



Hall County Regional Planning Commission

Wednesday, January 2, 2013
Regular Meeting Packet

Commission Members:

John Amick	Hall County	
Karen Bredthauer	Grand Island	Vice Chairperson
Julie Connelly	Grand Island	
Scott Eriksen	Grand Island	
Mark Haskins	Hall County	
Bill Hayes	Doniphan	
Dennis McCarty	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 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 City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, 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 2, 2013
Regular Meeting**

Item -1

Hazard Mitigation Planning Process

Staff Contact: Chad Nabity

Hazard Mitigation Planning Process

The Disaster Mitigation Act of 2000 (Public Law 106-390) provides the legal basis for FEMA mitigation planning requirements for State, local and Indian Tribal governments as a condition of mitigation grant assistance. DMA 2000 established a new set of requirements that emphasize the need for State, local, and Indian Tribal entities to closely coordinate mitigation planning and implementation efforts. DMA 2000 established a new requirement for development of State, local, and Indian Tribal mitigation plans.

Preliminary Steps

1. Establish FEMA & NEMA coordination with local officials
2. Establish planning team
 - a. Emergency Mgt.
 - b. Planning Department
 - c. Planning Commission
 - d. NWS-Hastings
 - e. NRD
 - f. Public Involvement

Data Collection

1. Hall County Assessor
2. NWS
 - a. Climate information, past event data
3. FEMA
 - a. Repetitive Loss Properties
4. NRD
 - a. Flood mitigation project updates

Public Participation

1. First public meeting: hazard identification and project survey
2. Second public meeting; public hearing with City of Grand Island City Council

Formal Adoption by all participating agencies and organizations.



Hall County Regional Planning Commission

Wednesday, January 2, 2013
Regular Meeting

Item A1

Agenda

Staff Contact: Chad Nabity

REGIONAL PLANNING COMMISSION

AGENDA AND NOTICE OF MEETING

Wednesday, January 2, 2013

6:00 p.m.

City Hall Council Chambers — Grand Island

- 1. Call to Order.**
- 2. This is a public meeting subject to the open meetings laws of the State of Nebraska. The requirements for an open meeting are posted on the wall in this room and anyone who would like to find out what those are, is welcome to read through them.**
- 3. Minutes of November 7, 2012.**
- 4. Request Time to Speak.**
- 5. Public Hearing – Text Amendment –** Proposed changes to Chapter 36 of the Grand Island City Code (Zoning). 36-27 – Accessory Building and Uses and 36-102 – Landscaping Requirements. (C-05-2013GI) (Hearing, Discussion, Action).
- 6. Final Plat – Dinsdale Subdivision –** located west Webb Rd. and north of Stolley Park Rd., in Grand Island, in Hall County, Nebraska. Consisting of 12.589 acres and (2 Lots).
- 7. Hazard Mitigation Plan Update.**
- 8. Planning Director's Report.**
- 9. Next Meeting February 6, 2013.**
- 10. Adjourn.**

PLEASE NOTE: This meeting is open to the public, and a current agenda is on file at the office of the Regional Planning Commission, located on the second floor of City Hall in Grand Island, Nebraska.



Hall County Regional Planning Commission

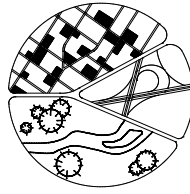
Wednesday, January 2, 2013

Regular Meeting

Item E1

Meeting Minutes

Staff Contact: Chad Nabity



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

Minutes
for
November 7, 2012

The meeting of the Regional Planning Commission was held Wednesday, November 7, 2012, in the Community Meeting Room - City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" October 27, 2012.

Present:	Leslie Ruge	Scott Eriksen
	Karen Bredthauer	Pat O'Neill
	Deb Reynolds	Don Snodgrass
	Mark Haskins	Jaye Monter

Absent: Bill Hayes, Dennis McCarty, John Amick and Julie Connelly

Other:

Staff: Chad Nabity, Rose Rhoads

Press:

1. Call to order.

Chairman O'Neill called the meeting to order at 6:01 p.m.

- 2.** O'Neill 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.

3. Minutes of October 3, 2012 meeting.

A motion was made by Bredthauer to approve the meeting minutes and seconded by Eriksen to approve the Minutes of the October 3, 2012 meeting as mailed.

The motion carried with 8 members present and 6 voting in favor (Reynolds, Haskins, Ruge, O'Neill, Bredthauer and Eriksen) and two members present abstaining (Monter, Snodgrass).

4. Request Time to Speak.

Leon Roby, 517 Saturn, Alda, #5, Todd Enck, 511 Fleetwood Cr., Grand Island, #6, Janna Cornelius, 5150 S Alda Rd., #5 and Donald Soderman, 6120 W Wildwood, Alda #5.

O'Neill moved item #6 in front of item #5.

5. Public Hearing - Concerning an amendment to the redevelopment plan for CRA, Area 10, for a Site Specific Redevelopment Plan for 809-811 S Kimball Ave., in Grand Island, Hall County, Nebraska. Resolution No. 2013-03. (C-04-2013GI)

O'Neill recused himself from the Public Hearing siting a conflict of interest.

Bredthauer opened the Public Hearing.

Nabity briefly explained this is an amendment to the redevelopment plan for area 10 for a Site Specific Redevelopment Plan for 809-811 S Kimball Ave. Token Properties, LLC has purchased the land and is requesting TIF funds in the development of a duplex at this location.

Bredthauer closed the Public Hearing.

A motion was made by Ruge to approve Resolution 2013-03 as presented and was seconded by Eriksen.

The motion carried with 7 members present and 7 voting in favor (Reynolds, Haskins, Ruge, Monter, Snodgrass, Bredthauer and Eriksen) and no member present voting against.

O'Neill returned to the meeting.

6. Public Hearing - Concerning annexation of land, located north of Wildwood Drive and west of Saturn Street. (C-03-2013 Alda)

O'Neill opened the Public Hearing.

Leon Roby, 517 Saturn, Alda, spoke against being annexed stating the only access to his property is his driveway and he is not going to be developing his land.

Janna Cornelius, 5150 S Alda Rd., Alda, was concerned about zoning and the changes

that could happen with the annexation.

Don Soderman, 6120 W Wildwood, Alda, questioned the changes in the easement along his property to the north of his tree strip.

There was some further discussion.

O'Neill closed the Public Hearing.

A motion was made by Ruge to approve the Annexation request and recommend the Village of Alda approve this annexation of property and was seconded by Reynolds.

The motion carried with 7 members present and 6 voting in favor (Reynolds, Haskins, Ruge, Monter, Snodgrass, Bredthauer and Eriksen) and 1 member present voting against (O'Neill).

O'Neill noted the next three items would be taken on Consent Agenda.

7. **Final Plat – Dowd Second Subdivision** – located east of South Locust and north of Fonner Park Road, in Grand Island, in Hall County, Nebraska. Consisting of .693 acres and (2 Lots).
8. **Final Plat – Turek Acres Subdivision** – located east of NE State Hwy 11 and south of Old Potash Hwy, in Hall County, Nebraska. Consisting of 3.4138 acres and (1 Lot).
9. **Final Plat – 3J Subdivision** – located north of Abbott Road and west of Burwick Road, in Hall County, Nebraska. Consisting of 8.224 acres and (1 Lot).

A motion was made by Haskins to approve the Consent Agenda and was seconded by Reynolds.

The motion carried with 7 members present and 7 voting in favor (Reynolds, O'Neill, Haskins, Ruge, Monter, Snodgrass, Bredthauer and Eriksen) and no member present voting against.

10. Election of Officers.

A motion was made by Haskins to keep the current officers in place. Pat O'Neill, Chair, Karen Bredthauer, Vice Chair and Les Ruge, Secretary. Eriksen seconded the motion.

The motion carried with 7 members present and 7 voting in favor (Reynolds, O'Neill, Haskins, Ruge, Monter, Snodgrass, Bredthauer and Eriksen) and no member present voting against.

11. Planning Director's Report

12. Next Meeting December 5, 2012

13. Adjourn

Chairman Pat O'Neill adjourned the meeting at 7:00 p.m.

Leslie Ruge, Secretary

by Rose Rhoads



Hall County Regional Planning Commission

**Wednesday, January 2, 2013
Regular Meeting**

Item F1

Public Hearing - Text Amendment to Chapter 36 (Zoning)

Staff Contact: Chad Nabity

Agenda Item #5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 20, 2012

SUBJECT: *Concerning proposed amendments to Chapter 36 of the Grand Island City Code (Zoning) in the following areas: §36-27 – Accessory Building and Uses and §36-102 Landscaping Requirements. (C-05-2013GI)*

PROPOSAL:

The City of Grand Island and Hall County zoning regulations allow for varying side and rear yard setbacks for accessory structures based on the size of the lot. Traditionally Grand Island has allowed a 2' setback for the rear and side yard for an accessory building and Hall County has required a 5' setback. In the early 1980's when the City of Grand Island annexed the Capital and Le Heights areas, the City changed their regulations in a manner designed to promote consistency in those neighborhoods that were previously subject to the 5' County setback. A distinction was made between lots less than 100' wide and those greater than 100' wide. The wider lots (all of the County lots were at least 100' wide) would require the 5' setback and the narrower lots could maintain the 2' setback. The way the ordinance was written was based on the frontage of the lot (that area along the street) not on the width of the lot. The building department interpretation has always been that it is the width of the lot that control which set back to use. Width is the distance between the side property lines at the midpoint between the front and rear lot line. A cul-de-sac lot may have a very narrow frontage 25' to 35' but a width of substantially more than 100' and a rear lot line measuring even more than that. City staff is recommend the following change to make the regulations consistent with the interpretation and enforcement of the regulation:

§36-27. Accessory Building and Uses

(A) Accessory buildings shall not be located within the required front yard setback of the lot and or within an easement.

(B) An accessory building on a corner lot shall have a setback from all public streets equal to or greater than the requirement for the existing principal building.

(C) There shall be a minimum setback of six (6) feet between accessory buildings.

(D) If an accessory building has a door opening of over six (6) feet in width on a side parallel to an alley, then such accessory building shall be located not less than eight (8) feet from the lot line abutting the alley.

(E) Detached accessory buildings shall not be allowed on more than 50% of the allowable lot coverage and no single detached accessory building shall exceed 35% of the allowable lot coverage (e.g. A 52.8' x 132' [6969.6 sq. ft.] lot in an R2 zoning district [35% allowable coverage] could cover 2438.31 sq. ft. of the lot with buildings. 1219.155 of that could be devoted to detached accessory buildings with no single building exceeding 853.4085 sq. ft.)

(F) Detached accessory buildings on parcels or lots with less than five (5) buildable acres shall not exceed the height of the principal building by more than 25% (e.g. a house with a peak height of 16 feet could have an accessory building with a peak height of 20 feet.)

(G) Detached accessory buildings on parcels or lots with five (5) or more buildable acres shall be

limited by the height regulations that apply to the zoning district.

(H) In Business and Manufacturing Zoning Districts:

(1) Accessory buildings shall comply with all requirements of this code for the principal building.

(I) In Agricultural and Residential Zoning Districts:

(1) Accessory buildings shall be permitted only on the same platted lot as the principal building.

(2) Accessory buildings shall comply with all requirements of this code for the principal

building if located within fifteen (15) feet of the principal building or when any part of the accessory building is located in the area between the required front yard setback and a line extending from the back of the principal building to the side lot line.

(3) Accessory buildings on lots with a ~~frontage~~ width of 100 feet or more shall have a minimum side and rear yard of five feet.

(4) Accessory buildings on lots with a ~~frontage~~ width of less than 100 feet shall have a minimum side and rear yard of two feet.

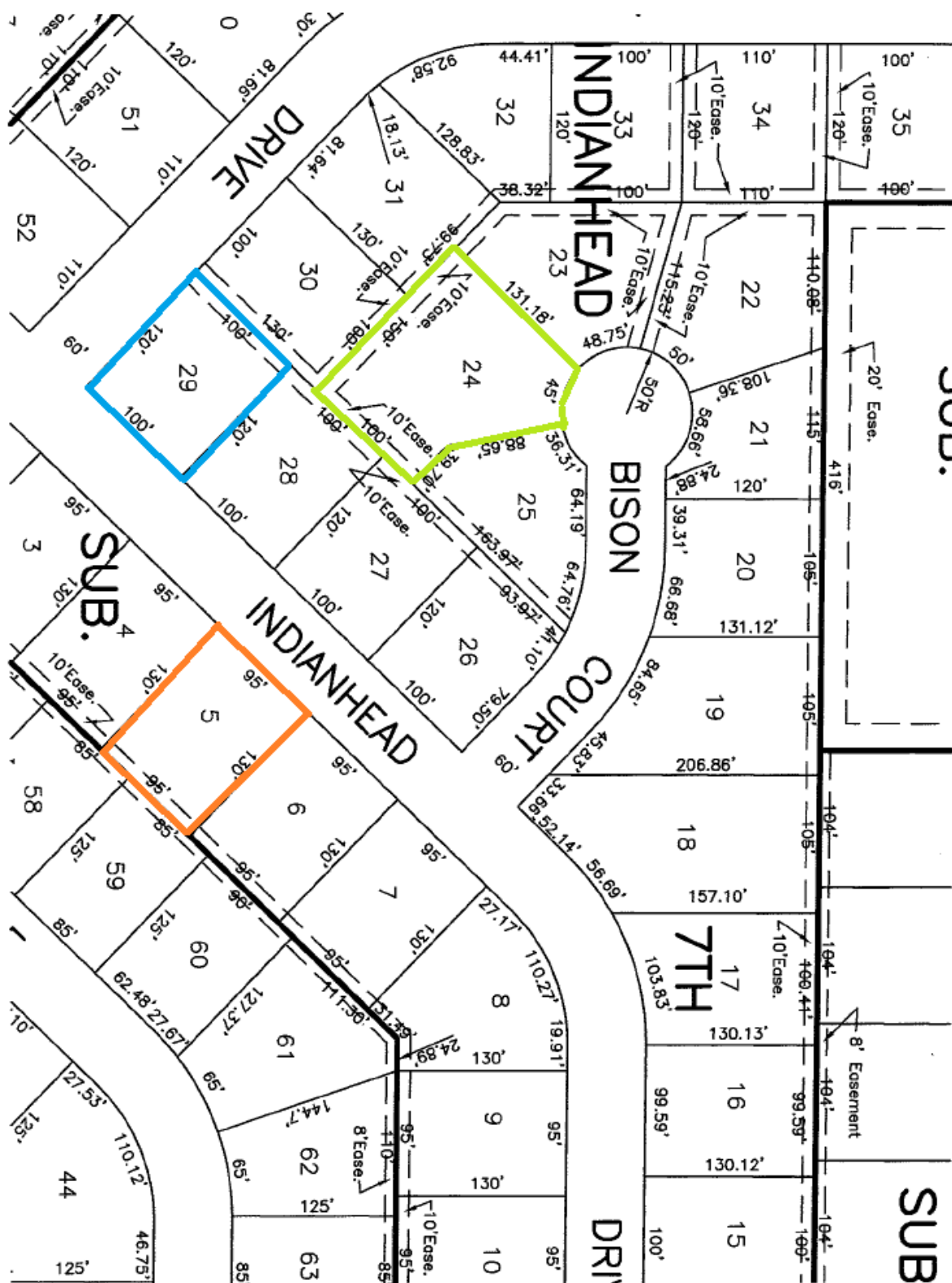
(J) No accessory building shall be constructed prior to beginning construction of the principal building. No accessory building shall be used unless the main building is under construction; however, in

no event shall such building be used as a dwelling unless a certificate of occupancy shall have been issued for such use.

(K) Regulation of accessory uses shall be as follows:

- (1) Except as herein provided, no accessory building shall project beyond a required yard line along any street.
- (2) Any accessory building built within fifteen (15) feet of the principal structure shall meet all the requirements for the principal structure.

The diagram on the next page shows three (3) lots that have varying widths. The lot surrounded by the orange line would have a width of 95 feet so it could have the two (2) feet side and rear yard setbacks for an accessory building. The lot surrounded by the blue line is 100 feet wide and would be subject to the five (5) foot setbacks. The lot on the cul-de-sac, surrounded by the green line is more than 100 feet wide at the mid-point so it would be subject to the five (5) setback.



The Central Nebraska Airport has contacted staff about making a change to the landscaping regulations to remove the requirement for shade and ornamental trees in the Airport Overlay Zone. The Airport Overlay zone covers the airport and the airport industrial park, all property owned by the airport. The Airport will be adding new structures in the next few years and those new structures will be subject to the landscaping provisions of the zoning regulations. The airport has specific criteria that they have to meet for the FAA regarding wildlife management. One of their key concerns is limiting habitat for birds. Trees provide that habitat and can attract birds to the area. Birds and planes do not mix. Staff is suggesting the following language be added to the landscaping regulations to address this issue.

§36-102. Landscaping Requirements

(A) Purpose: The landscaping and screening regulations are intended to improve the physical appearance of the community; to improve the environmental performance of new development by contributing to the abatement of heat, noise, glare, wind and dust; to promote natural percolation of storm water and improvement of air quality; to buffer potentially incompatible uses from one another; and, to protect and enhance the value of property and neighborhoods within the city.

(B) Applicability:

(1) The provisions of this section shall apply to the following zones: Medium Density Residential Zone, High Density Residential Zone, Residential Office Zone, Light Business Zone, General Business Zone, Arterial Commercial Overlay Zone, Heavy Business Zone, Industrial Estates Zone, Light Manufacturing Zone, Heavy Manufacturing Zone, Commercial Development Zone, Residential Development Zone and Travel Development Zone. Landscaping of lands within districts such as the Central Business District and Fourth Street Business District, as defined in this code, shall be subject to Streetscape Improvement Projects where applicable. In the absence of such projects, the provisions of this section shall apply.

(1a) The provisions of this section shall apply to the Airport Overlay Zone with the exception that three shrubs may be substituted for each required shade or ornamental tree to conform to standards of wildlife management required near an airport.

(2) The provisions of this section shall apply to all new development, including surface parking, on each lot or site upon application for a building permit, except as follows:

(a) Reconstruction or replacement of a lawfully existing use or structure.

(b) Remodeling, rehabilitation or improvements to existing uses or structures which do not substantially change the location or building footprint of existing structures, or the location and design of parking facilities or other site improvements. However, additions or enlargements of existing uses or structures, which increase floor area or impervious coverage, shall be subject to the provisions of this section, which shall only apply to that portion of the lot or site where the new development or use occurs.

(c) Residential structures containing three dwelling units or less shall be exempt from the requirements of this section.

(3) Landscaping which exists on any property shall not be altered or reduced below the minimum requirements of this section, unless suitable substitutions are made which meet the requirements of this section, pursuant to a site plan approved by the city.

(4) Any conflict between this section and another section of this chapter shall be resolved in favor of the more restrictive provision.

(C) Nonconforming Status: Any property or use of property, which as of August 1, 2004 or any amendment hereto is lawfully nonconforming only as to the regulations relating to landscaping, may be continued in the same manner as if the landscaping were conforming.

(D) Definitions: The following definitions shall be used for terms contained within this section:

Buffer yard: A landscaped area provided to separate and significantly obstruct the view of two adjacent land uses or properties from one another.

Canopy tree: A deciduous tree having a minimum mature height of 30 feet and a minimum caliper of 1 inch at the time of planting. One canopy tree equals two understory/ornamental or evergreen trees.

Evergreen tree: An evergreen or conifer tree having a minimum mature height of 20 feet and a minimum 2 gallon container size or bare root/ball equivalent at the time of planting.

Landscaped area: That area within the boundaries of a given lot consisting primarily of plant material, including but not limited to grass, trees, shrubs, flowers, vines, groundcover and other organic plant materials (this does not include plant materials typically used as a cash crop). Tall varieties of native and ornamental grasses may be planted and left in their natural state in selective and limited locations, deemed appropriate by the city. Inorganic materials such as brick, stones, aggregate, ponds or fountains may be used within landscaped areas, provided that such materials comprise no more than 35 percent of the required landscaped area. Flat concrete or asphalt, other than walkways five feet or less in width, may not be used within a required landscaped area.

Minimum equivalent street landscaping: The minimum landscaped area which must be provided in a street yard, expressed as a percent of the total area contained within that street yard.

Shrub: A deciduous or evergreen plant having a minimum height of 18 inches at the time of planting, with a maximum mature height of less than 10 feet.

Street yard:

(1) The area of a lot or parcel which lies between any street property line and the fronting walls of any building or buildings on the parcel. The street yard shall follow all irregularities or indentations in the front wall of the building, excluding minor projections or indentations such as steps or unenclosed porches. For the purposes of defining the street yard area, the front wall shall be extended from the outermost corners of the building, parallel with the fronting street, until intersecting with the side property line [see Attachment B hereto]. Street yard depth shall not exceed 100 feet for the purposes of calculating the minimum equivalent street landscaping area requirement.

(2) On lots or parcels with multiple buildings, the street yard area shall be defined by all building front walls having direct, visual frontage onto the street. Any space between buildings equal to 15 percent of the length of such frontage, but in no case more than 100 feet, shall be considered an extension of the continuous building front wall for the purpose of delineating the street yard.

Understory/ornamental tree: A flowering or non-flowering deciduous tree having a maximum mature height of 30 feet and a minimum caliper of 2 inch at the time of planting.

(E) Street Yard Landscaping Standards:

(1) Street yard landscaping shall be provided adjacent to each street property line and within street yards, as set forth below, in accordance with an approved site landscaping plan.

(2) Minimum equivalent street landscaping area:

(Minimum Equivalent Street Landscaping Area)		
Zoning District	Percent of Street Yard (%)	Minimum Landscaping Depth of Street Yard*** (ft.)
R3	65	20
R4	60	10
RO	30	10
B1	25	10
B2	20*	10*
AC	20	20*
B3	20	10*
ME	20	20
M1	20	20
M2	20	10
M3	20	10
TD	30	30
CD	**	30
RD	**	10 or 30

*Unless otherwise established in an approved Streetscape Improvement Project.

**As determined by approved plan

*** 30 feet for lots in RO, B1, B2, AC, B3, CD, TD, ME, M1, M2 and M3 zone adjacent to state or federal highway.

(3) When a lot contains more than one street frontage, the area of all street yards and the proposed street yard landscaped areas may be combined for the purposes of determining compliance with this section.

(4) Any required street yard landscaping shall include the following minimum shrub and tree plantings (or an appropriate equivalent as determined by the city) for every 100 feet (any fraction of .5 or less rounded to the next lowest number; any fraction exceeding .5 rounded to the next highest number) of property line adjacent to a public street right-of-way: 1 canopy tree; 1 understory/ornamental or evergreen tree; 3 shrubs. Existing trees or shrubs approved for preservation shall be counted toward satisfaction of this provision.

(F) Buffer Yard and Parking Landscaping Screening Standards:

(1) Buffer yard landscaping shall be installed and maintained adjacent to the affected common side or rear property line(s), when a use is established in a more intensive zoning district located adjacent to a less intensive zoning district, as set forth below:

More Intensive Zoning District	Required Buffer Yard Width (ft.)*	Less Intensive Zoning District
RO, B1, B2, AC, B3, CD, TD	10	TA, LLR, R1, R2, R3, R4, RD
ME, M1, M2, M3	20	TA, LLR, R1, R2, R3, R4, RO, RD, CD, TD, B1, B2, B2, AC, B3

*When an alley, street or railroad R.O.W. separates adjacent districts requiring a buffer yard, the buffer yard width shall be halved.

(2) Buffer yard landscaping is intended to provide screening of loading docks, refuse collection points, truck/equipment parking, sources of noise, glare, light, dust, or other negative impacts. Buffer yard landscaping shall include hedges or screens of evergreen or approved deciduous plant material, capable of providing a substantial opaque barrier, and attaining a minimum height of 6 feet within three years of planting. Opaque fencing may also supplement the vegetative plantings, but shall be installed no closer to the property line than the width of the required buffer yard.

(3) Buffer yard landscaping and parking landscaping screening strips shall not be placed on an easement.

(4) A parking landscaping screening strip, having a minimum width of 6 feet, shall be installed along any parking area adjacent to a public street right-of-way. No parking area shall contain more than 100 spaces. If a greater number of parking spaces is required, separate parking areas shall be provided, and shall be separated from other parking areas by landscaped dividing strips, having a minimum width of 6 feet. These strips shall include trees, shrubs, grasses and other vegetative coverings for a creative aesthetic appearance. A parking landscaping screening strip shall also count towards meeting any requirements associated with minimum equivalent street or buffer yard landscaping.

(5) A development may continue to comply with the buffer yard landscaping requirements in effect at the time of issuance of its initial building permit, regardless of whether an adjacent lot or property is rezoned to a less restrictive zoning district which requires additional buffer yard landscaping.

(G) Site Plan Requirements:

(1) A site plan showing the required street yard, buffer yard and/or parking screening landscaping shall be submitted to the city for review and approval as part of the application for a building permit. The plan shall include, but not be limited to the following:

- Location of proposed landscaping drawn to scale.
- Location, size, type and condition of proposed plant and non-plant landscaping materials including fences, walks, ponds, fountains, benches, lighting and irrigation systems.
- Estimated date of completion of the installation of all plantings and finishing materials.

(H) Installation and Maintenance Requirements:

(1) Required landscaping areas shall be installed and maintained in a neat, clean, orderly and healthful condition. Maintenance shall include proper pruning of trees and shrubs, mowing of

lawn and grass areas, weeding, removal of litter, fertilizing, replacement of plants consistent with this section when necessary, and the regular watering of all plantings.

(2) The installation of landscaping shall be completed prior to the issuance of any occupancy permit for buildings on the property, or commencement of the intended use of the property.

(3) If, at the time of commencement of the intended use of the property or application for a certificate of occupancy, any required landscaping has not been installed or completed due to seasonal or climatic conditions or plant material being unavailable, the developer or owner of the property shall submit the following to the Building Department:

(a) A request for extension of the proposed completion date for installation of the required landscaping, stating the reason for the request, the property owner's current mailing address, and a commitment to complete the installation of the landscaping by a date certain, not to exceed six months from the building completion date.

(b) A drawing showing the plan and layout of the landscaping areas.

(c) A cost estimate for the installation of the landscaping area.

(d) A bond, certificate of deposit, letter of credit, cash or other financial surety as may be approved by the City Attorney guaranteeing faithful performance of the owner or developer's commitment to complete installation of the required landscaping and payable to the City of Grand Island in the event that the developer fails to carry out the commitments described in sub-paragraph (a) above.

(4) Upon approval of the foregoing request for extension of time to complete the landscaping installation, the owner or developer shall be issued a conditional certificate of occupancy or a conditional letter authorizing commencement of use of the property by the Building Department. The owner or developer shall complete the installation of the landscaping in accordance with the commitments made pursuant to sub-paragraph (a) above, and, upon inspection and approval by the Building Department, a certificate of occupancy or commencement of use letter shall be issued. All limitations on the use of the property relating to landscaping are deemed to be of no force or effect at that time, and the City shall release the surety or other security submitted by the owner or developer.

(5) If the owner or developer has not installed the required landscaping with the commitments made pursuant to sub-paragraph (a) above, the owner or developer shall be deemed to have granted the City or its officers, employees, agents or representatives permission to enter upon the property to install the required landscaping in accordance with the plan submitted pursuant to sub-paragraph (c) above using the surety or security filed by the owner or developer as payment for said installation. The Building Department shall send the owner or developer written notice of default and intention to enter onto the property to install required landscaping by certified mail, return receipt requested, and ordinary first class mail sent to the last known address of said owner or developer at least five (5) business days prior to making such entry.

OVERVIEW:

These changes are designed to create consistency between the language of the code and the way the code has been interpreted and enforced and to bring consistency to multiple regulatory schemes.

RECOMMENDATION:

That the Planning Commission recommend approval of the proposed changes to the Grand Island City Council.

_____ Chad Nabity AICP, Planning Director



Hall County Regional Planning Commission

**Wednesday, January 2, 2013
Regular Meeting**

Item M1

Final Plat - Dinsdale Subdivision

Staff Contact: Chad Nabity

