



# City of Grand Island

Tuesday, December 23, 2003

Council Session

## Item F5

### **#8883 - Changes to the Grand Island Zoning Ordinance and Zoning Map to Add Gateway Protection Corridor Overlay District**

*This item relates to the aforementioned Public Hearing. Amendments to the Grand Island Zoning Ordinance and official Zoning Map to add language for a Gateway Protection Corridor Overlay District. The Regional Planning Commission, at their meeting of December 3, 2003 voted to approve the amendments. Approval is recommended.*

Staff Contact: Chad Nabity

ORDINANCE NO. 8883

An ordinance to amend Chapter 36 of the Grand Island City Code; to add Section 36-42 pertaining to Gateway Protection Corridor Overlay District; to amend the Official Zoning Map of the City of Grand Island; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication 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 36-42 of the Grand Island City Code is hereby added to read as follows:

**§36-42. Gateway Corridor District (Overlay District) - GCO**

Intent: The City of Grand Island has established basic site and building development criteria to be implemented within the boundaries of this overlay district. These criteria include, but are not limited to the following: landscaping, building material selection, lighting, and interior street development. The purpose for regulating these issues is to provide for a cohesive and properly developed entrance into the City of Grand Island from the Interstate corridor. Guiding development in this manner promotes the general health, safety and welfare of the residents within the zoning jurisdiction of the City, by providing quality design and construction that will also aid in the protection of past and future investment in the corridor.

Purpose: The purpose of these criteria is to establish a checklist of those items that affect the physical aspect of Grand Island's environment. Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

The criteria contained herein are not intended to restrict imagination, innovation or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the city, preserve taxable values, and promote the public health, safety and welfare.

(A) Geographic Area:

The Gateway Corridor Overlay District extends generally to Wood River Road or the southern portion of the Grand Island Extraterritorial Jurisdiction. The overlay districts generally are one-half mile wide and centered along U.S. Highway 281 south of Schimmer Drive and South Locust Street south of U.S. Highway 34.

If a site is partially covered by said overlay district, and then the entire portion of the site facing the Gateway Corridor is to be covered by these regulations. For a graphically defined area, see the Official Zoning Map.

(B) Criteria For Application:

All commercial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements for a Commercial Development (CD) Zone or the Travel Development (TD) Zone. The CD or TD process and rezoning shall be in conjunction with Preliminary and Final Plat review and approval. The design criteria of this section shall be met as part of the subdivision approval.

All industrial developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements of the Industrial Estates (ME) zone. The design criteria of this section shall be met as part of the subdivision approval.

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All commercial or industrial developments consisting of one principal building with single or mixed uses in an existing zone shall comply with the design criteria of this section. This would include additions and exterior remodeling of existing structures.

All residential subdivisions shall be required to meet the landscape and site treatment criteria wherever the proposed development is adjacent to an arterial or frontage road. The criteria shall be implemented for the entire frontage, including entrances into the development. Exception: Single-family dwelling units within this Overlay on property zoned for Agricultural or Transition Agriculture shall be exempted from these criteria.

### (C) Criteria for Appearance.

(1) Relationship of Buildings to Site: The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

(a) Site planning in which setbacks and yards are in excess of standard commercial zoning restrictions is encouraged to provide an interesting relationship between buildings.

(b) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.

(c) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

(d) Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

(2) Relationship of Buildings and Site to Adjoining Area (Outside of Subdivision)

(a) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

(b) Attractive landscape transitions shall be designed to be compatible to adjoining properties.

(c) Harmony in texture, lines and masses is required. Monotony shall be avoided.

(3) Landscape and Site Treatment. Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except building and utilitarian structures.

(a) Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good site design and development.

(b) Grades of walk, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

(c) Landscape treatments shall be provided to enhance architectural features, strengthen vistas and important axis, and provide shade. Spectacular effects shall be reserved for special locations only.

(d) Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

(e) Plant material shall be selected for interest in its structure, texture, color, and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and of good appearance shall be used.

(f) Site must be serviced by an underground or approved irrigation system and all plant material shall be kept in good health and maintained. If plant material dies, it shall be replaced.

(g) Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

(h) Use of walls, fencing, planting, or combinations of those shall accomplish screening of service yards and other places that tend to be unsightly. Screening shall be equally effective in winter and summer.

(i) Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting

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shall be designed to a standard that does not impact adjoining properties, especially residential areas.

(j) All fencing within this Overlay shall be defined including height, type and materials within the development plan.

(k) Fencing within the District and as part of an Industrial Development may be required to be a solid fence.

(l) All signs shall meet the Sign Design Criteria within the City of Grand Island Sign Code.

(4) Building Design

(a) Architectural design and style are not restricted, however architectural style should be consistent throughout the subdivision. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

(b) Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

(c) The primary building material for all portions of the structures shall be negotiated with the City. However, sample materials shall include but not be limited to materials of high quality, such as brick (clay), stucco, wood, glass, split faced concrete masonry units (CMU) with integrated color pigmentation, pre-engineered structures provided the exterior skin meets the criteria for appearance for the area as defined in the subdivision agreement or approved by the site design and review committee, and stone material native to Nebraska. The materials shall be similar and compatible throughout the entire development. The Grand Island staff and/or design review architect may allow other primary building designs (of good architectural character, i.e. CMU, poured-in-place concrete) for portions of the building not visible from public areas. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

(d) Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.

(e) Materials shall be of durable quality.

(f) In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

(g) Building components, such as windows, doors, eaves and parapets, shall have good proportions and relationships to one another.

(h) Colors shall be harmonious and shall use only compatible accents.

(i) Colors shall be of low reflectance and shall not be of high-intensity or metallic colors unless the colors are true to the materials being used.

(j) Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

(k) Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.

(l) Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.

(m) The style and material of the signs shall be included within the development plan.

(n) Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance.

(o) Building orientation shall be toward an arterial street, unless it is demonstrated that this would not be feasible.

(D) Factors for Evaluation:

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The following factors and characteristics, which affect the appearance of a development, will govern the evaluation of a design submission:

- (1) Conformance with ordinances and the Building Design Criteria.
- (2) Logic of design.
- (3) Exterior space utilization.
- (4) Architectural character.
- (5) Attractiveness of the material selection.
- (6) Harmony and compatibility.
- (7) Circulation-vehicular and pedestrian.
- (8) Maintenance aspects.

(E) Process

(1) Commercial Development Zone application. All general commercial developments on property not already zoned for commercial uses within the Gateway Corridor District shall be required to apply for rezoning under the criteria in §36-37 of this chapter.

(2) Industrial Development Zone application. All industrial developments within the Gateway Corridor District shall be required to apply for rezoning to ME-Industrial Estates zone under the criteria in §36-33 of this chapter.

(3) Individual commercial or industrial buildings and additions or exterior remodeling of existing buildings shall be subject to site plan and design review by a committee consisting of the Hall County Regional Planning Director, the Grand Island Building Department Director, one (1) planning commission member representing the City of Grand Island, and if appointed, a design review architect representing the City of Grand Island. This committee can request additional input from surrounding property owners and near-by business improvement districts as ex-officio members of the design review committee.

(4) Subdivision approval. All new commercial buildings or developments within the Gateway Corridor Overlay shall be on properly subdivided lots. As a condition of subdivision approval, all said commercial and/or industrial buildings or developments shall comply with the provisions of the Gateway Corridor Overlay District. The developer shall place maintenance provisions required by this section within all restrictive covenants.

(5) Pre-application conference. A pre-application conference with city staff to give the applicant an opportunity to discuss plans before a great deal of time or money is expended.

(6) Application for design review. The applicant needs to fill out the "Application for Certificate Approval" and submit it along with the required submittals. See Administrative Forms for a listing of required submittals.

(7) Certificate of Approval. Upon a successful review, the City of Grand Island will issue to the applicant a Certificate of Approval. A copy of this will need to be included with the Building Permit documents in order to receive a Building Permit.

(8) Appeals. In the event, where the Applicant, City staff and/or a design review architect representing the City, or the site plan and design review committee cannot come to an agreement, the Applicant may appeal the decision by requesting an amendment to the subdivision agreement from the Grand Island City Council.

(9) Certificate of Occupancy Permit. After the building permit is issued, all design requirements must be completed as approved in order for a Certificate of Occupancy to be issued.

(10) Maintenance of Design Requirements. The applicant needs to maintain the design requirements for the life of the project. In the event that they fail to do so, the City may revoke the Occupancy Permit.

(11) Fees. Fees may apply to each individual step as established by separate ordinance.

ORDINANCE NO. 8883 (Cont.)

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-7 of the Grand Island City Code is hereby ordered to be changed, amended, and completed in accordance with this ordinance.

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: December 23, 2003.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk