



City of Grand Island

Tuesday, September 11, 2018

Council Session

Item F-1

#9706 - Consideration of Amending Chapter 36 of the Grand Island City Code Specifically Sections §36-50 Zoning District, Use; §36-64.1 (R-3SL) Medium Density-Small Lot Residential; §36-72 (M-1) Light Manufacturing Zone; and §36-73 (M-2) Heavy Manufacturing

This item relates to the aforementioned Public Hearing item E-1.

Staff Contact: Chad Nabity

ORDINANCE NO. 9706

An ordinance to amend Chapter 36 of the Grand Island City Code specifically, to amend Section 36-50 Zoning Districts/Use; Section 36-64.1 (R-3SL) Medium Density Residential Small Lot Zone; Section 36-72 (M-1) Light Manufacturing Zone; and Section 36-73 (M-2) Heavy Manufacturing Zone; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication in pamphlet form and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 36-50, Section 36.64, Section 36-72 and Section 36-73 of the Grand Island City Code is hereby amended to read as follows:

§36-50. Zoning Districts; Use

For the purpose of this chapter, the City of Grand Island and its extra-territorial jurisdiction is hereby divided into 27 zoning districts, designated as follows:

AG-1	Primary Agricultural Zone
AG-2	Secondary Agricultural Zone
AG-SC	Special Agricultural / Conservation Zone
AG-SE	Special Agricultural / Events Zone
AG-SI	Special Agricultural / Industrial Zone
SRC	Special Recreation / Conservation Zone
TA	Transitional Agricultural Zone
LLR	Large Lot Residential Zone
R-1	Suburban Residential Zone
R-2	Low Density Residential Zone
R-3	Medium Density Residential Zone
R3-SL	Medium Density Small Lot Residential Zone
R-4	High Density Residential Zone
RO	Residential Office Zone
B-1	Light Business Zone
B-2	General Business Zone
AC	Arterial Commercial Overlay Zone
B-3	Heavy Business Zone
ME	Industrial Estates Zone
M-1	Light Manufacturing Zone
M-2	Heavy Manufacturing Zone
M-3	Mixed Use Manufacturing Zone
CD	Commercial Development Zone
TD	Travel Development Zone
RD	Residential Development Zone
A	Airport Zone
GCO	Gateway Corridor Overlay District
M and MD	Manufactured Home Overlay Zone

Approved as to Form _____
September 6, 2018 City Attorney

§36-64.1 (R-3SL) Medium Density-Small Lot Residential Zone

Intent: To provide for residential uses at a maximum density of fourteen to fifteen dwelling units per acre with supporting community facilities. This zoning district is sometimes used as a transitional zone between lower density residential zones and higher density residential, office, business, or manufacturing zones. Specifically this zoned is intended to provide market flexibility regarding lot size and housing configuration.

(A) Permitted Principal Uses: The following principal uses are permitted in the (R-3SL) Medium Density Small Lot Residential Zoning District.

- (1) Dwelling units
- (2) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (3) Public parks and recreational areas
- (4) Country clubs as defined herein
- (5) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level and colleges offering courses of general instruction, including convents, monasteries, dormitories and other related living structures when located on the same site as the college.
- (6) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature.
- (7) 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.
- (8) Public and quasi-public buildings for cultural use
- (9) Railway right-of-way, but not including railway yards or facilities
- (10) Off street parking lots for residents and guests

(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 (R-3SL) Medium Density Small Lot Residential Zoning District as approved by City Council.

- (1) Nonprofit community buildings and social welfare establishments other than those providing living accommodations
- (2) Driveways, parking lots, or buildings when directly associated with or accessory to a permitted principal use in an adjacent zone.
- (3) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (4) Towers
- (5) Off-street parking areas for schools and places of religious worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.
- (6) All other Conditional Uses indicated as conditional within the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

- (1) Customary home occupations
- (2) Buildings and uses accessory to the permitted principal use

D) Space Limitations:

Uses	Minimum Parcel Area (feet)	Minimum Lot Area per Dwelling Unit	Minimum Lot Width (feet)	Minimum Setbacks				Maximum Ground Coverage	Maximum Building Height (feet)
				A	B	C	D		
				Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)		
Permitted Uses	3,000	3,000	35	20*	15	5	10	50%	35
Conditional Uses	3,000	3,000	35	20*	15	5	10	50%	35
Attached Single Family Dwelling Units <u>3 or more attached</u>	2100 3000	2100 3000	34 exterior 24 interior	20*	15	10 exterior lot	10 exterior lot	50%	35

(E) Miscellaneous Provisions:

ORDINANCE NO. 9706 (Cont.)

- (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.
- (3) Front yard setback may be reduced to 10 foot if paved access easements and parking (garage counts as parking) is provide at the back of each lot.
- (4) Sideyard setback for attached single family dwellings shall be reduced to 0 feet on all lots with contiguous attached units

§36-72. (M-1) Light Manufacturing Zone

Intent: The intent of this zoning district is to provide for light fabrication, service, warehousing, administrative and research uses within a zoning district having generally limited public contact and requiring some minimal landscaping standards.

(A) Permitted Principal Uses: The following principal uses are permitted in the (M-1) Light Manufacturing Zoning District.

- (1) Administrative, executive, professional, research and similar office use having limited contact with the public
- (2) Agriculture, including the raising of field crops, tree and bush crops, animals and fowls, but not including feed lots, poultry farms, fur farms, and commercial kennels
- (3) Buildings and installations for public utilities; facilities shall observe yard space requirements but shall not be subject to minimum area or width requirements
- (4) Railway right-of-way, but not including railway yards or facilities
- (5) Radio and television stations, private clubs, and meeting halls
- (6) Manufacture, processing, assembly, fabrication or storage of non-hazardous products and materials
- (7) Parking Lot
- (8) 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-1) Light Manufacturing Zoning District as approved by City Council.

- (1) Gravel, sand, or dirt removal, stockpiling, processing or distribution, and batching plant
- (2) Concrete or cement products manufacturing and batching plant.
- (3) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (4) Contractor's storage yard or plant
- (5) Motels and hotels
- (6) Towers

(C) Permitted Accessory Uses:

- (1) Sales of new merchandise when same is manufactured, processed, assembled, fabricated or stored on the premises
- (2) Buildings and uses accessory to the permitted principal use
- (3) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

- (1) ~~Any residential use~~ Residences as a principal 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 LotWidth (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	MaximumBuilding Height (feet)
Permitted Uses	20,000	100	35 ¹	20	10	10	50%	50
Conditional Uses	20,000	100	35 ¹	20	10	10	50%	50

¹ with 15 feet adjacent to a street landscaped to satisfaction of the zoning official.

(F) Miscellaneous Provisions:

- (1) Supplementary regulations shall be complied with as defined herein

ORDINANCE NO. 9706 (Cont.)

- (2) Landscaping shall be provided and maintained by the owner or developer within the 15 feet adjacent to a street; landscaping shall include but is not limited to, screen planting, lawn area, trees, shrubs, fences and walls; all landscaping shall be planned and maintained to the satisfaction of the zoning official.
- (3) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

§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) Parking Lot
- (10) Office and office buildings for professional and personal services as found in the Zoning Matrix [Attachment A hereto]
- (11) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery
- (12) Radio and television stations, private clubs and meeting halls
- (13) Railway right-of-way, including yards and facilities
- (14) 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]
- (15) Stores and shops for the conduct of wholesale business, including sale of used merchandise
- (16) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (17) Truck terminal, tractor, trailer, or truck storage, including maintenance facilities
- (18) 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
- (19) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar uses
- (20) 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

ORDINANCE NO. 9706 (Cont.)

(2) A single dwelling unit occupying not more than 50% of the space located within the permitted principal structure on the property and not to exceed 750 square feet. Building shall conform to all building and life safety codes necessary for the mix of uses.

(D) Specifically Excluded Uses:

- (1) ~~Any residential use~~ **Residences as a principal 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 LotWidth (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.

SECTION 2. Section 36-50, Section 36.64, Section 36-72 and Section 36-73 as existing prior to this amendment, and any ordinances or parts of ordinances in conflict herewith, are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form within 15 days according to law.

ORDINANCE NO. 9706 (Cont.)

Enacted: September 11, 2018

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk