air Conditioning	Chapter 40	P & I
Connection to Sewer System	Chapter 31	P & I
Elevators	N/A	State Elevator Inspector
Sidewalks	Chapter 34	Public Works
Driveways	Chapter 34	Public Works
Cutting of Existing Curbs	Chapter 34	Public Works
Signs	Chapter 51	P & I

When the Permits & Inspections Division receives an application for a building permit, it is reviewed by the staff for the construction of any of the items listed above. In general, three sets of plans showing the details of each item are required for the building permit. The information provided for the building permit will be used for the processing of these additional permits.

If no building construction is involved, permits for these items may be applied for separately at the Permits & Inspections Division, Omaha-Douglas Civic Center, 1819 Farnam St.

### **Handicapped Access Requirements**      Contact: Permits & Inspections

(Municipal Code Chapter 43, Article II-Building Code adopted)

All buildings and facilities shall be designed and constructed to provide accessibility. This includes new buildings, additions, remodel and tenant finishes. Design criteria include requirements for parking places, entrances, doors, stairs, restrooms, water fountains, telephones and elevators.

### **Street Obstruction Permit**      Contact: Public Works

(Municipal Code Chapter 43, Article IV)

A permit is required to obstruct an alley, street or sidewalk during construction. The applicant must submit a completed application form, site plan with dimensions showing the area of obstruction and proof of insurance. Once Public Works authorizes the obstruction, the Permits and Inspections Division collects the permit fee and issues the permit.

# INDUSTRIAL PROJECTS

## **Industrial Processes**      Contact: Permits & Inspections

There are certain industrial construction items which require specific permits:

	MUNICIPAL CODE REFERENCE
Boilers	Chapter 40
Oil Burners	Chapter 40
Steam & Hot Water Piping	Chapter 40
Storage of Flammable Liquids	Chapters 40, 46

## **Industrial Wastewater Discharge**      Contact: Public Works – Environmental Services

(Municipal Code Chapter 31, Article III, Division 2)

All commercial/industrial users connected to, or discharging into, any part of the wastewater treatment system must obtain a permit to do so from the Public Works Department. The applicant will be required to submit:

- A description of the facility's water consuming procedures/processes
- A plan for preventing accidental discharges and/or prohibited materials, possibly including a pre-treatment plan
- Wastewater constituents, characteristics, and rate and time of discharge, both averages and maximums

The Public Works Department will evaluate data submitted and may then issue the permit. Permits may include any or all of these specific conditions as to sewer use fees; wastewater constituents, characteristics, rates, time of discharge, sampling and monitoring, reports and record-keeping and compliance schedules.

## **Industrial Stormwater Discharge**      Contact: Public Works-Environmental Services

(Municipal Code Chapter 32, Article III)

Industrial or commercial facilities that discharge stormwater, directly or indirectly, to the City of Omaha's Municipal Storm Sewer System, must obtain an industrial storm water discharge permit from the City of Omaha.

Users seeking an industrial storm water discharge permit shall complete and file with the Public Works Department:

- An application on the form provided by the department
- Detailed plans showing storage areas and drainage pathways
- Stormwater Pollution Prevention Plan (SWPPP)

The Public Works Department will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the department may issue an industrial discharge permit subject to terms and conditions.

**Air Pollution**      Contact: Public Works-Environmental Quality Division  
(Municipal Code Chapter 41)

If you intend to build, install or alter any commercial or industrial device capable of discharging air contaminants, you must apply for a permit from the Air Quality Control Division before proceeding. You are required to submit:

- Description of pollution source (combustion sources [boilers > 1.5 million BTU, all generators], paint and solvent applications), including emission rates, temperature, frequency and specific makeup.
- Description of any control equipment, including operating parameters and efficiency.
- Assurance of compliance with New Source Performance Standards and New Source Review (if applicable).

If the industrial process is one listed in Chapter 41, Appendix B, you must submit your odor control strategy, with equipment and efficiencies.

After staff review, and where appropriate, Air Quality Control will prepare a draft Construction Permit. The permitting process requires public notice followed by a 30 day comment period before the permit may be issued.

For Renovations or Demolitions:

- Prior to any demolition or renovation of an existing commercial or commercially-owned structure, an asbestos survey shall be completed and a NESHAP notification must be submitted to Air Quality Control. This notification must be submitted at least ten working days (2 weeks) prior to any asbestos disturbing or demolition activity taking place.

**Noise Control**      Contact: Planning Department  
(Municipal Code Chapter 55, Article XVII)

There are specific performance regulations intended to provide reasonable environmental standards by regulating potentially objectionable or harmful effects resulting from uses permitted within zoning districts. There are some exemptions from these regulations. For example, noises emanating from construction and maintenance activities between the hours of 7 a.m. and 9 p.m. are exempt. Complaints for noise are processed by Code Enforcement.

# APPEALS

## **Zoning**      Contact: Planning – Current Planning

(Municipal Code Chapter 55)

Any decision of the City Council or the Zoning Board of Appeals may be appealed to the District Court.

## **Permits and Licenses**      Contact: Planning – Permits and Inspections

(Municipal Code Chapter 2, Sections 171-187)

Any order or decision of any City agency, division or department involved with the issuance or denial of any City permit or license, may be appealed to the Administrative Board of Appeals. This Board is appointed by the Mayor with the approval of the City Council and may, by majority vote, reverse or modify any order set by a City department with regard to any permit or license.

Within ten days from the date of the original order, the aggrieved party must file a notice of appeal with the Planning Director, stating the grounds for the appeal. The Planning Director collects all records of the action under appeal and transmits them to the Administrative Board of Appeals. This Board holds a public hearing on the action and makes its decision.

## **Building Regulations**      Contact: Planning – Permits and Inspections

(Municipal Code Chapter 43)

The Building Board of Review is a seven-member panel appointed by the Mayor to review any decision of the Permits & Inspections Division concerning construction activities. An owner, contractor or any others engaged in building activities may appeal rulings on the building methods, use of processes and devices, and the strength and character of construction to the Board of Review. Such an appeal must be filed within 15 days from the ruling from Permits & Inspections, and should set the grounds for all the objections to the ruling. The Board may affirm, modify or reverse the ruling from Permits & Inspections. The decision of the Building Board of Review may be further appealed to the District Court.

## **Plumbing Regulations**      Contact: Planning – Permits & Inspections

(Municipal Code Chapter 49)

The Plumbing Board is appointed by the Mayor to oversee the licensing of plumbers in the City and review decisions of the Permits & Inspections Division concerning plumbing regulations. Any owner or contractor may appeal a ruling from Permits & Inspections, stating the objections to that ruling. The Plumbing Board may affirm, modify or reverse the previous ruling.

# UTILITY CONNECTIONS

## Telecommunications

Basic telecommunications service in the Omaha area is provided by Qwest and Cox. Other companies may also provide service. Check local directories or online for complete listings. Contact them directly for service connections:

Qwest  
[www.qwest.com](http://www.qwest.com)

Cox  
[www.cox.com](http://www.cox.com)

## Electrical

Electrical service is provided by the Omaha Public Power District (OPPD), an independent public utility. Applications for new electric connections or changes in existing service should be made to:

Commercial Sales Department  
Omaha Public Power District  
444 South 16th St. Mall  
[www.oppd.com](http://www.oppd.com)

## Water and Natural Gas

Water and natural gas are provided by the Metropolitan Utilities District (MUD), also an independent public utility. For information and application for service, contact:

Permits and Installation Department  
Metropolitan Utilities District  
1723 Harney St.  
[www.mudomaha.com](http://www.mudomaha.com)

In general, OPPD and MUD require a site plan and legal description of parcel, the location of building and point at which service is desired, anticipated use loads and required relocation of any current service connections in the area on applications for service.

## Sewer

In addition to water service, a sewer connection permit is required. Information and requirements for the use of a Public Sewer District can be obtained from:

Permits and Inspections Division  
Omaha Planning Department  
1819 Farnam St.

# PLANNING DEPARTMENT DIVISIONS

## Economic Development

Economic development services are programs that improve the economic well-being and quality of life for Omaha residents by creating and/or retaining jobs, increasing incomes, and supporting and growing the tax base.

The goals of the Economic Development section include:

- Building neighborhood economies and supporting housing rehabilitation, new housing development and public improvements
- Encouraging small enterprises, particularly those offering goods and services to neighborhood residents, to locate or remain within crucial neighborhood business districts
- Improving the commercial building stock of neighborhood business districts and increasing the amount of retail activity in those areas
- Encouraging the start of new small businesses and the expansion of existing ones in revitalization areas
- Promoting the development of minority-owned and women-owned businesses
- Creating jobs for low-income and moderate-income people

Five programs have been developed by Housing & Community Development to achieve these goals, and they are:

- Tax Increment Financing (TIF)
- Site Acquisition, Preparation, and Conveyance
- Construction of Commercial and Industrial Properties
- Micro-Enterprise Business Development
- Omaha Small Business Network Technical Assistance

The City's Economic Development Division maintains close ties with the Greater Omaha Economic Development Partnership (Partnership) of the Greater Omaha Chamber to provide whatever assistance a business might require to locate or expand in Omaha. The Partnership provides both attraction and retention services to firms and serves as an access point for economic incentive and job training programs. Representing the City of Omaha, as well as the surrounding counties, the Partnership's services ensure that firms have all the information they need to make informed business decisions. Detailed descriptions of services, as well as other information such as demographics, may be found on the Chamber's economic development Web site at [www.selectgreateromaha.com](http://www.selectgreateromaha.com).

## Housing and Community Development

The Housing and Community Development Division develops and administers the City's Community Development Program to improve housing resources. These programs include housing rehabilitation, neighborhood revitalization and redevelopment programs. The Division is also responsible for administration of the City's Housing Code and Hazardous Buildings Ordinance.

## Urban Planning

The Urban Planning Division develops plans and programs to guide the orderly growth of the city. The Division, in order to accomplish its goals:

- Prepares and maintains the City's Master Plan
- Prepares neighborhood and area development plans
- Prepares the City's Capital Improvement Plan

- Prepares Annexation Plans
- Maintains basic socio-economic, demographic and development information for the development industry and the general public

The division is responsible for many of the City's regulatory functions. These include zoning, land subdivision, and administration of the Planning Board and the Zoning Board of Appeals.

The designation and modification of historic properties and administration of the Heritage Preservation Commission are also accomplished through the Division.

## Permits and Inspections

The Permits and Inspections Division is responsible for the enforcement of the numerous construction codes adopted by the City. Duties of the division include:

- Administration of licensing exams and issuing trade licenses
- Performing plan reviews, issuing permits and performing construction inspections
- Administration of the building, electrical, plumbing and various mechanical boards of the City

# REFERENCES

Following is a list of offices referred to in the Guide.

## City of Omaha Offices:

All are located in the Omaha/Douglas Civic Center, 1819 Farnam St., Omaha, Neb. 68183  
[www.ci.omaha.ne.us](http://www.ci.omaha.ne.us)

Public Works	6th Floor	444-5220
Traffic Engineer	6th Floor	444-5220
Parks, Recreation & Public Property	7th Floor	444-5900
Health	4th Floor	444-7471
Planning	11th Floor	444-5150
Housing & Community Development	11th Floor	444-5150
Permits & Inspections	11th Floor	444-5350
Planning Help Desk	11th Floor	444-3426
Economic Development	11th Floor	444-5150
City Council Offices	LC Floor	444-5557
Mayor's Office	3rd Floor	444-5000
City Clerk	LC Floor	444-5557

## Greater Omaha Economic Development Partnership

Greater Omaha Chamber  
1301 Harney St., Omaha, Neb. 68102  
(402) 346-5000 (800) 852-2622  
[SelectGreaterOmaha.com](http://SelectGreaterOmaha.com)

## Other organizations you may wish to contact:

Landmarks, Inc.  
3838 Davenport St.  
(402) 595-2553  
[www.omahalandmarks.org](http://www.omahalandmarks.org)

Metropolitan Utilities District  
1723 Harney St.  
(402) 554-6666  
[www.mudomaha.com](http://www.mudomaha.com)

Omaha Public Power District  
1623 Harney St.  
(402) 536-4131  
[www.oppd.com](http://www.oppd.com)

Papio-Missouri River Natural Resources District  
8901 South 154th St.  
(402) 444-6222  
[www.papionrd.org](http://www.papionrd.org)



