



City of Grand Island

Tuesday, November 26, 2002

Joint Mtg/Council Session

Item E1

Public Hearing on Proposed Amendment to Chapter 36 of the Grand Island City Code Relative to Vehicle Sales and Rental Business, Sign Regulations along South Locust and Self Storage Facilities.

Amendments are proposed to Chapter 36 of the Grand Island City Code to address vehicle sales and rental business. This amendment will revise code to set performance standards for Automobile Sales and Rental business, define and allow self-storage facilities in the B2 and M1 zoning districts, and amend the AC Arterial Commercial Overlay district regulations relative to billboards. It is appropriate to solicit public comment. The action item is contained under Ordinances.

Staff Contact: Chad Nabity

Agenda Item #5

SUBJECT: Changes to the Grand Island Zoning Ordinance to define and allow self-storage facilities within the B2 General Business and M1 Light Manufacturing zoning districts as presented. To eliminate all references to billboards from the AC-Arterial Commercial Overlay district. To establish performance standards for Automobile dealerships within the jurisdiction of the City of Grand Island.

Storage Facilities

PROPOSAL: To amend the Grand Island Zoning Regulations by adding the following:

Proposed Changes

§36-23 Definitions

Add the following:

Self-Service Storage Facility: A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations or small businesses for self-service storage of personal property.

§36-30. B2 - General Business Zone

(A) Permitted Principal Uses:

(4) Specific uses within a building such as

Add the Following:

Self Service Storage

§36-34. M1 - Light Manufacturing Zone

(A) Permitted Principal Uses:

(6) Specific uses such as:

Add the Following:

Self Service Storage

EVALUATION:

This change defines Self-Storage facilities as a specific use allowed within the jurisdiction of the City Of Grand Island. Currently self-storage facilities are allowed in all zones that allow storage or warehousing. Defining self-storage would make one minor change to self-storage facilities within those districts (B2, M1 and M2). It would allow for multiple buildings on a single lot in the case of unattended self-storage facilities. Newer facilities in these zones with multiple

buildings all provide some kind of attachments between the buildings or each building is on its own lot.

These are the same changes that were presented in conjunction with allowing Self-Storage Facilities in the TA zone. Those were rejected by the Grand Island City Council. These changes would not allow storage facilities in any district that does not currently allow them but would define those facilities as an entity different from commercial warehousing and storage.

RECOMMENDATION

That the Regional Planning Commission recommend that the Grand Island City Council **approve** amendments to the Grand Island Zoning Ordinance relative to Self-Storage Facilities as presented.

Billboards

PROPOSAL: To amend the AC Arterial Commercial Overlay district regulations relative to billboards.

OVERVIEW:

The AC district was created shortly after the 1980 tornadoes. The intent of the district is:

To provide an overlay of the B2 Zone 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.

In June of 2001 the AC zoning district was amended to limit the number of billboards allowed in the area between Stolley Park Road and Highway 34. At that time changes were not made to the remainder of the district because the business improvement district had not been formed. BID 4 has now been formed and the BID is supporting these proposed changes.

PROPOSED CHANGES:

(C) Permitted Conditional Uses: The following uses may be permitted, if approved by the city council, in accordance with procedures set forth in Article VIII and X of this chapter:

~~(1) Billboards for a four-year time period, except for the area between Stolley Park Road and U.S. Highway 34 where billboards are a permitted use if in accordance with the Grand Island Sign Code regulations.~~

(2) Towers

(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 free standing on site ground signs shall be limited to four square feet of sign area per side of each one foot of frontage with a maximum of 400 square feet per side. The maximum height of the~~

~~sign shall be 30 feet. A free standing sign shall be no closer than 25% of the total frontage to the adjacent property, except at the street side of a corner lot where they may be within that 25% of lot frontage, except in the AC zone between Stolley Park Road and U.S. Highway 34 where all signs shall meet the Grand Island Sign Code regulations.~~

~~(5) No billboards shall be permitted to be stacked one above the other. A billboard shall not receive existing rights status or "grandfather" rights unless structurally complete at the date of adoption of this section. A billboard that does receive existing rights at the date of adoption of this section shall be subject to conditional use approval for continued use four calendar years after the date of adoption of this section or shall be considered to be fully amortized and shall be removed, except in the AC zone between Stolley Park Road and U.S. Highway 34 where all signs shall meet the Grand Island Sign Code regulations.~~

(6) 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.

EVALUATION:

This is a continuation of the process we began last year. The BID is requesting this change and I believe that it is in the best interest of South Locust business owners and the City of Grand Island to limit the development of billboards along this space. Grand Island allows billboards in almost all of the other commercial or industrial zoned areas of the community. Signs in the AC zone would be subject to the restrictions of Chapter 31 of the Grand Island City Code. Chapter 31 is the sign ordinance. The proposed changes to the sign ordinance would prohibit billboards in the AC zone between Stolley Park Road and Fonner Park Road. There are currently no billboards along this stretch of South Locust. I have attached a copy of the proposed sign regulations.

RECOMMENDATION:

That the Regional Planning Commission recommend that City Council **approve** the suggested amendments to the AC-Arterial Commercial Overlay district.

Performance Standards for Automobile Dealers

PROPOSAL: To amend the §36-49 of the Grand Island City Code to set performance standards for Automobile Sales and Rental businesses.

OVERVIEW:

These standards were referred to the Regional Planning Commission by the Grand Island City Council at their meeting on September 24, 2002. It is the intent of the Grand Island City Council to consider the adoption of performance standard for businesses involved in the sale or rent of automobiles in Grand Island. These regulations are intended to apply to businesses selling or renting passenger vehicles/trucks and recreational vehicles. These regulations would not apply to those businesses whose primary business is the sale or rent of heavy equipment, farm implements or mobile/manufactured homes.

It is the intent of the Grand Island City Council to require all businesses involved the sale or rent of passenger vehicles/trucks and recreational vehicles to meet these requirements by April 1, 2004. This would allow business that do not meet the minimum standards over 12 months to comply with the new regulations.

Proposed Changes: as presented to the Grand Island City Council and referred to the Regional Planning Commission.

§36-49. Storage and Display Requirements

~~All storage and display areas associated with automotive/truck/recreational vehicle sales or rentals shall be hardsurfaced in accordance with the requirements of §36-48.~~

§36-49. Vehicle Sales and Rental Businesses; Minimum Improvement Requirements

All businesses engaged in automotive/truck/recreational vehicle sales and/or rentals shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick.

(B) Any business engaged in vehicles sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

(E) Any business engaged in vehicle sales and/or rentals shall comply with the Grand Island City Code landscaping and screening regulations and minimum off-street parking and loading space requirements prior to commencing operations.

Proposed Changes: Recommendation from Planning Director

§36-49. Storage and Display Requirements

~~All storage and display areas associated with automotive/truck/recreational vehicle sales or rentals shall be hardsurfaced in accordance with the requirements of §36-48.~~

Applies to all existing passenger and recreational vehicle sales and rental establishments that continue to do business at their current location.

§36-49. Vehicle Sales and Rental Businesses in existence as of November 1, 2002; Minimum Improvement Requirements

All businesses engaged in automotive/truck/recreational vehicle sales and/or rentals as of November 1, 2002 shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick. The Grand Island City Council may upon application for and approval of a conditional use permit waive this requirement for businesses that were operating at the same location prior to March 9, 1999.

(B) Any business engaged in vehicles sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

§36-49.1 Vehicle Sales and Rental Businesses; new businesses and businesses relocating or expanding Minimum Improvement Requirements

All new, relocating or expanding businesses engaged in automotive/truck/recreational vehicle sales and/or rentals shall have the following minimum improvements and equipment:

(A) All areas on which vehicles are displayed and offered for sale and/or rental shall be provided with a permanent type, dust-free surface such as asphaltic cement concrete, Portland cement concrete, or paving brick.

(B) Any business engaged in vehicles sales and/or rentals shall have a principal building which complies with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) Any business engaged in vehicle sales and/or rentals shall have space within the principal building or an accessory building for storage of all vehicle parts, new or used. All such parts must be stored within said space.

(D) All hazardous materials, regulated waste and used vehicle fluids shall be stored and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality. Tank storage of fluids and wastes must be situated within a suitable overflow enclosure.

(E) Any business engaged in vehicle sales and/or rentals shall comply with the Grand Island City Code landscaping and screening regulations and minimum off-street parking and loading space requirements prior to commencing operations.

EVALUATION:

Automobile sales businesses generate a substantial number of code compliance complaints in Grand Island. These regulations are designed to create measurable performance criteria for automobile and recreational sales and rental facilities. These regulations will preserve and enhance the health, safety and welfare of the community by limiting exposure to and from automotive chemicals. They limit the storage of tires, parts and batteries to within buildings. Parts, tires and batteries present opportunities for stagnating water and chemical hazards. The regulations preserve and enhance the visual amenities of the community.

The original set of recommendations forwarded by Council would apply to all lots across the city. The proposed timeframe for compliance would be April 1, 2004. These would require paved lots, permanent office buildings on site, a secure place to store parts and automotive chemicals, and compliance with the landscaping regulations by April 1, 2004.

The second set of recommendation (those from me) would require the same level of compliance for all new, relocating or expanding businesses as the first set. They would not, however, require existing operations that are exempt because they existed prior to the landscaping regulations to comply with the current landscaping regulations and would give existing operations that do not have paved lots the option of applying for a conditional use permit to continue operating without paving.

RECOMMENDATION:

That the Regional Planning Commission recommend that City Council **approve** one of the suggested sets of amendments to §36-49 of the Grand Island City Ordinance.

_____ Chad Nabity, AICP, Planning Director