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CHAPTER 10 – MUNICIPAL PLANNING

Article 1 – Comprehensive Plan

SECTION 10-101: ADOPTED BY REFERENCE

In order to accommodate anticipated long-range future growth, the Comprehensive Plan for the City of David City, Nebraska, as prepared by Olsson Associates and dated August 2005, has been adopted and incorporated as fully as if set out at length herein. Such plan shall consist of maps, graphs and text. One copy of the Comprehensive Plan shall be kept on file at the office of the city clerk and available for public inspection during regular office hours. (Ord. No. 1012)

Article 2 – Zoning Regulations

SECTION 10-201: ADOPTED BY REFERENCE

For the purpose of setting minimum standards to promote the public health, safety, morals and general welfare of the community; to prevent the overcrowding of land; to avoid undue concentration of population and other requirements, the Zoning Regulations for the City of David City, Nebraska, as prepared by JEO, Inc., have been adopted and incorporated as fully as if set out at length herein. One copy of the Zoning Regulations shall be kept on file at the office of the city clerk and available for public inspection during regular office hours. (Ord. No. 1060, 11/14/07)

Article 3 – Subdivision Regulations

SECTION 10-301: ADOPTED BY REFERENCE

To provide for the harmonious development of the city and its environs; for the integration of new subdivision streets with other existing or planned streets or with other features of the Comprehensive Plan; for adequate open spaces for traffic, recreation, light and air; for the distribution of population and traffic in a manner which will tend to create conditions favorable to health, safety, convenience, or prosperity; to insure conformance of subdivision plans with the capital improvement program of the city; and to secure equitable handling of all subdivision plats by providing uniform procedures and standards for observance by subdividers, the Planning Commission, and City Council, the Subdivision Regulations for the City of David City, Nebraska, as prepared by Stahr & Associates have been adopted and incorporated as fully as if set out at length herein. One copy of the Subdivision Regulations shall be kept on file at the office of the city clerk and available for public inspection during regular office hours. (Ord. No. 909, 6/25/01)

SECTION 10-302: WAIVER OF OBJECTIONS

Pursuant to the authority granted the City Council in Neb. Rev. Stat. §76-2,110, the council does hereby waive notice to the city of, or any objections it may have to, any and all conveyances purporting to subdivide real estate within, and one mile beyond, the corporate limits of the City of David City, Nebraska, which are filed of record in the office of the county clerk of Butler County, Nebraska, where such conveyances or the recording thereof have failed to comply with any requirement relating to subdivision approval. All such conveyances are hereby validated.

SECTION 10-303: NEW DEVELOPMENTS; CONSTRUCTION ASSESSMENT

A. To defray the costs and expenses of street improvements as may be authorized by law, the City Council shall have the power and authority to require that all developers petitioning the city for street construction shall pay the following expenses:

1. *Street Construction.* The developer is responsible for 80% of all costs associated with the development of new streets within, leading to, or connecting the subdivision(s).
2. *Curb and Gutter.* The developer is responsible for 80% of all costs associated with the installation of new curb (curb and gutter).
3. *Intersections.* The developer is responsible for 80% of all costs associated with installation of intersections within the subdivision or housing development.
4. *Engineering Fees.* The developer is responsible for 80% of all costs associated with the services provided by the selected engineer.

B. Before final plat approval is granted by the City Council, the developer(s) shall have completed and paid their full share of the project costs.

C. The arrangement, character, extent, width, grade and location of all streets within all subdivisions and housing developments shall conform to the standards of the Comprehensive Plan of current adoption and zoning ordinances of the city. All required improvements and installations shall be constructed or installed to conform to the provisions herein and the standard specifications of the city.

D. All developers wishing to locate to new subdivisions or who have existing subdivisions and housing developments located within city limits and within the city's zoning jurisdiction are required to obtain and use an engineer that is selected by the city through a competitive bidding process.

Article 4 – Conflicts

SECTION 10-401: CHAPTERS NINE AND TEN

Where the provisions adopted by this chapter conflict with one another or with the provisions of Chapter 9 (Building Regulations) of this code, the most restrictive or stringent provision(s) shall govern.

Article 5 – Penal Provision

SECTION 10-501: VIOLATION; PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.