



Hall County Regional Planning Commission

Wednesday, January 07, 2009

Regular Meeting Packet

Commission Members:

Ray Aguilar	Grand Island	
John Amick	Hall County	
Karen Bredthauer	Grand Island	Vice Chairperson
Scott Eriksen	Grand Island	
Mark Haskins	Hall County	
Bill Hayes	Doniphan	
Lisa Heineman	Grand Island	
Jaye Monter	Cairo	
Pat O'Neill	Hall County	Chairperson
Deb Reynolds	Hall County	
Leslie Ruge	Alda	Secretary
Don Snodgrass	Wood River	

Regional Planning Director: Chad Nabity

Technician:

Edwin Maslonka

Secretary:

Rose Woods

6:00:00 PM
Council Chambers - City Hall
100 East First Street

Call to Order

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for Commission consideration should complete the Request for Future Agenda Items form located at the Regional Planning Office on the second floor of City Hall. If the issue can be handled administratively without Commission action, notification will be provided. If the item is scheduled for a meeting, notification of the date will be given.

B - RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

DIRECTOR COMMUNICATION

This is an opportunity for the Director to comment on current events, activities, and issues of interest to the commission.



Hall County Regional Planning Commission

Wednesday, January 07, 2009
Regular Meeting

Item .A

Summary Page

Insert a narrative here

Staff Contact:

**Staff Recommendation Summary
For Regional Planning Commission Meeting
January 7, 2009**

- 4. Public Hearing** –Consideration of proposed amendments to Chapter 36 of the Grand Island City Code (Zoning) to the B2 General Business Zone, AC arterial Commercial Overlay Zone, and the M2 Heavy Manufacturing Zone regarding Recreational Vehicle Campgrounds and Recreational Vehicle spaces accessory to hotel/motel uses; and consideration of changes regarding Section 26, Projections from Buildings. (C-04-2009GI)
- 5. Request for Conservation Easement** - Concerning a Conservation Easement – Comprising a part of the of the South half (S1/2) of the Northeast Quarter (NE1/4) and in the Southeast Quarter (SE¼) of section Twenty (20) in Township Nine (9) North, Range Eleven (11) West of the 6th P.M. (C-05-2009HC)

Consent Agenda

- 6. Final Plat – Pirnie First Subdivision**, located east of Stuhr Road and north of Bismarck Rd., Section 14, Township 11N, Range 9W, in Grand Island, in Hall County, Nebraska consisting of 1.581 acres (2 Lots), and property is zoned M2 - Heavy Manufacturing.
- 7. Final Plat – Rauert Farm Subdivision**, located east of 80th Rd., North of Hwy 2, in Hall County Nebraska consisting of 3.0 acres (1 Lot).
- 8. Final Plat – Davis Farm Subdivision**, located east of Hwy 11, in Hall County, Nebraska consisting of 7.0952 acres (1 Lot).



Hall County Regional Planning Commission

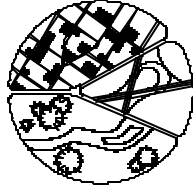
Wednesday, January 07, 2009
Regular Meeting

Item E

Meeting Minutes

Insert a narrative here

Staff Contact:



THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND,
WOOD RIVER AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA

Minutes
for
December 3, 2008

The meeting of the Regional Planning Commission was held Wednesday, December 3, 2008, in the Community Meeting Room - City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" November 22, 2008.

Present:	Pat O'Neill	Lisa Heineman
	Deb Reynolds	Jaye Monter
	Don Snodgrass	Karen Bredthauer
	Leslie Ruge	Bill Hayes
	John Amick	Ray Aguilar
	Mark Haskins	

Absent: Scott Ericksen

Other:

Staff: Chad Nabity, Rose Woods

Press:

1. Call to order.

Chairman O'Neill called the meeting to order at 6:00 p.m. He stated that this was a public meeting subject to the open meetings laws of the State of Nebraska. He noted that the requirements for an open meeting were posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

2. Minutes of November 5, 2008 meeting.

O'Neill asked if there were any changes to the November 5, meeting minutes. Hearing none, O'Neill asked for a motion.

A motion was made by Ruge, and seconded by Aguilar to approve the Minutes of the November 5, 2008 meeting.

The motion carried with 11 members present and 10 voting in favor (O'Neill, Aguilar, Amick, Monter, Ruge, Hayes, Reynolds, Bredthauer, and Snodgrass) and 1 member abstaining (Haskins).

3. Request time to speak.

No one requested time to speak.

Heineman joined the meeting at 6:05 p.m.

Introductions of the current members were made to Ray Aguilar the new Planning Commission member.

4. Public Hearing

Consideration of Redevelopment Plan for property located in Blight and Substandard Area #6, at 233 and 235 N Darr Avenue and 2018 and 2020 Blake Street (Lots 9 and 10 of Block 19 of Packer & Barr's Second Addition to the city of Grand Island) in Grand Island, Hall County Nebraska. (C-03-2009GI)

O'Neill opened the Public Hearing asking if anyone had any questions or comments.

Nabity explained the property located in blighted area # 6, there are two lots, Mr. Enck is planning on building two duplexes on the lots, one that would face Blake Street and one that would face Darr Avenue, one duplex on each lot. Zoning allows for a dwelling unit for every 1000 square feet and the current lots are over 6000 feet. Nabity stated the assessor's property condition for this property is worn out. The current house is worn out that the only option left is tearing the property down. Enck is asking for Tax Increment Financing (TIF) financing for the cost of acquisition of the property and the demolition of the current house.

Nabity stated the Planning Commission is to determine if the proposed plan fits the appropriate use and if it is in conformance with the Comprehensive Plan for Grand Island.

O'Neill closed the Public Hearing.

A motion was made by Hayes to approve the Resolution recommending the amendment to the Redevelopment Plan for the CRA area #6 and properties

located at 233 and 235 N Darr Avenue and 2018 and 2020 Blake Street, it was seconded by Bredthauer.

The motion carried with 11 members present and 10 voting in favor (O'Neill, Ruge, Hayes, Reynolds, Haskins, Bredthauer, Snodgrass, Amick, Monter and Aguilar) and 1 member abstaining (Heineman).

5. Planning Directors Report

Nabity had nothing further to report on Project Amada.

Nabity explained that with the new FEMA maps there were a few changes and properties that had FEMA letters removing them from the flood zone prior to 1995 were missing certain information and did not get re-validated. Planning does have a list that has been provided by FEMA of the letters that were re-validated. The homeowner may have to re-survey their land and submit a new request to FEMA, or we can request by a letter by re-submitting information to FEMA to re-validate those letters that didn't get re-validated.

6. Next Meeting January 7, 2009

7. Adjourn

Chairman O'Neill adjourned the meeting at 6:35p.m.

Leslie Ruge, Secretary

by Rose Woods



Hall County Regional Planning Commission

Wednesday, January 07, 2009
Regular Meeting

Item F3

Proposed Amendment to Chapter 36 of Grand Island City Code (C-04-2009GI)

Insert a narrative here

Staff Contact:

Agenda Item 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 26, 2008

SUBJECT:

Concerning amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. Amendments to be considered pertain to the B2 General Business Zone, AC arterial Commercial Overlay Zone, and the M2 Heavy Manufacturing Zone regarding Recreational Vehicle Campgrounds and Recreational Vehicle spaces accessory to hotel/motel uses; and consideration of changes regarding Section 26, Projections from Buildings. (C-4-2009GI)

PROPOSAL:

The proposed changes are attached.

All areas with changes are highlighted. Additions are *italicized and underlined* and deletions are in ~~strike out~~.

OVERVIEW:

Camper Pads Accessory Hotel/Motel Uses in the B2, AC and M2 zones subject to the following limitations:

Recreational Vehicle Pads accessory to Hotel/Motel Uses with the following restrictions:

- a) Number of pads shall not exceed 10% of the number of sleeping rooms available at the hotel/motel to a maximum of 15 pads
- b) The hotel/motel shall continue to provide all required parking spaces.
- c) Water service shall not be provided at the pad
- d) Sewer service shall not be provided at the pad
- e) Pads shall not be located in any front yard setback
- f) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district

Hotels and Motels are permitted in the B2-General Business, B3-Heavy Business, AC Arterial Commercial, M2-Heavy Manufacturing and M3-Mixed Use Manufacturing zones. The B3 and M3 zones are in downtown and adjacent to the Union Pacific railroad tracks. The proposed changes were specifically not included for those zones due to parking constraints and access issues for

campers. These proposed changes would not permit camper pads as accessory uses in the B3 and M3 zones.

It is not uncommon for hotels to offer services to people with campers. Allowing this accessory use may discourage campers from using spaces in parking lots for overnight camping. Hotels are already providing services to the traveling public and in a position to offer this additional service. Grand Island does not have enough camper spaces available and providing these may allow for increased usage of local facilities including but not limited to Stuhr Museum, Heartland Events Center, and the Heartland Shooting Park. These changes would also provide facilities during the state fair.

Campgrounds in the AC overlay district by conditional use permit:

Campgrounds including those serving recreational vehicles subject to following conditions:

- a) Developer shall submit a diagram of the proposed camp ground including a plot plan of the pads, landscaping plan, utility plan and interior street plan with the application for a conditional use permit
- b) A minimum of one toilet and one lavatory for each sex shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each sex shall be provided for each fifteen (15) sites or fraction thereof.
- c) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district.
- d) Pads shall not be accessible from any public way.

The B2 and M2 zones already allow campgrounds by conditional use permit according to the use matrix that was adopted with the regulations in 2004. Campgrounds are not permitted in the AC overlay zone. This zone extends along South Locust from U.S. Highway 34 north to Fonner Park Road.

The changes to the AC zone were specifically requested by Richard Milton. Mr. Milton owns the Rodeway Inn located just north of U.S. Highway 34 and would like to purchase property adjacent to the hotel to be used as an RV Park.

The AC zone is located adjacent to South Locust Street and in close proximity to Fonner Park. In order to develop an RV park near Fonner Park on this stretch of road a change is required to the regulations. Again, this change makes sense because of the State Fair.

The conditions outlined above are minimum standards and the City Council could add additional conditions as necessary depending on the site and or location.

Projections from Buildings

~~(B) As a part of single and two family residences, open uncovered porches or decks no higher than the first floor above grade on the side of the building to which they are appurtenant and in no event higher than 30 inches above grade of the lot on the side of the structure where such porch or deck is located, may extend:~~

~~_____ (1) Three (3) feet into any side yard that otherwise meets minimum side yard requirements provided that the other side yard also meets such minimum side yard requirements and remains free of encroaching structures of any kind; and that said new encroachment meets all separation requirements between structures as determined in the City's Building Code, except gated fences providing access to the rear yard.~~

~~_____ (2) Six (6) feet into a front yard provided that the front yard otherwise meets minimum front yard requirements and provided further: (a) that in no event may such porch or deck cover more than 60 square feet of the required front yard or extend beyond the side walls of the building structure, and (b) front decks or porches shall not be higher than thirty (30) inches above ground and no higher than the first floor, except that on homes with front entryways at first floor level but driveway cuts and garage floors at basement level, there may be constructed a veranda type uncovered deck or porch extending from the front deck or porch over the garage door or doors, which extended area shall be at the same elevation and shall have bracing as required by the Building Department, and (c) covered porches, built of materials of the same or similar nature as the roof of the principal structure may be allowed with eaves not to exceed twelve (12) inches.~~

~~_____ (4) Safety railings shall be installed as per the City's Building Code and as approved by the Building Department.~~

~~_____ (5) One-half (1/2) of the distance into the required rear yard, but in no event closer than five (5) feet to any property line.~~

(B) Open, uncovered porches or terraces may extend three feet into any required side yard, ten feet into any required front yard, and any distance into any required rear yard. No railing or other barrier higher than 42 inches shall be placed on such porch or terrace within five feet of any property line except as provided within this ordinance. Any such porch or terrace located on a lot at the intersection of two streets or a street and an alley shall comply with the provisions designed to insure proper sight distances as set forth in this chapter for fences and hedges. A covered porch or terrace, not exceeding sixty square feet, may extend a maximum of six feet into the required front or rear yard, provided, such porch or terrace shall not be enclosed except by a railing or other barrier as previously mentioned.

The changes outlined above revert the code from the 2004 changes to the previous version. This request came from the Grand Island Building Department. Both achieve the same end of allowing porches to extend into the front yard setback and limiting the size of a covered porch. The original version is shorter and much easier to enforce and to explain.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council **approve** the changes to the Grand Island Zoning Ordinance as requested.

_____ Chad Nability AICP, Planning Director

§36-68. (B-2) General Business Zone

Intent: The intent of this zoning district is to provide for the service, retail and wholesale needs of the general community. This zoning district will contain uses that have users and traffic from all areas of the community and trade areas, and therefore will have close proximity to the major traffic corridors of the City. Residential uses are permitted at the density of the (R-4) High Density Residential Zoning District.

(A) Permitted Principal Uses: The following principal uses are permitted in the (B-2) General Business Zoning District.

- (1) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (2) Office and office buildings for professional and personal service as found in the Zoning Matrix [Attachment A hereto]
- (3) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (4) Dwelling units
- (5) Board and lodging houses, fraternity and sorority houses
- (6) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (7) Public parks and recreational areas
- (8) Country clubs
- (9) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level
- (10) Colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (11) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (12) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (13) Public and quasi-public buildings for cultural use
- (14) Railway right-of-way but not including railway yards or facilities
- (15) Nonprofit community buildings and social welfare establishments
- (16) Hospitals, nursing homes, convalescent or rest homes
- (17) Radio and television stations (no antennae), private clubs and meeting halls
- (18) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar use
- (19) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (20) Group Care Home with less than eight (8) individuals
- (21) Elderly Home, Assisted Living
- (22) Stores and shops for the conduct of wholesale business, including sale of used merchandise
- (23) Outdoor sales and rental lots for new and used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery, etc.
- (24) Specific uses such as: archery range, billboards, drive-in theater, golf driving range, storage yard (no junk, salvage or wrecking)
- (25) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is used
- (26) Parking Lots
- (27) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-2) General Business Zoning District as approved by City Council.

- (1) Recycling business
- (2) Towers
- (3) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

- (1) Building and uses accessory to the permitted principal use.

- (2) Recreational Vehicle Pads accessory to Hotel/Motel Uses with the following restrictions:
- a) Number of pads shall not exceed 10% of the number of sleeping rooms available at the hotel/motel to a maximum of 15 pads
 - b) The hotel/motel shall continue to provide all required parking spaces.
 - c) Water service shall not be provided at the pad
 - d) Sewer service shall not be provided at the pad
 - e) Pads shall not be located in any front yard setback
 - f) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district.

(D) Space Limitations:

Uses		Minimum Setbacks						
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	30	10	0 ¹	0 ²	10	100%	55
Conditional Uses	3,000	30	10	0 ¹	0 ²	10	100%	55

¹ No rear yard setback is required if bounded by an alley, otherwise a setback of 10 feet is required.

² No side yard setback is required, but if provided, not less than five feet, or unless adjacent to a parcel whose zone requires a side yard setback, then five feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(E) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

Amended by Ordinance No. 8947, effective 1-5-2005
Amended by Ordinance No 9151, effective 12-18-2007

§36-69. (AC) Arterial Commercial Overlay Zone

Intent: The intent of this zoning district is to provide an overlay of the (B-2) General Business Zoning District in order to require increased front setbacks, landscaping, and the limitation of some uses within areas along entrance corridors of the city. As the name implies, the overlay will be most commonly used along an arterial street corridor.

(A) Permitted Principal Uses: The following principal uses are permitted in the (AC) Arterial Commercial Overlay District

- (1) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (2) Boarding and lodging houses, fraternity and sorority houses
- (3) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (4) Colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (5) Country clubs
- (6) Dwelling units
- (7) Elderly Home, Assisted Living
- (8) Group Care Home with less than eight (8) individuals
- (9) Hospitals, nursing homes, convalescent or rest homes

- (10) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used
- (11) Nonprofit community buildings and social welfare establishments
- (12) Office and office buildings for professional and personal service as found in the Zoning Matrix [Attachment A hereto]
- (13) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery, etc.
- (14) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (15) Public parks and recreational areas
- (16) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level
- (17) Public and quasi-public buildings for cultural use
- (18) Radio and television stations (no antennae), private clubs and meeting halls
- (19) Railway right-of-way but not including railway yards or facilities
- (20) Specific uses such as: archery range, drive-in theatre, golf driving range
- (21) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix (Attachment A hereto)
- (22) Stores and shops for the conduct of wholesale business, including sale of used merchandise.
- (23) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (24) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (25) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses
- (26) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (AC) Arterial Commercial Overlay District as approved by City Council.

(1) Towers

(2) Campgrounds including those serving recreational vehicles subject to following conditions:

a) Developer shall submit a diagram of the proposed camp ground including a plot plan of the pads, landscaping plan, utility plan and interior street plan with the application for a conditional use permit

b) A minimum of one toilet and one lavatory for each sex shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each sex shall be provided for each fifteen (15) sites or fraction thereof.

c) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district.

d) Pads shall not be accessible from any public way.

A)

(C) Permitted Accessory Uses:

(1) Buildings and uses accessory to the permitted principal uses

(2) Automotive body repair may be accessory to new or used automotive sales or rental, provided, no outside storage of parts shall be permitted.

(3) Recreational Vehicle Pads accessory to Hotel/Motel Uses with the following restrictions:

a) Number of pads shall not exceed 10% of the number of sleeping rooms available at the hotel/motel to a maximum of 15 pads

b) The hotel/motel shall continue to provide all required parking spaces.

c) Water service shall not be provided at the pad

d) Sewer service shall not be provided at the pad

- e) Pads shall not be located in any front yard setback
- f) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district

(D) Space Limitations:

Uses		Minimum Setbacks						
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	5,000	50	20	0 ¹	0 ²	10	80%	55
Conditional Uses	5,000	50	20	0 ¹	0 ²	10	80%	55

¹ No rear yard setback is required if bounded by an alley, otherwise a setback of 10 feet is required.

² No side yard setback is required, but if provided, not less than 5 feet, or unless adjacent to a parcel whose zone requires a side yard setback, then 5 feet.

(E) Procedure:

- (1) An application for an amendment to the arterial commercial zone on the Official Zoning Map shall follow all procedural requirements as set forth in this Section.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein.
- (2) Only one principal building shall be permitted on any one zoning lot except as otherwise provided herein.
- (3) Landscaping shall be provided and maintained within the 20 foot front yard setback. Landscaping shall mean lawn areas and may also include trees, shrubs, and flowers. Crushed or lava rock, gravel, bark chips, etc. shall not substitute for lawn area.
- (4) All improvements and uses shall be designed to direct primary vehicular and pedestrian traffic to arterial street access and reduce such traffic on adjacent non-arterial streets and alleys.

Amended by Ordinance No. 8947, effective 1-5-2005

§36-73. (M-2) Heavy Manufacturing Zone

Intent: The intent of this zoning district is to provide for the greatest amount of manufacturing, warehousing, wholesaling and business uses. Conditional use permits are required for those uses with more significant health and safety concerns.

(A) Permitted Principal Uses:

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (3) Agriculture, including the raising of field crops, tree and bush crops, animals and fowl, but not including feed lots, poultry farms, and fur farms
- (4) Concrete or cement products manufacturing and batching plant
- (5) Contractors storage yard or plant
- (6) Gravel, sand or dirt removal, stockpiling, processing or distribution, and batching plant
- (7) Manufacture, processing, assembly, fabrication and/or storage of non-hazardous products and materials
- (8) Mortuaries, funeral homes, and funeral chapels
- (9) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (10) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (11) Radio and television stations, private clubs and meeting halls

- (12) Railway right-of-way, including yards and facilities
- (13) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (14) Stores and shops for the conduct of wholesale business, including sale of used merchandise
- (15) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (16) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (17) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (18) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses
- (19) Other uses found in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (M-2) Heavy Manufacturing Zoning District as approved by City Council.

- (1) Automobile wrecking yard
- (2) Acid or acid by-products manufacture
- (3) Ammonia bleaching powder, chlorine, peroxylin or celluloid manufacture
- (4) Explosives manufacture or storage
- (5) Garbage, refuse, offal or dead animal reduction or disposal area
- (6) Glue manufacture, fat rendering, distillation of bones or by-products
- (7) Meat packing plants, including poultry and animal slaughterhouses and abattoirs
- (8) Milling or smelting of ores
- (9) Petroleum refining
- (10) Motels and hotels
- (11) Petroleum refining
- (12) Stock or feed yards
- (13) Salvage yard
- (14) Tanning, curing, or storage of hides or skins
- (15) Towers

(C) Permitted Accessory Uses:

- (1) Buildings and uses accessory to the permitted principal uses
- (2) Recreational Vehicle Pads accessory to Hotel/Motel Uses with the following restrictions:
 - a) Number of pads shall not exceed 10% of the number of sleeping rooms available at the hotel/motel to a maximum of 15 pads
 - b) The hotel/motel shall continue to provide all required parking spaces.
 - c) Water service shall not be provided at the pad
 - d) Sewer service shall not be provided at the pad
 - e) Pads shall not be located in any front yard setback
 - f) Pads shall be required to meet the minimum landscaping requirements of this code. For properties located in an approved landscaping district additional landscaping shall be required between any pads located adjacent to a street equal to the standard landscaping required by this code. Landscaping materials should be consistent with those used in the district.

(D) Specifically Excluded Uses:

- (1) Any residential use
- (2) Manufactured homes, and manufactured home parks
- (3) Churches, schools, institutions and other public and semi-public uses except for trade and vocational schools

(E) Space Limitations:

Uses			Minimum Setbacks		
------	--	--	------------------	--	--

		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	6,000	50	10	0 ¹	0 ²	10	65%	-
Conditional Uses	6,000	50	10	0 ¹	0 ²	10	65%	-

¹ None when bounded by an alley, otherwise 10 feet

² No required Side Yard Setback, but if provided, not less than 5 feet or unless adjacent to a parcel whose zone requires a side yard setback, then 5 feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein
- (2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

Amended by Ordinance No. 8947, effective 1-5-2005

§36-26. Projections from Buildings

(A) Cornices, eaves, canopies, belt courses, sills, ornamental features, and other similar architectural features may project not more than one (1) foot into any required yard or into any required open space, except that eaves may encroach three (3) feet into a yard when such yard is ten (10) feet or more in width, provided that such required yard or open space meets the current minimum yard standards.

~~(B) As a part of single and two family residences, open uncovered porches or decks no higher than the first floor above grade on the side of the building to which they are appurtenant and in no event higher than 30 inches above grade of the lot on the side of the structure where such porch or deck is located, may extend:~~

~~———— (1) Three (3) feet into any side yard that otherwise meets minimum side yard requirements provided that the other side yard also meets such minimum side yard requirements and remains free of encroaching structures of any kind; and that said new encroachment meets all separation requirements between structures as determined in the City's Building Code, except gated fences providing access to the rear yard.~~

~~———— (2) Six (6) feet into a front yard provided that the front yard otherwise meets minimum front yard requirements and provided further: (a) that in no event may such porch or deck cover more than 60 square feet of the required front yard or extend beyond the side walls of the building structure, and (b) front decks or porches shall not be higher than thirty (30) inches above ground and no higher than the first floor, except that on homes with front entryways at first floor level but driveway cuts and garage floors at basement level, there may be constructed a veranda type uncovered deck or porch extending from the front deck or porch over the garage door or doors, which extended area shall be at the same elevation and shall have bracing as required by the Building Department, and (c) covered porches, built of materials of the same or similar nature as the roof of the principal structure may be allowed with eaves not to exceed twelve (12) inches.~~

~~———— (4) Safety railings shall be installed as per the City's Building Code and as approved by the Building Department.~~

~~———— (5) One half (1/2) of the distance into the required rear yard, but in no event closer than five (5) feet to any property line.~~

(B) Open, uncovered porches or terraces may extend three feet into any required side yard, ten feet into any required front yard, and any distance into any required rear yard. No railing or other barrier higher than 42 inches shall be placed on such porch or terrace within five feet of any property line except as provided within this ordinance. Any such porch or terrace located on a lot at the intersection of two streets or a street and an alley shall comply with the provisions designed to insure proper sight distances as set forth in this chapter for fences and hedges. A covered porch or terrace, not exceeding sixty square feet, may extend a maximum of six feet into the required front or rear yard, provided, such porch or terrace shall not be enclosed except by a railing or other barrier as previously mentioned.

(C) Provided further, that no railing or other barrier shall be placed around such deck or porch in a rear yard or side yard and no such barrier which interferes appreciably (more than twenty-five (25) percent) with the passage of light or air shall be constructed within the required front yard or within five (5) feet of any side or rear yard lot line. Any such deck or porch when located on a lot at the intersection of two (2) streets or a street and an alley, shall comply with the provisions designed to ensure proper sight distances as set forth in this code for fences and hedges. Any side yard on a corner lot when such yard is twenty (20) feet or more in width, may be considered as a front yard for purposes of determining permitted encroachments as provided herein.

(D) Vertical supports shall meet the City's Building Code.



Hall County Regional Planning Commission

Wednesday, January 07, 2009
Regular Meeting

Item 4

Request for Conservation Easement (C-05-2009HC)

Insert a narrative here

Staff Contact:

Agenda Item 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 26, 2007

SUBJECT: *Conservation Easement C-05-2009HC*

PROPOSAL: The Nature Conservancy and Central Platte NRD have submitted a request to Hall County for the approval of a conservation easement on property owned by the Nature Conservancy in the S ½ of the NE ¼ and all of the SE ¼ of 20-9-11. This property is located north of Rainforth Road and west of Nebraska Highway 11.

The Hall County Board of Supervisors forwarded this matter to the planning commission per statutory requirements at their meeting on December 23, 2008.

OVERVIEW:

The Nature Conservancy currently owns this property and wishes to grant a conservation easement to the Central Platte NRD. This easement will restrict irrigation on this property and the development of new irrigation wells on site. Existing wells that are used to irrigate other property may still be used for that purpose. Low flow wells of 50 gallons per minute will still be permitted for watering livestock. Limitations will be placed on the property for development for commercial, industrial or residential purposes. Mining of sand and gravel will be prohibited. As such, they are proposing to place a conservation easement on the property with rights to enforce that easement remaining with the Central Platte NRD. As defined by NRSS §76-2112, The Central Platte NRD is eligible to receive, hold and enforce the conservation easement.

A recommendation on this easement to determine conformity with the Comprehensive Plan is required by State Statutes.

Site Analysis

<i>Current zoning designation:</i>	AG-R-River Corridor Agricultural District
<i>Permitted and conditional uses:</i>	Agriculture and Agriculture Related Issues with specific limitations based on the zoning district
<i>Comprehensive Plan Designation:</i>	Agriculture and River Protection Corridor
<i>Existing land uses:</i>	Rented Farm Ground Owned by the Nature Conservancy
<i>Site constraints:</i>	Flood Plain over portions of the site

Adjacent Properties Analysis

<i>Current zoning designations:</i>	North and West: AG-R-River Corridor Agricultural District South and East: AGV-Valentine Soil Overlay District
<i>Comprehensive Plan Designation:</i>	North: Commercial/Medium Density Residential South: Commercial East: Public West: Commercial
<i>Existing land uses:</i>	Farm Ground



Figure 1. Zoning Map with proposed Easement Highlighted

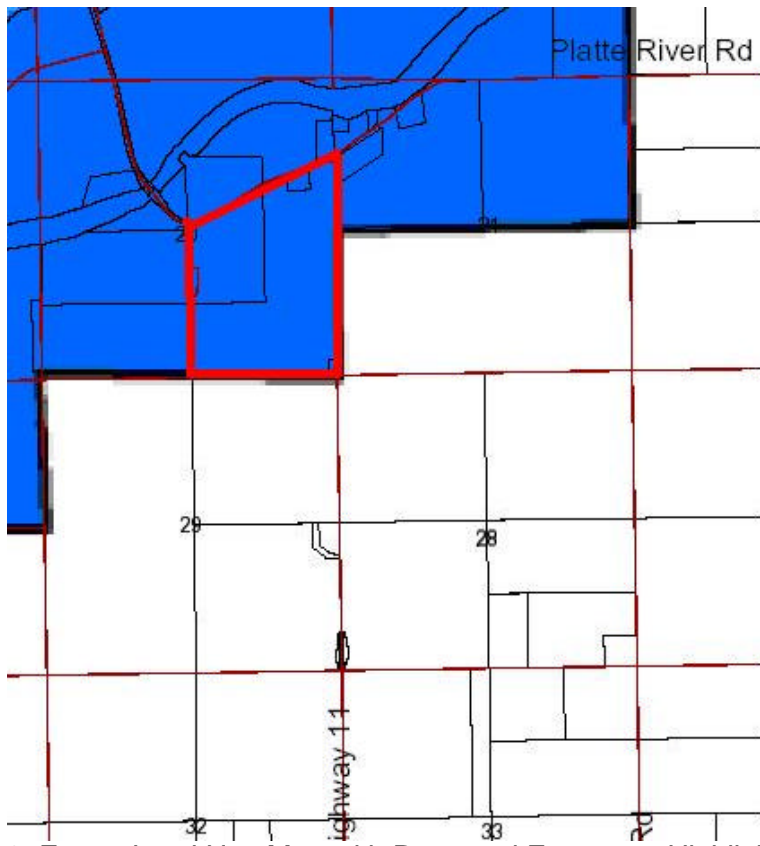


Figure 2. Future Land Use Map with Proposed Easement Highlighted

EVALUATION:

The easement is proposed on property that is zoned for agricultural purposes and planned to be used for agricultural purposes for the foreseeable future. There are some development constraints on the property because a portion of the property is located within the flood plain.

Hall County Comprehensive Plan General Land Use Policies

Goal 1

Hall County should manage the land in a cost-effective and efficient manner while protecting the environment and natural resources, as well as maintaining and increasing land values. Guiding future growth and development in Hall County towards a compact pattern of land uses based upon the efficient and economical expansion of public infrastructure will continue to maintain and improve the quality of life for Hall County residents.

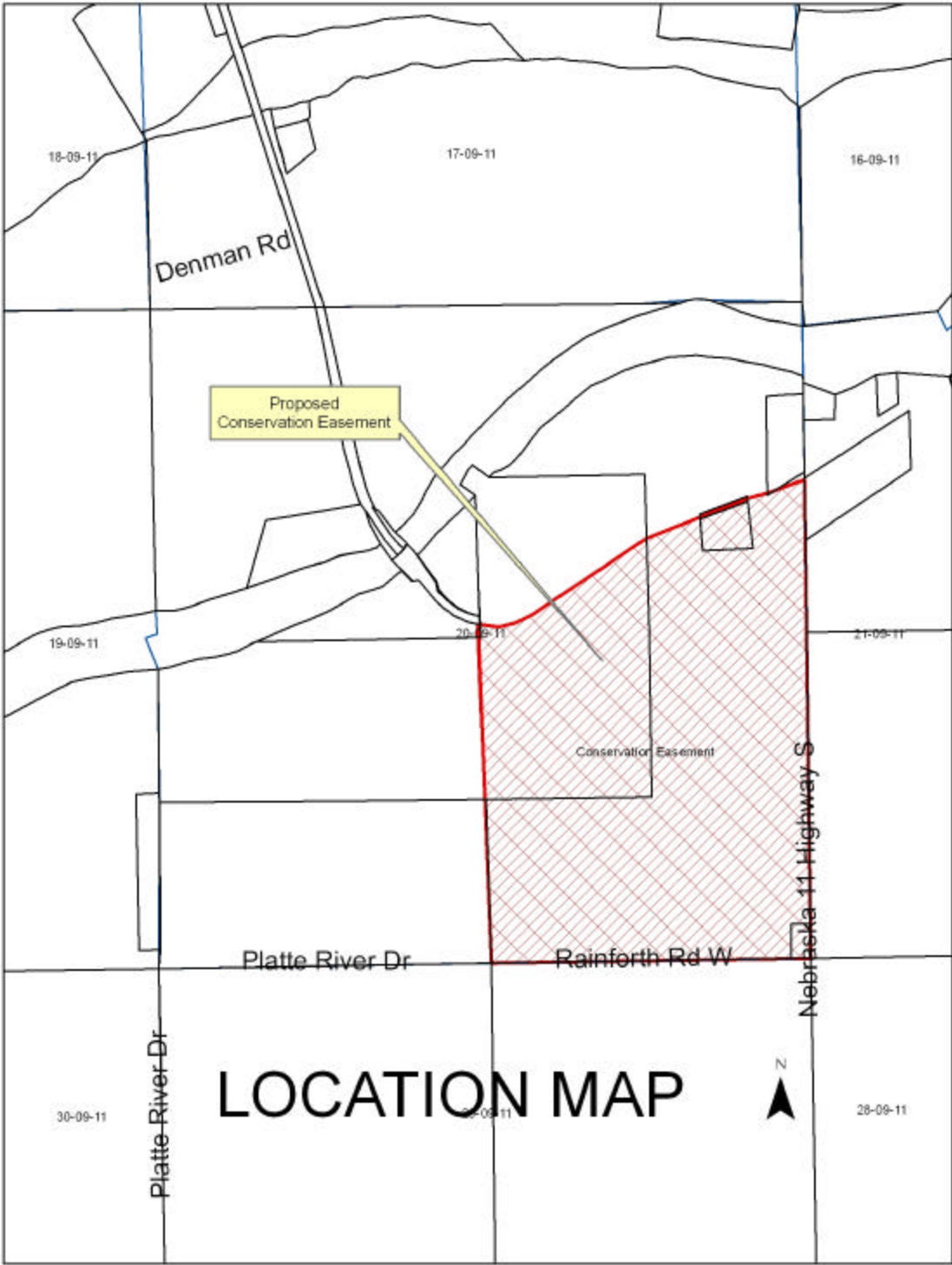
- 1.1.7 Discourage and minimize leapfrog development outside of cities and villages.
- 1.1.8 Hall County should allow agricultural production in all areas in which agricultural uses are appropriate, and non-agricultural development in agricultural areas should be allowed in specifically designated areas which does not negatively impact the agricultural uses.
- 1.2.5 Encourage low to zero non-farm densities in prime farmland areas and other agricultural districts by providing residential lot size requirements and proper separation distances between residential and agricultural uses.

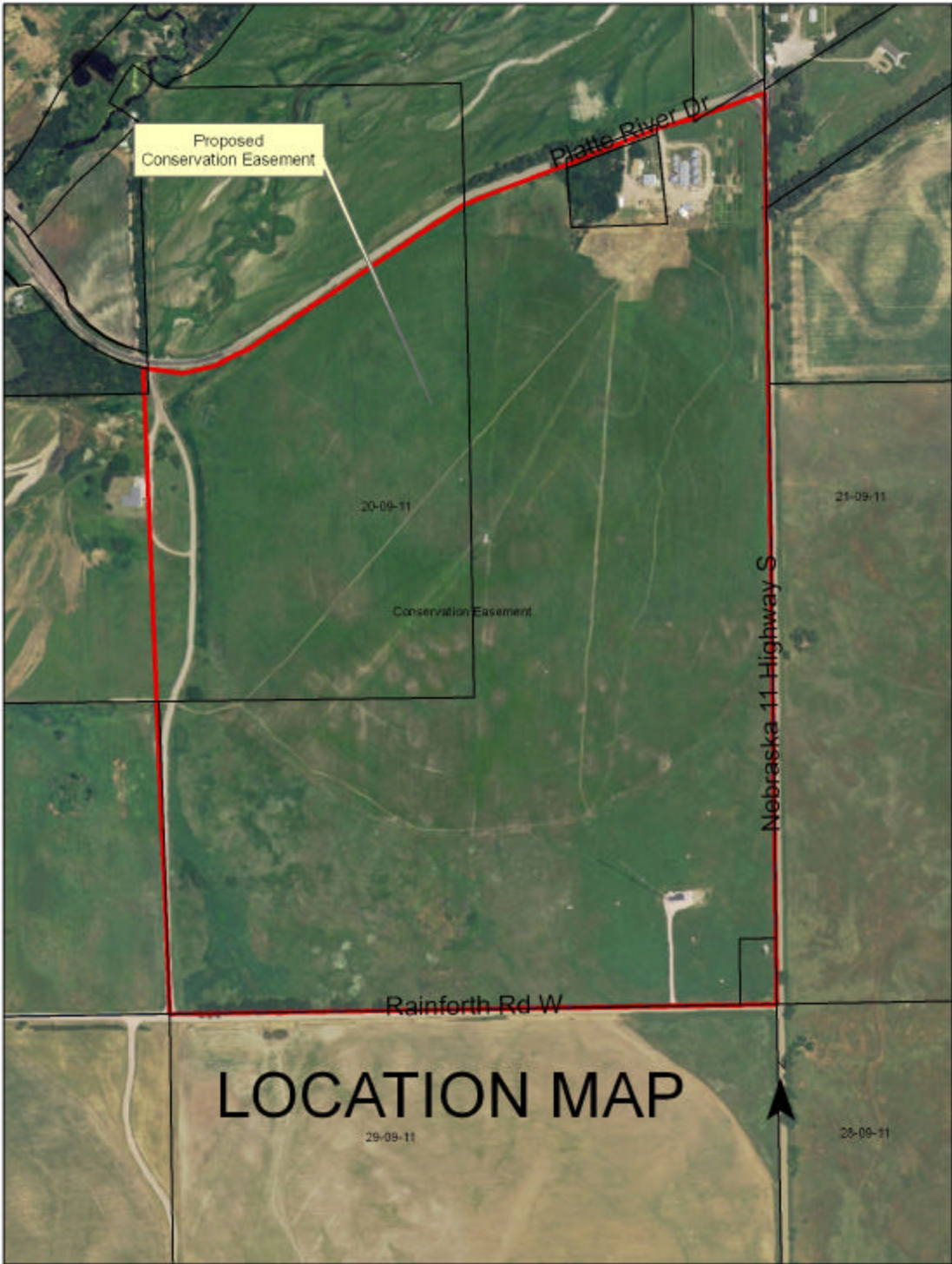
It would appear that based on the current zoning, the future land use plan for the county, the desire of the county as expressed in the comprehensive plan general land use policies 1.1.7, 1.1.8, 1.2.5 that it would be in conformance with the Hall County Comprehensive Plan to permit this conservation easement.

RECOMMENDATION:

That the Regional Planning Commission recommends that the Hall County Board **approve** this request for a conservation easement as presented.

_____ Chad Nability AICP, Planning Director







Hall County Regional Planning Commission

Wednesday, January 07, 2009
Regular Meeting

Item J5

Consent Agenda

Insert a narrative here

Staff Contact:

December 22, 2008

Dear Members of the Board:

RE: Final Plat – Pirnie First Subdivision

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Pirnie First Subdivision, located east of Stuhr Rd., and north of Bismarck Rd., in Grand Island, Hall County, Nebraska.

This final plat proposes to create 2 lots on a tract of land, comprising a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Fourteen (14), Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in Hall County, Nebraska.

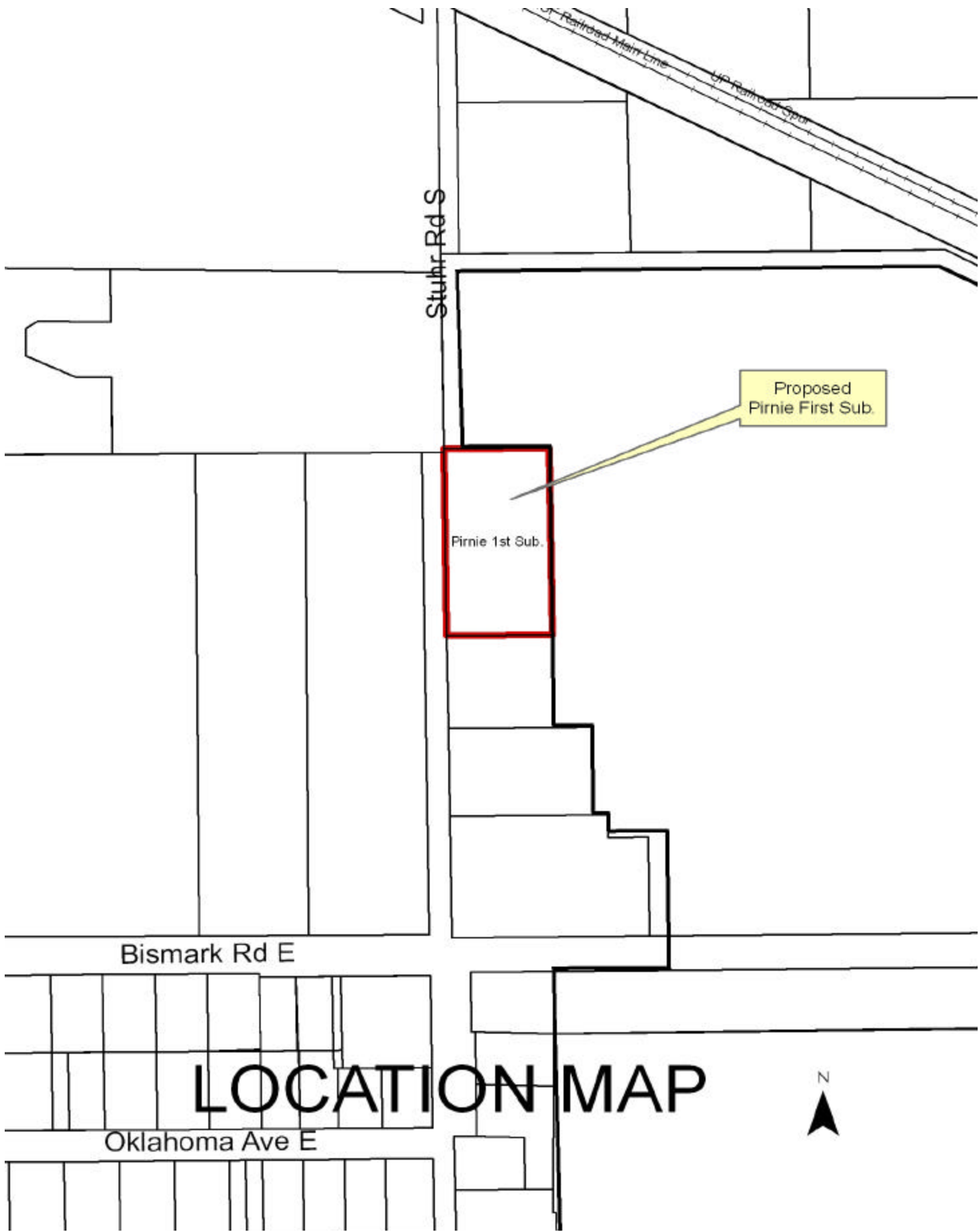
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on January 7, 2009 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

cc: City Clerk
City Attorney
Director of Public Works
Director of Utilities
Director of Building Inspections
Manager of Postal Operations
Miller & Associates

This letter was sent to the following School Districts 1R, 2, 3, 8, 12, 19, 82, 83, 100, 126.



December 22, 2008

Dear Members of the Board:

RE: Final Plat – Rauert Farm Subdivision

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Rauert Subdivision, located north of NE Hwy 2 and east of 80th Rd., Hall County Nebraska.

This final plat proposes to create 1 lot on a tract of land, comprising a part of the South Half of the Northwest Quarter (S1/2 NW1/4) of Section Thirty One (31), Township Twelve (12) North, Range Ten (10), West of the 6th P.M., Hall County, Nebraska.

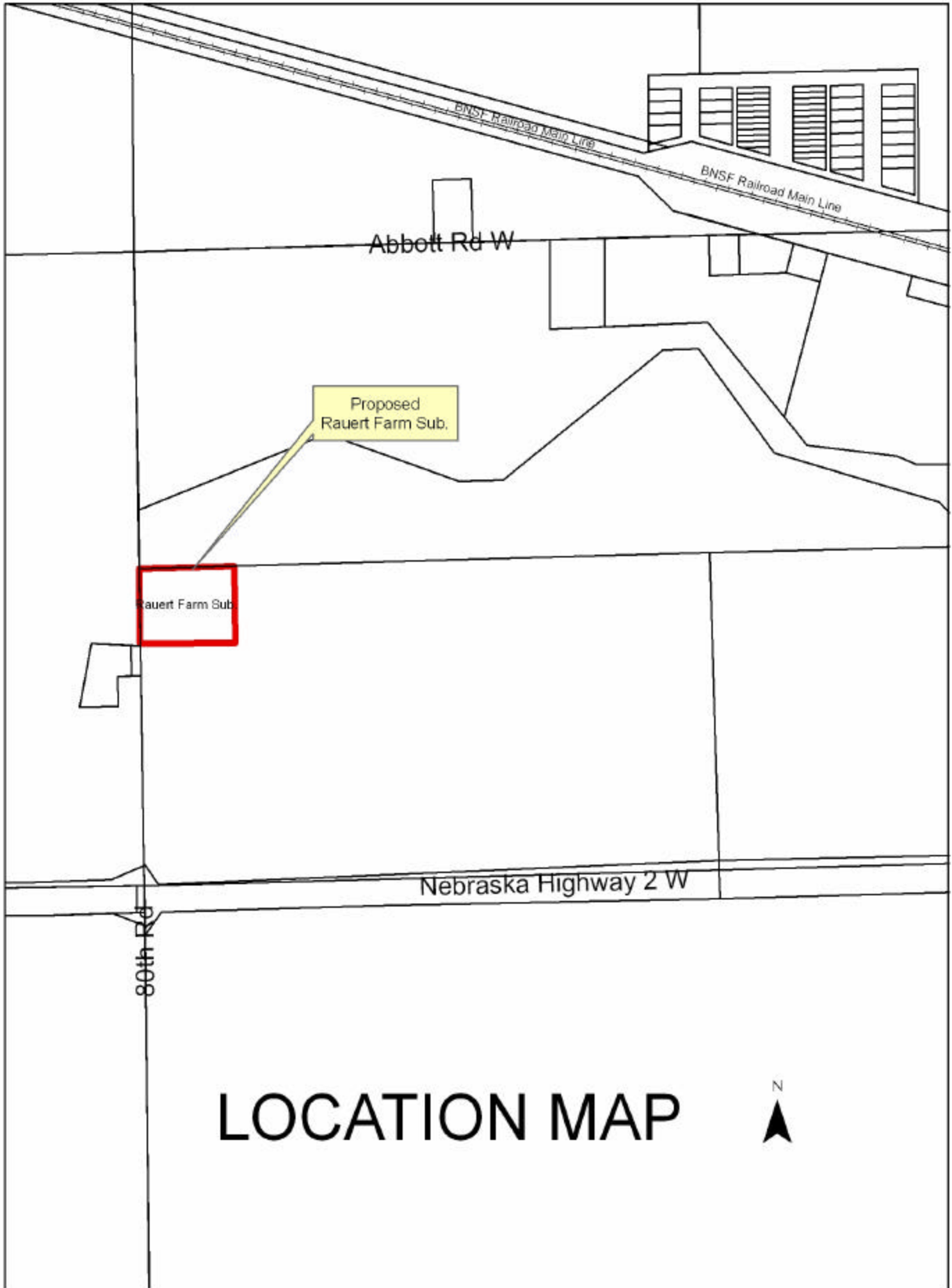
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on January 7, 2009, in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

cc: County Clerk
County Attorney
County Public Works
County Building Director
Manager of Postal Operations
Benjamin & Associates, INC.

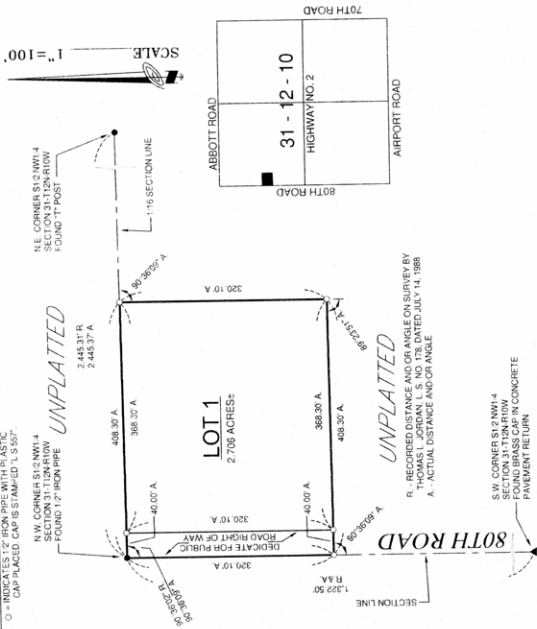
This letter was sent to the following School Districts 1R, 2, 3, 8, 12, 19, 82, 83, 100, 126.



APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and the Villages of Aldo, Cairo and Doniphan, Nebraska.

Chairman _____ Date _____
 Approved and accepted by the Hall County Board of Supervisors, this _____ day of _____
 Chairman of the Board _____ County Clerk _____ (SEAL)



LEGAL DESCRIPTION

A tract of land comprising a part of the South Half of the Northwest Quarter, (S1/2 NW1/4) of Section Thirty One (31), Township Twelve (12) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

Beginning at the northwest corner of said South Half of the Northwest Quarter (S1/2 NW1/4); thence running easterly Eight and Three Tenths (8.30) feet, thence deflecting right 90°28'09" and running southerly, parallel with the west line of said South Half of the Northwest Quarter (S1/2 NW1/4), a distance of Four Hundred Eight and Three Tenths (408.30) feet, thence running westerly, parallel with the north line of said South Half of the Northwest Quarter (S1/2 NW1/4), a distance of Four Hundred Eight and Three Tenths (408.30) feet, and thence running north, parallel with the west line of said South Half of the Northwest Quarter (S1/2 NW1/4), a distance of Three Hundred Twenty and One Tenth (320.10) feet to the point of beginning and containing 3.000 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Lee D. Wagner, Registered Land Surveyor No. 557, 2009, I completed an accurate survey (made under my supervision) of the above described land, and the accompanying plat hereof; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision are properly placed at all corners as shown on the plat hereof, and well and lawfully surveyed and measured by me or by assistants duly sworn and qualified in and by me, and that said survey was made with reference to known and recorded monuments.

Lee D. Wagner, Registered Land Surveyor No. 557 (SEAL)

RAUERT FARM SUBDIVISION
HALL COUNTY, NEBRASKA

BENJAMIN & ASSOCIATES, INC. - ENGINEERS & SURVEYORS - GRAND ISLAND, NEBRASKA

December 22, 2008

Dear Members of the Board:

RE: Final Plat Davis Farm Subdivision

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Davis Farm Subdivision, located east of NE Hwy 11 and south of Guenther Rd., Wood River, Hall County Nebraska.

This final plat proposes to create 1 lot on a tract of land, comprising a part of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Ten (10) North Range Eleven (11) West of the 6th P.M., Hall County, Nebraska.

You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on January 7, 2009 in the Council Chambers located in Grand Island's City Hall at 100 East First Street.

Sincerely,

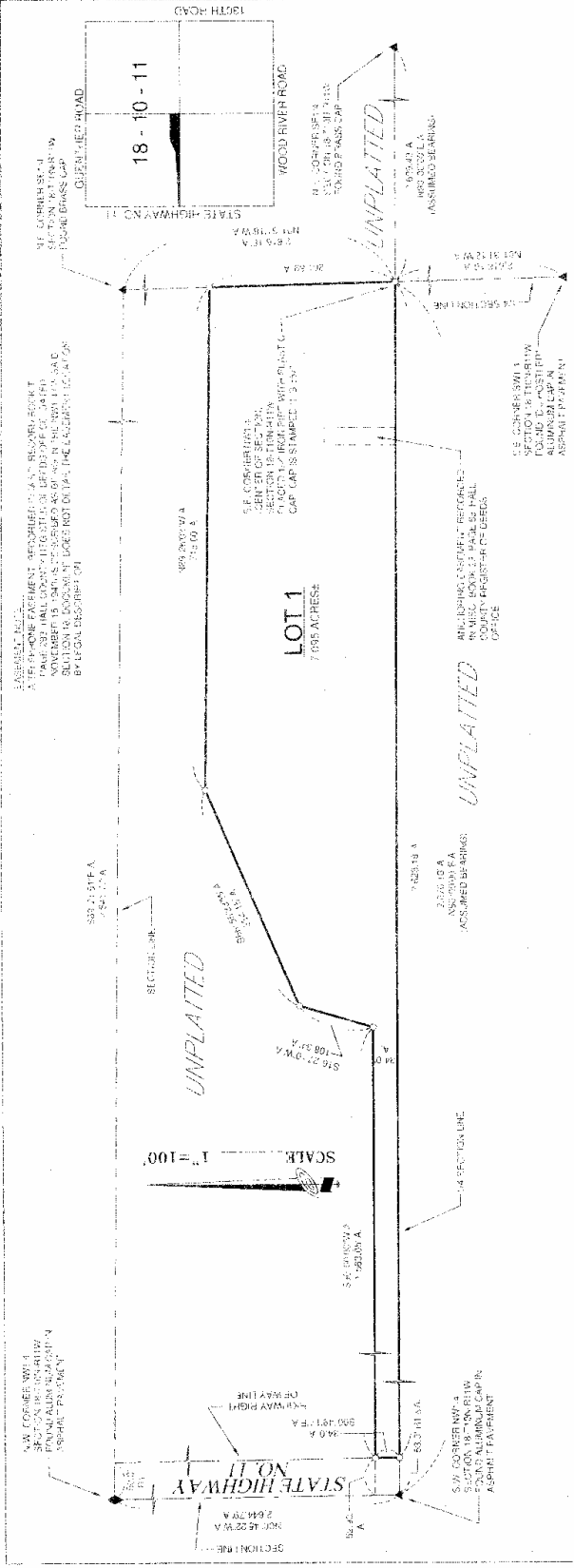
Chad Nabity, AICP
Planning Director

cc: City Clerk
City Attorney
Building Inspector Director
Manager of Postal Operations

This letter was sent to the following School Districts 1R, 2, 3, 8, 12, 19, 82, 83, 100, 126.



LOCATION MAP



LEGAL DESCRIPTION

A tract of land comprising a part of the Northwest Quarter (NW1/4) of Section Eighteen (18), Township Ten (10) North, Range Even (11) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

Beginning at a point of intersection of the south line of said Northwest Quarter (NW1/4) with the easterly right of way line of State Highway No. 11, said point being Fifty Three (53.0) feet east of the southwest corner of said Northwest Quarter (NW1/4); thence N90°07'00"E (assumed bearing), along and upon the south line of said Northwest Quarter (NW1/4) a distance of One Hundred Sixty Three (163.0) feet to the southeast corner of said Northwest Quarter (NW1/4); thence N04°31'18"W, along and upon the east line of said Northwest Quarter (NW1/4), a distance of Two Hundred Sixty One and Eighty Nine Hundredths (261.89) feet; thence N89°26'03"W, a distance of Seven Hundred Fifteen and Six Tenths (715.60) feet; thence S86°55'33"W, a distance of One Hundred and Thirty Four Hundredths (100.34) feet to a point which is Thirty Four (34.0) feet north of (measured perpendicular to) the south line of said Northwest Quarter (NW1/4); thence S30°00'00"W, parallel with and Thirty Four (34.0) feet north of (measured perpendicular to) the south line of said Northwest Quarter (NW1/4); a distance of One Thousand Five Hundred and Fifty Nine and Nine Tenths (1509.9) feet east of the west line of said Northwest Quarter (NW1/4); thence S00°49'17"E, along and upon said easterly highway right of way line, a distance of Thirty Four (34.0) feet to the point of beginning and containing 7.085 acres, more or less.

SURVEYOR'S CERTIFICATE

I, hereby certify that on _____, 2009, I completed an accurate survey (made under my supervision) of DAVIS FARM SUBDIVISION, Hall County, Nebraska, as shown on the accompanying plat, and that the plat is a true and correct copy of the original survey as shown on the accompanying plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

Lee D. Wagner, Registered Land Surveyor No. 557 (SEA)

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and the Villages of Ado, Caro and Doniphan, Nebraska.

Approved and accepted by the Hall County Board of Supervisors, this _____ day of _____, 2009.

Chairman _____ Date _____

Approved and accepted by the City of Wood River, Nebraska, this _____ day of _____, 2009.

Mayor _____ City Clerk _____

DAVIS FARM SUBDIVISION
 HALL COUNTY, NEBRASKA
 BENJAMIN & ASSOCIATES, INC. - ENGINEERS & SURVEYORS - GRAND ISLAND, NEBRASKA