

Planning Commission
Monday, November 9, 2020 7:00 PM
Council Chambers
1369 25 Avenue
Columbus, NE 68601

1. **Statement of Compliance with Open Meetings Act and roll call.**

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions.

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;(c) Investigative proceedings regarding allegations of criminal misconduct; or

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting.

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster.

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public

power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

- (a) Reasonable advance publicized notice is given;
- (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;
- (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;
- (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and
- (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or
- (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

- (a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;
- (b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;
- (c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;
- (d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other in-state locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Effective Date – September 1, 2019

Distributed by the League of Nebraska Municipalities



2. Minutes of September 14, 2020, meeting.

PLANNING COMMISSION
September 14, 2020

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on September 14, 2020, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram with a copy of the proof of publication being on file in the office of the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor, members of the City Council, and Planning Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

- 1. Statement of Compliance with Open Meetings Act and Roll Call:** Chair Anderson announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Members Steve Anderson, Bob Elsasser, Kim Hoefler, Fernando Lopez, Jr., Josh Mueller, Brett Ogle, and Kristy Spawn. Chad Kucera was absent and excused. Colleen Bray was absent. City staff members included City Attorney Gene Schumacher, City Engineer Rick Bogus, Community Development Director Dan Curtis, City Planner Trevor Harlow, and City Clerk Janelle Kline. Also present was Mayor James Bulkley.
- 2. Minutes of August 10, 2020, meeting:** The minutes were approved as presented with a motion by Elsasser and a second by Mueller. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
- 3. Public hearing - Application of Scrib's House Moving, on behalf of Allsman Enterprises, LLC, to move a house from 1622 16 Street to 1615 2 Street:** Matt and Katie Allsman, 663 Louis Place, explained that they found new locations to move the houses that were not approved at the July meeting and were available to answer questions. No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Mueller. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the application of Scrib's House Moving to move a house from 1622 16 Street to 1615 2 Street with a motion by Elsasser and a second by Lopez as the home is a good fit for the neighborhood. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
- 4. Public hearing - Application of Scrib's House Moving, on behalf of Allsman Enterprises, LLC, to move a house from 1702 16 Street to 1621 2 Street:** Matt and Katie Allsman, 663 Louis Place, were available to answer questions. No public testimony was heard. The public hearing closed with a motion by Mueller and a second by Lopez. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the application of

Scrib's House Moving to move a house from 1604 16 Street to 1622 1 Street with a motion by Mueller and a second by Lopez as the home is a good fit for the neighborhood. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.

5. **Public hearing - Application of Scrib's House Moving, on behalf of Allsman Enterprises, LLC, to move a house from 1604 16 Street to 1622 1 Street:** In response to Mark Bierman, 1707 1 Street, Matt and Katie Allsman, 663 Louis Place, explained that the house will be placed on a full basement, brought up to city code, and new siding, windows, and doors will be installed. The public hearing closed with a motion by Mueller and a second by Ogle. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the request of Scrib's House Moving to move a house from 1604 16 Street to 1622 1 Street with a motion by Mueller and a second by Elsasser as the home is a good fit for the neighborhood. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
6. **Public hearing - Application of Columbus Public Schools to rezone property located at 2410 16 Street from "R-3(C)" (Multiple-Family Residential District - Conditional) to "R-3" (Multiple-Family Residential District):** In response to Janet McLean, 2403 18 Street, Leonard Kwapnioski, on behalf of Columbus Public Schools, explained the plans for a pre-school, daycare, and administrative/training offices. The public hearing closed with a motion by Elsasser and a second by Lopez. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the rezoning application of Columbus Public Schools with a motion by Ogle and a second by Elsasser as it is compatible with the area and consistent with the Future Land Use Map. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
7. **Public hearing - Application of Columbus Public Schools for special use permit to allow general offices in an "R-3" (Multiple-Family Residential District) zone located at 2410 16 Street:** No public testimony was heard. The public hearing closed with a motion by Mueller and a second by Elsasser. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the special use permit request of Columbus Public Schools with a motion by Elsasser and a second by Mueller as the plans are a good use for the building. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
8. **Public hearing - Application of City of Columbus for final plat of CFD Subdivision (4630 Howard Boulevard):** Bogus noted that the final plat is consistent with the preliminary plat. The public hearing closed with a motion by Elsasser and a second by Lopez. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent. A recommendation was made to the mayor and council to approve the final

plat of CFD Subdivision with a motion by Ogle and a second by Elsasser as it is consistent with the preliminary plat. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.

9. **Proposed updates to Articles Seven, Eight, and Nine of the Land Development Ordinance:** Bogus explained the proposed changes to Articles Seven, Eight, and Nine of the Land Development Ordinance in detail and said any questions or concerns can be emailed to him or City Administrator Tara Vasicek.
10. **Building report for August 2020:** The building report was approved as presented with a motion by Elsasser and a second by Mueller. Anderson, Elsasser, Hoefler, Lopez, Mueller, Ogle, and Spawn voted "Aye" and none voted "Nay". Kucera and Bray were absent.
11. **Adjournment:** The meeting adjourned at 7:35 p.m.

OFFICE OF THE CITY CLERK
: Janelle Kline

3. **Public hearing - Application of Ferguson Properties, Inc. for preliminary plat of Park Place 9th Addition (33 Street and 45 Avenue).**

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, November 9, 2020, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the preliminary plat of Park Place 9th Addition, A tract of land located in the S 1/2 of the NW 1/4 of Section 13, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Commencing at the southwest corner of the NW 1/4 of Section 13, T17N, R1W of the 6th P.M., Platte County, Nebraska; thence N 00°03'40" W on an assumed bearing on the west line of said NW 1/4, a distance of 580.41 feet; thence S 89°56'06" E on the north line of Park Place 8th Addition, a distance of 843.64 feet, to the northeast corner of Lot 1, Block B, Park Place 8th Addition; thence S 00°02'53" E on the east line of said Lot 1, Block B, Park Place 8th Addition, a distance of 3.92 feet, to the northwest corner of Lot 5, Block B, Park Place 7th Addition; thence S 89°55'14" E on the north line of said Lot 5, a distance of 33.80 feet, to the point of beginning; thence N 00°02'27" E, a distance of 283.93 feet; thence S 89°56'06" E, a distance of 580.21 feet, to a point on the west line of Lot 2, Block A, Parkplace 2nd Addition; thence S 00°13'32" E, a distance of 178.97 feet, to the southwest corner of said Lot 2, Block A, Parkplace 2nd Addition; thence S 89°57'01" W on the north right-of-way line of 33rd Street, a distance of 160.00 feet, to the west right-of-way line of 45th Avenue; thence S 00°03'33" E and on said west right-of-way line, a distance of 104.74 feet, to the northeast corner of Lot 1, Block B, Park Place 7th Addition; thence N 89°55'14" W, and on the north line of Block A, Park Place 7th Addition, a distance of 421.23 feet, to the point of beginning, said tract of land containing 3.40 acres, more or less (33 Street and 45 Avenue) and at said time and place you may appear and be heard.

Dated this 29 day of October, 2020.

CITY OF COLUMBUS, NEBRASKA
By: Janelle Kline
City Clerk

Publish: 10:29:20
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2020
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Park Place 9th Addition – Preliminary Plat

RECOMMENDATION:

I recommend the approval of the preliminary plat of Park Place 9th Addition. The plat is consistent with the master layout of the Park Place Addition area.

DISCUSSION:

The addition consists of 12 residential lots west of the intersection of 45th Avenue and 33rd Street. The addition will be voluntary annexed concurrent with the platting process.

FISCAL IMPACT:

Maintenance costs on the street and utilities.

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By: _____ Dan Curtis _____

SIGNATURE:

By: _____  _____

Approved By: _____  _____

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL
(CIRCLE ONE)**

FILED

SEP 21 2020

**CITY CLERK
COLUMBUS, NEBR.**

DATE: September 21, 2020

NAME OF SUBDIVISION: Park Place 9th Addition

NAME OF APPLICANT: Ferguson Properties, Inc.

ADDRESS OF APPLICANT: 3154 18th Avenue, Suite 9

PHONE NUMBER: 402-563-0199 APPLICANT E-MAIL: _____

NUMBER OF LOTS IN SUBDIVISION: 10

ADDRESS OF SUBDIVISION: 33rd Street and 45th Avenue

I hereby apply for a Major Subdivision / Addition and have paid with the preliminary application \$125.00 application fee, \$100.00 reviewing fee plus \$10.00 per lot review fee. I understand that a \$25.00 map update fee will be invoiced once approved.

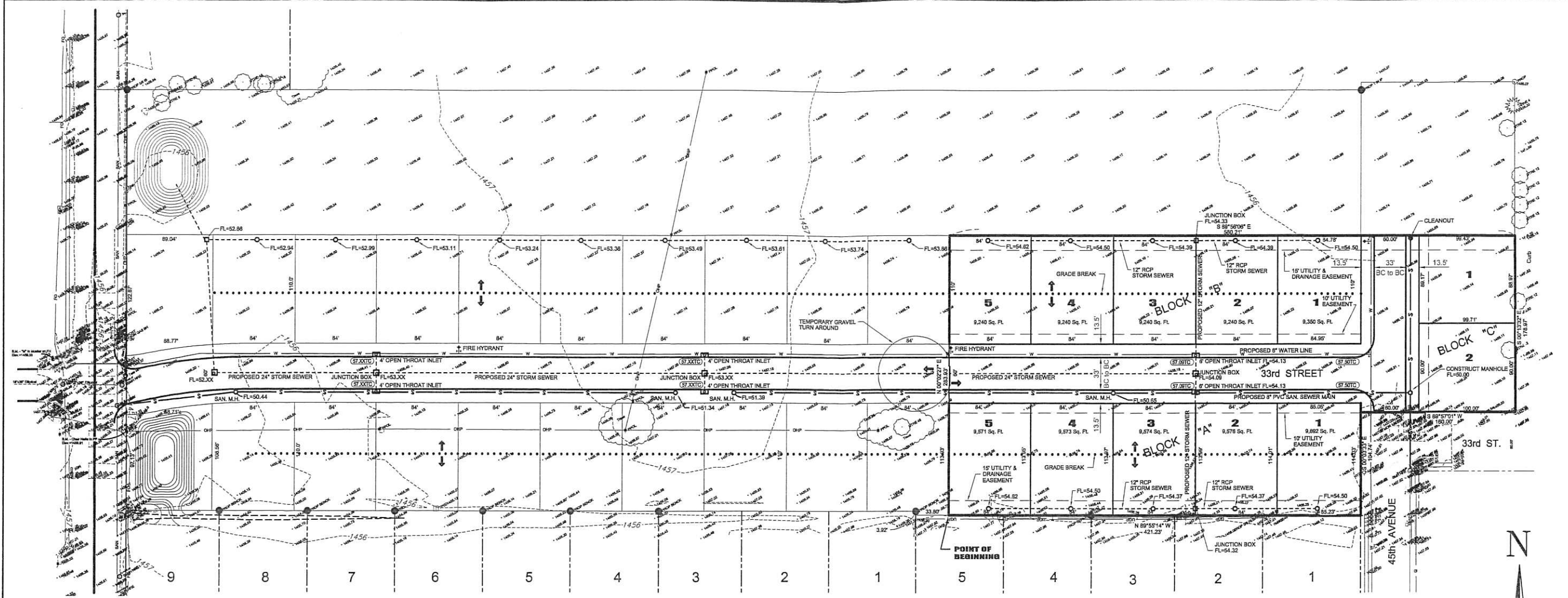


Owner or Owner's Representative

Clark Grant
Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney
Neal Valorz – nvalorz@1492law.com
Gene G. Schumacher – gschum@1492law.com



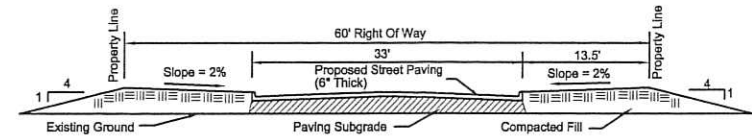
LEGEND

- Proposed 6" PVC DR18 Water Main
- Proposed 8" Sanitary Sewer Main
- Proposed Storm Sewer Main
- Proposed Drainage
- Proposed Sanitary Sewer Manhole
- Proposed Top Of Integral Curb Elevation
- Proposed Finished Earthwork Elevation
- Proposed Water Valve

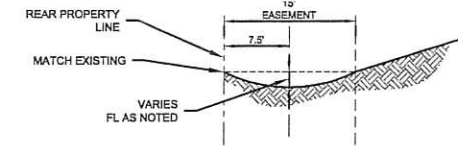
OWNER/DEVELOPER:
Ferguson Properties, Inc.
3154 18th Ave. Suite 9
Columbus, NE 68601

SURVEYOR/ENGINEER:
Gilmore & Associates, Inc.
2670 33rd Avenue
Columbus, NE 68601

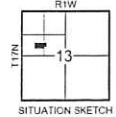
ZONING:
EXISTING: R-1



TYPICAL STREET EMBANKMENT CROSS SECTION
NTS



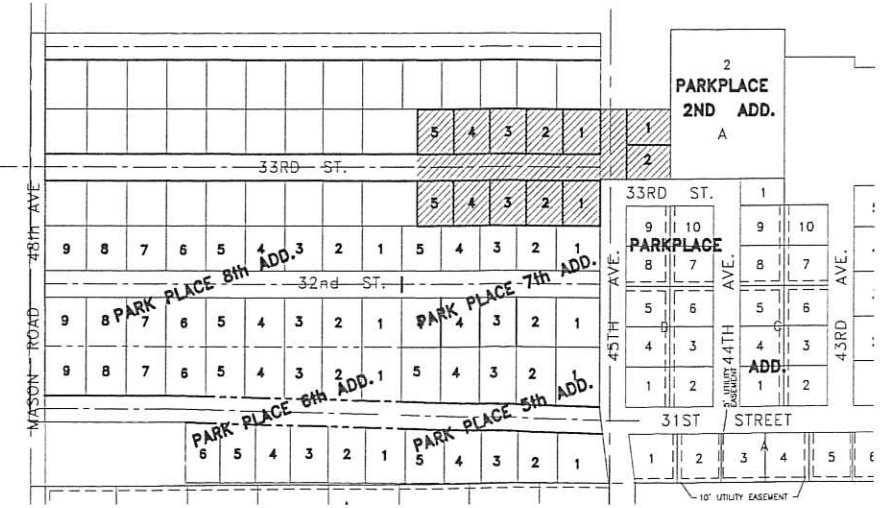
TYPICAL REAR LOT DRAINAGE SWALE
NTS



LEGAL DESCRIPTION

A tract of land located in the S 1/2 of the NW 1/4 of Section 13, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows:

Commencing at the southwest corner of the NW 1/4 of Section 13, T17N, R1W of the 6th P.M., Platte County, Nebraska; thence N 00°03'40" W, on an assumed bearing on the west line of said NW 1/4, a distance of 580.41 feet; thence S 89°56'06" E, on the north line of Park Place 8th Addition, a distance of 843.64 feet, to the northeast corner of Lot 1, Block B, Park Place 8th Addition; thence S 00°02'53" E, on the east line of said Lot 1, Block B, Park Place 8th Addition, a distance of 3.92 feet, to the northwest corner of Lot 5, Block B, Park Place 7th Addition; thence S 89°55'14" E, on the north line of said Lot 5, a distance of 33.80 feet, to the point of beginning; thence N 00°02'27" E, a distance of 283.93 feet; thence S 89°56'06" E, a distance of 580.21 feet, to a point on the west line of Lot 2, Block A, Parkplace 2nd Addition; thence S 00°13'32" E, a distance of 178.97 feet, to the southwest corner of said Lot 2, Block A, Parkplace 2nd Addition; thence S 89°57'01" W, on the north right-of-way line of 33rd Street, a distance of 160.00 feet, to the west right-of-way line of 45th Avenue; thence S 00°03'33" E, on said west right-of-way line, a distance of 104.74 feet, to the northeast corner of Lot 1, Block B, Park Place 7th Addition; thence S 89°57'14" W, on the north line of Block A, Park Place 7th Addition, a distance of 421.23 feet, to the point of beginning, said tract of land containing 3.40 acres, more or less.



LOCATION SKETCH

CITY COUNCIL APPROVAL
This preliminary plat of PARKPLACE 9TH ADDITION to the City of Columbus, Nebraska, approved by the City Council this ___ day of ___, 2020.

Mayor _____ City Clerk _____

PLANNING COMMISSION
This preliminary plat of PARKPLACE 9TH ADDITION to the City of Columbus, Nebraska, approved by the Planning Commission this ___ day of ___, 2020.

Chairman _____

SURVEYOR'S CERTIFICATE

I, Lynn D. Birkel, a Registered Land Surveyor of the State of Nebraska, hereby certify that this Preliminary Plat of PARKPLACE 9th ADDITION was made under my direction.



Lynn D. Birkel, Nebraska L.S. #497
Gilmore & Associates, Inc.

Diggers Hotline of Nebraska 1-800-331-5666

GILMORE & ASSOCIATES INC.
Engineers-Surveyors

PARK PLACE 9th ADDITION
COLUMBUS, NEBRASKA
PRELIMINARY PLAT

DRN BY: RTK
DATE: 9/21/2020
SCALE: AS SHOWN
PROJ: 211.856A
F.B.
SHEET: 1 of 1

I:\SERVER15\DRAWINGS\211856A\DRAWINGS\211856A.dwg, PRE PLAT, 9/21/2020 3:40:56 PM, 12:17:31

4. **Adoption of 2018 International Building Code, International Residential Code, Uniform Plumbing Code, and limited adoption of 2018 International Fire Code.**

CITY OF COLUMBUS MEMORANDUM

DATE: November 3, 2020

FROM: Daniel Curtis

TO: City Administrator Tara Vasicek

RE: Adoption of the 2018 International Building Code, 2018 International Residential Code, 2018 Uniform Plumbing Code and the 2018 International Fire Code for limit applications.

RECOMMENDATION:

I recommend adoption of the 2018 International Building Code, 2018 International Residential Code, 2018 Uniform Plumbing Code and limited adoption of the 2018 International Fire Code

DISCUSSION:

The State of Nebraska has adopted the 2018 International Building and the 2018 International Residential Code making it necessary for the City to update also. My recommendation also includes allowing sheds up to 180' to be constructed on a 4" slab as outlined in the following;

1. One story unheated sheds 180' and less where the bearing wall width is, 12' or less may be constructed on a 4" slab.
2. One-story detached unheated garages and sheds constructed with light frame construction and not over four hundred forty (440) square feet in floor area (where no dimension exceeds twenty-two feet (22') and the width between bearing walls does not exceed twenty feet (20'), may be constructed with walls supported on a monolithic footing and slab. The footing shall be a minimum of twelve inches (12") below grade and eight inches (8") wide.
3. One story detached unheated garages and sheds constructed with light frame construction and not over 600' may be constructed on a monolithic foundation/slab designed by a registered Nebraska Engineer with a Nebraska stamp on the plan.
4. Detached garages and sheds that that are over 440 square feet and not constructed as outlined in exception 3, require 8" wide by 36" below grade foundations.

I also added exception #3 to allow garages up to 600' to be constructed on a monolithic footing/slab designed by a Nebraska Registered Engineer.

I plan on being there is person to answer questions regarding the adoption of any of these codes.

FISCAL IMPACT:

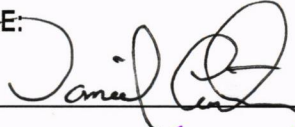
\$1200.00

ALTERNATIVE:


Modify or change the adoptions recommended

SIGNATURE:

By: _____

A handwritten signature in black ink, appearing to be "James", written over a horizontal line.

Approved By: _____

A handwritten signature in purple ink, appearing to be "Jeffrey", written over a horizontal line.

5. **Proposed updates to Chapter One, Articles Eleven and Twelve and Chapter Two, Articles One through Seven of the Land Development Ordinance.**

CHAPTER 1: NONCONFORMING DEVELOPMENT

11 ARTICLE ELEVEN

NONCONFORMING DEVELOPMENT

11-1 Purpose

Article Eleven shall be known as the Nonconforming Development Regulations. The purposes of these regulations are:

- a. To allow for reasonable use of legally created lots of record which do not meet current minimum requirements for their respective zoning districts;
- b. To provide for reasonable use of legally constructed structures which do not meet current site development regulations for their respective zoning districts;
- c. To allow for the reasonable continuation of legally established uses which do not meet current use regulations for their respective zoning districts;
- d. To limit the continuation and provide for the gradual replacement of nonconforming uses.

11-2 Regulations Additive

Regulations for nonconforming uses are in addition to regulations for nonconforming structures. In the event of a conflict, the most restrictive regulation shall apply.

11-3 Nonconforming Lots

a. Pre-Existing Lots of Record

Nonconforming lots of record existing at the time of the adoption of this chapter shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district. Such lots may be developed with any use allowed by the regulations for the district and must comply with all other site development regulations set forth by the [Zoning-Unifed Land Development](#) Ordinance.

b. Reductions Due to Public Acquisition

If a portion of a legally existing lot in any district is acquired for public use, the remainder of this lot shall be considered a conforming lot.

CHAPTER 1: NONCONFORMING DEVELOPMENT

11-4 Nonconforming Structures

These regulations apply to buildings and structures which were constructed legally under regulations in effect before the effective date of this Ordinance.

a. Continuation

A lawful nonconforming structure existing on the effective date of this Title Ordinance may be continued, repaired, maintained, or altered, subject to the provisions of this Section Article.

b. Additions or Enlargements to Nonconforming Structures

1. A lawful nonconforming structure may be added to or enlarged if the addition satisfies one or more of the following conditions:
 - (a) The enlargement or addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements;
 - (b) The nonconforming building and impervious surface coverage's on the site are not increased and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district;
 - (c) The addition projects no further into a required side yard setback than the existing building; the length of the side wall of the addition is the smaller of 25 feet or 50 percent of the length of the existing nonconforming side wall; and the enlarged building complies with building and impervious coverage, front and rear yard setbacks, and height regulations applicable to its zoning district.
2. No permitted addition to a nonconforming structure may place a wall within ten feet of a window of an adjacent pre-existing residential structure.
3. Nonconforming buildings shall be limited to one addition or enlargement pursuant to these regulations.

c. Moving of Nonconforming Structures

A lawful nonconforming building or structure shall not be moved in whole or in part to another location on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.

d. Repair of Nonconforming Structures

CHAPTER 1: NONCONFORMING DEVELOPMENT

A lawful nonconforming building damaged by fire, explosion, storm, or other calamity, except flood damages, may be repaired and reconstructed provided there is no increase in the degree of nonconformity. Repair and reconstruction within the designated floodplain shall be in conformance with floodplain development regulations.

~~e. Conversion of a Conforming Building~~

~~A conforming building shall not be changed in any way that will result in a nonconforming development.~~^[VT31]

f. Applicability of Landscaping and Screening Regulations

Provided the pre-existing use continues, a pre-existing structure, building, or development shall be exempt from Article Eight, Landscaping and Screening Regulations. However, any of the following action on or after the effective date of this Ordinance shall be subject to Article Eight:

i. Expansion of a structure, building or parking lot

i. Development onto an adjacent lot

~~—However, any expansion of such structure, building, or development or any adjacent new development onto property that is or becomes vacant on or after the effective date of this Ordinance shall be subject to Article Eight.~~

11-5 Nonconforming Uses

a. Continuation of Nonconforming Uses

Any nonconforming use lawfully existing on the effective date of this Ordinance may continue, subject to the limitations of this Section.

b. Enlargement of Nonconforming Uses

A building or structure housing a lawful nonconforming use may not be added to or enlarged.

c. Abandonment of Nonconforming Use

If any structure or property used as a lawful nonconforming use becomes vacant or unused for a continuous period of six months, any subsequent use must conform to all use regulations applicable to the property's zoning district.

d. Change of Use

CHAPTER 1: NONCONFORMING DEVELOPMENT

~~4.~~—A lawful nonconforming use may be changed only to a use type permitted in a zoning district that is equal or less intensive than that normally required for the previous use.

e. Allowance for Repairs

Repairs and maintenance of a structure occupied by a nonconforming use may be made, provided that no structural alterations are made other than those required by law.

f. Damage or Destruction of Structures

Should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 50 percent of the ~~replacement cost~~assessed value of the structure, the nonconforming use shall no longer be permitted.

g. Nonconforming Uses and Conditional and Special Use Permits

A lawful pre-existing use which would require a Special Use Permit in its zoning district shall be presumed to have the appropriate Permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of Permits, set forth in Article Twelve.

CHAPTER 1: NONCONFORMING DEVELOPMENT

12 ARTICLE TWELVE

ADMINISTRATION AND PROCEDURES

12-1 Purpose

The Administration and Procedures Provisions establish the methods for implementation of the Zoning-Unified Land Development Ordinance. These provisions include procedures for reviewing specific uses and developments within certain zoning districts; amending the Zoning-Unified Land Development Ordinance; and granting variances.

12-2 Site Plan Review Procedure

a. Purpose

The Site Plan Review Procedure provides for the administrative review in addition to plan review required by other sections of the Columbus Municipal Code of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for review and evaluation of site development features and possible mitigation of unfavorable effects on surrounding property.

b. Administration

The Building Official shall review, evaluate and act on all site plans submitted pursuant to this procedure. An applicant may appeal a denial of any application to the Board of Adjustment.

All applications or requests for the approval of plans for alleys, off-street parking, loading, non-residential driveways, non-residential curb cuts, and access to an egress from property, shall be submitted to the ~~City Clerk at least ten days before the Planning Commission meeting at which the application will be considered~~ Building Official. Upon review, the ~~Planning Commission~~Building Official shall have the authority to either approve or deny said application or request.

c. Uses Requiring Site Plan Review

All uses shall follow the Site Plan review procedure prior to the issuance of a building permit.

d. Application Requirements

CHAPTER 1: NONCONFORMING DEVELOPMENT

An application for a Site Plan Review may be filed by the owner(s) of a property or the owners' authorized agent with the Building Official. The application shall include the following information:

1. Name, mailing and email ~~and~~ address of the applicant.
2. Owner, address, and legal description of the property.
3. A description of the nature and operating characteristics of the proposed use.
4. A site plan, drawn to a scale sufficient to permit adequate review and dimensioned as necessary, showing the following information:
 - (a) The date, scale, north point, title, name of owner, and name of person preparing the site plan;
 - (b) The location and dimensions of boundary lines, easements, and required yards and setbacks of existing and proposed buildings and site improvements;
 - (c) The location, size, and use of proposed and existing structures on the site;
 - (d) The location of all proposed site improvements, including parking and loading areas, pedestrian and vehicular access, sewers, sidewalks, utilities, service areas, required temporary and permanent stormwater treatment facilities, fencing, screening, landscaping, and lighting;
 - ~~(e) Location of any major site feature, including drainage and contours at no greater than one foot intervals; A topographic survey [VT32] of the site and adjacent public rights-of-way.~~
 - (a) Identification of all federal, state and local environmental features, including, but not limited to: floodplain, floodways, wetlands, and other environmental features.
 - (a) Identification of all adjacent zoning districts and use types.
 - (f) Any other information that may be required for review by the Building Official.

5. The Site Plan must be stamped by a Nebraska Registered Professional Engineer.

e. Administrative Action and Appeal

The Building Official must act upon each complete application within twenty-one ~~ten~~ working days of filing. ~~Failure to act within this period shall constitute approval of the application.~~ An applicant may appeal a denial to the Board of Adjustment ~~within ten days of the action~~. The Board of Adjustment shall consider the appeal at the first available meeting after the filing of the appeal.

f. Review and Evaluation

CHAPTER 1: NONCONFORMING DEVELOPMENT

1. The Building Official or the Board of Adjustment shall review and approve the site plan based on the criteria established in Table 12-1 and conformance with applicable regulations in this Zoning-Unified Land Development Ordinance.
2. The Building Official or the Board of Adjustment shall make the following findings before approval of the site plan:
 - (a) The proposed development, together with any necessary modifications, is compatible with the criteria established in Table 12-1;
 - (b) Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects;
 - (c) The site plan conforms to the Zoning-Unified Land Development Ordinance.

g. Modification of Site Plan

The Building Official or Board of Adjustment may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include, but not be limited to, additional landscaping or screening; installation of erosion control measures; improvement of access or circulation, rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, or welfare.

h. Term and Modification of Approval

1. A Site Plan Approval shall become void two years after the date of approval, unless the applicant receives a Building Permit and diligently carries out development prior to the expiration of this period.
2. The Building Official may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 12-1.
3. The Building Official may revoke a Site Plan Approval if he/she determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.

i. Approval to Run With Land

An approval pursuant to this section shall run with the land until the expiration date of such approval; such time as a change in use has the potential to significantly affect the traffic circulation or land uses in adjacent neighborhoods.

CHAPTER 1: NONCONFORMING DEVELOPMENT

12-3 Special Use Permit Procedure

a. Purpose

The Special Use Permit Procedure provides for public review and discretionary City Council approval for uses within zoning districts which have unusual site development or operating characteristics that could adversely affect surrounding properties.

b. Administration

The Planning Commission shall review and evaluate each application and transmit its recommendation to the City Council. The City Council shall review, evaluate, and act upon all applications submitted pursuant to this procedure.

c. Application Requirements

An application for a Special Use Permit may be filed by the owner(s) of a property or by the property owner's authorized agent with the Community Development Director's Office. ~~Any such application will not be deemed submitted until all of the information set forth below is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications will not be placed on the Planning Commission Agenda until all such missing information is provided. shall~~ Such application shall be submitted to the Community Development Director's Office at least 21 calendar days ~~(including holidays)~~ before the Planning Commission meeting at which the ~~public hearing on the~~ application will be ~~considered held~~. The application shall include the following information and be submitted on a form approved by the Community Development Director's Office:

- ~~1. 1. Name, email and mailing and address and phone number~~ of the property owner who is making application or said property owner's authorized agent.
- ~~1. Legal Representation: Name of Firm, attorney, phone number, email and mailing address~~
2. Owner, address and legal description of the property.
3. A description of the nature and operating characteristics of the proposed use.
4. ~~Any graphic information, including A site plan, when requested by the building official, which includes all information as described in 12-2 (d)(4.) s, elevations, or other drawings, necessary to describe the proposed use to approving agencies.~~
5. Excavation Special Use Permits applications must include a proposed post development site plan.

CHAPTER 1: NONCONFORMING DEVELOPMENT

5. The special use requested and the current zoning.
6. Be signed by the property owner or the property owner's duly authorized agent.

TABLE 12-1: CRITERIA FOR SITE PLAN REVIEW AND SPECIAL USE PERMITS

	CRITERIA	APPLICATION TO	
		Site Plan Review	Special Use Permit
Land Use Compatibility			
Development Density	Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.		X
Height and Scale			
Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	X	X
Setbacks	Development should respect pre-existing setbacks in surrounding areas. Variations should be justified by site or operating characteristics.	X	X
Building Coverage	Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.	X	X
Site Development			
Frontage	Project frontage along a street should be similar to lot width.	X	X
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	X	X
	All structures must be accessible to public safety vehicles.	X	X
	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	X	X

CHAPTER 1: NONCONFORMING DEVELOPMENT

Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage-ways should be preserved <u>to the extend possible</u> .	X	X
Building Design	Architectural design and building materials should be compatible with surrounding areas or highly visible locations.		X
Operating Characteristics			
Traffic Capacity	Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	X	X
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	X	X
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	X	X

CHAPTER 1: NONCONFORMING DEVELOPMENT

TABLE 12-1: CRITERIA FOR SITE PLAN REVIEW AND SPECIAL USE PERMITS

Operating Characteristics	CRITERIA	APPLICATION TO	
		Site Plan Review	Special Use Permit
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses.	X	X
Public Facilities			
Sanitary Waste Disposal	Developments within 3500 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.[VT33]	X	X
	Sanitary sewer must have adequate capacity to serve development.	X	X
Storm Water Management	Development should handle storm water adequately to prevent overloading of public storm water management system.	X	X
	Development should not inhibit development of other properties.	X	X
	Development should not increase probability of erosion, flooding, landslides, or other run-off related effects.	X	X
Utilities	Project must be served by utilities <u>if the property is located within 300 ft of said utility.</u> [VT34]	X	X
Comprehensive Plan	Projects should shall be consistent with the comprehensive development plan of Columbus.		X

CHAPTER 1: NONCONFORMING DEVELOPMENT

d. Approval Process

1. The Planning Commission, following ten days notice as required by Paragraph 12-3 (e), shall hold a public hearing on each proposed Special Use Permit and following such public hearing, shall recommend action to the City Council.
2. The City Council, after the ten days notice as required by Paragraph 12-3 (e) and after public hearing, shall act on the Special Use Permit. The City Council may apply any reasonable conditions to the approval of the permit.
3. The applicant shall be responsible for preparing and furnishing in proper form a ~~an~~ "draft" Ordinance including any reasonable conditions recommended by the Planning Commission sufficiently in advance of the City Council Meeting for review by City staff and for distribution to the Mayor and members of the City Council. A "final" ordinance for said special use permit shall be thereafter submitted by applicant for action by the City Council. for said Special Use Permit for execution by the City.

e. Required Notice and Publication

Prior to consideration of and/or approval of a Special Use Permit by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. **Posted Notice:** A notice shall be posted by the applicant in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall ~~be so~~ placed on or near such premises that it is easily visible from the street and shall be ~~so~~ posted at least ten days before the date of such hearing. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.
2. **Notice by Publication:** At least ten days before the date of hearing the City Clerk shall have published in a ~~daily~~ newspaper having a general circulation in the City of Columbus a Notice of the time, place and subject matter of such hearing.
3. **Notice by Personal Service or Mail:** At least 10 days prior to the date of the hearing the applicant shall either:
 - a) personally serve, or

CHAPTER 1: NONCONFORMING DEVELOPMENT

b) mail to the last known address,

written notice of such hearing to each of the following:

- i) the owners of the real estate which is the subject of the Special Use Permit;
- ii) ~~all properties whether in whole or in part which are located within the owners of all real estate located within~~ 300 feet of the real estate which is the subject of the Special Use Permit; and
- iii) the Board of Education of each school district in which the real estate which is the subject of the Special Use Permit is located.

If the record title owners of any real estate included in such proposed change be non-residents of the municipality, a written notice of such hearing shall be mailed by certified mail to their last-known address at least ten days prior to the date of such hearing.

4. Exception: The provisions of Subsection 1 "Posted Notice" and Subsection 3 "Notice by Personal Service or Mail" shall not apply in the event of a proposed change in the application of Special Use Permits throughout entire areas of an existing zoning district or of the City or parts thereof, or in the event of a proposed change in such regulations, restrictions or districts governing said Special Use Permits.[VT35]

5. Affidavit of Notice Compliance: The applicant shall be responsible for filing with the City Clerk prior to 3:00 PM on the date of the hearing an Affidavit of Notice Compliance. Said Affidavit shall verify that the "Posted Notice" requirements set forth in Subsection 1 above and that the "Notice by Personal Service or Mail" requirements set forth in Subsection 3 above were both complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's office.

f. Criteria for Review

~~1. The Planning Commission and the City Council shall review and approve the site plan based on the criteria established in Table 12-1 and conformance with applicable regulations in this Zoning Ordinance.~~

fg. Scope of Approval

1. The City Council may, at its discretion, apply a Special Use Permit to a specific owner or applicant. The City Council may establish special site development or operational regulations as a condition for approval of a Special Use Permit.

gh. Lapse, and Revocation or Completion of Permit

CHAPTER 1: NONCONFORMING DEVELOPMENT

1. A Special Use Permit shall become void two years after its effective date if the applicant has not carried out development or occupancy during that period.

1. 2.—The City Council may revoke a Special Use Permit should the operation of the use subject to such permit violate the conditions under which the permit was granted.

1. Completion of a Special Use Permit for resource extraction and excavation shall include a final record drawing site plan.

hi. Previously Approved Permits

Any special use approved under regulations in effect before the effective date of this Ordinance shall be considered to have a valid Special Use Permit, subject to requirements imposed at the time of its approval.

ij. Denial of Special Use Permit; Waiting Period

In the event that a Special Use permit as provided in this Article is denied by the City Council, no new request shall be made for the same or a substantially similar Special Use Permit within six months of said denial, ~~thereof~~.

12-3 Development Review Team (DRT)

a. Purpose

The DRT meets weekly with project representatives to identify opportunities and resolve potential issues before project and development plans are finalized. Through the DRT process all aspects of a project can be discussed including key issues and expectations such as site issues, time lines, processing of applications, phasing, design issues and code requirements. The DRT provides the best possible customer service by maintaining allowing close contact with project representatives, by providing thorough review and feedback on every major proposed project, and by working to resolve issues at the earliest possible stage of development.

CHAPTER 1: NONCONFORMING DEVELOPMENT

b. Administration

Members of the DRT are the City Administrator, Community Development Director and/or Building Official, City Engineer, Public Works Director and City Planner. These members may invite other staff and professionals as they see fit based on project scope. If applicable, DRT members will visit the project location prior to the DRT meetings and be prepared to discuss all potential issues and opportunities. The DRT shall take notes during the meeting and shall provide those notes to all participants. The DRT and/or staff members of the DRT will provide professional recommendations to the Planning Commission and City Council.

c. Application Requirements

Project representatives will be provided an application for the DRT. Complete development plans are not necessary for the initial meeting however, as many details as possible are encouraged to be shared in the application in order to jointly develop the most efficient and successful project. At a minimum the project representative shall provide:

—

1. Project Representative information.

2. Description of the project.

DRT members will reserve every Wednesday from 8:00 am to 12:00 pm for DRT project review and meetings with project representatives.

Applications will be due the Friday prior to the meeting date desired by the project representative.

12-4 Amendment Procedure

a. Purpose

The Amendment Procedures describe the methods by which changes may be made in the text of the Zoning Unified Land Development Ordinance (text amendment) and/or the official boundaries of zoning districts (rezoning).

b. Initiation of Amendments

1. Text amendments may be initiated by the Planning Commission or City Council.
2. Rezoning may be initiated by a property owner or authorized agent; the Planning Commission; or the City Council.

CHAPTER 1: NONCONFORMING DEVELOPMENT

c. Rezoning Application Requirements

An application for a rezoning may be filed with the Community Development Director's Office. Any such application will not be deemed submitted until all of the stated information is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications will not be placed on the Planning Commission Agenda until all such missing information is provided. Such completed application shall be submitted to the Community Development Director's City Clerk's [VT36]Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which time the public hearing on the application will be considered held. The application shall include the following information and shall be submitted on a form approved by the Community Development Director's Office:

1. 1. Name, email, mailing and address and phone number of the property owner who is making application or said property owner's authorized agent.
1. Legal Representation: Name of Firm, attorney, phone number, email and mailing address
2. Owner, address, email address and legal description of the property.
3. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
4. An aerial image depicting the proposed development on the property and the existing surrounding zoning classifications. A site plan, when requested by the building official, which includes all information as described in 12-2 (d)(4.) Any graphic information, including site plans, elevations, or other drawings, necessary to describe the proposed use to approving agencies.
5. The current zoning and the requested zoning.
6. Be signed by the property owner or the property owner's duly authorized agent.

d. Amendment Process

1. The Planning Commission, following ten days notice as required by Paragraph 12-4 (e), shall hold a public hearing on each proposed text amendment or rezoning amendment and, following such public hearing, shall recommend action to the City Council. The Planning Commission may recommend as part of its recommended approval of a rezoning any conditions reasonably related to the interest of public health, safety, morals [VT37]and the general welfare.
2. The City Council, after ten days notice as required by Paragraph 12-4 (e) and after public hearing, shall act on the proposed amendment. The City Council may impose any reasonable conditions on the approval of the rezoning, provided said conditions are reasonably related to the interest of public health, safety, morals [VT38]and the general welfare. In furtherance thereof, the City Council may condition rezonings on the adoption of

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an agreement between the developer and the City ~~or on any other means assuring the City the project will be built as represented.~~

3. The applicant shall be responsible for preparing and furnishing in proper form a "draft" Ordinance including any reasonable conditions recommended by the Planning Commission sufficiently in advance of the City Council Meeting for review by City staff and for distribution to the Mayor and members of the City Council. A "final" ordinance for said re-zoning shall be thereafter submitted by applicant for action by the City Council. for said rezoning for execution by the City.

e. Required Notice and Publication

Prior to consideration of amending, supplementing, changing, modifying, or repealing this ordinance by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. **Posted Notice:** In the case of rezonings, a notice shall be posted by the applicant in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed on or near such premises that is easily visible from the street and shall be so posted at least ten days before the date of such hearing. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.
2. **Notice of Publication:** In the case of text amendments and rezonings, at least ten days before the date of hearing the City Clerk shall have published in a daily newspaper having a general circulation in the City of Columbus a Notice of the time, place and subject matter of such hearing.
3. **Notice by Personal Service or Mail:** In the case of rezonings, at least 10 days prior to the date of the hearing, the applicant shall either:

a) personally serve, or

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b) mail to the last known address,

written notice of such hearing to each of the following:

- i) the owners of the real estate to be zoned or rezoned;
- ii) the owners of all real estate located within 300' of the real estate to be zoned or rezoned; and
- iii) the Board of Education of each school district in which the real estate to be zoned or rezoned is located.

If the record title owners of any real estate included in such proposed change be non-residents of the municipality, a written notice of such hearing shall be mailed by certified mail to their last-known address at least ten days prior to the date of such hearing.

4. Exception: The provisions of Subsection 1 "Posted Notice" and Subsection 3 "Notice by Personal Service or Mail" shall not apply (1) in the event of a proposed change in such regulations, restrictions, districts, or boundaries throughout the entire areas of an existing zoning district or of the City, or (2) in the event additional or different types of zoning districts are proposed, whether or not such additional or different districts are made applicable to areas, or parts of areas, already within a zoning district of the City, or (3) text amendments; in such instances only the requirements heretofore set forth in Subsection 2. "Notice of Publication" above shall be applicable.

5. Affidavit of Notice Compliance: The applicant shall be responsible for filing with the City Clerk on the date of the hearing an Affidavit of Notice Compliance. Said Affidavit shall verify that the "Posted Notice" requirements set forth in Subsection 1 above and that the "Notice by Personal Service or Mail" requirements set forth in Subsection 3 above were both complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's office.[VT39]

f. Denial of Proposed Amendment; Waiting Period

In the event that a proposed amendment or change as provided in this Article is denied by the City Council, no new request shall be made for the same or substantially similar amendment or change within six (6) months of said denial thereof.

12-5 Extension of the Extra-Territorial Jurisdiction

There shall be an automatic extension of the extra-territorial jurisdiction due to annexation or incorporation of any addition into the City. The City Council with the recommendation of the Planning Commission, shall zone properties within the newly established Jurisdiction concurrent

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with, or within 90 days thereafter, of the adoption of the annexation ordinance or resolution incorporating said property into the City. The zoning shall consider the Comprehensive Development Plan of the City of Columbus and the present use of the land. In the event the City takes no action within the time period, said property within the newly established Jurisdiction shall be deemed as zoned RR, Rural Residential.

12-6 Building Permits and Certificates of Occupancy

a. Administration and Enforcement

The Building Official shall administer and enforce this ordinance. ~~The City Council may direct other persons to assist him/her.~~

If the Building Official shall find that any of the provisions of this ordinance are being violated, he/she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

b. Building Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Building Official. No building permit shall be issued by the Building Official except in conformity with the provisions of this ordinance, unless he/she receives a written order from the Board of Adjustment in the form of an administrative review, special exception, or variance as provided by this ordinance.

c. Application for Building Permit

All applications for building permits shall include a site plan and shall include plans ~~in duplicate~~ drawn to scale and an electronic copy, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may

be required by the Building Official, including the existing or proposed building or alterations;

existing or proposed uses of the building and land; the number of families and/or persons, ~~house-keeping units, or rental and the number of~~ units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this ordinance.

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One copy of the plans shall be returned to the applicant by the Building Official, after he/she shall have marked such copy either as approved or disapproved and attested ~~the~~ same by his/her signature on such copy. ~~One~~ The electronic copy of the plans, ~~similarly marked~~, shall be retained by the Building Official.

d. Certificates of Occupancy for New, Altered, or Non-Conforming Uses

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy ~~shall have been~~ is issued ~~therefore~~ by the Building Official stating that the proposed use of the building or land conforms to the requirements of this Ordinance and that all plans submitted with the application for building permit have been completed. Prior to the issuance of a Certificate of Occupancy, the Building Official, or his/her designee, shall conduct a final inspection of said building or premises to determine compliance with the requirements of the Columbus City Ordinances and it shall be the duty of the property owner to cooperate with said final inspection.

e. Expiration of Building Permit

1. If the work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.
2. If the work described in any building permit has not been completed within two years of the date of issuance thereof, said permit shall expire and be cancelled by the Building Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.
3. The expiration date of a building permit may be established for a period longer than two years if established at the time that such permit is issued by the City. The Building Official may, at his/her discretion extend the expiration period of the building permit.

f. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Occupancy

Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Building Official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction ~~at variance which varies from the approved permit with that authorized~~ shall be deemed a violation of this ordinance, and punishable as provided by Section 12-14 hereof.

12-7 Schedule of Fees, Charges and Expenses

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The City Council shall establish by resolution a schedule of fees, charges, and expenses and a collection procedure for building permits, re-zoning application fees, special use permit application fees, board of adjustment filing fees, site plan review, certificates of zoning compliance, appeals, and other matters pertaining to this ordinance.

The schedule of fees shall be posted in the office of the Building Official, and may be altered or amended only by the City Council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application for appeal.

12-8 Board of Adjustment

a. Establishment

1. A Board of Adjustment is hereby established to provide relief in situations of hardship or to hear appeals as provided by this Section. The Board shall consist of five regular members, plus one additional alternate member who shall attend and vote only when one of the regular members is unable to attend for any reason. At least one member of the Board shall be a member of the Planning Commission, and the loss of membership on the Planning Commission by such member shall also result in his or her immediate loss of membership on the Board of Adjustment and the appointment of another Planning Commission member to the Board. At least one member of the Board shall reside outside of the corporate boundaries of the City, but within its extra-territorial zoning jurisdiction.
2. Each member shall be appointed by the Mayor with the approval of the City Council for a three-year term and is removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Chairman of the Board shall be elected annually by the members of the Board. All members of the Board shall serve without compensation.
3. The Board of Adjustment shall adopt rules and regulations in accordance with this ordinance and the laws of the State of Nebraska pursuant to Sections 19-901 to 19-914 of Nebraska Revised Statutes. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings and records shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact. The Board shall keep a record of its examinations and other official actions, all of which shall be immediately filed in the office of the

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Board and shall be a public record. A majority of the Board shall constitute a quorum for the transaction of business.

b. Procedure for Appeals

1. Appeals shall be made to the Board of Adjustment within thirty days of the cause of the appeal through the office of the Building Official in written form as determined by the Building Official. The Board shall fix a reasonable time for the hearing of the appeal and shall decide the appeal within thirty days of the date of the public hearing. An appeal stays all proceedings in furtherance of the action, unless the Building Official certifies to the Board that by reason of the facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by the District Court on notice to said officer and on due cause shown.
2. The Board shall provide a written notice to the appealing party of the date and time set for public hearing. The Board shall provide a minimum of ten days notice of a public hearing on any question before it by publication in a newspaper of general circulation in the City of Columbus setting forth the time, place and subject matter of such hearing. Notice of hearing shall be posted by the appealing party in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon such premises that it is easily visible from the street and shall be so posted at least ten days before the date of such hearing. It shall be the duty of the appealing party to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the appealing party to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed it shall be the duty of the appealing party to promptly post a new sign for the remainder of the ten-day period. The appealing party shall be responsible for filing with the Building Official on the date of the hearing an Affidavit of Posting Notice. Said Affidavit shall verify that the requirements concerning posting notice as set forth herein were complied with and said Affidavit shall be submitted on a form approved by the Building Official.
3. Upon the public hearing, any party may appear in person or by agent or attorney. The concurring vote of four out of five members of such board as so composed shall be necessary to reverse any order, requirement, decision or determination of any Building Official, or to decide in favor of the appellant on any matter upon which it is required to pass under any zoning ordinance, or to effect any variation in such ordinance.

12-9 Powers and Duties of the Board Of Adjustment

The Board of Adjustment shall have only the following powers and duties:

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a. Administrative Review To hear and decide appeals where it is alleged there is error in any order, requirement, decisions or determination made by the Building Official in the enforcement of this Ordinance or any regulation relating to the location or soundness of structures.

b. Interpretation of Zoning Map To hear and decide in accordance with the provisions of any zoning regulation, requests for interpretation of any map.

c. Variances to Relieve Hardships Relating to Property To authorize, upon appeal, variances from the strict application of this Ordinance where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the zoning regulations; or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property.

1. **Requirements for Grant of a Variance.** No such variance shall be authorized by the Board unless it finds that:

(a) Strict application of the zoning ordinance will produce undue hardship;

(b) Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity;

(c) The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance;

(d) The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice;

(e) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to this Zoning Ordinance.

2. **Findings by Board.** The Board of Adjustment shall make findings that the requirements of Section 12-9c(1) have been met by the applicant for a variance.

3. **Conditions for Grant of Variance.**

(a) In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of

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this Ordinance and punishable under Section 12-14 of this Ordinance.

(b) Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

(c) No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

d. Board has Powers of Building Official on Appeals: Reversing Decisions of Building Official

In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decisions, or determination as ought to be made, and to that end shall have the powers of the Building Official from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirements, decision, or determination of the Building Official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

12-10 Appeals from the Board of Adjustment

Any person or persons, or any board, taxpayer, officer, department, board or bureau of the city aggrieved by any decision of the Board of Adjustment may seek review of such decision by the District Court for the County in the manner provided by the laws of the State and particularly by 19-912 R.R.S. 1943 (Reissue 1991), and amendments thereto.

12-11 Duties of Building Official, Board of Adjustment, City Council, and Courts on Matters of Appeal

- a. It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Building Official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Building Official, and that recourse from the decisions of Board of Adjustment shall be to the courts as provided by law.
- b. Under this ordinance the City Council shall have only the duties (1) of considering and adopting or rejecting proposed amendments or permits, or the repeal of this ordinance as provided by law, and (2) of establishing a schedule of fees and charges as stated in Section 12 of this ordinance.

12-12 Severability Clause

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

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12-13 Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is allowed to have occurred, any person may file a written complaint. Such complaints stating fully the causes and basis thereof shall be filed with the Building Official. He/she shall record properly such complaint immediately, investigate, and take action thereon as provided by this ordinance. [VT40]

12-14 Penalties for Violation

- a. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100.00 or imprisoned for not more than 30 days, or both and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- b. The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- c. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation

CHAPTER 2: GENERAL PROVISIONS

ARTICLE ONE

GENERAL PROVISIONS

1-1 Title

This Ordinance shall be known as the Subdivision Chapter of the Land Development Ordinance of the City of Columbus.

1-2 Authority and Purpose

a. Authority

This Ordinance is adopted pursuant to the authority granted the City of Columbus under Section **4416**, Revised Statutes of the State of Nebraska, enabling cities of the First Class to regulate the development of land within their jurisdictions and to promote good planning practice.

b. Purposes

The purposes of this Chapter are to:

1. Serve the public health, safety, and general welfare of the city and residents of Columbus and its surrounding jurisdiction;
2. Provide for the orderly development and growth of the city by prescribing rules and standards insuring the functional arrangement of streets, public improvements, open spaces, community facilities, and utilities;
3. Promote the creation of well-planned and attractive residential, commercial, and industrial developments within the city and its jurisdiction;
4. Avoid excessive costs to the taxpayers of Columbus or the residents of the jurisdiction of the city for the provision of public services and utilities, while maintaining high standards for these services;
5. Protect the unique environment of the City of Columbus by avoiding environmental damage whenever feasible and appropriate; and by encouraging flexibility in the design of subdivisions;
6. Provide the City of Columbus with the ability to grow incrementally through the eventual annexation of new developments.

CHAPTER 2: GENERAL PROVISIONS

c. Consideration of Plans

The design of subdivisions shall consider all existing local and regional plans and policies for Columbus and its jurisdiction. These include, but not limited to, the Comprehensive Development Plan, Long Range Transportation Plan, Stormwater Management Plan, and State of Nebraska Board of Classifications and Standards.

b. Preservation of Natural Features and Drainage Patterns

1. In accordance with all Federal, State of Nebraska and local requirements and to the maximum extent possible, development shall be located to preserve natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impact and alteration of natural features and drainage patterns.

2. The subdivider shall give maximum consideration to the preservation of the following areas as open space or stormwater treatment facility or detention system, to the extent consistent with reasonable utilization of land:
 - (a) Wetlands and other unique environmental areas, as defined in Section 404, Federal Water Pollution Control Act of 1972 and delineated on wetlands maps and policies prepared by the U. S. Fish and Wildlife Service, U.S. Army Corps of Engineers, State of Nebraska Department of Natural Resources, and the Lower Loup Natural Resource District.

 - (b) Flood plain and floodway lands as defined by the Federal Emergency Management Agency, Flood Insurance Rate Map, and the City of Columbus Special Flood Hazard Areas.

c. General Guidelines for Subdivision Layout

Subdivisions shall be designed to comply with the following overall performance objectives:

1. Reduction and minimization of cut and fill.

2. No increase of peak flow, area of runoff or encroachment of stormwater runoff onto other properties.

3. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision and minimization of cul-de-sacs over 350 feet.

4. Respect for the urban character and traditional layout of Columbus, including providing continuity to established street and community facility networks; establishing linkages and connections between new development and existing parts of the city; and

CHAPTER 2: GENERAL PROVISIONS

preserving historically and architecturally significant sites and buildings, determined as those sites or districts either listed on or determined to be eligible for listing on the National Register of Historic Places, as determined by the State Historic Preservation Officer.

d. Site Design Objectives and Approval

The Planning Commission and City Council shall take the above Site Design objectives into account during their review and approval of subdivision applications.

1-3 Relationship to the Comprehensive ~~Development~~ Plan

1. The City of Columbus intends that this Subdivision Chapter and any amendments to it shall be consistent with the City's Comprehensive ~~Development~~ Plan. Should this Ordinance become inconsistent with the adopted Comprehensive ~~Development~~ Plan because of subsequent amendments to that plan, it is the City's intent to amend this ordinance to bring it into conformance with the plan.
2. The Subdivision Chapter shall supplement and facilitate the provisions of the Comprehensive ~~Development~~ Plan, the Zoning-Unified Land Development Ordinance, the Official Zoning Map, and the City of Columbus's Capital or General Fund Budget.

1-4 Jurisdiction and Applicability

- a. The provisions of this chapter shall be applicable to all property within the corporate limits of the City of Columbus and its extra-territorial jurisdiction as authorized by §16-902, Revised Statutes of Nebraska, 1943. In conjunction therewith, it is hereby designated that the City of Columbus will exercise the powers and duties granted by Sections 16-902 to 16-904, or Section 19-2402, Revised Statutes of Nebraska, 1943, [VT41] over that portion of the territory located within two miles of the corporate limits of the City of Columbus as shown on the Extra-Territorial Jurisdiction Map. Boundaries of the Extra-Territorial Jurisdiction established by this ordinance shall be shown on the Extra-Territorial Jurisdiction Map maintained by the City Engineer. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of and concurrent with this ordinance. The Extra-Territorial Jurisdiction may be changed from time to time following the extension of City boundaries either by annexation or by additions brought into the City pursuant to the Subdivision CodeChapter of the Unified Land Development Ordinance. Such changes shall be reflected on the Extra-Territorial Jurisdiction Map. The City Clerk and Engineer shall keep a complete record of all changes to the Extra-Territorial Jurisdiction Map.
- b. No owner of real property within the City of Columbus and its jurisdiction may subdivide or plat such property into lots for buildings or any other use, streets, or other forms of dedication for public use without gaining approval pursuant to this Ordinance. In addition, no individual may

CHAPTER 2: GENERAL PROVISIONS

sell, offer to sell, or construct buildings on any lots or parts of real property that are not subdivided as required by State law or this Ordinance.

1-5 Amendment

When necessary, this Ordinance may be amended through public hearing and recommendation by the Planning Commission to the City Council. The City Council shall then hold its own independent public hearing and action on amendments.

1-6 Fees

The City Council of the City of Columbus may establish reasonable fees sufficient to recover costs incurred for the processing and review of subdivision applications and other procedures included within this Ordinance.

1-7 Enforcement

1. The Administrative Official shall enforce the provisions of this Ordinance and shall bring violations or lack of compliance to the attention of the Planning Commission, City Council, or other appropriate agency.

1-8 Penalties

1. Violation of the provisions of this Ordinance shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100.00 or imprisoned for not more than 30 days, or both, and shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
2. An owner, developer, or subdivider of property; any architect or engineer; builder, contractor, agent, or any other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this section.
3. Notwithstanding this section, the City and the Administrative Official shall have the right to take any lawful action necessary to prevent or remedy any violation of this Ordinance or any agreement pursuant to or other condition of an approval of a subdivision application.

1-9 Interpretation, Conflict, and Severability

- a. The Subdivision Chapter shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision of the Subdivision Chapter conflicts with any other provision of the Unified Land Development Ordinance, any other Ordinance of the City of Columbus, or any applicable State or Federal law, the more restrictive provision shall apply.

CHAPTER 2: GENERAL PROVISIONS

- b. Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

- c. If any chapter, section, subsection, clause, or phrase of this Subdivision Chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or any other section of the City of Columbus's Unified Land Development Ordinance.

CHAPTER 2: DEFINITIONS

2 ARTICLE TWO

DEFINITIONS

2-1 Purpose

Article Two shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Subdivision Ordinance. The meaning and construction of words as set forth shall apply throughout the Subdivision Ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

2-2 Definitions of Terms

For the purposes of this Subdivision Ordinance, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meanings or meanings implied by their context shall apply.

2-3 A.

1. Administrative Official: The designee of the City Council responsible for the supervision and administration of the Subdivision Ordinance of the City of Columbus.^[VT42]
2. ADT or Average Daily Traffic: The average number of motor vehicles per day that pass over a given point or segment of street.
3. Alley: A public or private right-of-way generally designed to provide secondary access to the side or rear of a property whose principal frontage is on another street.
4. Applicant: An owner, developer, or subdivider submitting an application to divide property pursuant to this Ordinance.
5. Approving Authority: The ~~Planning Commission and~~ City Council of the City of Columbus.
- ~~6. ASCE: The American Society of Civil Engineers.~~
7. Administrative Subdivision: An adjustment of lot lines of no more than four lots without creating additional lots and requires no extensions of streets, sewers, utilities, or other municipal facilities; and complies with all pre-existing zoning requirements following subdivision.

2-4 B.

CHAPTER 2: DEFINITIONS

1. Bicycle Lane and Path: A designated lane on a roadway or an exclusive path separated from a roadway, designed specifically to accommodate the physical requirements of bicycling. Bicycle paths are ordinarily designed to accommodate other forms of non-motorized pedestrian recreation.
2. Buffer: A landscaped area intended to separate and partially obstruct visual or other sensory effects of two adjacent land uses or properties from one another.

2-5 C.

1. Cartway: The actual surface area of a road used to accommodate motor vehicles, including moving traffic lanes, acceleration and deceleration lanes, and parking lanes. On a street with curbs, the cartway is measured from curblines to curblines. On streets without curbs, the cartway is measured between the outside edges of the established road surface.
2. Centerline Offset: The gap between the centerline of roads intersecting a common road from the same or opposite sides.
3. Channel: The bed or banks of a natural stream or drainage way which convey the constant or intermittent flow of water, including storm run-off.
4. ~~Cluster: A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features^[VT43].~~
5. ~~Cluster Subdivision: A wholly or principally residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided 1) there is no increase in the overall density permitted for a conventional subdivision in a given zoning district, and 2) the remaining land area is used for common space.~~
6. Common Open Space Area: An area within a development that is not individually owned or dedicated for public use, but is designed and designated for common or cooperative use within a development. Land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.
7. Comprehensive Plan: The Comprehensive Development Plan and Long Range Transportation Plan of the City of Columbus.

CHAPTER 2: DEFINITIONS

8. Concept Plan: A preliminary presentation, including any necessary documentation, of a proposed subdivision and/or future development plan, providing adequate information for the purpose of discussion or classification.

9. Conventional Subdivision: A subdivision which literally meets all nominal standards of the Unified Land Development Ordinance for lot dimensions, setbacks, street frontage, and other site development regulations.

~~10[VT44]. Creative Subdivision: A subdivision which, while complying with the Subdivision Ordinance, diverges from nominal compliance with site development regulations in the Land Development Ordinance. Creative subdivisions imply a higher level of pre-planning than conventional subdivisions. They may be employed for the purpose of environmental protection or the creation of superior community design. Types of Creative Subdivisions include Cluster Subdivisions and Traditional Neighborhood Districts.~~

11. Cul-de-sac: A local street with only one outlet and with an opposite end providing for the reversal of traffic.

12. Curb: A vertical or sloping edge of a roadway, intended to define the edge of the cartway and to channel or control drainage.

2-6 D.

1. Dedication: A grant of land to the City or another public agency for a public purpose.

2. Design Standards: Standards that set forth specific improvement requirements.

3. Detention Basin: An artificial or natural water collection facility, designed to collect surface or subsurface water and to control its rate of discharge, in order to prevent a net increase in the rate of water flow that existed prior to a development.

4. Developer: The legal or beneficial owner(s) of any land included in a proposed development.

5. Development: A planning or construction project involving substantial improvement or change in the character and/or land use of a property.

6. Divided Street: A street whose moving lanes in opposite directions is separated by a physical barrier such as a median.

7. Drainage: The removal of surface or ground-stormwater water from land by drains, grading, or other means.

8. Drainage System: The system through which water flows ~~from the land~~.

2-7 E.

CHAPTER 2: DEFINITIONS

1. Easement: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and which the owner must maintain free of structures which obstruct or limit its use for such purpose.
2. Erosion: The wearing away of a land surface by water, wind, ice, or gravity.

2-8 F.

1. Final Approval: The final official action of the City Council, upon a recommendation by the Planning Commission, permitting the filing of a subdivision with the Platte County Register of Deeds and the conveyance of individual parcels and lots to subsequent owners. Final Approval follows the completion of detailed engineering plans, ~~negotiation of subdivision development~~ agreements, posting of required guarantees, and other requirements of this Ordinance.

2-9 G.

1. Grade: The slope of a street or other public way, defined as a percentage or ratio of vertical change in elevation to horizontal change in distance.

2-10 H.

2-11 I.

2-12 J.

2-13 K.

1. Key Map: An aerial map ~~with a common engineering~~ scale of not less than 1 inch to 600 feet showing the location of a development project or subdivision in reference to surrounding property. The map shall show existing streets and city limits lines. The area shown shall be sufficient to show how the proposed project or subdivision will fit into existing developments.

2-14 L.

1. Lot: A parcel of real property with a separate and distinct number ~~or other designation~~ shown on a plat, record or survey, parcel map, or subdivision map recorded in the office of the Platte County Register of Deeds. A lot is ordinarily established for the purpose of transfer of title and/or development.
2. Lot Area: The size of a lot measured within its boundaries and expressed in terms of square feet or acres.

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3. Lot Frontage: The portion of a lot extending along a public street or private drive line.

2-15 M.

1. Main: The principal artery of a system of continuous piping which conveys fluids and to which branches may be connected.
2. Major Subdivision: Any subdivision not defined and approved as an administrative subdivision or as a minor subdivision.
3. Minor Subdivision: An adjustment of lot lines of two or more lots without creating additional lots or a subdivision of land which creates no more than four lots from any single parcel block or lot of an addition or subdivision, tract, or parcel of land; requires no extensions of streets, sewers, utilities, or other municipal facilities; and complies with all pre-existing zoning requirements following subdivision.
4. Moving Lane: Any traffic lane within a cartway where traffic movement is the primary or sole function.

2-16 N.

2-17 O.

1. Off-Site: Located outside the boundaries of the parcel that is the subject of an application.
2. Open Space: Any parcel or area of land or water that is ~~essentially~~ retained in an open state and set aside for public or private use.

2-18 P.

1. Parking Lane: A lane located on the sides of streets, designated or allowing on-street parking of motor vehicles.
2. Pavement: An impermeable, hard surface, typically asphalt, asphaltic concrete, concrete, or brick or other masonry paver units.
3. Plat^[VT45]: A document, usually a map or maps, expressing the division of land into two or more lots or parcels, any one of which is ten acres or less. Plats include preliminary and final plats.

(a) Preliminary Plat: A plat indicating the proposed layout of a development and related information, intended for the purpose of preliminary approval by approving authorities but not for filing with the Platte County Register of Deeds.

CHAPTER 2: DEFINITIONS

(b) Final Plat: The final map-plat of the subdivision which is presented for Final Approval. The Final Plat contains detailed information, legal survey and documentation and is designed to be filed with the Register of Deeds.

1. Private Drive:

2-19 R.

1. Right-of-way: A strip of land, generally linear, occupied or intended to be occupied by a system that conveys people, traffic, fluids, utilities, or energy from one point to another. Rights-of-way may include streets and roads, crosswalks, bicycle paths, recreational trails, railroads or fixed guideway transit, electric transmission linesinfrastructure, communication infrastructure, gas pipelines, water mains, or sewer mains.

2-20 S.

1. Sanitary Sewer: A sewer that conducts sanitary wastes from a point of origin to a treatment or disposal facility. In developing areas, sanitary sewers normally include interceptor, outfall, and lateral sewers.
 - (a) Interceptor: A sanitary sewer that serves as a trunk, collecting sewage generated by a number of individual developments.
 - (b) Outfall: A sanitary sewer that may be developed to connect an individual subdivision or development to an interceptor sewer.
 - (c) Lateral or Local: A pipe that connects individual buildings or groups of buildings to an outfall or interceptor sewer.
2. Septic System: An underground system, utilizing a watertight receptacle to receive the discharge of sewage, which provides for the decomposition of wastes produced by development on a single lot.
3. Sidewalk: A concrete or brick paved path provided for pedestrian use, usually located at the side of and detached from a road, but within the right-of-way.
4. Storm Sewer: A conduit which conducts storm drainage from a development or subdivision, ultimately to a treatment facility, drainage way or stream.
5. Street: A right-of-way, dedicated to public use, which provides a primary means of access to an abutting lot or parcel.

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6. Street Hierarchy: The conceptual arrangement of streets based on function. ~~The hierarchical approach classifies streets from courts or lanes, which provide private access to a limited number of lots, to arterials, which accommodate large volumes of high-speed, regional traffic.~~ Street types contained within the hierarchy include:

- (a) ~~Court or lane~~ Private Drive
- (b) Local
- (c) Collector
- (d) ~~Community Street~~ Minor Arterial
- (e) Major Arterial
- (f) Expressway

7. Subdivision: The division of a lot, tract or parcel into two or more lots, tracts, parcels, or other units of land for title transfer or development, when one of the resultant lots is equal to 10 acres or less. The term subdivision includes any time the creation of a public street or roadway is involved, but excludes the acquisition of land by the state, county, or city, by eminent domain or otherwise, for the creation, extension or widening of a public street or roadway. The term also includes re-subdivision platting and, when appropriate to the context, re-plattingsubdivision shall be subject to the rules and regulations contained herein respecting the process of subdividing in this chapter and shall apply to land previously subdivided, but shall not include the division of a lot or tract of land one-half acre in size or less into two or more lots or tracts [VT46]-.

CHAPTER 2: PROCEDURES AND ADMINISTRATION

3 ARTICLE THREE

PROCEDURES AND ADMINISTRATION

3-1 Purpose

The purpose of this Article is to establish procedures for subdivision applications and for review and action on applications by the City Administration, Planning Commission and the City Council. The procedures are designed to assure adequate review and consideration of subdivision applications, while providing for an orderly and expeditious approval process. The Article provides procedures for the approval of three types of subdivisions: Administrative Subdivisions, Minor Subdivisions, and Major Subdivisions.

3-2 Administrative Subdivisions

a. Scope

The Administrative Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of no more than four (4) existing lots within the City limits or no more than four (4) lots in the Extra Territorial Jurisdiction which are not adjacent to City limits without creating additional lots.
2. The subdivision is served by existing utilities and does not require the creation or extension of streets, utilities or public improvements and no new dedication of public rights of way or easements is involved.
 - 3.1. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the zoning ordinance as evidenced by a site plan prepared by a licensed surveyor.
 - 4.1. No part of the parcel, tract or lot has been the subject of a previous Administrative Subdivision or Minor Subdivision approval. Once an administrative or minor subdivision has been approved, neither the original nor the resulting parcel(s), tract(s), or lot(s) are eligible for a future administrative or minor subdivision.

b. Application and Approval Procedure

An application for an Administrative Subdivision may be approved under the following procedure:

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1. The applicant submits an application on a form established by the Engineering Department and includes the supporting documents required for Administrative Subdivisions in Table 3-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a State of Nebraska Licensed Surveyor and a Certificate of Title prepared by a Licensed Registered Abstractor verifying the ownership of said property, all lienholders and real estate tax payment status.
2. Following submission, the Administrative Official shall review each application according to the following criteria within fourteen (14) working days:
 - (a) Compliance with the conditions contained in Section 3-2(a) above.
 - (b) Consistency with the Comprehensive Development Plan of the City of Columbus.
 - (c) Potential adverse environmental effects or effects on neighboring properties.
3. Following such review, the Administrative Official may approve the Administrative Subdivision. Such approval shall be denoted by signed certificate of approval. The signed plat must be filed by the Developer with the Platte County Register of Deeds. If the approved plat is not filed within 90 days of the approval by the Developer, such approval shall be null and void
4. The Administrative Official retains the right to disapprove or not act on the Administrative Subdivision application. In the event of such action, the application may proceed through the Minor or Major Subdivision process. If the subdivision complies with the conditions of a Minor Subdivision application, it may be directed to that approval process. Otherwise, the proposed subdivision shall be deemed a Major Subdivision and proceed through the appropriate review and action process.
6. The Administrative Official shall keep a complete and accurate record of all administrative subdivision approvals.
7. Following approval of the Administrative Subdivision, it shall be the duty of the applicant's surveyor/engineer to provide the City with a hard copy and an electronic file in the format required by the City, of the newly formed Administrative Subdivision, including the Platte County Register of Deeds signed and stamped recording information

3-3 Minor Subdivisions

a. Scope

CHAPTER 2: PROCEDURES AND ADMINISTRATION

The Minor Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of two or more lots without creating additional lots; or creates no more than four lots from any single parcel, tract, block or lot. Minor subdivisions outside of City Limits, but adjacent to will be required to voluntarily annex.
2. The subdivision is served by existing utilities and does not require the creation or extension of streets, utilities, or public improvements and no new dedication of public right of way or easements is involved.
3. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the Unified Land Development ordinance as evidenced by a site plan prepared by a licensed surveyor.
4. No part of the parcel, tract, block or lot has been the subject of a previous Administrative Subdivision or Minor Subdivision approval. Once an administrative or minor subdivision has been approved, neither the original nor the resulting parcel(s), tract(s), block(s) or lot(s) are eligible for future administrative or minor subdivision.

b. Application and Approval Procedure

An application for a Minor Subdivision may be approved under the following procedure:

1. The applicant submits an application on a form established by the Engineering Department and includes the supporting documents required for Minor Subdivisions in Table 3-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a State of Nebraska Licensed Surveyor and a Certificate of Title prepared by a Licensed Registered Abstractor verifying the ownership of said property, all lienholders and real estate tax payment status.
2. Following submission, the Administrative Official shall review each application according to the following criteria within fourteen (14) working days:
 - (a) Compliance with the conditions for contained in Section 3-3(a) above.
 - (b) Consistency with the Comprehensive Development Plan of the City of Columbus.

~~(e)~~(a) Potential adverse environmental effects or effects on neighboring properties.

CHAPTER 2: PROCEDURES AND ADMINISTRATION

~~(d)~~(a) Completed Development Agreement.

3. Following such review, the Administrative Official may approve the Administrative Subdivision. Such approval shall be denoted by signed certificate of approval. The signed plat must be filed by the Developer with the Platte County Register of Deeds. If the approved plat is not filed within 90 days of the approval by the Developer, such approval shall be null and void
4. The Administrative Official retains the right to disapprove or not act on the Minor Subdivision application. In the event of such action, the application may proceed through the Major Subdivision process.
6. The Administrative Official shall keep a complete and accurate record of all Minor Subdivision approvals.
7. Following approval of the Administrative Subdivision, it shall be the duty of the applicant's surveyor/engineer to provide the City with a hard copy and an electronic file in the format required by the City, of the newly formed Administrative Subdivision, including the Platte County Register of Deeds signed and stamped recording information

3-4 Major Subdivisions

a. Applicability

The Major Subdivision procedures apply to all subdivisions which are not approved or eligible for approval under the Administrative or Minor Subdivision procedures.

b. Stages in the Approval Process

The approval process for Major Subdivisions consists of three stages: the pre-application stage, the preliminary plat approval stage, and the final plat approval stage. The preliminary plat stage and final plat stage may occur concurrently.

c. Pre-Application Procedures

1. Before filing an application for preliminary plat approval, the applicant shall meet with the Administrative Official and representatives of the Planning Commission regarding general requirements and issues relating to the proposed subdivision.

5.1. Pre-application meetings will be held on the second Thursday following the first Monday of each month. Applicants must make a request for a pre-

CHAPTER 2: PROCEDURES AND ADMINISTRATION

application meeting prior to the first Thursday following the first Monday of each month.

2. Three days prior to the pre-application meeting, the applicant shall submit an approved electronic format concept plan. The concept plan shall include:

(a) An aerial location map showing the relationship of the proposed subdivision to existing and proposed streets, public facilities, special flood hazard areas, waters of the US, wetlands, airport runway protection zones (if applicable) and any other features or areas which may affect the development.

(b) A schematic plan illustrating the proposed layout of streets, lots, blocks, public utilities, stormwater treatment facilities and other features and their relationship to existing and proposed site topography for the total proposed development area.

3. Within ten working days of the pre-application meeting, the Administrative Official shall inform the applicant of the consistency of the concept plan with the objectives and policies of the city's Comprehensive Development and Long Range Transportation Plan and Unified Land Development Ordinance.

4. The pre-application meeting does not require a formal application or payment of a fee.

d. Preliminary Plat Application

1. Application Requirements

After the pre-application meeting, the applicant shall prepare and submit an application for preliminary plat approval. The application for preliminary plat approval shall be submitted electronically through the City's website application submittal platform at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The application shall consist of a form established by the Engineering Department; the supporting documents required for Major Subdivisions in Table 3-1; a commitment to enter into a subdivision agreement set forth in paragraph 2 hereinafter; a Certificate of Title prepared by a State of Nebraska Licensed Registered Abstrator verifying the ownership of said property, all lienholders and real estate tax payment status; and payment of a fee, the amount of which shall be determined by the City Council. Upon receipt of all items required for said application as set forth herein, the application shall be placed on the Planning Commission Agenda.

2. Draft Development Agreement

The preliminary plat application shall include a draft of a development agreement provided by the Administrative Official following a format established by the Engineering Department. The development agreement establishes the mutual

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responsibilities of City and subdivider, including financing of public improvements; the nature of performance bonds and guarantees that the developer will offer; and the maximum amount of bonded indebtedness to be incurred if public improvements are financed through an Improvement District as provided in State Law.

3. Preliminary Plat Review Procedure

(a) After submission of a complete application for a preliminary plat, the Administrative Official and staff shall review the application. As part of the review, the developer will circulate the application to local utilities, the school district in which the subdivision is located, public safety agencies, and any other applicable provider of public services. The Developer shall furnish the Administrative Official with proof that a copy of the preliminary plat was delivered to the affected school district and local utilities.

(b) The applicant will be allowed time to provide additional information after staff review of the Preliminary Plat Application. Such additional information must be provided 10 calendar days before the Planning Commission Meeting. Failure to provide the required additional information may result in the application being continued to a future meeting.

(c) The Administrative Official shall submit a written recommendation for action to the Planning Commission.

4. Planning Commission and City Council Action

(a) The Planning Commission, following at least ten days published notice, shall hold a public hearing on each Major Subdivision and, following such public hearing, shall take action on the application. The Planning Commission may recommend approval, conditional approval, or denial of the preliminary plat to the City Council.

(b) Following action by the Planning Commission, the Commission shall submit minutes summarizing the Commission's action to the City Council.

(c) The City Council, upon receipt of the recommendation of the Planning Commission, shall take action on the application.

(d) Approval of a preliminary plat by the City Council shall not constitute approval of a final plat. The approval shall be considered an expression of conditional approval to guide the preparation of a final plat, to be considered subsequently by approving authorities. The preliminary approval shall confer upon the applicant the following rights:

(1) The general terms and conditions under which the plat was approved will not change.

(2) The applicant may submit for approval a final plat for the whole or a part of the preliminary plat on or before the expiration date of the preliminary approval.

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(3) The preliminary plat approval shall stay in force for a period of two years from the date of approval by the City Council. The City Council may, at its discretion, establish a longer effective date for the preliminary plat approval. The City Council also may grant extensions to the effective period of a preliminary plat.

(4) Phased Subdivisions: The final plat may be submitted in phases. The initial phase of the final plat must be submitted according to the effective dates established in Section (3) above. In the event of a phased subdivision, the initial preliminary plat approval remains effective for a period not to exceed five years, unless otherwise extended by the City Council.

e. Final Plat Application Process

1. Application Requirements

The applicant shall prepare and submit an application for final plat approval within two years of the preliminary plat approval unless an extension has been granted by the City Council. The application for final plat approval shall be submitted to the City Engineer's Office at least nineteen (19) calendar days before the Planning Commission meeting at which the application will be considered. The application shall consist of a form established by the Engineering Department; the supporting documents required for Final Plat Approval of Major Subdivisions Table 3-1; a final subdivision agreement as required by paragraph 2 hereinafter; a final plat of all lots, blocks and parcels that are affected by the application prepared by a State of Nebraska Licensed Surveyor, and payment of a fee, the amount of which shall be determined by the City Council. Upon receipt of all items required for said application as set forth herein, the application shall be placed on the Planning Commission Agenda. The applicant shall notify the Board of Education of each school district in which the subdivision is located of the Planning Commission meeting at which such plat is to be considered and shall further submit a copy of the proposed final plat to the Board of Education at least ten days prior to such meeting. The developer shall furnish the Administrative Official with proof that a copy of the final plat was delivered.

2. Final Development Agreement

The Final Plat application shall include the Final Development Agreement to be executed between the City and the applicant. The terms of this agreement shall be acted upon with the action on the Final Plat. The developers attorney shall work with the City's attorney to obtain approval.

3-2. Final Plat Review Procedures

(a) After submission of a complete application for a final plat, the Administrative Official and staff shall review the application. This includes the mutual approval of the final development agreement between the developers attorney and city attorney, including the developers signature and notary, resolution and deed of dedication.

CHAPTER 2: PROCEDURES AND ADMINISTRATION

(b) The applicant will be allowed time to provide additional information after staff review of the Final Plat Application. Such additional information must be provided 10 calendar days before the Planning Commission Meeting. Failure to provide the required additional information may result in the application being continued to a future meeting.

(c) The Administrative Official shall submit a written recommendation for action to the Planning Commission.

4. Performance Bond

The development agreement shall specify the amount of the performance bond for public improvements to be filed prior to receiving final plat approval or, alternatively, shall contain a statement that required improvements have been satisfactorily completed. The performance bond, if required, must be presented in a form satisfactory to the City Attorney prior to final approval of the subdivision.

#. Resolution and Deed of Dedication

The applicant shall be responsible for preparing and furnishing in proper form a Resolution approving said final plat for execution by the City, and if said Addition is being brought into the corporate limits of the City, said applicant shall prepare and furnish in proper form a Deed of Dedication for said Addition, along with a Resolution accepting the same, for execution by the City.

6. Final Plat Approval

(a) The Planning Commission, following transmittal of the written recommendation of the Administrative Official, shall hold a public hearing to review the final plat for consistency with the approved preliminary plat and for compliance with the Unified Land Development Ordinance and other applicable local, state or federal statutes and regulations. Unless the Planning Commission agrees to recommend approval of said plat subject to contingencies, all deficiencies or contingencies or changes identified through the Preliminary Plat approval process are required to be made prior to the Planning Commission Meeting or need to be addressed in the Subdivision Agreement. If the final plat meets all requirements of the Unified Land Development Ordinance, has satisfied all requirements of the Engineering Department, has met the conditions, if any, upon which preliminary plat approval was based and is substantially consistent with the terms of the preliminary plat approval, the Commission shall have no recourse but to recommend approval of the final plat. If the Planning Commission finds in its review that the submitted final plat is not substantially consistent with the preliminary plat, it shall take action to recommend approval or denial to the City Council.

(b) Following such public hearing, the Commission shall submit minutes on the final plat to the City Council. If said addition is adjoining or contiguous to the corporate limits, then following said public hearing, the Planning Commission shall hold a separate public hearing for which at least ten days published notice must be given, on the inclusion of the addition within the corporate limits. Following such public hearing, the Planning Commission shall take action to recommend approval or denial thereof to the City Council.

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(c) The City Council, following at least ten days published notice, shall hold a public hearing on each final plat and on the development agreement. Following such public hearing shall take final action by way of resolution on the application. Any contingencies, deficiencies or changes attached to the preliminary plat approval and/or requirements of the Engineering Department must be completed prior to the final plat approval. If said addition is adjoining or contiguous to the corporate limits, then following said public hearing on the final plat, if the final plat is approved, the City Council shall hold a separate public hearing for which at least ten days published notice has been given, on the inclusion of the addition within the corporate limits. Following such public hearing, the City Council shall take final action by way of resolution.

(d) The City Council is further empowered to grant waivers of a section of the Subdivision Chapter after a waiver request has received a recommendation from the Planning Commission.

f. Filing the Final Plat

- a. Following City Council approval of a Final Plat that received a prior recommendation from the Planning Commission, the Chair of the Planning Commission and the Mayor of the City of Columbus shall sign the final plat which shall be a reproducible mylar of the subdivision plat.
 - ~~b.~~a. Applicant shall provide an electronic version of the final plat in an approved electronic format within four calendar day of the City Council approval.
 - ~~c.~~a. Applicant shall provide the City a complete signed original, reproducible final plat within fourteen (14) calendar days of City Council approval.
4. The subdivider must file the plat with the Platte County Register of Deeds along with all applicable covenants and other documents within 90 calendar days of the execution of the plat by the Chair of the Planning Commission and the Mayor in accordance with state statute.

TABLE 3-1:: APPLICATION REQUIREMENTS

Submittal Requirements: Paper size, scale, electric copy,

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	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
Plat Information				
Name, email, mailing address of owner and applicant.	X	X	X	X
Name, phone number, email, mailing address, signature, license number, seal and address of engineer, land surveyor, architect, planner, and/or landscape architect, as applicable, involved in preparation of plat.	X	X	X	X
Title block, denoting type of application, legal description in an approved electronic format, and general location.	X	X	X	X
Key map.		X	X	
Present and proposed zoning.		X	X	
North arrow, date, and graphic scale.	X	X	X	X
Proof that taxes are current.		X	X	
Signature blocks for Planning Commission Chair and Mayor.			X	X
Signature block for Administrative Official, and Clerk.	X	X		
Appropriate certification block.	X	X	X	X
Monumentation.	X	X		X
Acreage of tract.	X	X	X	X
Date of original and all revisions.	X	X	X	X
Location, dimensions, and names of existing and proposed streets.	X	X	X	X
All proposed lot lines, lot dimensions, and lot areas in square feet.	X	X	X	X

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TABLE 3-1: APPLICATION REQUIREMENTS

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
Plat Information				
Existing and proposed easements or land reserved for of dedicated to public use.	X	X	X	X
ENVIRONMENTAL INFORMATION				
All existing waters of the US, floodways and floodplain within 200 feet.	X	X	X	
Loup River Levee or Lost Creek Flood Control within 500 feet.	X	X	X	
Existing ROW's and easements adjoining the subdivision.	X	X	X	X
Topography at one-foot contours in city approved vertical datum		X	X	
Floodplain Development Permit	X	X	X	
IMPROVEMENTS AND CONSTRUCTION INFORMATION				
Proposed utility infrastructure plans including water, sanitary sewer, and storm water management.			X	

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Special construction details as required.			X	
Roadway and paving cross-sections.			X	
Proposed street names.			X	X
Block and Lot numbers.	X	X	X	X
Easements as requested or required for all public and private utilities.				X
GRADING AND DRAINAGE PLAN (separate plan sheet)				
Site plan topographic survey		X	X	
Proposed finish elevations of streets			X	
Proposed finish elevations of ditches/swales		X	X	
Proposed finish grade elevations at each lot building setback		X	X	
Existing site drainage system		X	X	
Proposed site drainage system with elevation at end points		X	X	
Drainage calculations including from off-site area traveling through the proposed system		X	X	
Stormwater treatment post-construction facility including elevations and special construction details		X	X	
Floodplain or floodway from Flood Insurance Rate Maps (FIRM)		X	X	

TABLE 3-1: APPLICATION REQUIREMENTS

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final

CHAPTER 2: PROCEDURES AND ADMINISTRATION

Plat Information				
Identify planned or existing trail locations			X	
Certifications and seals from licensed Professional Engineer, as required by Ordinance	X	X		X
Draft Development Agreement.		X	X	
Final Development Agreement, Resolution and Deed of Dedication		X		X
Additional information if requested by the Administrative Official and/or Planning Commission	X	X	X	X
Proof of submission to the school district		X	X	X
Proof of submission to all applicable utility providers			X	
Written waiver request, if applicable			X	
SUBMITTAL				
Completed Application	X	X	X	X
Payment of Application Fees	X	X	X	X
Electronic Submittals	X	X	X	X
Reproducible Plat	X	X		X
Bonded Copy of Plat			X	

REMOVED majority and moved Creative Cluster to Article 5 as an optional 'Overlay'

CHAPTER 2: CIRCULATION SYSTEM DESIGN

4 ARTICLE FOUR

CIRCULATION SYSTEM DESIGN

4-1 Purpose

The purpose of this Article is to assure the development of functional and safe circulation patterns within new subdivisions, in order to encourage economical and effective movement of motor vehicles, bicycles, and pedestrians; provide access for public safety vehicles; and encourage the development of circulation systems that enhance the quality of life within new and existing neighborhoods in the City of Columbus and its planning jurisdiction.

4-2 General Standards

The design of circulation systems should conform to the following general standards and requirements:

a. Roadway System Design

1. The road system shall be designed to permit safe and orderly movement of traffic, to meet but not exceed needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape; and to present an attractive streetscape.
2. The system shall conform with the City's Comprehensive Development Plan, Long Range Transportation Plan, and State of Nebraska Board of Classification and Standards. For streets not shown on the Comprehensive Development Plan and Long Range Transportation Plan, the arrangement of streets shall provide for the logical extension of existing streets, proposed streets with area developments, and access to adjacent area properties.
3. The street network of a subdivision should provide for logical, continuous extensions of streets to subsequent, later developments.

b. Pedestrian and Bicycle Systems

1. A continuous pedestrian system shall be provided within each non-industrial subdivision, designed to conduct pedestrians between every point in the subdivision in a safe manner.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

2. In conventional subdivisions, the pedestrian system will ordinarily be provided by sidewalks placed parallel to and on both sides of each street, with exceptions permitted to preserve natural features or the use of trails to create visual interest.
3. In ~~creative-subdivision~~ overlay districts and Non-traditional Residential Parks and Subdivisions, the pedestrian system may be an independent network —diverging from streets but providing continuous pedestrian access between all points.
4. All aspects of the pedestrian system, including sidewalks and intersection crossings, must be designed to comply with the Americans with Disabilities Act.
5. Bikeways or recreational trails shall be required only if specifically indicated by the Comprehensive ~~Development Plan, Long Range Transportation Plan, or Trail Master Plan~~. Any land dedicated for trail development shall be credited toward the satisfaction of pedestrian system and open space standards set forth by this ordinance.

5-3 Street Hierarchy and Design

a. Characteristics of the Hierarchy

1. Streets shall be classified according to a street hierarchy with design tailored to function with existing and proposed traffic or turning movements.
2. Each residential street shall be classified and designed to meet appropriate standards.
3. The categories, functions, and projected traffic loads of the street hierarchy are set forth in Table 5-1.

b. Cartway Width

1. Cartway width for each street classification is determined by parking and curbing requirements based on form or intensity of adjacent development.
2. To promote economical development of streets, minimum cartway width should generally be used. Minimum cartway widths are set forth in Table 5-2.

c. Curbs, Gutters, and Shoulders

1. Curbing shall be required for the purposes of safety, drainage, and protection of the pavement edge, as set forth in Table 5-3.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

2. Requirements for curbs vary according to street function and the nature of adjacent development and expected future use of the area in accordance with the Future Land Use Map of the Comprehensive Plan. Adjacent development is defined as urban or rural as follows:

(a) Rural: ~~Rural~~ Residential or predominately agricultural land, ~~use where average lot frontage exceeds 100 feet.~~

(b) Urban: Residential land use ~~where average lot frontage is less than or equal to 100 feet~~; or adjacent land uses which include commercial, office, industrial, or civic use types.

3. Where curbing is not required, edge definition and stabilization shall be provided.

~~4. Where curbing is required, shoulders and drainage swales may be used only if soils or topography make the provision of shoulders preferable to curbs; or where the character of an area is preserved by the use of shoulders and drainage swales.~~

5. Shoulders, when developed, shall be at least six feet in width on each side for all streets; and located within right-of-way. Swale width is site-specific. Shoulders shall be stabilized with turf or other acceptable material.

6. All curbs shall provide ramps for accessibility by handicapped people consistent with the requirements of the Americans with Disabilities Act.

1. Curb construction shall follow standards established by the City of Columbus.

d. Sidewalks

1. Sidewalk requirements are determined by road classification and intensity of development, as set forth in Table 5-3.

2. Where sidewalks are not otherwise required by Table 5-3, the City may require their installation if necessary to provide access to generators of pedestrian traffic or major community features; to continue a walk on an adjacent street; to link parts of the city; or to accommodate future development.

3. In conventional development, shall be placed generally parallel to streets within right-of-way. Exceptions are possible to preserve important natural features or to accommodate topography or vegetation; when applicant shows an alternative for a safe and convenient pedestrian system; or in creative subdivisions.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

4. In commercial areas, sidewalks may abut curb.
5. Pedestrian easements at least 12 feet in width may be required through the center of blocks over 600 feet in length if deemed necessary by the approving authorities to provide access to schools or community facilities; or to maintain a continuous pedestrian network within and between subdivisions and districts of the City of Columbus and its jurisdiction.
6. Sidewalks shall provide a clear path of at least four foot in width, free of any obstructions.
7. All sidewalks shall be constructed according to current standards in use by the City of Columbus. Sidewalks shall be of concrete construction four inches thick except at points of vehicular crossing where they shall be six inches thick.
8. All sidewalks, crossings, and other segments of a continuous pedestrian system must comply with standards of the Americans with Disabilities Act.

e. Bikeways and Recreational Trail

1. Bikeways and recreational trails shall be required in subdivisions only when specified as part of the comprehensive development plan.
2. All off-street recreational trails shall be a minimum of eight feet in width for two-way traffic and comply with the Americans with Disabilities Act. Surfacing of trails shall be acceptable to the City of Columbus. Gradients for bikeways and recreational trails should not exceed five percent, except for short distances.
3. Recreational trails may satisfy part of the requirements of this ordinance for sidewalks or open space.
4. All residential streets shall utilize bicycle safe drainage grates at storm sewer inlets.

f. Right-of-Way

1. Measurement: The right-of-way of a street shall be measured from lot line to lot line, and shall be wide enough to contain the cartway, curbs or shoulder, sidewalks and sidewalk setbacks, other necessary graded areas, and utilities.
2. Any right-of-way that continues an existing street shall be no less than that of existing street.
3. The requirements for right-of-ways for functional categories of roads is set forth in Table 5-3.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

4. Dedications: Dedications of right-of-way for collector, subcollector, community, or arterial streets shall be made consistent with the comprehensive development plan.

g. Street Design Standards

1. Pavement

(a) All streets shall be paved to current standards utilized in the City of Columbus except:

(1) Local streets in rural intensity residential subdivisions. In these settings, streets may utilize a travel or crushed rock surface of sufficient thickness and with an adequate base to provide a durable surface.

(2) Courts, which may utilize six-inch concrete, provided that such courts or lanes remain in private or private cooperative ownership.

(b) Street pavement thickness shall relate to the role of the street in the hierarchy, sub-grade conditions, and pavement type.

2. Continuity of Arterial or Collector Streets

No subdivision shall prevent the extension of arterial or collector streets through and beyond the subdivision. The subdivider may plan and design collector streets not designated in the Comprehensive Development Plan subject to the approval of the City Council.

3. Arterial Street Construction Alternate

Where the condition of the existing arterial roadway is in satisfactory condition, concrete, and constructed in accordance with the State of Nebraska Board of Classification and Standards the developer may elect to pay a Public Infrastructure Improvement Impact Fee in lieu of improving the roadway, earthwork, storm sewer and other potential impacts of such improvements section at the time of development.

4. Cul-de-sacs and Street Bulb-Outs

Cul-de-sac streets designed to have one end permanently closed shall not exceed 350 feet in length as measure from the radii points and shall be designed so that vision from entrance to end is not restricted. The terminating end of a cul-de-sac shall have a minimum radius of 50 feet.

Street bulb-outs may be utilized on Local streets if approved by the City Engineer.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

4. Street Intersections

(a) Streets shall intersect as nearly at right angles as possible, unless limited by topography, existing street alignments, or other clearly defined constraints. No street shall intersect any other street at less than 60 degrees.

(b) In most cases, no more than two streets should intersect at a single intersection.

(c) Local street intersections with major arterials should be avoided.

(d) New intersections along one side of an existing or proposed street shall, ~~if possible,~~ align with intersections on the other side of the street. Offsets between adjacent intersections shall measure at least 125 feet between centerlines of any streets. The use of T-intersections is encouraged on local streets within the interior of a subdivision.

(e) Street intersections shall be rounded with a minimum radius of 20 feet on Local and Collector roads and a minimum radius of 30 feet on Minor and Other Arterial and Major Arterial roads. ~~The Planning Commission may require a larger radius or permit comparable cutoffs or chords in place of rounded corners~~ may be required on all types of Arterial roads.

(f) Intersections and driveways shall not be within 200-feet of all types of Arterial roadways or signalized intersections.

5. Block Size

(a) The length, widths, and shapes of blocks shall be suited to the proposed area land use and design of the proposed subdivision and area properties. Blocks within residential areas should generally not exceed 1200 feet in length, unless necessitated by exceptional topography or other demonstrable (non-financial) constraints.

h. Street Names

No street names shall be used which will duplicate or be confused with the name of existing streets as approved by the City Engineer. ~~Street names shall be subject to the approval of the Planning Commission.~~ Streets shall be named according to the following system subject to City Engineer, Planning Commission and City Council approval:

CHAPTER 2: CIRCULATION SYSTEM DESIGN

<u>Street Direction and Type</u>	<u>Name</u>
North-South	Numbered Avenues
East-West	Numbered Streets
Short Streets at Angles	Lanes <u>or Drives</u>
<u>Long Angle Arterial Streets</u>	<u>Parkway or Boulevard</u>
Cul-de-sacs	Places
Intermediate Streets	Named Streets (if E-W) or Avenues (if N-S)
<u>Private Streets</u>	<u>Court (East-West) and Plaza (North-South)</u>

i. Adjacency to Arterials and Railroads

1. Where the subdivision is adjacent to or contains a street designated as a major arterial or expressway, provision shall be made for marginal access streets approximately parallel and adjacent to the boundary of such right-of-way. ~~The Planning Commission may require treatments or d~~Design features may be necessary to provide adequate protection of residential property and separation of through and local traffic as determined by the City Engineer.
2. Where the subdivision is adjacent to or contains a railroad right-of-way or limited access highway, the ~~Planning Commission~~City Engineer may require a street approximately parallel to and on each side of the right-of-way at a distance suitable for appropriate use of the intervening property. These distances shall afford opportunities for safe approach grades and future grade separations.

j. Prohibited Practices

The following design practices shall be prohibited:

1. Privately-owned reserve strips controlling access to streets.
2. Half-streets.
3. Public alleys, except in a B1 zoning district.

5-4 Alleys

CHAPTER 2: CIRCULATION SYSTEM DESIGN

a. Applicability

Private Alleys may be provided to supplement public roadways. Such private alleys may only connect to Local roads. in commercial and industrial subdivisions, unless the Planning Commission determines that adequate alternative provision is made in the subdivision for service access and parking.

b. Alley Design

1. Minimum width of alleys shall be 20 feet.
2. Alley intersections and sharp changes in alignment shall be avoided.
3. Valley gutters may be used at alley and T-intersections.
4. Dead-end alleys shall be avoided if possible. If necessary, dead end alleys shall be provided with adequate turnaround facilities, as determined by the Planning Commission.
5. Alley design in Commercial zones shall follow the National Fire Protection Agency requirements as administered by the Nebraska State Fire Marshall's Office.
6. Alley design in Residential zones or for residential uses shall follow the International Fire Code.

5-5 Lighting and Wiring

a. Street Lighting

1. Street lighting shall be provided along all streets in urban residential subdivisions or in any commercial or industrial subdivision, according to an approved lighting plan designed by the local public power utility company, or using guideline standards published in the Lighting Handbook of the Illuminating Engineering Society of North America.
2. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or a nuisance to residents. The design of lighting shall be appropriate to the development and to the City of Columbus.

b. Underground Wiring

1. All electric, telephone, television, cable TV, data, fiber optics, and other communication lines shall be provided by underground wiring within public easements or public right-of-way, except where in the opinion of the approving authorities, such location is not

CHAPTER 2: CIRCULATION SYSTEM DESIGN

practical and feasible. Poles for permitted overhead lines shall be placed in rear lot line easements; or in other locations designed to lessen their visual impact.

2. New lots adjacent to existing overhead service may utilize that service; however, new local service connections shall be underground.

CHAPTER 2: CIRCULATION SYSTEM DESIGN

TABLE 5-1: STREET HIERARCHY

Residential Street Type	Function	Guideline Maximum ADT
<u>Court-Private Drive</u> (Private)	Street providing private or controlled access to no more than twelve housing units.	120-150
Local	Provides frontage to lots and carries traffic with origin or destination on street itself. Carries least traffic at lowest speed. East-west orientation provides best solar access. Local residential streets usually do not interconnect with adjoining neighborhoods or subdivisions.	250-1,000
Collector	Conducts and distributes traffic between local streets and major streets in the community. Carries larger volume of traffic. Residential collectors interconnect and provide through access between residential neighborhoods. Collector streets should preserve one through traffic lane in each direction, without encroachment by parking. <u>Driveway access shall be minimized.</u> Collectors may be included eligible to use in the city's <u>Surface Transportation Program system for federal aid.</u> Federal Funds Purchase Program funding.	1,000-5,000
<u>Minor and Other</u> Arterials	Provides community wide access between residential neighborhoods and to other activity centers in Columbus, including Downtown and major commercial facilities. Direct access may be provided to other arterial streets. Parking should generally be prohibited on other arterials. Other arterials should be excluded from residential areas. <u>Driveway access is not allowed. Nubir abd itger Arteruaks nat be eligible to use the city's Federal Fund Purchase Program funding. These streets are part of the Surface Transportation Program system for federal aid.</u>	5,000-15,000
Major Arterial	Inter-regional road in the street hierarchy. Conveys traffic between activity centers, often at high speeds and with limited access. Should be excluded from residential areas. <u>Driveway access is not allowed. Major Arterials may be eligible to use the city's Federal Funds Purchase Program funding. These streets are part of the Surface Transportation Program system for federal aid.</u>	15,000+

CHAPTER 2: CIRCULATION SYSTEM DESIGN

TABLE 5-2: CARTWAY WIDTH

<u>Residential</u> Street Type	Moving Lanes	Parking Restrictions	Total Width <u>Measured back of curb to back of curb</u>	Maximum Grade
Lane or <u>Court Private</u> <u>Street</u> (Private)	Two 12-foot	NFPA <u>Requirements No</u> <u>parking to</u> <u>meeting NFPA</u> <u>standards</u>	<u>242</u> feet	10%
Local	Two 12-foot	None	33 feet	10%
Collector	<u>Two 12-foot</u> <u>through lanes</u>	<u>None, but must</u> <u>meeting NFPA</u> <u>standards</u>	<u>33 feet</u>	<u>10%</u>
No parking <u>Minor</u> <u>and Other</u> <u>Arterials</u>	<u>Three Each</u> <u>through land 12-</u> <u>foot and/or Two</u> <u>12-foot with one</u> <u>14-foot center</u> <u>lane</u>	No parking	41 feet	7%
<u>Major Arterials</u>	<u>Three or more</u> <u>12-foot</u>	<u>No parking</u>	<u>Minimum 41 feet</u>	<u>Meet design</u> <u>guidelines</u>

Arterials

Arterial street width, including frontage roads, is determined by state standards, designation of individual street or roadway segment, and design by the City Engineer.

TABLE 5-3: CURB, SIDEWALK, AND RIGHT-OF-WAY REQUIREMENTS

Residential Street Type	<u>Cartway</u> <u>Width</u>	Curb / Shoulder	Sidewalk	Sidewalk Setback	Total ROW
Court Private <u>Street</u> (Private)	<u>22 feet</u>	<u>Not</u> <u>Required</u> <u>Curb</u> <u>with 2-foot turf</u> <u>shoulder</u>	Required	<u>NA</u> <u>No</u> <u>Setback.</u> <u>Sidewalk to</u> <u>be located on</u> <u>the private</u> <u>street lot.</u>	<u>40</u> <u>feet</u> <u>Minimum</u> <u>of 32 feet</u>
Local					

CHAPTER 2: CIRCULATION SYSTEM DESIGN

<u>Local - Rural</u>	24 feet	Not Required <u>Minimum 6-foot turf</u>	May Not be Required	NA	60 <u>or 66</u> feet*
<u>Local - Urban</u>	33 feet	Curb	Both sides unless excepted by City Council.	6 feet <u>4 feet or 2 feet in cul-de-sacs</u>	60 <u>or 80</u> feet*
Collector	41 feet	<u>Curb</u>	Required <u>both sides</u>	4 feet	60 or 80 <u>6</u> feet
Rural <u>Minor or Other Arterial</u>	24 feet	Not Required <u>Curb</u>	Not Required <u>Both Sides</u>	NA <u>4 feet or greater as approved by City Engineer</u>	80-100 <u>feet</u> *
Urban No Parking	41 feet	Curb	Both Sides	8 feet	80 feet*

Arterials

Arterial right-of-way, design and width, including frontage roads, is determined by state standards, designation of individual street or roadway segment, and design as determined by the City Engineer.

Right-of-way

Additional right-of-way triangular and curved at intersections may be required to meeting turning radii, sidewalks with ramps, utilities, traffic signals, and so forth.

~~* Right of way widths for these classes of street may be modified within Creative Subdivisions.~~

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

6 ARTICLE SIX

PUBLIC IMPROVEMENTS AND INFRASTRUCTURE

6-1 Purpose

The purpose of this Article is to assure that all subdivisions developed in the City of Columbus and its jurisdiction are adequately furnished with necessary public services. These services include adequate water, waste management, and storm water drainage utilities; and park and open space resources.

6-2 Water

a. Connection

1. All installations shall be properly connected ~~edion~~ to an approved and functioning community water system and in accordance with any and all design and construction manuals.
2. Where City water is accessible within ~~1,320-300~~ feet of the final plat, the subdivider shall connect to the system and provide adequate lines and stubs to each lot. When City water is not accessible within ~~1,320-300~~ feet of the final plat, the subdivider shall make provision for a water supply acceptable to the City Engineer.
3. If a public water supply system is to provided to an area within a six-year period, as indicated in an officially adopted document of the City, the Rural Water District, or other authorized agency, the City may require installation of a capped system or dry lines. Alternatively, the City may require a payment in lieu of the improvement, to be credited toward the extension and extension of the subdivision to a future public water supply.
4. All proposals for new water supplies, extensions, or main installation shall be approved by the appropriate public agency, including the State of Nebraska Departmnet of Environment and Energy and the City of Columbus.
5. The Developer shall be responsible for the location of the Water and Sanitary Sewer service lines so that the purchaser of the lot can locate them. If the purchaser cannot locate the Water and Sanitary Sewer service lines, the Developer shall be responsible for determining their location including all costs. The Developer shall provide the City with an as-built drawing showing the location of all utility and service lines.
6. City of Columbus final approval of the system, and if applicable, the State Fire Marshall approval of the fire protection system, shall be obtained prior to issuance of building permit or final occupancy permit.

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

b. Capacity

1. The water supply system shall be adequate to handle the necessary flow, based on complete development of the subdivision.
2. The demand rates for all uses, including emergency fire demand, shall be included in the computation of total water demand.
3. Water mains shall be a minimum of six inches in residential and commercial zones and a minimum of eight inches in industrial zones, subject to a Developer provided study, which may be required by the City Engineer, Comprehensive Plan and/or Citywide Water Study which may increase the sizes required.
4. Hydrants spaced for necessary fire flow and provided with adequate means of drainage. All property shall be within 300 feet of a fire hydrant. Fire hydrants shall be placed at all intersections and ends of mains.
5. Water mains shall be looped to eliminate permanent or long standing dead end lines, including through cul-de-sacs.
65. Installation of water systems shall conform to Nebraska Department of Environment and Energy and community design standards in use within —the City of Columbus.
76. All final plats shall include a certification from a registered State of Nebraska Professional Engineer that the water supply system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Nebraska Department of Environment and Energy, to the best of his/her knowledge and belief.

6-3 Sanitary Sewers

a. Connection

1. All installations shall be properly connected to an approved and functioning sanitary sewer system and in accordance with any and all design and construction manuals. prior to issuance of a certificate of occupancy.
2. Where City sanitary sewer is accessible within 1,320300 feet of the final plat, the subdivider shall connect to the system and provide adequate lines and stubs to each lot. When City sanitary sewer is not accessible within 1,320300 feet of the final plat, the subdivider shall make provision for a water supply acceptable to the City Engineer.
3. If the City creates a sanitary sewer extension district each benefiting property in accordance with State Statutes will have a special assessment. benefit fund for the purpose of financing public extensions of —sanitary interceptor sewers to newly

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

~~developing areas, each subdivision to be benefited — by such extensions shall contribute to such a fund. Subdivisions within the city limits of Columbus at the time of platting; or subdivisions currently served by existing sanitary — sewer service shall be exempt from this requirement. Contributions to the fund Special assessments shall be computed on the basis of proportionate costs and benefits of necessary extensions including sanitary sewer lift stations. Assessments shall be made on an area basis of benefiting property, per lot basis for single-family development; a pre-unit — basis for multi-family residential development; and a site area basis for non-residential — development.~~

4. If system is not in place or cannot be developed, the developer must provide individual subsurface disposal systems where appropriate, with design taking into consideration site density, soil, slope, and other conditions and obtains approval from the Nebraska Department of Environment and Energy. Subsurface or septic systems are not permissible on any lot created if the overall density of the subdivision is greater than one unit per 1.5 acres, if individual lots are smaller than one acres, if restricted by the Nebraska Department of Environment or Energy or any lot which has a property line which is within 300 feet of the public sanitary sewer system. Subsurface or septic systems are not — permissible on any lot created after the effective date of this Ordinance if the overall — density of the subdivision is higher than one unit per 1.5 acres; or if individual lots are — smaller than one acre.
5. If a sanitary sewer system is to be provided to an area within a six-year period, as indicated in an officially adopted document of the City, the County, the Nebraska Department of Health, or other authorized agency, the City may require installation of a capped system or dry lines. Alternatively, the City may require a payment in lieu of the improvement, to be credited toward the extension and extension of the subdivision of a future sanitary sewer system.
6. All proposals for new public sanitary sewer systems or extensions of existing systems shall be approved by the appropriate public agencies including the State of Nebraska Department of Environment and Energy and the City of Columbus.
7. City of Columbus final approval of the system, and if applicable the State Electrical Inspector for the lift station system, shall be obtained prior to issuance of building permit or final occupancy permits.
87. The Developer shall be responsible for the location of the Water and Sanitary Sewer service lines so that the purchaser of the lot can locate them. If the purchaser cannot locate the Water and Sanitary Sewer service lines, the Developer shall be responsible for determining their location including all costs. The Developer shall provide the City with an as-built drawing showing the location of all utility and service lines.

b. Capacity

1. The sanitary sewer system shall be adequate to handle the necessary flow, based on complete development of the subdivision.

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

2. Installation of sanitary sewer systems shall conform to community design standards of the Nebraska Department of Environment and Energy and those in use within the City of Columbus.
3. Sanitary sewer mains shall be a minimum diameter of eight inches or as required in a developer provided study as may be required by the City Engineer, the City Comprehensive Plan and/or the Citywide Sewer Study.
4. Sanitary sewer manholes shall be a minimum of 54-inches in diameter and separation shall not be more than 350 feet and shall be placed at bends, main connections, end of mains and all service connections in diameter greater than 6 inches.
53. All final plats shall include a certification from a registered Professional Engineer that the sanitary sewer system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Nebraska Department of Environment and Energy, to the best of his/her knowledge and belief.

6-4 Storm Sewers and Storm Water Management

a. Design

1. All subdivisions shall have a storm water management and treatment system in accordance with the Storm Water Management Plan. This system shall be discussed at the pre-~~preliminary application~~ meeting and shall address routing of storm waters after they leave the subdivision, as well as the available drainage courses or storm sewers in the immediate vicinity of the subdivision.
2. The design of the storm water management and treatment system shall be consistent with general and specific concerns and standards of the Comprehensive Development Plan and the drainage control programs of applicable public agencies. Design shall be based on environmentally sound site planning and engineering techniques.
3. To maximum degree possible, drainage from subdivisions shall conform to natural contours of land and not disturb pre-existing drainage ways.
4. Adjacent properties which may be burdened with surface water ~~from the subdivision~~ should have the effects ameliorated as much as possible, ~~and consideration should be given to the capacity of the streets to contain water between the sidewalks in the event of a heavy rainfall event.~~ Peak flow rates out of the subdivision or development shall not exceed pre-development rates.
5. Design shall use the best available technology to minimize off-site runoff, encourage natural filtration, simulate natural drainage, and minimize discharge of pollutants.
6. No surface or point source water may be channeled into a sanitary sewer system.

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

7. Where possible, a subdivision's drainage system shall coordinate with that of surrounding properties or streets.

8. The pre-~~preliminary application~~ information should include drainage impacts and shall be discussed with the Building Official and members of the Planning Commission.

CHAPTER 2: IMPROVEMENTS AND INFRASTRUCTURE

6-5 Easements

a. Utility Easements

Public Easements for utilities shall be provided for in the subdivision dedication allowing for the construction, maintenance, repair, and replacement of such facilities as required by the utility companies.

b. Drainage or Environmental Easements

Where a subdivision is crossed by a watercourse, drainage way, channel, or stream, a storm water easement or a permanent drainage or environmental easement right-of-way shall be provided, corresponding generally with the extent of such watercourse, together with any additional construction or expansion necessary to allow it to conduct and treat storm water adequately. Parallel streets or parkways may be utilized to preserve such drainage ways.

c. Other Easements

The subdivision shall provide easements for other public and private utilities that cross through it, in a form acceptable to the City or appropriate public agency.

6-6 Dedications

Before final plat approval is granted to the subdivision, dedications to public use of all streets, alleys, other public right-of-ways, easements, or other parks and public lands shall be completed as required by this Ordinance.

6-7 Public Infrastructure Improvement Impact Fee

a. Purpose

In the event infrastructure present is in a condition adequate to serve a proposed development, as determined by the City Engineer, the developer may elect to pay a public infrastructure improvement impact fee in lieu of making required public improvements.

1. Such fee shall be determined by the City Engineer based on most recent, similar construction type.

2. If an agreement is reached, details shall be included in the Development Agreement.

CHAPTER 2: IMPROVEMENT GUARANTEES PROCEDURES

7 ARTICLE SEVEN

IMPROVEMENT GUARANTEES PROCEDURES

7-1 Purpose

The purpose of this Article is to ensure the proper installation and maintenance of required streets, utilities, and other improvements. The guarantee agreement for improvements shall be structured to provide adequate assurances to the City while not adding unnecessary costs to the developer.

7-2 Application

- a. This article applies to subdivisions which require the installation of streets, utilities, or other public improvements by the developer.
- b. As a condition of the final approval of the plat and prior to its recording with the Platte County Register of Deeds, the City Council shall require and accept the following:
 1. The furnishing of a performance bond, letter of credit, cash escrow, or other guarantee in a form acceptable to the City, in an amount not to exceed 120% of the estimated cost of the improvement installation.
 2. A specification of the time allowed for the installation of improvements. This period may be extended by the City Council.
 3. The performance guarantee amount and requirement, along with the permitted time for installation, shall be included within the Subdivision-Development Agreement negotiated between the City and the Developer and approved with the Final Plat.
 4. An Ordinance stating the requirements of the City can be used in lieu of Items 1, 2, and 3 above.

7-3 Pre-Construction Conference

- a. Prior to beginning construction the developer shall hold a pre-construction conference.
- b. In addition to the developer, attendance at the pre-construction conference shall include a representative from the design professional, city, general contractor, public and private utilities and others which have a direct or indirect interest in the projects successful completion.
- c. The developer is responsible for taking and providing minutes of the pre-construction conference to the city.

CHAPTER 2: IMPROVEMENT GUARANTEES PROCEDURES

7-43 Notification of Completion and Acceptance by City

a. Notification

Upon substantial completion of all required improvements, the developer shall notify the Administrative Official in writing, as well as submitting a certification from thea-registered project design professional Engineer, registered in the State of Nebraska, attesting to the adequacy of the installation.

b. Inspection and Acceptance

1. The Administrative Official or his/her designee shall inspect-reasonably observe all installations, and shall approve, partially approve, or disapprove of the installation.
2. If the installation is approved, the Administrative Official shall notify the Developer of acceptance in writing. Such acceptance shall release the developer from liability pursuant to the performance guarantee for the installation. The City has the right to retain up to 10% of the value of the performance guarantee for a period of up to one year from the date of acceptance to remedy any deficiencies which appear during that period.
4. 3. If improvements are not accepted or not completed within the specified time, the performance guarantee shall be forfeited and used by the City to complete satisfactory installation of improvements.
5. 4. Prior to acceptance by the City, the developer shall provide to the City an "As-Built Plan" of the infrastructure of the subdivision including, but not limited to, all water, sewer and storm sewer utilities. An as-built plan shall include elevations of the post-construction stormwater treatment facility. No building permits or occupancy permits will be approved until such completed record drawing submittal is reviewed and approved.

6. Building reports for September and October 2020.

CITY OF COLUMBUS
BUILDING DEPARTMENT REPORT October 2020

	Current Month 2020			Current Month 2019		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
BUILDING PERMITS						
Business/Industry						
Addition	1	104,400.00	529.75	1	750,000.00	1,987.50
Alteration	0	0.00	0.00	0	0.00	0.00
Fence	0	0.00	0.00	0	0.00	0.00
Miscellaneous (Other)	0	0.00	0.00	0	0.00	0.00
New	2	314,000.00	1,186.25	1	32,400.00	212.00
Repairs/Remodel	1	194,186.00	754.21	7	5,620,000.00	12,740.50
Residence						
Addition	5	137,268.00	751.40	2	135,000.00	662.75
Alteration	0	0.00	0.00	0	0.00	0.00
Deck	5	20,540.00	182.07	0	0.00	0.00
Fence	9	26,985.00	225.00	9	22,232.00	225.00
Miscellaneous (Other)	0	0.00	0.00	0	0.00	0.00
* New Residence	1	236,000.00	755.70	8	2,846,844.00	8,168.22
* New HUD Residence	0	0.00	0.00	0	0.00	0.00
Repairs/Remodel	5	254,000.00	1,263.25	4	8,800.00	116.25
Duplex/Townhouse (New)	5	3,465,353.00	6,856.36	6	1,441,427.00	4,590.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Multiple Family (New)	0	0.00	0.00	0	0.00	0.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Garage/Utility						
Addition	3	64,960.00	380.06	0	0.00	0.00
New	1	50,400.00	264.00	5	159,768.00	889.51
Public Owned New	0	0.00	0.00	0	0.00	0.00
SPECIAL PERMITS						
Demolition	0	0.00	0.00	1	4,000.00	25.00
Miscellaneous (Other)	0	0.00	0.00	0	0.00	0.00
Sprinklers	1	2,500.00	17.00	4	24,500.00	169.75
Move Building	0	0.00	0.00	0	0.00	0.00
Plumbing	24	1,291,100.00	650.00	15	316,500.00	1,692.00
Signs	7	31,640.00	210.00	1	1,000.00	30.00
MONTH TOTAL	70	6,193,332.00	14,025.05	64	11,362,471.00	31,508.48

	Year to Date 2020			Year to Date 2019		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
BUILDING PERMITS						
Business/Industry						
Addition	3	12,660,555.00	24,853.79	10	38,515,180.00	59666.91
Alteration	0	0.00	0.00	0	0.00	0.00
Fence	2	6,750.00	50.00	0	0.00	0.00
Miscellaneous (Other)	3	56,000.00	406.25	6	134,000.00	925.00
New	9	3,562,807.00	8,358.33	16	34,234,000.00	70818.11
Repairs/Remodel	14	2,151,984.00	7,691.96	26	32,757,593.44	22364.23
Residence (*See "New" Residences Below)						
Addition	36	921,045.00	5,131.03	24	618,648.60	3370.56
Alteration	3	13,279.00	111.40	0	0.00	0.00
Deck	50	290,295.00	2,390.47	33	172,781.34	1414.64
Fence	166	411,509.00	4,170.58	105	339,222.00	2625.00
Miscellaneous (Other)	8	79,610.00	541.01	2	40,500.00	245.00
* New Residence	39	12,798,938.16	35,206.45	50	13,814,162.00	42108.56
* New HUD Residence	0	0.00	0.00	1	130,760.00	524.17
Repairs/Remodel	34	824,196.00	4,427.15	40	599,840.00	3330.76
Duplex/Townhouse (New)	30	9,887,241.68	26,655.74	15	3,450,455.00	11138.56
Repairs/Remodel	1	15,000.00	99.00	0	0.00	0.00
Multiple Family (New)	0	0.00	0.00	2	22,196,000.00	42780.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Garage/Utility						
Addition	5	86,960.00	530.56	1	6,240.00	46.20
New	28	1,050,654.00	5,035.42	28	666,156.00	3814.33
Public Owned	0	0.00	0.00	9	9,685,400.00	2416.75
SPECIAL PERMITS						
Demolition	10	26,000.00	250.00	23	107,600.00	575.00
Miscellaneous (Other)	3	94,320.00	484.56	0	0.00	0.00
Sprinklers	86	198,000.00	2,953.00	50	160,500.00	929.75
Move Building	2	8,000.00	56.00	3	10,000.00	78.80
Plumbing	175	9,161,700.00	15,606.00	196	15,687,628.00	15740.00
Signs	54	372,622.00	1,620.00	39	210,550.00	1115.00
YEAR TOTAL	761	54,677,465.84	146,628.70	679	173,537,216.38	286,027.33

**CITY OF COLUMBUS
BUILDING DEPARTMENT REPORT
OCTOBER 2020**

CURRENT MONTH 2020

CURRENT MONTH 2019

YEAR TO DATE

BUILDING ACTIVITY:

NEW PERMITS ISSUED	38
INSPECTIONS PERFORMED:	
FOOTINGS	23
FOUNDATION	8
FRAMING	53
MISCELLANEOUS	76
FINAL	32

BUILDING ACTIVITY:

NEW PERMITS ISSUED	43
INSPECTIONS PERFORMED:	
FOOTINGS	24
FOUNDATION	8
FRAMING	48
MISCELLANEOUS	37
FINAL	49

BUILDING ACTIVITY:

NEW PERMITS ISSUED	440
INSPECTIONS PERFORMED:	
FOOTINGS	153
FOUNDATION	56
FRAMING	473
MISCELLANEOUS	462
FINAL	320

PLUMBING ACTIVITY:

NEW PERMITS ISSUED	25
INSPECTIONS PERFORMED:	
WATER AND SEWER	15
MISCELLANEOUS	16
ROUGH IN	45
FINAL	26

PLUMBING ACTIVITY:

NEW PERMITS ISSUED	15
INSPECTIONS PERFORMED:	
WATER AND SEWER	43
MISCELLANEOUS	9
ROUGH IN	42
FINAL	42

PLUMBING ACTIVITY:

NEW PERMITS ISSUED	261
INSPECTIONS PERFORMED:	
WATER AND SEWER	195
MISCELLANEOUS	134
ROUGH IN	453
FINAL	257

Respectfully Submitted,



Daniel Curtis
Community Development Director

CITY OF COLUMBUS
BUILDING DEPARTMENT REPORT September 2020 2020

BUILDING PERMITS	Current Month 2020			Current Month 2019		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
Business/Industry						
Addition	1	12,508,155.00	24,034.04	0	0.00	0.00
Alteration	0	0.00	0.00	0	0.00	0.00
Fence	0	0.00	0.00	0	0.00	0.00
Miscellaneous (Other)	0	0.00	0.00	0	0.00	0.00
New	0	0.00	0.00	2	433,000.00	1,483.75
Repairs/Remodel	1	808,800.00	2,097.75	3	172,849.00	842.49
Residence						
Addition	9	266,569.00	1,462.78	1	1,800.00	27.50
Alteration	0	0.00	0.00	0	0.00	0.00
Deck	4	21,280.00	181.45	6	36,180.00	299.00
Fence	38	92,412.00	950.00	8	27,674.00	200.00
Miscellaneous (Other)	1	5,000.00	40.00	0	0.00	0.00
* New Residence	6	1,816,672.32	4,529.13	8	2,114,074.00	6,526.20
* New HUD Residence	0	0.00	0.00	0	0.00	0.00
Repairs/Remodel	1	2,500.00	27.50	0	0.00	0.00
Duplex/Townhouse (New)	6	1,490,374.00	4,697.88	0	0.00	0.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Multiple Family (New)	0	0.00	0.00	2	22,196,000.00	42,780.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Garage/Utility						
Addition	0	0.00	0.00	0	0.00	0.00
New	5	236,320.00	1,141.97	2	30,920.00	197.60
Public Owned New						
	0	0.00	0.00	4	18,000.00	151.75
SPECIAL PERMITS						
Demolition	0	0.00	0.00	0	0.00	0.00
Miscellaneous (Other)	0	0.00	0.00	0	0.00	0.00
Sprinklers	1	1,500.00	17.00	13	42,500.00	208.00
Move Building	0	0.00	0.00	0	0.00	0.00
Plumbing	28	5,390,900.00	2,108.00	29	191,000.00	1,082.00
Signs	3	27,172.00	90.00	6	11,000.00	180.00
MONTH TOTAL	104	22,667,654.32	41,377.50	84	25,274,997.00	53,978.29

BUILDING PERMITS	Year to Date 2020			Year to Date 2019		
	COUNT	VALUE	FEES	COUNT	VALUE	FEES
Business/Industry						
Addition	2	12,556,155.00	24,324.04	9	37,765,180.00	57679.41
Alteration	0	0.00	0.00	0	0.00	0.00
Fence	2	6,750.00	50.00	0	0.00	0.00
Miscellaneous (Other)	3	56,000.00	406.25	6	134,000.00	925.00
New	7	3,248,807.00	7,172.08	15	34,201,600.00	70606.11
Repairs/Remodel	13	1,957,798.00	6,937.75	19	27,137,593.44	9623.73
Residence (*See "New" Residences Below)						
Addition	31	783,777.00	4,379.63	22	483,648.60	2707.81
Alteration	3	13,279.00	111.40	0	0.00	0.00
Deck	45	269,755.00	2,208.40	33	172,781.34	1414.64
Fence	157	384,524.00	3,945.58	96	316,990.00	2400.00
Miscellaneous (Other)	8	79,610.00	541.01	2	40,500.00	245.00
* New Residence	38	12,562,938.16	34,450.75	42	10,967,318.00	33940.34
* New HUD Residence	0	0.00	0.00	1	130,760.00	524.17
Repairs/Remodel	29	570,196.00	3,163.90	36	591,040.00	3214.51
Duplex/Townhouse (New)	25	6,421,888.68	19,799.38	9	2,009,028.00	6548.56
Repairs/Remodel	1	15,000.00	99.00	0	0.00	0.00
Multiple Family (New)	0	0.00	0.00	2	22,196,000.00	42780.00
Repairs/Remodel	0	0.00	0.00	0	0.00	0.00
Garage/Utility						
Addition	2	22,000.00	150.50	1	6,240.00	46.20
New	27	1,000,254.00	4,771.42	23	506,388.00	2924.82
Public Owned						
	0	0.00	0.00	9	9,685,400.00	2416.75
SPECIAL PERMITS						
Demolition	10	26,000.00	250.00	22	103,600.00	550.00
Miscellaneous (Other)	3	94,320.00	484.56	0	0.00	0.00
Sprinklers	85	195,500.00	2,936.00	46	136,000.00	760.00
Move Building	2	8,000.00	56.00	3	10,000.00	78.80
Plumbing	151	7,870,600.00	14,956.00	181	15,371,128.00	14048.00
Signs	47	340,982.00	1,410.00	38	209,550.00	1085.00
YEAR TOTAL	691	48,484,133.84	132,603.65	615	162,174,745.38	254,518.85

**CITY OF COLUMBUS
BUILDING DEPARTMENT REPORT
SEPTEMBER 2020**

CURRENT MONTH 2020

CURRENT MONTH 2019

YEAR TO DATE

BUILDING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	72
<u>INSPECTIONS PERFORMED:</u>	
<u>FOOTINGS</u>	19
<u>FOUNDATION</u>	6
<u>FRAMING</u>	54
<u>MISCELLANEOUS</u>	43
<u>FINAL</u>	38

BUILDING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	36
<u>INSPECTIONS PERFORMED:</u>	
<u>FOOTINGS</u>	22
<u>FOUNDATION</u>	9
<u>FRAMING</u>	54
<u>MISCELLANEOUS</u>	31
<u>FINAL</u>	45

BUILDING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	402
<u>INSPECTIONS PERFORMED:</u>	
<u>FOOTINGS</u>	130
<u>FOUNDATION</u>	48
<u>FRAMING</u>	420
<u>MISCELLANEOUS</u>	386
<u>FINAL</u>	288

PLUMBING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	29
<u>INSPECTIONS PERFORMED:</u>	
<u>WATER AND SEWER</u>	21
<u>MISCELLANEOUS</u>	26
<u>ROUGH IN</u>	48
<u>FINAL</u>	32

PLUMBING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	29
<u>INSPECTIONS PERFORMED:</u>	
<u>WATER AND SEWER</u>	19
<u>MISCELLANEOUS</u>	10
<u>ROUGH IN</u>	38
<u>FINAL</u>	29

PLUMBING ACTIVITY:

<u>NEW PERMITS ISSUED</u>	236
<u>INSPECTIONS PERFORMED:</u>	
<u>WATER AND SEWER</u>	180
<u>MISCELLANEOUS</u>	118
<u>ROUGH IN</u>	408
<u>FINAL</u>	231

Respectfully Submitted,

Daniel Curtis
Community Development Director

7. Adjournment