

**ALLIANCE, NEBRASKA**  
**PLANNING COMMISSION MEETING**  
**Alliance Learning Center- Meeting Room C**  
**1750 Sweetwater Avenue**  
**May 14, 2024- 5:30 p.m.**  
**AGENDA**

▪ **Call to Order**

▪ **Roll Call**

▪ **Open Meetings Act Announcement**

For the public's reference a copy of the Open Meetings Act has been posted on the north wall of this room in the audience area. This posting complies with the requirements of the Nebraska Legislature.

▪ **Pledge of Allegiance**

**A. Approval of Meeting Minutes- March 12, 2024**

**B. Capital Improvement Budget – Public Hearing**

Now is the date, time, and place to conduct a public hearing for the 2024-2025 Capital Improvement Project Budget as presented by City Staff.

Now is the date, time, and place to act on the 2024-2025 Capital Improvement Project Budget.

**C. Code Amendment - Public Hearing**

**Chapter 107, Sections 107-81, 107-86, and 107-102 of the Alliance Municipal Code**

Now is the date, time, and place to conduct a public hearing for the proposed code amendments to Chapter 107, Sections 107-81, 107-86, and 107-102 of the Alliance Municipal Code, titled Subdivision Regulations.

Now is the date, time, and place to act on the proposed code amendment to Chapter 107, Sections 107-81, 107-86, and 107-102 of the Alliance Municipal Code, titled Subdivision Regulations.

**D. Code Amendment – Public Hearing**

**Chapter 111, Sections 111-162, 111-242, and 111-243 of the Alliance Municipal Code**

Now is the date, time, and place to conduct a public hearing for the proposed code amendment to Chapter 111, Sections 111-162, 111-242, and 111-243 of the Alliance Municipal Code, titled Supplemental Zoning Regulations.

Now is the date, time, and place to act on the proposed code amendment to Chapter 111, Sections 111-162, 111-242, and 111-243 of the Alliance Municipal Code, titled Supplemental Zoning Regulations.

▪ **Adjournment.**

Respectfully submitted,



Katherine Conrad

Planning Commission Administrative Secretary

# Item A

## Approval of Meeting Minutes

March 12, 2024

## ALLIANCE PLANNING COMMISSION

REGULAR MEETING, TUESDAY MARCH 12, 2024

The Alliance Planning Commission met at their Regular Meeting Tuesday, March 12, 2024 at 5:30 p.m. at the Alliance Learning Center: Meeting Room C, 1750 Sweetwater Avenue. A notice of meeting was published in the Alliance Times Herald on February 28, 2024. The notice stated the date, time, and place of the meeting, that the meeting was open to the public, and that an agenda of the meeting, kept continuously current, was available for public inspection in the Community Development Office at City Hall; provided the Commissioners could modify the agenda at the meeting if it determined an emergency so required. A copy of the agenda had been delivered to each of the Planning Commission Members. An agenda, kept continuously current, was available for public inspection at the Community Development Office during regular business hours from the publication of the notice to the time of the meeting.

Chairman Davis opened the March 12, 2024 Regular Meeting of the Alliance, Nebraska Planning Commission at 5:31 p.m. Present were Board Members Vickie Mattox, Richard Arndt, Ray Hielscher, Rick Turman, Nancy Reiber, and Wayne Davis. Also present were Community Development Director Brent Kusek and Administrative Secretary Katherine Conrad. Absent were Board Members Brent Ferguson and Evan Mehne.

- The first item on the agenda was the review and approval of the January 09, 2024 Planning Commission Meeting minutes.

A motion was made by Board Member Mattox, which was seconded by Board Member Arndt to approve the January 09, 2024 Meeting Minutes as presented.

Roll call vote with the following results:

Voting Aye: Arndt, Turman, Hielscher, Mattox, Reiber, and Davis.

Voting Nay: None.

Motion Carried.

- The second item on the Agenda was the “Area I” Blight and Substandard Study.

[The City of Alliance is providing the “Area I” Blight and Substandard Study for the Alliance Planning Commission to review, discuss, suggest changes, and make a recommendation to the Alliance City Council for approval or disapproval. Staff has provided the following exhibits for the Planning Commissions review:

1. Planning Commission Resolution PC24-01;
2. Notice of Meeting Letters;
3. Certified Mail receipts;
4. A copy of the “Area I” Blight and Substandard Study from City Staff.]

Chairman Davis opened the Public Hearing at 5:33 p.m., asking anyone in favor or not in favor of the study to come forward and comment.

Community Development Director Brent Kusek informed the Board Members of the exhibits provided as well as a brief description of the study area.

Board Member Turman asked if Blighted and Substandard areas provide funding. Community Development Director Kusek informed him it provides for Tax Increment Financing and provided a brief explanation of what that is.

With no further testimony offered, Chairman Davis closed the public hearing 5:37 p.m.

A motion was made by Board Member Turman, which was seconded by Board Member Mattox to recommend approval of the “Area I” Blight and Substandard Study to the Alliance City Council.

Roll call vote with the following results:

Voting Aye: Arndt, Mattox, Turman, Hielscher, Reiber, and Davis.

Voting Nay: None.

Motion Carried.

- The third item on the Agenda was the “Area B” Blight and Substandard Study.

[The City of Alliance is providing the “Area B” Blight and Substandard Study for the Alliance Planning Commission to review, discuss, suggest changes to the study, and make a recommendation to the Alliance City Council for approval or disapproval. Staff has provided the following exhibits for the Planning Commissions review:

1. Planning Commission Resolution PC24-02;
2. Notice of Meeting Letters;
3. Certified Mail receipts;
4. A copy of the “Area B” Blight and Substandard from City Staff.]

Chairman Davis opened the Public Hearing at 5:38 p.m., asking anyone in favor or not in favor of the study to come forward and comment.

Community Development Director Kusek informed Board Members of the exhibits provided as well as a brief description of the study area.

With no further testimony offered, Chairman Davis closed the public hearing 5:40 p.m.

A motion was made by Board Member Mattox, which was seconded by Board Member Hielscher to recommend approval of the “Area B” Blight and Substandard Study to the Alliance City Council.

Roll call vote with the following results:

Voting Aye: Arndt, Turman, Hielscher, Mattox, Reiber, and Davis.

Voting Nay: None.

Motion Carried.

- The fourth item on the agenda was the Preliminary Plat for Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska.

[The City of Alliance is in receipt of an application for the Preliminary Plat of Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska. Staff has provided the following exhibits for the Planning Commissions reviews:

1. Application for Preliminary Plat.
2. Notification Letter to Alliance Public Schools.
3. Block 7A Preliminary Plat.
4. Pages from the 2022-2023 Comprehensive Plan.
5. Staff Report.

Chairman Davis opened the Public Hearing at 5:42 p.m., asking anyone in favor or not in favor of the Preliminary Plat to come forward and comment.

With no further testimony offered, Chairman Davis closed the public hearing at 5:43 p.m.

Community Development Director Kusek informed Board Members that they want to add another building and that is their reasoning for wanting to move the lot line south. He also informed Board Members why we are running the Preliminary Plat and Final Plat together.

A motion was made by Board Member Hielscher, which was seconded by Board Member Mattox to recommend approval of the Preliminary Plat for Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska, to the Alliance City Council finding that:

1. According to the Comprehensive Plan, property adjacent to West 3<sup>rd</sup> Street is primarily commercial, should remain so, and this plat contributes to that designation and does not detract from it.
2. All public utilities are already installed.
3. All rights of way servicing the property are already dedicated to the City.
4. The Plat meets the minimum requirements of the Alliance Municipal Subdivision Code.

Roll call vote with the following results:

Voting Aye: Arndt, Turman, Hielscher, Mattox, Reiber, and Davis.

Voting Nay: None.

Motion Carried.

- The fifth item on the Agenda was the Final Plat of Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska.

[The City of Alliance is in receipt of an application for the Final Plat of Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska. Staff has provided the following exhibits for the Planning Commissions review:

1. Application for Final Plat.
2. Block 7A Final Page 1.
3. Block 7A Final Page 2.

Chairman Davis opened the Public Hearing at 5:47 p.m., asking anyone in favor or not in favor of the Final Plat to come forward and comment.

With no further testimony offered, Chairman Davis closed the public hearing at 5:47 p.m.

A motion was made by Board Member Mattox, which was seconded by Board Member Turman to recommend approval of the Final Plat for Block 7A, Syndicate Addition, A Replat of Block 7, Syndicate Addition to the City of Alliance, Nebraska and Unplatted Lands in the Southwest Quarter of Section 35, Township 25 North, Range 48 West of the 6<sup>th</sup> P.M., Box Butte County, Nebraska, to the Alliance City Council finding that:

1. According to the Comprehensive Plan, property adjacent to West 3<sup>rd</sup> Street is primarily commercial, should remain so, and this plat contributes to that designation and does not detract from it.
2. All public utilities are already installed.

3. All rights of way servicing the property are already dedicated to the City.
4. The Plats meet the minimum requirements of the Alliance Municipal Subdivision Code.
5. The Preliminary Plat has been approved and the final plat has the same boundaries.

Roll call vote with the following results:

Voting Aye: Arndt, Mattox, Hielscher, Turman, Reiber, and Davis.

Voting Nay: None.

Motion Carried.

Chairman Davis stated, "There being no further business to come before the Alliance Planning Commission, the meeting is adjourned at 5:49 p.m."

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Wayne Davis,  
Planning Commission Chairman

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Katherine Conrad  
Administrative Secretary

Item B

Public Hearing

2024-2025

Capital Improvement Budget

Department	Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
Airport Operations	Replace downspout drain FBO	\$14,000.00		\$ 14,000.00		\$ 14,000.00
	MIRL & MITL Replacement - Engineering Design	\$1,406,500.00		\$ 351,625.00	Grant funded	\$ 351,625.00
	Airport Layout Plan	\$400,000.00		\$ 400,000.00	Grant funded	\$ 400,000.00
	Replace Plow Assembly - 24 ft	\$70,000.00		\$ 70,000.00		\$ 70,000.00
	Replace Overhead South Door & Openers - Maint Shop	\$7,000.00		\$ 7,000.00		\$ 7,000.00
	FBO office window replacement	\$20,000.00		\$ 20,000.00		\$ 20,000.00
<b>Total Airport Operations</b>		<b>\$30,745,100.00</b>	<b>\$0.00</b>	<b>\$ 862,625.00</b>		<b>\$ 862,625.00</b>
<b>Ambulance</b>						
	Ambulance 314 Replacement	\$300,000.00	\$65,002.00	\$ 234,998.00	Grant funded	\$ 234,998.00
<b>Total Ambulance</b>		<b>\$820,000.00</b>	<b>\$65,002.00</b>	<b>\$ 234,998.00</b>		<b>\$ 234,998.00</b>
<b>City Administration</b>						
	Travel Vehicle	\$30,000.00		\$ 30,000.00		\$ 30,000.00
<b>Total City Administration</b>		<b>\$30,000.00</b>	<b>\$0.00</b>	<b>\$ 30,000.00</b>		<b>\$ 30,000.00</b>
<b>Code Enforcement</b>						
	Building Demolitions			\$ -		\$ -
				\$ -		\$ -
<b>Total Code Enforcement</b>		<b>\$42,000.00</b>	<b>\$0.00</b>	<b>\$ -</b>		<b>\$ 350,000.00</b>
<b>Electric Administration</b>						
	Pole Yard Drainage Ditch	\$20,000.00		\$ 20,000.00		\$ 20,000.00
	Old Power Plant Demolition	\$2,000,000.00		\$ 1,000,000.00		\$ 1,000,000.00
<b>Total Electric Administration</b>		<b>\$2,020,000.00</b>	<b>\$0.00</b>	<b>\$ 1,020,000.00</b>	Continued from FY24	<b>\$ 1,020,000.00</b>
<b>Electric Transmission</b>						
	Substation Upgrades	\$675,000.00		\$ 100,000.00		\$ 100,000.00
<b>Total Electric Transmission</b>		<b>\$675,000.00</b>	<b>\$0.00</b>	<b>\$ 100,000.00</b>		<b>\$ 100,000.00</b>

Department		Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
Finance		AC/Heating unit replacement	\$7,000.00		\$ 7,000.00	Continued from FY24	\$ 7,000.00
	<b>Total Finance</b>		<b>\$7,000.00</b>	<b>\$0.00</b>	<b>\$ 7,000.00</b>		<b>\$ 7,000.00</b>
Firefighting							
		Self Contained Breathing	\$120,000.00		\$ 60,000.00	Continued from FY24	\$ 60,000.00
		Epoxy Bay Floors	\$100,000.00		\$ 100,000.00		\$ 100,000.00
		Vehicle Exhaust System	\$200,000.00		\$ 200,000.00		\$ 200,000.00
		Joint Public Safety Center with EOC	\$13,950,000.00		\$ 1,200,000.00	Engineering and Architects	\$ 1,200,000.00
<b>Total Firefighting</b>		<b>\$835,000.00</b>		<b>\$ 835,000.00</b>	Spending Authority, with possible down payment	<b>\$ 835,000.00</b>	
Golf Course			<b>\$18,203,000.00</b>	<b>\$0.00</b>	<b>\$ 2,395,000.00</b>		<b>\$ 2,395,000.00</b>
		Golf Course- Weed Sprayer Equipment	\$60,000.00		\$ 60,000.00		\$ 60,000.00
		Golf Main Pump Replacements	\$195,000.00		\$ 20,000.00		\$ 20,000.00
<b>Total Golf Course</b>		<b>\$2,661,000.00</b>	<b>\$0.00</b>	<b>\$ 80,000.00</b>		<b>\$ 80,000.00</b>	
Library							
		Library Room Divider Install	\$175,000.00		\$ 175,000.00		\$ -
	<b>Total Library</b>		<b>\$725,000.00</b>	<b>\$0.00</b>	<b>\$ 175,000.00</b>		<b>\$ -</b>
MIS/GIS							
		Annual Computer Replacement	\$150,000.00		\$ 14,000.00		\$ 14,000.00
	<b>Total MIS/GIS</b>		<b>\$168,000.00</b>	<b>\$0.00</b>	<b>\$ 14,000.00</b>		<b>\$ 14,000.00</b>

Department		Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
Parks							
	Central Park Playground Replacement	\$160,000.00			\$ 160,000.00	Grant funded	\$ 160,000.00
	Train Repair/Repaint	\$20,000.00			\$ 20,000.00		\$ 20,000.00
	BN Ballfield - Expand Turf/irrigation to School	\$35,000.00			\$ 35,000.00		\$ 35,000.00
	Trail Extensions	\$2,225,000.00			\$ 75,000.00	Engineering only	\$ 75,000.00
	Parks-Tractor	\$47,000.00			\$ 47,000.00		\$ 47,000.00
	<b>Total Parks</b>	<b>\$5,546,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 337,000.00</b>		<b>\$ 337,000.00</b>
Police Operations							
	Vehicle Purchase (x3)	\$150,000.00			\$ 150,000.00		\$ 150,000.00
	<b>Total Police Operations</b>	<b>\$150,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 150,000.00</b>		<b>\$ 150,000.00</b>
Refuse Collection							
	refuse containers	\$550,000.00			\$ 100,000.00		\$ 100,000.00
	hydraulic hose crimper	\$13,000.00			\$ 13,000.00		\$ 13,000.00
	<b>Total Refuse Collection</b>	<b>\$563,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 113,000.00</b>		<b>\$ 113,000.00</b>
Refuse Disposal							
	Tire Amnesty	\$875,000.00			\$ 175,000.00	Grant funded	\$ 125,000.00
	engineering	\$73,000.00			\$ 43,000.00	Permitting	\$ 43,000.00
	debris fencing	\$50,000.00			\$ 50,000.00		\$ 50,000.00
	MSW cell construction	\$130,000.00			\$ 45,000.00		\$ 45,000.00
	Baler replacement	\$800,000.00			\$ 800,000.00	Continued from FY24	\$ 900,000.00
	tire mounting machine	\$6,000.00			\$ 6,000.00		\$ 6,000.00
	landfill signage	\$12,000.00			\$ 12,000.00		\$ 12,000.00
	landfill dozer repairs	\$44,000.00			\$ 44,000.00		\$ 44,000.00
	landfill overhead door repair	\$6,000.00			\$ 6,000.00		\$ 6,000.00
	Air Burner manifold	\$13,000.00			\$ 13,000.00		\$ 13,000.00
	<b>Total Refuse Disposal</b>	<b>\$2,038,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 1,194,000.00</b>		<b>\$ 1,244,000.00</b>

Department		Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
<b>Rural Distribution</b>							
		Pole Testing and Replacement	\$680,000.00		\$ 170,000.00		\$ 170,000.00
		Walther Potato Line Extension	\$150,000.00		\$ 150,000.00		\$ 150,000.00
		Otoe Road and CR 63	\$145,000.00		\$ 145,000.00		\$ 145,000.00
		Load Control Switch/Meter Can Relay Cabinet	\$360,000.00		\$ 360,000.00		\$ 360,000.00
		Jefferson Road and CR 63 to west.	\$80,000.00		\$ 80,000.00		\$ 80,000.00
		Lanny Schnell Farm Rebuild	\$70,000.00		\$ 70,000.00		\$ 70,000.00
		South End Of CR 59	\$90,000.00		\$ 90,000.00		\$ 90,000.00
		Jim Dye Feed Yard Area	\$75,000.00		\$ 75,000.00		\$ 75,000.00
		<b>Total Rural Distribution</b>	<b>\$1,650,000.00</b>	<b>\$0.00</b>	<b>\$ 1,140,000.00</b>		<b>\$ 1,140,000.00</b>
<b>Sewer Operations</b>							
		replace unit #1404	\$100,000.00		\$ 50,000.00		\$ 50,000.00
		manhole and sewer line lining	\$1,000,000.00		\$ 100,000.00		\$ 100,000.00
		sonetic headsets	\$10,000.00		\$ 10,000.00		\$ 10,000.00
		2nd street sewer extension	\$78,250.00		\$ 78,250.00		\$ 78,250.00
		Vactor reel replacement	\$8,847.00		\$ 8,847.00		\$ 8,847.00
		Trailerville Area			\$ -		\$ 250,000.00
		<b>Total Sewer Operations</b>	<b>\$1,982,097.00</b>	<b>\$0.00</b>	<b>\$ 247,097.00</b>		<b>\$ 497,097.00</b>
<b>Streets</b>							
		hot box patching trailer	\$27,000.00		\$ 27,000.00		\$ 27,000.00
		grapple bucket	\$26,000.00		\$ 26,000.00		\$ 26,000.00
		portable radios	\$10,000.00		\$ 10,000.00		\$ 10,000.00
		loader driven snow blower	\$155,000.00		\$ 155,000.00		\$ 155,000.00
		pickup snow plow	\$14,000.00		\$ 14,000.00		\$ 14,000.00

Department	Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
	Pickup salt spreader	\$12,000.00		\$ 12,000.00		\$ 12,000.00
	Kansas St overlay, shoulder addition and walk path	\$4,504,400.00		\$ 4,504,400.00		\$ 600,000.00
	Street logix software	\$159,869.00		\$ 78,869.00		\$ 78,869.00
	Replace unit # 907	\$50,000.00		\$ 50,000.00		\$ 50,000.00
	2nd Street sewer and road rehabilitaiton	\$414,000.00		\$ 40,000.00		\$ 40,000.00
	Trailerville Area			\$ -		\$ 250,000.00
	<b>Total Streets</b>	<b>\$6,440,552.00</b>	<b>\$0.00</b>	<b>\$ 4,917,269.00</b>		<b>\$ 1,262,869.00</b>
<b>Sallows Museum</b>						
	Sallows Stucco Repairs	\$15,000.00		\$ 15,000.00		\$ 15,000.00
<b>Total Sallows Museum</b>		<b>\$30,000.00</b>	<b>\$0.00</b>	<b>\$ 15,000.00</b>		<b>\$ 15,000.00</b>
<b>Tourism/Marketing</b>						
	Solar Lighting Installation at Sunken Gardens/Pillars	\$25,000.00		\$ 25,000.00		\$ 25,000.00
	Carhenge Electronic Sign	\$33,000.00		\$ 33,000.00		\$ 33,000.00
<b>Total Tourism/Marketing</b>		<b>\$58,000.00</b>	<b>\$0.00</b>	<b>\$ 58,000.00</b>		<b>\$ 58,000.00</b>
<b>Urban Distribution</b>						
	West 3rd Street Primary Engineering	\$30,000.00		\$ 30,000.00		\$ 30,000.00
	3rd Street Light Pole Replacement	\$200,000.00		\$ 50,000.00		\$ 50,000.00
	Flack Avenue and East 2nd Street	\$50,000.00		\$ 50,000.00		\$ 50,000.00
	2025 Major Maintenance	\$1,500,000.00		\$ 250,000.00		\$ 250,000.00
	Trailerville Area	\$120,000.00		\$ 120,000.00		\$ 120,000.00
	Burnham Drive Alley Conversion	\$150,000.00		\$ 150,000.00		\$ 150,000.00

Department	Request Title	Project Total	To Date	FY2025	Comments	CM Recommendation
	Bucket Truck Replacement	\$480,000.00		\$ 230,000.00	Spending Authority, with possible down payment	\$ 230,000.00
<b>Total Urban Distribution</b>		<b>\$2,530,000.00</b>	<b>\$0.00</b>	<b>\$ 880,000.00</b>		<b>\$ 880,000.00</b>
<b>Warehouse</b>						
	Warehouse Forklift	\$7,000.00		\$ 7,000.00		\$ 7,000.00
	Warehouse Walk Door Replacement	\$44,000.00		\$ 22,000.00		\$ 22,000.00
<b>Total Warehouse</b>		<b>\$51,000.00</b>	<b>\$0.00</b>	<b>\$ 29,000.00</b>		<b>\$ 29,000.00</b>
<b>Water</b>						
	water meter radios	\$400,000.00		\$ 400,000.00		\$ 500,000.00
	replace unit #502	\$100,000.00		\$ 50,000.00		\$ 50,000.00
	replace unit #501	\$100,000.00		\$ 50,000.00		\$ 50,000.00
<b>Total Water</b>		<b>\$800,000.00</b>	<b>\$0.00</b>	<b>\$ 500,000.00</b>		<b>\$ 600,000.00</b>
<b>Water Distribution</b>						
	airport scada upgrade	\$20,000.00		\$ 20,000.00		\$ 20,000.00
	Well #6&4 repairs	\$80,000.00		\$ 80,000.00		\$ 80,000.00
	Trailerville Area			\$ -		\$ 150,000.00
<b>Total Water Distribution</b>		<b>\$1,100,000.00</b>	<b>\$0.00</b>	<b>\$ 100,000.00</b>		<b>\$ 250,000.00</b>
<b>Total Departments</b>		<b>\$79,590,249.00</b>	<b>\$65,002.00</b>	<b>\$ 14,598,989.00</b>		<b>\$ 11,669,589.00</b>

Item C

Public Hearing

Code Amendment

Chapter 107

Subdivision Regulations

# Community Development Memorandum

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**To:** City of Alliance Planning Commission  
**From:** Brent Kusek – Development Director  
**Subject:** Subdivision Code Amendments  
**Date:** May 14, 2024

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For the Planning Commissions consideration is an addition to the municipal code allowing the use of a high quality paper in lieu of Mylar sheets for property and subdivision plats that will be filed at the Courthouse. Surveyors have commented to City staff that inkjet and ink signatures on Mylar fade away over a period of 30-40 years and that paper retains the original ink and signatures much better. Property subdivision plats were primarily printed on paper until the late 1970's when Mylar became available. It was viewed as an easy to copy and stable platform to print and store property plats.

With large format copiers becoming available it is no longer necessary to print plats on transparent sheets since we now have the ability to copy and scan large sheets of plain paper.

The proposed code allows the use of a high quality paper or Mylar sheet for final plats that will be filed at the courthouse.

### **Sec. 107-81. Application and filing.**

After approval of the preliminary plat the subdivider shall prepare and submit to the city manager or designee a final plat for recording purposes, together with other supplementary information and certificates. Said final plat, application, and filing fee shall be submitted at least 15 working days prior to a regular meeting of the planning commission. There shall be a digital copy and well as eight copies of the final plat submitted; one on Mylar using a laser jet printer or a high quality paper, and seven paper copies for review. The City Manager or designee may permit the submittal of fewer review copies depending on the scale of the subdivision.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)

### **Sec. 107-86. City council approval.**

After a public hearing by the planning commission, the city manager or designee shall submit the final plat to the city council for a public hearing. The council may specify changes or modifications therein which it deems necessary and may make its approval subject to such alterations. In case of the planning commissions disapproval, the subdivider may, on appeal, present the final plat to the council and seek approval. Upon approval by the council by ordinance duly passed, such approval shall be endorsed on the final Mylar copy under the hand of the mayor and city clerk.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)

### **Sec. 107-102. Application and review.**

The subdivider shall submit an application, filing fees, and the final copy of the plat on either Mylar printed using a laser jet printer, or on high quality paper. Within five working days of receipt of all necessary material, the city manager or designee shall review the plat to ensure its conformance with city code and either approve or disapprove said plat. Upon its approval, the city manager or designee shall file the administrative replat at the Box Butte County Clerk's office.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)

Item D

Public Hearing

Code Amendment

Chapter 111

Supplemental Zoning  
Regulations

# Community Development Memorandum

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**To:** City of Alliance Planning Commission  
**From:** Brent Kusek – Development Director  
**Subject:** Subdivision Code Amendments  
**Date:** May 14, 2024

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For the Planning Commissions consideration is an addition to the municipal code adding the necessity for a permanent foundation for modular and premanufactured housing constructed outside mobile home parks. The City used to rely on insurance companies and mortgage lenders to require houses to be constructed on permanent foundations that meet the minimum requirements of building code. In the current market, certain lenders and insurance companies are allowing modular and premanufactured houses to be set on bare ground. This does not affect mobile homes or premanufactured houses in mobile home parks.

Section 111-242 and 111-243 adds clarification to minimum driveway spacing in the code, separation of driveways and street intersections, and a maximum frontage allowed for driveways. Driveway spacing and width has a correlation with public on street parking availability, traffic patterns, pedestrian safety, and aesthetics. The State has certain requirements and a review process for adding new access from their rights of way for the reasons mentioned above. Staff recommends these amendments be included to address problems with driveways experienced by staff when reviewing site plans. The code also clarifies or recommends that parking lot runoff be routed to landscaping and not the City Streets.

## **Sec. 111-162. Additional requirements.**

The following guidelines shall be required for manufactured homes in addition to all other pertinent zoning and building codes.

- (1) The home shall have no less than an 18-foot exterior width;
- (2) The roof shall be pitched with a minimum vertical rise of two and one-half inches for each 12 inches of horizontal run;
- (3) The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
- (4) The home shall have a non-reflective roof material.
- (5) The home shall have wheels, axles, transport lights, and towing apparatus removed.
- (6) All manufactured homes covered under this section shall be placed upon basements or permanent perimeter foundations complying with the city's building code.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)

### **Sec. 111-242. One- and two-family dwelling parking requirements.**

- (a) *Permit required.* A construction permit is required for the construction, expansion, or alteration of all parking areas and drives leading thereto. The permit application shall be accompanied by a site plan showing the location of the work in relationship to lot lines and existing structures, the type and thickness of paving material, and how water runoff will be routed.
- (b) *Stormwater runoff.* Stormwater shall be routed to lawns, yards, or other permeable surfaces when possible; however, it may not be routed to the neighboring lot without obtaining easement to do so.
- (c) *Number of spaces.* There shall be provided a minimum of two off-street parking spaces for each family unit. Accessory dwelling units shall provide a minimum of 1 off street parking space in addition to any others required.
- (d) *Location.*
  - (1) Such parking spaces must be located on the same lot as the principal building or buildings, or in a community garage or lot on the same block.
  - (2) Parking may be head-in from a public street or alley.
  - (3) Parking areas and drives leading thereto may be constructed adjacent and parallel to lot lines.
- (e) *Construction material.* Off-street parking spaces and drives leading thereto shall be paved with Portland cement, asphaltic concrete, paving brick, gravel, or rock, provided that any gravel or rock shall not be allowed in the front or side yards.
- (f) *Width.* One- and two-family dwellings are exempt from a maximum driveway width on the lot provided runoff is not routed to the street, but are limited to a 30 foot wide curb cut and a 24 foot wide driveway in the city right-of-way provided the frontage allows driveways of this width.
- (g) *Spacing.* Driveways shall be spaced a minimum of 12 feet apart as measured from the ends of the driveway aprons at the curb and gutter. No portion of the driveway shall be permitted to be less than 12' from the adjacent driveway. Shared driveways on separate lots do not require a minimum separation distance. Driveways shall be paved a minimum of 20' from a street intersection as measured from the property line, as if extended into the right of way, to the point where the driveway apron meets the curb and gutter.
- (h) *Frontage.* No driveway or combination of driveways servicing the same lot, shall be paved to a width greater than 40% of the street frontage of the lot. Frontage along multiple streets will not be allowed to be combined to increase the driveway width along one of the frontages.
- (i) *City Discretion.* The city manager or designee is permitted to add additional requirements to driveway locations, widths, separations, etc. in order to ensure that driveways will not contribute to or create any disorderly traffic patterns, dangerous pedestrian conditions, excessive runoff, improper street gradients, etc. and preserve adequate public on street parking.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)

### **Sec. 111-243. Off-street parking requirements for all other land uses.**

- (a) *Permit required.* A construction permit is required for all off-street parking lots, drives leading thereto, curbs, and drainage facilities within the city and its extraterritorial zoning jurisdiction as well as any parking lot improvements.
- (b) *Application.* The application shall include, but may not be limited to, the following information:
  - (1) The name and address of the applicant.
  - (2) A statement that the applicant is the owner of the lot or the owner's agent.

- (3) A legal description of such lot.
  - (4) A scale drawing of the proposed parking lot for which a construction permit is requested, including adjacent lot lines, present and proposed sidewalks, and access from all streets and alleys. Drawings should designate appropriate measurements, including ingress and egress locations, landscaping, parking layout, plan for handling Stormwater drainage, lighting, and surface material (type, depth, and subsurface preparations).
  - (5) A statement of the off-street parking lot needs and purposes for the permit.
- (c) *Fee.* For each permit issued there shall be charged and collected from the applicant, a fee, in accordance with a schedule established by the city council.
- (d) *Number of spaces.* The following table shall be used as a guideline in determining the number of spaces required for the land use as listed:

<b>Minimum Number of Off-street Parking Spaces</b>	
Land Use:	Number of Spaces
Hospitals/Institutional living	0.5 per bed and 0.5 per employee
Day care	0.75 per employee
Industrial	0.33 per employee
Commercial recreation:	
Indoor	5 per 1,000 gfa
Outdoor	0.25 per patron
Bowling	4 per 1,000 gfa
Assembly (auditoriums, churches, theaters, etc.)	Number of spaces must equal 25% of seating capacity
Bars, pubs, dancing	5 per 1,000 gfa
Restaurants:	
Sit-down	8 per 1,000 gfa
Fast-food	10 per 1,000 gfa
Medical/dental clinic	3.5 per 1,000 gfa
Veterinary clinic	1 per 1,000 gfa
Wholesale, warehouse	0.33 per employee
Office:	
Bank/insurance	2.5 per 1,000 gfa
General office	2.0 per 1,000 gfa
Motor vehicle sales and service	2.0 per 1,000 gfa
Retail:	
General	3 per 1,000 gfa
Shopping center	3 per 1,000 gfa
Hotels, motels	0.3 per sleep unit
Multi-family housing	1 per dwelling unit

Note: gfa = gross floor area

- (e) *Reduced number of spaces.* The board of adjustment may permit the paving of fewer than the required number of spaces in cases where the immediate occupant of the property clearly shows that fewer spaces are needed at that time. Staff may also approve the utilization of on street parking spaces in lieu of off street parking spaces at a ratio of two on-street spaces to every one off-street space, provided any on street parking stall shall be adjacent to the subject property and each space shall be a minimum of 22 feet long and 8 feet wide.

- (f) *Parking stall size.* Standard parking stall dimensions shall be at least nine feet by 20 feet or ten feet by 18 feet; parallel parking dimensions shall be a minimum of nine feet by 22 feet. If the stall is adjacent to a landscaped area at least four feet wide and an overhang is permitted into the landscaped area, the stall length may be reduced by two feet. Other parking dimensions shall be as established by the board of adjustment.
- (g) *Construction material.*
  - (1) Nonresidential R-1 through C-3 inclusive. Parking lots in these districts shall be paved with Portland cement, asphaltic concrete, paving brick, rock or gravel provided any rock or gravel parking lot shall be in the rear yard, or as otherwise provided for in Code.
  - (2) All other zoning districts. The minimum parking lot surface material shall be rock or gravel.
  - (3) The thickness of material shall be approved by the city manager or designee giving due consideration to the likely use of the facilities heavy duty vehicles and anticipated degree of use.
- (h) *Striping/marking.* Required off-street parking lots shall have individual spaces marked for hard surface parking lots.
- (i) *Maneuvering.* Minimum parking lot aisle width shall be as follows:

Minimum Maneuvering Aisle Width					
Traffic Direction	Parking Stall Angle				
	90 degree	60 degree	45 degree	30 degree	0 degree
One-way Traffic	24 feet	18 feet	16 feet	14 feet	15 feet
Two-way Traffic	24 feet	20 feet	20 feet	20 feet	20 feet

- (j) *Prohibited activities.*
  - (1) Head-in parking from a public street or highway, excluding alleys, shall not be allowed.
  - (2) No signs shall be permitted within the required parking areas except those necessary for the orderly parking thereon.
  - (3) No parking or maneuvering incidental to parking shall be on any public street or walk; parking lot design shall be that any automobile may be parked and unparked without moving another.
- (k) *Driveways.* Ingress and egress shall be by means of paved driveways constructed in accordance with city standards based on the land use and the zoning district location as follows:
  - (1) Nonresidential R-R through R-4: Maximum width of 30 feet and maximum apron radius of 5 feet.
  - (2) C-0 through C-3: Maximum width of 40 feet and maximum apron radius of 15 feet.
  - (3) Ag and M-1 through M-3: Maximum width of 45 feet and maximum apron radius of 20 feet.
  - (4) Spacing: Driveways shall be spaced a minimum of 12 feet apart as measured from the ends of the driveway aprons at the curb and gutter. No portion of the driveway shall be permitted to be less than 12' from the adjacent driveway. Shared driveways servicing more than one lot shall be considered one driveway. Driveways shall be paved a minimum of 20' from a street intersection as measured from the property line as if extended into the right of way, to the point where the driveway apron meets the curb and gutter.
  - (5) Frontage: No driveway or combination of driveways servicing the same lot, shall be paved to a width greater than 40% of the street frontage of the adjacent lot. Frontage along multiple streets will not be allowed to be combined to increase the driveway width along one of the street frontages.

(6) **City Discretion:** The city manager or designee is permitted to add additional requirements to driveway locations, widths, separations, etc. in order to ensure that driveways will not contribute to or create any disorderly traffic patterns, dangerous pedestrian conditions, excessive runoff, improper street gradients, etc. and preserve adequate public on street parking.

(l) *Setbacks.*

- (1) The back of the curb of a parking area shall not be closer than three feet to a lot line unless wheel stops are placed and maintained at the three foot line.
- (2) Pedestrian protection in the form of curb or wheel stops shall be placed a minimum of three feet from any sidewalk.
- (3) Multifamily parking shall not be located in the front yard setback, the front yard, or the side street setback on a corner lot.

(m) *Storm water.* Storm water requirements shall be in accordance with chapter 113.

(n) *Accessibility.* Accessibility requirements shall be the same as found in the city building code.

(o) *Landscaping and screening.*

- (1) *Required to provide.* Each unenclosed hard surface parking lot over 6,000 square feet shall provide and maintain an interior landscaped area(s) equal to no less than five percent of the total paved area of the parking facility. All landscaping shall be within the boundaries of the parking lot. Yards surrounding or at the periphery of the parking lot shall not be counted towards the five percent minimum requirement. **Landscaping areas should be used for storm water runoff retention or detention when possible.** All vision clearances shall be met according with chapter 20.
- (2) *Drawing submittal.* A landscaping plan must be submitted with an off-street parking permit application for all hard surface lots. Such plan shall be drawn to scale, include the entire lot or tract and shall show ground covers such as seeded or sodded areas, shade trees, shrubs and any walls or fences. Such areas and facilities as loading docks, trash bins and outside storage yards shall be screened by such trees, shrubs and fences to the extent that the appearance of the premises from adjacent streets and property is attractive and pleasing. The purpose and intent of such landscaping is to provide shade and greenery, soften architectural lines, provide maximum absorption of surface water and present an attractive appearance. Large parking lots shall be divided down into sections as appropriate for the type and size of the development.
- (3) *Appeal.* The adequacy of the landscape plan shall be reviewed and determined by the city manager or designee and any other city departments as appropriate. An applicant may appeal a denial of a landscape plan to the board of adjustment if feels that the denial is unreasonable and the board of adjustment shall have the final approval or denial authority. Compliance with the landscape and screening plan, as approved, is mandatory and any failure to carry out all details of said plan shall be deemed a violation of the zoning code.
- (4) *Bordering residential neighborhoods.* Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the city official.
- (5) *Landscaping maintenance.* The property owner is responsible for maintenance and/or replacement of the landscaping according to the permitted landscape plan. Dead and dying plants shall be replaced by the owner. No buildings, storage of materials, or parking shall be permitted within the landscaped area, and the landscaped area shall be maintained and kept free of all debris, rubbish, weeds and tall grass.

- (p) *Lighting.* Lighting is required for all new off-street parking lots unless an exemption is given by the city manager or designee, and the purpose of the exemption be filed with the construction permit.
- (1) Any lights used to illuminate the parking areas shall be so arranged to direct light away from any adjacent lots in a residential district.
  - (2) All lighting requirements will be based upon the National Electrical Code and the table as follows:

Open Parking Facilities						
General Parking and Pedestrian Area				Vehicle Use Area		
Level of Activity	Lux (min. on pavement)	Foot-candles (min. on pavement)	Uniformity Ratio (avg.:min.)	Lux (min. on pavement)	Foot-candles (min. on pavement)	Uniformity Ratio (avg.:min.)
High	10	0.9	4:1	22	2	3:1
Medium	6	0.6	4:1	11	1	3:1
Low*	2	0.2	4:1	5	0.5	4:1

\*This recommendation is based on the requirement to maintain security at any time in areas where there is a low level of nighttime activity.

Covered Parking Facilities						
Areas	Day			Night		
	Lux (min. on pavement)	Foot-candles (min. on pavement)	Uniformity Ratio (avg.:min.)	Lux (min. on pavement)	Foot-candles (min. on pavement)	Uniformity Ratio (avg.:min.)
General parking and pedestrian areas	54	5	4:1	54	5	4:1
Ramps and corners	108	10	4:1	54	5	4:1
Entrance areas	538	50	4:1	54	5	4:1

- (q) *Garbage collection in parking lots.* If an alley is not available or large enough, space may be allocated in the parking lot for an adequate number of solid waste containers as determined by the city sanitation department. Such space shall not be located in the required front yard or side-yard setback areas, shall be free of any restraints from other utilities or parked vehicles, and must be accessible to collection trucks. Parking stalls occupied by containers will not count towards the required minimum number of off-street parking spaces. In the event the property is served by a commercial solid waste disposal firm, placement of the collection containers must be approved by the city. However, this is not intended to restrict the temporary placement of roll-out containers moved to the curb or alley for solid waste collection purposes.
- (r) *Nonconforming parking lots.*
- (1) Preexisting violations. Any and all violations of previous parking regulations of said city that have accrued at the time of the effective date of the ordinance from which this chapter is derived which would otherwise become legal nonconforming uses under this chapter shall not become legal nonconforming uses under this chapter, but shall remain violations of this chapter in the same manner that they were violations of prior parking regulations.

- (2) Legal preexisting. All off-street parking lots in existence at the time of the passage of the ordinance from which this section is derived shall be considered legal preexisting, nonconforming parking lots if they met the requirements before its passage but no longer meet the new requirements. These lots shall be allowed to remain provided the use of the facility for which they are intended does not change in occupancy classification and they are maintained in good condition, free of all weeds, trash, other debris, and water pools or puddles.
- (3) Alterations and additional off-street parking stalls shall meet the newly adopted standards.

(Ord. No. 2880, § 5(Exh. A), 3-5-2019)