

City of Beatrice, Nebraska
Planning & Zoning Commission Regular Meeting
Monday, March 16, 2026 at 5:00 PM
BPS Administration Building Board Room
320 N 5th Street
Beatrice, NE 68310



Pledge of Allegiance

1. **ROLL CALL**
2. **CONSENT AGENDA**
 - 2.a. Approve agenda as submitted
 - 2.b. Receive and place on file all notices pertaining to this meeting
 - 2.c. Receive and place on file all materials having any bearing on this meeting
 - 2.d. Approval of minutes of regular meeting on March 2, 2026, as on file in the City Clerk's Office.
3. **PUBLIC HEARINGS**
 - 3.a. Public Hearing for the purpose of considering recommending to the City Council to annex into the corporate limits of the City of Beatrice: Gage County Parcel No. 004342100.
 - 3.b. Public Hearing for the purpose of considering recommending to the City Council to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts.
4. **RESOLUTIONS**
 - 4.a. Resolution Number 26-6 recommending to the City Council to annex into the corporate limits of the City of Beatrice: Gage County Parcel No. 004342100.
 - 4.b. Resolution Number 26-7 recommending to the City Council to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts.
5. **PUBLIC FORUM**
6. **DISCUSSION/REPORTS** - None
7. **MISCELLANEOUS**
 - 7.a. The next regular Planning & Zoning meeting is April 6, 2026 at 5:00 p.m. in the BPS Administration Building Board Room

**NOTICE OF MEETING
CITY OF BEATRICE, NEBRASKA**

Notice is hereby given that a meeting of the Planning and Zoning Commission of the City of Beatrice, Nebraska, will be held at 5:00 p.m. on March 16, 2026, in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska. An agenda is available for public inspection at the City Clerk's Office, 400 Ella Street, Beatrice, Nebraska, and on the City website, www.beatrice.ne.gov.

Erin Saathoff, MMC, City Clerk

March 11, 2026

MINUTES OF THE PLANNING AND ZONING COMMISSION

A regular meeting of the Planning and Zoning Commission was held on the 2nd day of March, 2026 at 5:09 p.m. in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska.

Attending: Commission Members: Aden, Fetty, Fletcher, Fralin, McGhee

Absent: Bradney, Painter, Riha, Wright

Chair Fetty announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of regular meeting on February 17, 2026, as on file in the City Clerk's Office.

Moved by Fralin, seconded by Aden, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Aden, Fetty, Fletcher, Fralin, McGhee

Nay: None

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

There were no public hearings/bids.

RESOLUTIONS

Resolution Number 26-5 recommending to the City Council approval of the Final Plat Application request by Christ Community Church of Beatrice, to replat a portion of their property as Jamestowne Square First Addition

Chair Fetty introduced Resolution Number 26-5 recommending to the City Council approval of the Final Plat Application request by Christ Community Church of Beatrice, to replat a portion of their property as Jamestowne Square First Addition.

Taylor Rivera, City Attorney, reported to the Commission overtime the property owners along Elk Street have encroached upon the property of Christ Community Church. The Church would like to clean up their property line by platting their property, and the property owners lots will be replatted to include the ten (10) to fifteen (15) feet of the Church property they have encroached upon in order to clean up the property lines.

There was no further discussion by the Commission or public.

Moved by Fralin, seconded by McGhee, that Resolution Number 26-5 be passed and adopted.

Roll Call: Yea: Aden, Fetty, Fletcher, Fralin, McGhee
Nay: None

MOTION CARRIED.

Resolution Number 26-5 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

No one appeared during public forum.

DISCUSSIONS/REPORTS

There were no discussions/reports.

ADJOURNMENT

The next regular Planning and Zoning meeting is scheduled for March 16, 2026 at 5:00 p.m. in the BPS Administration Building Meeting Room, 320 North 5th Street, Beatrice, Nebraska.

Moved by Fralin, seconded by Aden, that the meeting be adjourned at 5:14 p.m.

Roll Call: Yea: Aden, Fetty, Fletcher, Fralin, McGhee
Nay: None

MOTION CARRIED.

NOTICE OF HEARING

The Planning and Zoning Commission of the City of Beatrice, Nebraska, will hold a public hearing at 5:00 p.m. on Monday, March 16, 2026, in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska, to consider recommending to the City Council to annex Gage County Parcel No. 004342100 into the corporate limits of the City of Beatrice.

Erin Saathoff, MMC, City Clerk

March 6, 2026

**RESOLUTION NUMBER 26-6
PLANNING AND ZONING COMMISSION**

WHEREAS, the City of Beatrice ("City") desires to annex, under the provisions of Neb.Rev.Stat. §§16-117 and 16-118, certain lands owned by the Beatrice Cemetery Association, and legally described as follows:

A tract of land located on a part of the Northeast Quarter of Section 29, Township 4 North, Range 6 East of the 6th P.M., City of Beatrice, Gage County, Nebraska and more particularly described as follows:

For the purpose of this legal description, the basis of bearings is the North line of the Northeast Quarter of said Section 29 having an assumed reference bearing of S 89°30'06" W.

Beginning at the Northeast Corner of said Section 29, thence westerly S 89°30'06" W, on the North line of the Northeast Quarter of said Section 29, 519.10 feet; thence southwesterly S 40°00'32" W, 131.10 feet; thence southwesterly S 35°04'57" W, 225.85 feet; thence easterly S 89°18'55" E, 204.56 feet, thence southerly S 10°36'35" E, 274.39 feet; thence southeasterly S 24°33'38" E, 50.41 feet; thence southeasterly S 38°45'34" E, 63.38 feet; thence southeasterly S 47°31'17" E, 374.74 feet; thence southeasterly S 52°50'22" E, 173.09 feet, to a point of intersection on the East line of the Northeast Quarter of said Section 29; thence northerly N 00°04'35" E, on the East line of the Northeast Quarter of said Section 29, 1,012.37 feet, to the Northeast Corner of said Section 29, said Corner also being the True Point of Beginning; and

WHEREAS, such lands are contiguous and adjacent to the present corporate limits; and

WHEREAS, the City Council of the City of Beatrice ("City Council") has passed Resolution Number 7734 declaring the City's desire to annex such lands and providing a Plan for Providing Services to the land proposed for annexation, as required by Neb.Rev.Stat. §16-117; and

WHEREAS, on March 6, 2026, the City provided proper notice for a public hearing to be held by the Planning and Zoning Commission of the City of Beatrice ("Commission") on March 16, 2026, and has provided proper notice to owners of the property proposed to be annexed as required by Neb.Rev.Stat. §19-5001; and

WHEREAS, the Commission must provide a recommendation to the City Council before

the City Council may take final action on matters relating to annexation of territory.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

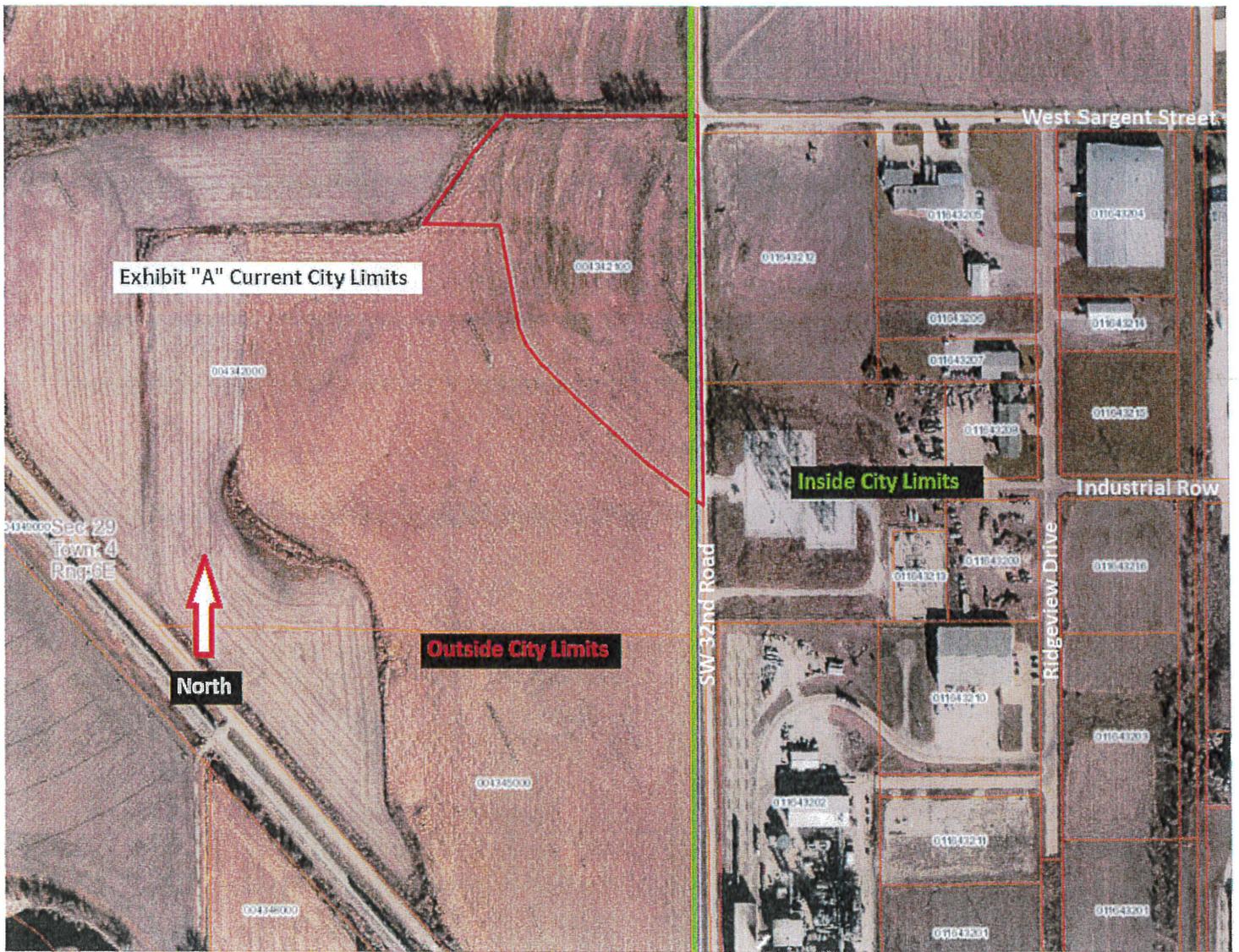
SECTION 1. The Planning and Zoning Commission of the City of Beatrice hereby recommends to the Beatrice City Council, the annexation of the above-described real estate owned by the City of Beatrice, Nebraska.

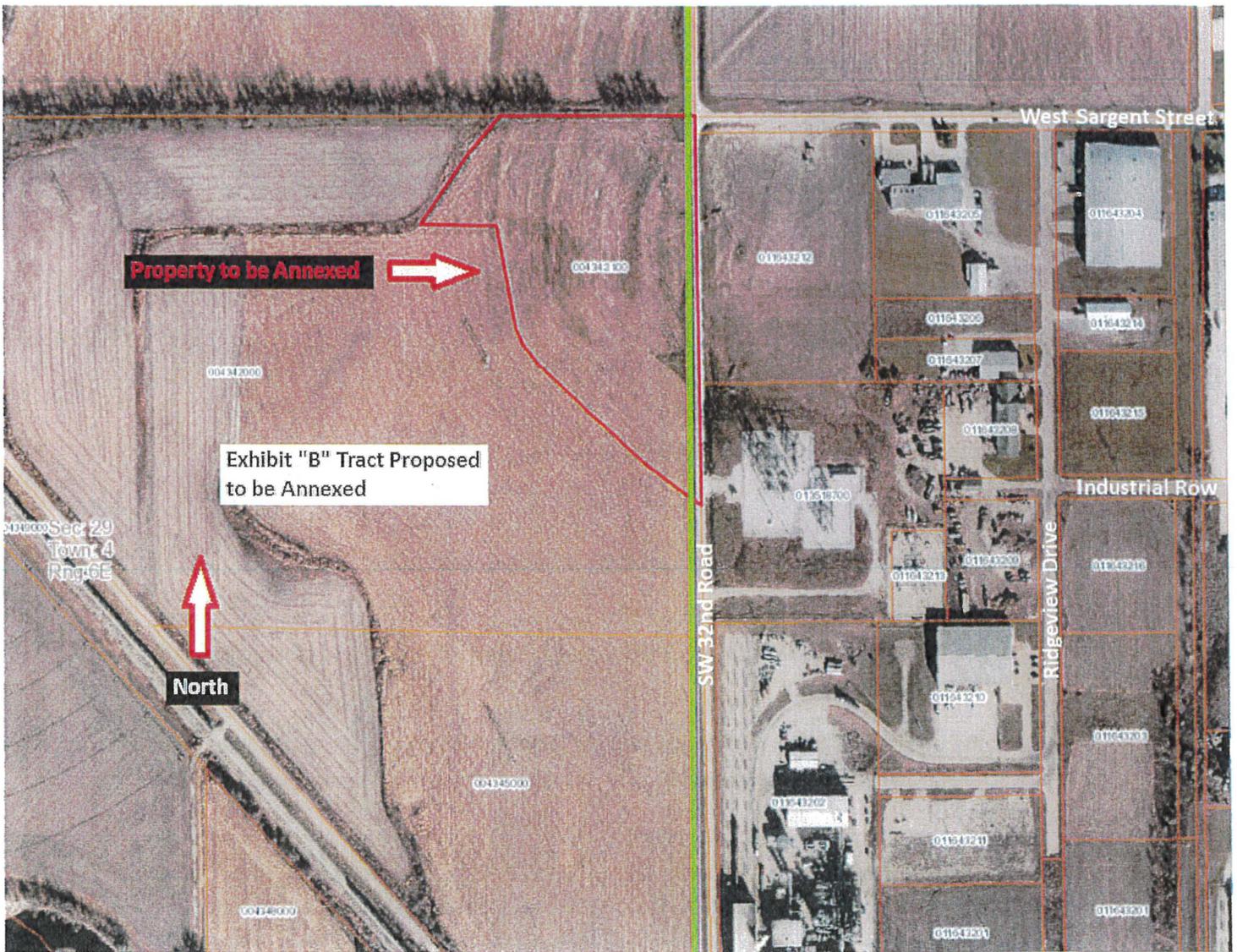
SECTION 2. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 16th day of March, 2026.

Deven McGhee, Secretary

Alan Fetty, Chairperson







**STAKE
YOUR
CLAIM**

BEATRICE
CITY - BOARD OF PUBLIC WORKS

CITY HALL

400 Ella Street | Beatrice, NE 68310
Phone: 402.228.5200 Fax: 402.228.2312

SERVICE CENTER

500 North Commerce Street | Beatrice, NE 68310
Phone: 402.228.5211 Fax: 402.223.5181

March 4, 2026

Armstrong Rentals, LLC
1250 Lakeview Lane
Beatrice, NE 68310

VIA FIRST CLASS MAIL

RE: Annexation of Real Estate – Gage County Parcel No. 004342100

To Whom It May Concern:

The City of Beatrice is proposing to annex real estate described as follows:

A tract of land located on a part of the Northeast Quarter of Section 29, Township 4 North, Range 6 East of the 6th P.M., City of Beatrice, Gage County, Nebraska and more particularly described as follows:

For the purpose of this legal description, the basis of bearings is the North line of the Northeast Quarter of said Section 29 having an assumed reference bearing of S 89°30'06" W.

Beginning at the Northeast Corner of said Section 29, thence westerly S 89°30'06" W, on the North line of the Northeast Quarter of said Section 29, 519.10 feet; thence southwesterly S 40°00'32" W, 131.10 feet; thence southwesterly S 35°04'57" W, 225.85 feet; thence easterly S 89°18'55" E, 204.56 feet, thence southerly S 10°36'35" E, 274.39 feet; thence southeasterly S 24°33'38" E, 50.41 feet; thence southeasterly S 38°45'34" E, 63.38 feet; thence southeasterly S 47°31'17" E, 374.74 feet; thence southeasterly S 52°50'22" E, 173.09 feet, to a point of intersection on the East line of the Northeast Quarter of said Section 29; thence northerly N 00°04'35" E, on the East line of the Northeast Quarter of said Section 29, 1,012.37 feet, to the Northeast Corner of said Section 29, said Corner also being the True Point of Beginning.

Gage County Assessor Parcel ID#: 004342100

This letter serves as Notice of the Public Hearings to annex the above cited property located in Gage County, Nebraska. The Beatrice **Planning and Zoning Commission** shall hold a Public Hearing to consider this annexation proposal on **March 16, 2026 at 5:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Board Room, 320 North 5th Street, Beatrice, Nebraska.

The Public Hearing before the **City Council** shall be held on **March 16, 2026 at 6:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Board Room, 320 North 5th Street, Beatrice, Nebraska.

The "Parcel ID#" as provided above corresponds with the numbers assigned by the Gage County Assessor.



**STAKE
YOUR
CLAIM**

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You may visit their website (www.gagecountynebraska.us) to assist in identifying the parcels to be annexed as outlined herein.

Lastly, enclosed is a map of the real estate proposed to be annexed.

Please feel free to call me with any questions at (402) 228-5200 or trivera@beatrice.ne.gov if you would like additional information regarding this proposed annexation.

Sincerely,

Taylor Rivera
City Attorney



**STAKE
YOUR
CLAIM**

BEATRICE
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Phone: 402.228.5200 Fax: 402.228.2312

SERVICE CENTER

500 North Commerce Street | Beatrice, NE 68310
Phone: 402.228.5211 Fax: 402.223.5181

March 4, 2026

Board of Education
School District #15
Attn: Jason Alexander
320 N. 5th Street
Beatrice, NE 68310

VIA FIRST CLASS MAIL

RE: Annexation of Real Estate – Gage County Parcel No. 004342100

Dear Jason:

The City of Beatrice is proposing to annex Parcel No. 004342100, and legally described in the enclosed Resolution and shown on the enclosed maps. This letter serves as Notice of a Public Hearing to annex said property. The next **Public Hearing before the City Council** shall be held on **March 16, 2026 at 6:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska.

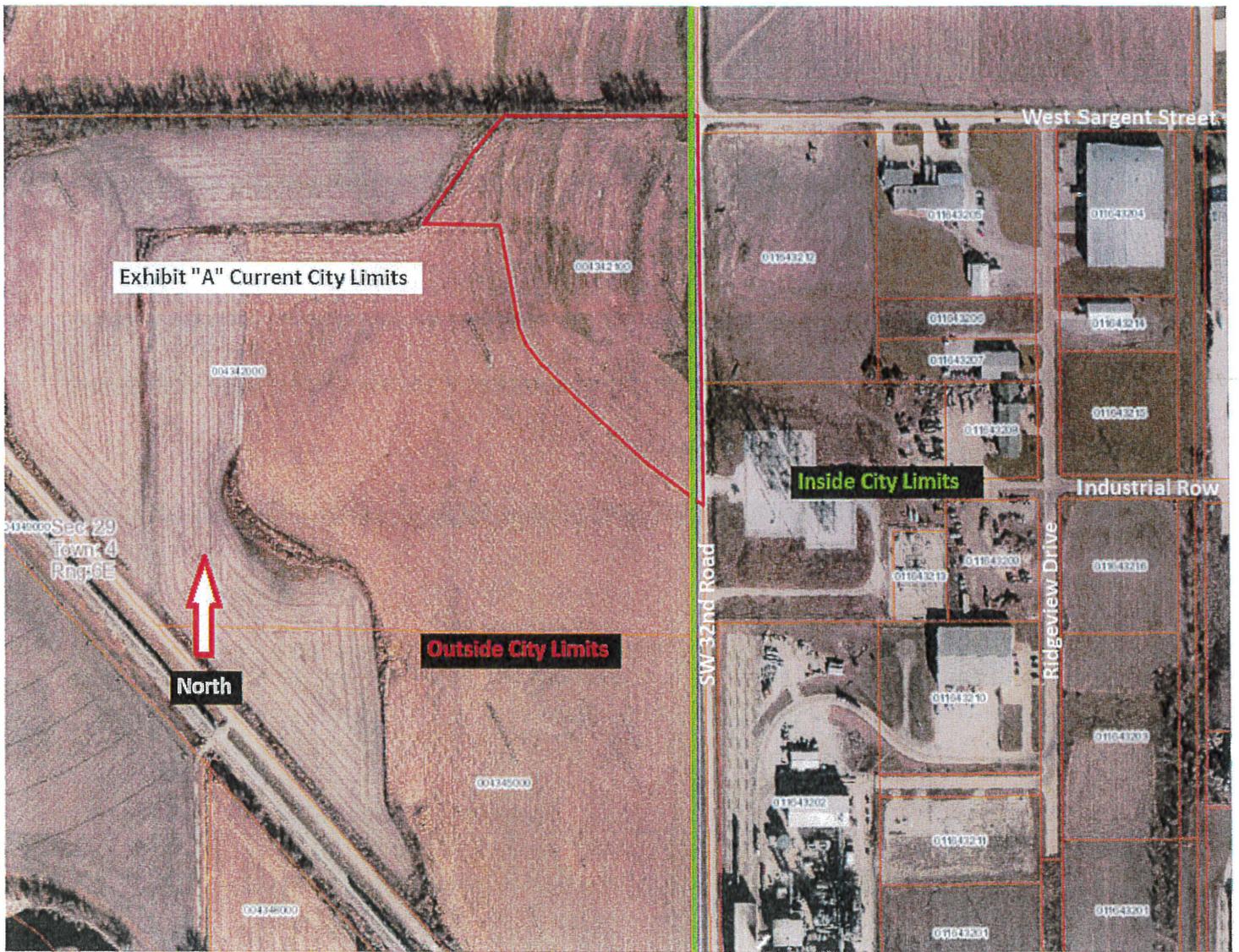
The "Parcel ID#" corresponds with the numbers assigned by the Gage County Assessor. You may visit their website (www.gagecountynebraska.us) to assist in identifying the parcels to be annexed as outlined herein.

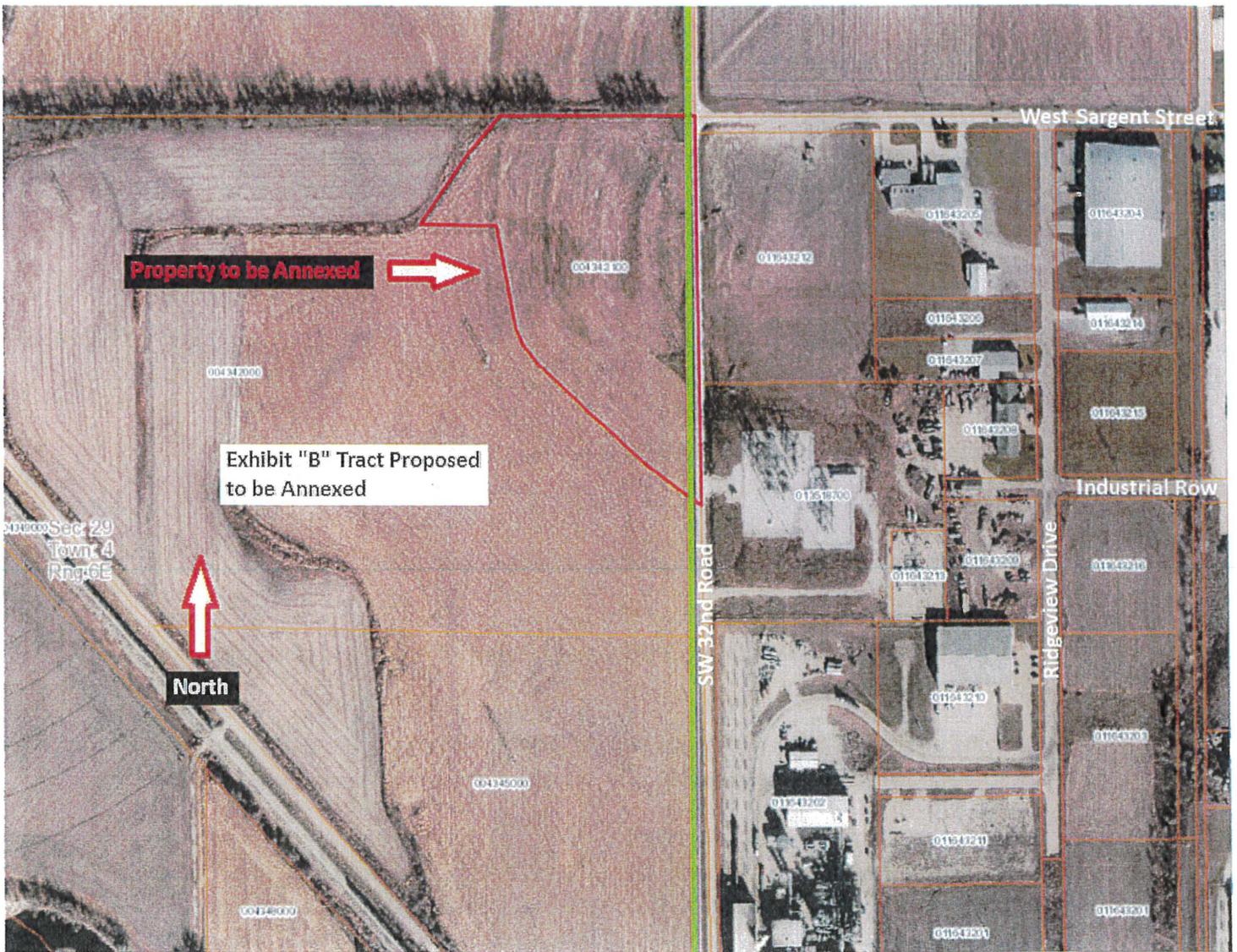
Please feel free to call me with any questions at (402) 228-5200 or trivera@beatrice.ne.gov if you would like additional information regarding this proposed annexation.

Sincerely,

Taylor Rivera
City Attorney

Enc: per letter





NOTICE OF HEARING

The Planning and Zoning Commission of the City of Beatrice will hold a public hearing at 5:00 p.m. on Monday, March 16, 2026, in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska, for the purpose of considering a recommendation to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts.

Erin Saathoff, MMC, City Clerk

Publish: March 6, 2026

**RESOLUTION NUMBER 26-7
PLANNING AND ZONING COMMISSION**

WHEREAS, the Planning and Zoning Commission of the City of Beatrice received a proposed amendment to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts; and

WHEREAS, the Commission reviewed the proposed amendment and found it to be consistent with the City's Comprehensive Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. The Planning and Zoning Commission reviewed the proposed amendment and finds that the amendment is in conformity with the general plan for the development of the City as a whole.

SECTION 2. The Commission recommends to the Beatrice City Council to approve said amendment. Said amendment, marked as Exhibit "A" is attached hereto and incorporated herein by reference.

SECTION 3. That all resolutions or parts of resolutions in conflict herein are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 16th day of March, 2026.

Deven McGhee, Secretary

Alan Fetty, Chairperson

ORDINANCE NUMBER 26-___

An ordinance to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That Section 505 of Article V of the Beatrice Zoning Code be and hereby is amended to read as follows:

"505 Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application:

- a. **"Appeal"** means a request for a review of the Chief Building Inspector's interpretation of any provision of this article or a request for a variance.
- b. **"Appurtenant/Accessory Structure"** means a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principle structure.
- c. **"Area of Shallow Flooding"** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- d. **"Base Flood"** means the flood having one percent chance of being equalled or exceeded in any given year.
- e. **"Basement"** means any area of the building having its floor subgrade (below ground level) on all sides.
- f. **"Campus"** means a contiguous physical area owned, leased, or otherwise controlled by a single entity or institution to provide a master planned environment for charitable, educational, government, religious, and medical institutions.

- g. **"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- h. **"Existing Construction"** means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."
- i. **"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.
- j. **Expansion to an Existing Manufactured Home Park or Subdivision** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- k. **"Flood" or "Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The usual and rapid accumulation of runoff of surface waters from any source.
- l. **"Flood Fringe"** is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).
- m. **"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.
- n. **"Flood Insurance Study"** is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.
- o. **"Floodplain"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

- p. **"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- q. **"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.
- r. **"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- s. **"Historic Structure"** means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
- t. **"Lowest floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.
- u. **"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- v. **"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- w. **"New Construction"** For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the

effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

- x. **"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

- y. **"Overlay District"** is a district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.

- z. **"Principally Above Ground"** means that at least 51 percent of the actual cash value of the structure is above ground.

- aa. **"Recreational Vehicle"** means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

- bb. **"Special Flood Hazard Area"** is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

- cc. **"Start of Construction"** [for other than new construction or substantial improvements under the coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

- dd. **"Structure"** means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.
- ee. **"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- ff. **"Substantial Improvement"** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- gg. **"Variances"** is a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.
- hh. **"Violation"** means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations."

SECTION 2. That Section Chapter 16 of Article V of the Beatrice Zoning Code be and hereby

is added to read as follows:

CHAPTER 16 – CAMPUS OVERLAY DISTRICT

“590 PURPOSE

The purpose of the Campus Overlay District is to provide for a master planned campus environment for charitable, educational, government, religious, and medical institutions and ancillary or compatible uses to the primary institution located on the same site.

591 MINIMUM ACREAGE REQUIREMENT

A Campus Overlay District must consist of at least ten (10) contiguous acres, excluding rights-of-way dedicated to the City, that are owned by the same entity or institution.

592 BOUNDARIES

The boundaries of a Campus Overlay District shall be set out on the City of Beatrice Zoning Map.

593 PROCEDURE FOR ADOPTION

a. Proposal

The creation of a Campus Overlay District may be initiated by the Planning and Zoning Commission, the City Council, or by application of the owner or owners of the property within the proposed district.

b. Requirements for Application

An application for the creation of a Campus Overlay District must include:

1. The application fee as established by resolution adopted by the city council.
2. Documents showing that the property(ies) to be included in the proposed district consist(s) or will consist of at least ten (10) contiguous acres of land, excluding rights-of-way dedicated to the City.
3. Documents showing that the property(ies) to be included in the proposed district is/are owned by the same entity or institution.
4. A statement describing the reasons for proposal of the district.
5. A map indicating the boundaries of the proposed Campus Overlay District.
6. A Master Development Plan.

c. Master Development Plan

A Master Development Plan shall serve as the comprehensive plan for the Campus Overlay District. The Master Development Plan must be determined to be in harmony with the surrounding area, align with the general intent of the underlying zoning district, and that such District will not adversely affect neighboring properties. All buildings and structures, including the use thereof, located within such District must meet any and all applicable rules and regulations of the underlying zoning district, including Fire Codes. A Master Development Plan shall include the following information:

1. A map, drawn to scale, showing the location of all existing buildings and all proposed future buildings;
2. The proposed use of all future buildings;
3. Set back requirements for all structures to be included in the Campus Overlay District;
4. An impervious area calculation upon the full build-out of all proposed buildings;
5. A circulation plan for vehicular traffic;

6. A detailed statement identifying the ownership of all existing and proposed utilities serving the campus, including but not limited to water, wastewater, stormwater, electric, gas, and any other public or private infrastructure, and clearly indicating whether each utility is publicly or privately owned; and
7. A stormwater drainage study prepared by a licensed professional engineer, evaluating existing and proposed conditions and demonstrating adequate detention and/or retention capacity to manage stormwater runoff in accordance with City standards.

594 ADOPTION OF CAMPUS OVERLAY DISTRICT

- a. The Commission and City Council shall review and evaluate each Campus Overlay District application.
- b. As part of the review and evaluation of a Campus Overlay District application, the Commission and City Council shall review and evaluate the proposed Master Development Plan included with such application.
- c. For each application, the Commission, after proper notice, shall hold a public hearing and shall make a recommendation to the City Council for approval or denial. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).
- d. The Commission may recommend amendments to Campus Overlay District applications or Master Development Plans.
- e. The recommendation of the Commission shall be transmitted to the City Council for final action.
- f. For each proposed Campus Overlay District, after receiving the recommendation by the Commission, the City Council shall approve or deny the Campus Overlay District. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).
- g. The resolution adopting the Campus Overlay District shall include a statement of purpose and a description of district boundaries.
- h. Upon approval by the City Council, each Campus Overlay District shall be shown on the Zoning Map.
- i. Upon approval by the City Council, each Campus Overlay District shall run with the land.

595 AMENDMENT PROCEDURE

Amendments to a Campus Overlay District must be approved according to the same procedure set forth in Section 593.

596 TERMINATION OF CAMPUS OVERLAY DISTRICT

- a. If at any time after the adoption of a Campus Overlay District a campus is reduced to less than ten (10) acres, then the Campus Overlay District shall terminate automatically.

- b. The City Council may, by resolution, terminate or revoke a Campus Overlay District in the event that the City Council determines that the uses or activities within a Campus Overlay District have become detrimental to public health, safety, and welfare, or if the uses or activities within a district become incompatible with the City's Comprehensive Development Plan or do not adhere to the Master Development Plan that part of the application approved for the Campus Overlay District."

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in electronic form as provided by law.

PASSED AND APPROVED this 16th day of March, 2026.

Attest:

Amanda Kuhlman, Deputy City Clerk

Robert Morgan, Mayor

* Redline *

CHAPTER 2 – DEFINITIONS

505 Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application:

- a. **"Appeal"** means a request for a review of the Chief Building Inspector's interpretation of any provision of this article or a request for a variance.
- b. **"Appurtenant/Accessory Structure"** means a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure.
- c. **"Area of Shallow Flooding"** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- d. **"Base Flood"** means the flood having one percent chance of being equaled or exceeded in any given year.
- e. **"Basement"** means any area of the building having its floor subgrade (below ground level) on all sides.
- f. **"Campus"** means a contiguous physical area owned, leased, or otherwise controlled by a single entity or institution to provide a master planned environment for charitable, educational, government, religious, and medical institutions.
- g. **"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- h. **"Existing Construction"** means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."
- i. **"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.
- j. **"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured

homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

- k. **"Flood" or "Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The usual and rapid accumulation of runoff of surface waters from any source.
- l. **"Flood Fringe"** is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).
- m. **"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.
- n. **"Flood Insurance Study"** is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.
- o. **"Floodplain"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").
- p. **"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- q. **"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.
- r. **"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- s. **"Historic Structure"** means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state

inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

- t. **"Lowest floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.
- u. **"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- v. **"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- w. **"New Construction"** For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- x. **"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- y. **"Overlay District"** is a district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.
- z. **"Principally Above Ground"** means that at least 51 percent of the actual cash value of the structure is above ground.
- aa. **"Recreational Vehicle"** means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- bb. **"Special Flood Hazard Area"** is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

- cc. **"Start of Construction"** [for other than new construction or substantial improvements under the coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.
- dd. **"Structure"** means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.
- ee. **"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- ff. **"Substantial Improvement"** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- gg. **"Variances"** is a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.
- hh. **"Violation"** means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

CHAPTER 16 – CAMPUS OVERLAY DISTRICT

590 PURPOSE

The purpose of the Campus Overlay District is ~~to accommodate the uses and activities of institutional campuses, including but not limited to governmental, educational, medical, social services, continuum of care residential developments, and religious campuses, which may include associated ancillary uses to the primary institution located on the same premises.~~ to provide for a master planned campus environment for charitable, educational, government, religious, and medical institutions and ancillary or compatible uses to the primary institution located on the same site.

591 MINIMUM ACREAGE REQUIREMENT

A Campus Overlay District must consist of at least ten (10) contiguous acres, excluding rights-of-way dedicated to the City, that are owned by the same ~~person,~~ entity, or institution.

592 BOUNDARIES

The boundaries of a Campus Overlay District shall be set out on the City of Beatrice Zoning Map.

593 PROCEDURE FOR ADOPTION

a. Proposal

The creation of a Campus Overlay District may be initiated by the Planning and Zoning Commission, the City Council, or by application of the owner or owners of the property within the proposed district.

b. Requirements for Application

An application for the creation of a Campus Overlay District must include:

1. The application fee as established by resolution adopted by the city council.

~~1.2.~~ Documents showing that the property(ies) to be included in the proposed district consist(s) or will consist of at least ten (10) contiguous acres of land, excluding rights-of-way dedicated to the City.

~~2.3.~~ Documents showing that the property(ies) to be included in the proposed district is/are owned by the same ~~person,~~ entity, or institution.

~~3.4.~~ A statement describing the reasons for proposal of the district.

~~4.5.~~ A map indicating the boundaries of the proposed Campus Overlay District.

~~5.~~ An inventory of the buildings and other accessory structures to be located within the boundaries of the proposed district. A Master Development Plan.

- ~~6. A circulation plan, including location of existing and proposed vehicular and pedestrian facilities; and the location and general design of parking and loading facilities.~~

c. Master Development Plan

A Master Development Plan shall serve as the comprehensive plan for the Campus Overlay District. The Master Development Plan must be determined to be in harmony with the surrounding area, align with the general intent of the underlying zoning district, and that such District will not adversely affect neighboring properties. All buildings and structures, including the use thereof, located within such District must meet any and all applicable rules and regulations of the underlying zoning district, including Fire Codes. A Master Development Plan shall include the following information:

1. A map, drawn to scale, showing the location of all existing buildings and all proposed future buildings;
2. The proposed use of all future buildings;
3. Set back requirements for all structures to be included in the Campus Overlay District;
4. An impervious area calculation upon the full build-out of all proposed buildings;
5. A circulation plan for vehicular traffic;
6. A detailed statement identifying the ownership of all existing and proposed utilities serving the campus, including but not limited to water, wastewater, stormwater, electric, gas, and any other public or private infrastructure, and clearly indicating whether each utility is publicly or privately owned.; and
7. A stormwater drainage study prepared by a licensed professional engineer, evaluating existing and proposed conditions and demonstrating adequate detention and/or retention capacity to manage stormwater runoff in accordance with City standards.

594 ADOPTION OF CAMPUS OVERLAY DISTRICT

- a. The Commission and City Council shall review and evaluate each Campus Overlay District application.
- b. As part of the review and evaluation of a Campus Overlay District application, the Commission and City Council shall review and evaluate the proposed Master Development Plan included with such application.

~~a.c.~~ For each application, the Commission, after proper notice, shall hold a public hearing and shall make a recommendation to the City Council for approval or denial. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).

~~b.d.~~ _____ The Commission may recommend amendments to Campus Overlay District applications or Master Development Plans.

~~e.e.~~ The recommendation of the Commission shall be transmitted to the City Council for final action.

~~d.f.~~ The For each proposed Campus Overlay District, after receiving the recommendation by the Commission, the City Council shall approve or deny the Campus Overlay District. City Council, after proper notice, shall hold a public hearing and act upon any Article establishing an HD Historic Overlay District. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).

~~e.g.~~ _____ The resolution adopting the Campus Overlay District shall include a statement of purpose and a description of district boundaries.

~~h.~~ Upon approval by the City Council, each Campus Overlay District shall be shown on the Zoning Map.

~~f.i.~~ Upon approval by the City Council, each Campus Overlay District shall run with the land.

~~g.~~ Any protest against a Campus Overlay District shall be made and filed as provided by Section 19-905, Revised Statutes of Nebraska, 1943, and amendments thereto.

595 AMENDMENT PROCEDURE

Amendments to a Campus Overlay District must be approved according to the same procedure set forth in Section 593.

596 TERMINATION OF CAMPUS OVERLAY DISTRICT

- a. If at any time after the adoption of a Campus Overlay District a campus is reduced to less than ten (10) acres, then the Campus Overlay District shall terminate automatically.
- b. The City Council may, by resolution, terminate or revoke a Campus Overlay District in the event that the City Council determines that the uses or activities within a Campus Overlay District have become detrimental to public health, safety, and welfare, or if the uses or activities within a district become incompatible with the City's Comprehensive Development Plan or do not adhere to the Master Development Plan that part of the application approved for the Campus Overlay District.

**RESOLUTION NUMBER 26-6
PLANNING AND ZONING COMMISSION**

WHEREAS, the City of Beatrice ("City") desires to annex, under the provisions of Neb.Rev.Stat. §§16-117 and 16-118, certain lands owned by the Beatrice Cemetery Association, and legally described as follows:

A tract of land located on a part of the Northeast Quarter of Section 29, Township 4 North, Range 6 East of the 6th P.M., City of Beatrice, Gage County, Nebraska and more particularly described as follows:

For the purpose of this legal description, the basis of bearings is the North line of the Northeast Quarter of said Section 29 having an assumed reference bearing of S 89°30'06" W.

Beginning at the Northeast Corner of said Section 29, thence westerly S 89°30'06" W, on the North line of the Northeast Quarter of said Section 29, 519.10 feet; thence southwesterly S 40°00'32" W, 131.10 feet; thence southwesterly S 35°04'57" W, 225.85 feet; thence easterly S 89°18'55" E, 204.56 feet, thence southerly S 10°36'35" E, 274.39 feet; thence southeasterly S 24°33'38" E, 50.41 feet; thence southeasterly S 38°45'34" E, 63.38 feet; thence southeasterly S 47°31'17" E, 374.74 feet; thence southeasterly S 52°50'22" E, 173.09 feet, to a point of intersection on the East line of the Northeast Quarter of said Section 29; thence northerly N 00°04'35" E, on the East line of the Northeast Quarter of said Section 29, 1,012.37 feet, to the Northeast Corner of said Section 29, said Corner also being the True Point of Beginning; and

WHEREAS, such lands are contiguous and adjacent to the present corporate limits; and

WHEREAS, the City Council of the City of Beatrice ("City Council") has passed Resolution Number 7734 declaring the City's desire to annex such lands and providing a Plan for Providing Services to the land proposed for annexation, as required by Neb.Rev.Stat. §16-117; and

WHEREAS, on March 6, 2026, the City provided proper notice for a public hearing to be held by the Planning and Zoning Commission of the City of Beatrice ("Commission") on March 16, 2026, and has provided proper notice to owners of the property proposed to be annexed as required by Neb.Rev.Stat. §19-5001; and

WHEREAS, the Commission must provide a recommendation to the City Council before

the City Council may take final action on matters relating to annexation of territory.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

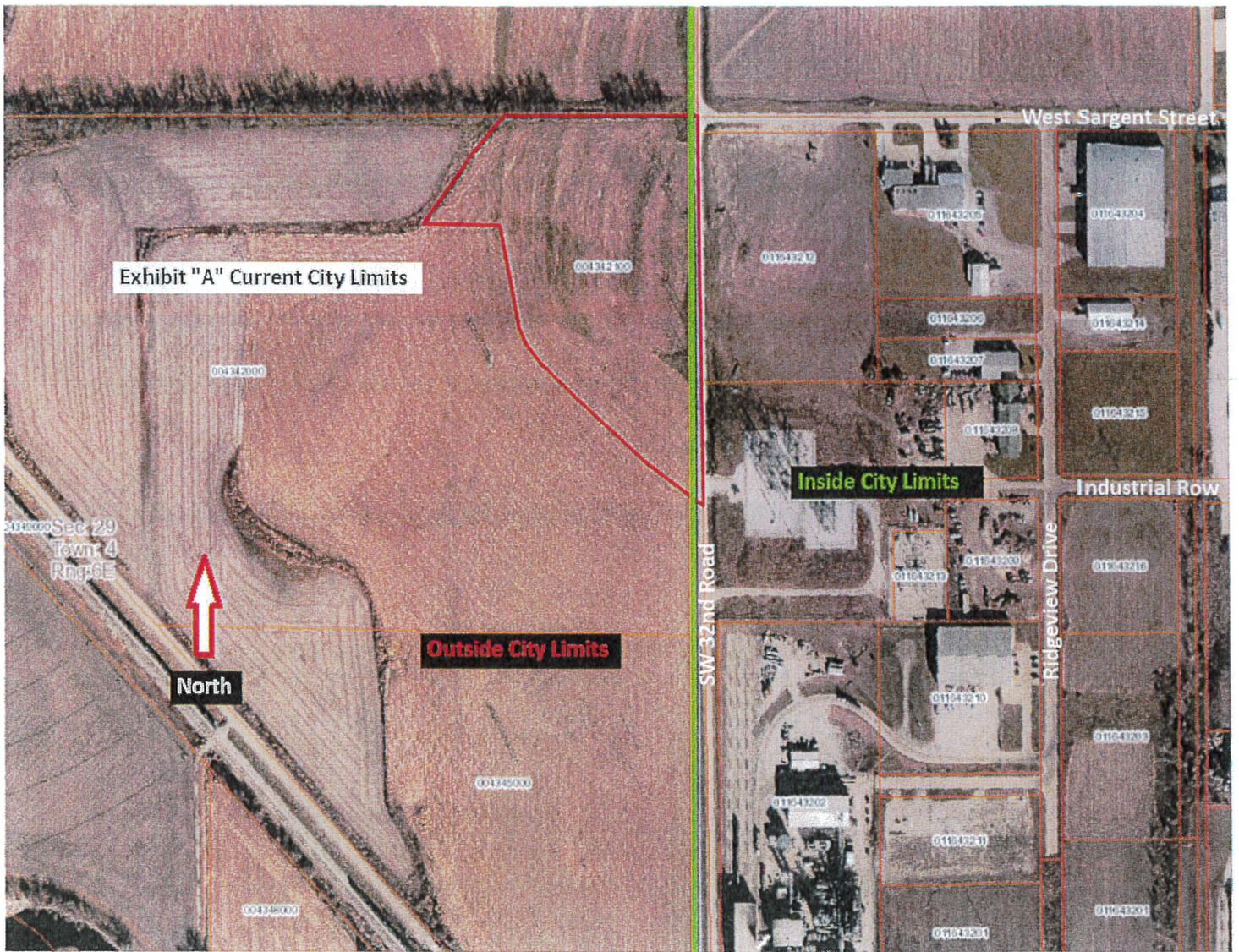
SECTION 1. The Planning and Zoning Commission of the City of Beatrice hereby recommends to the Beatrice City Council, the annexation of the above-described real estate owned by the City of Beatrice, Nebraska.

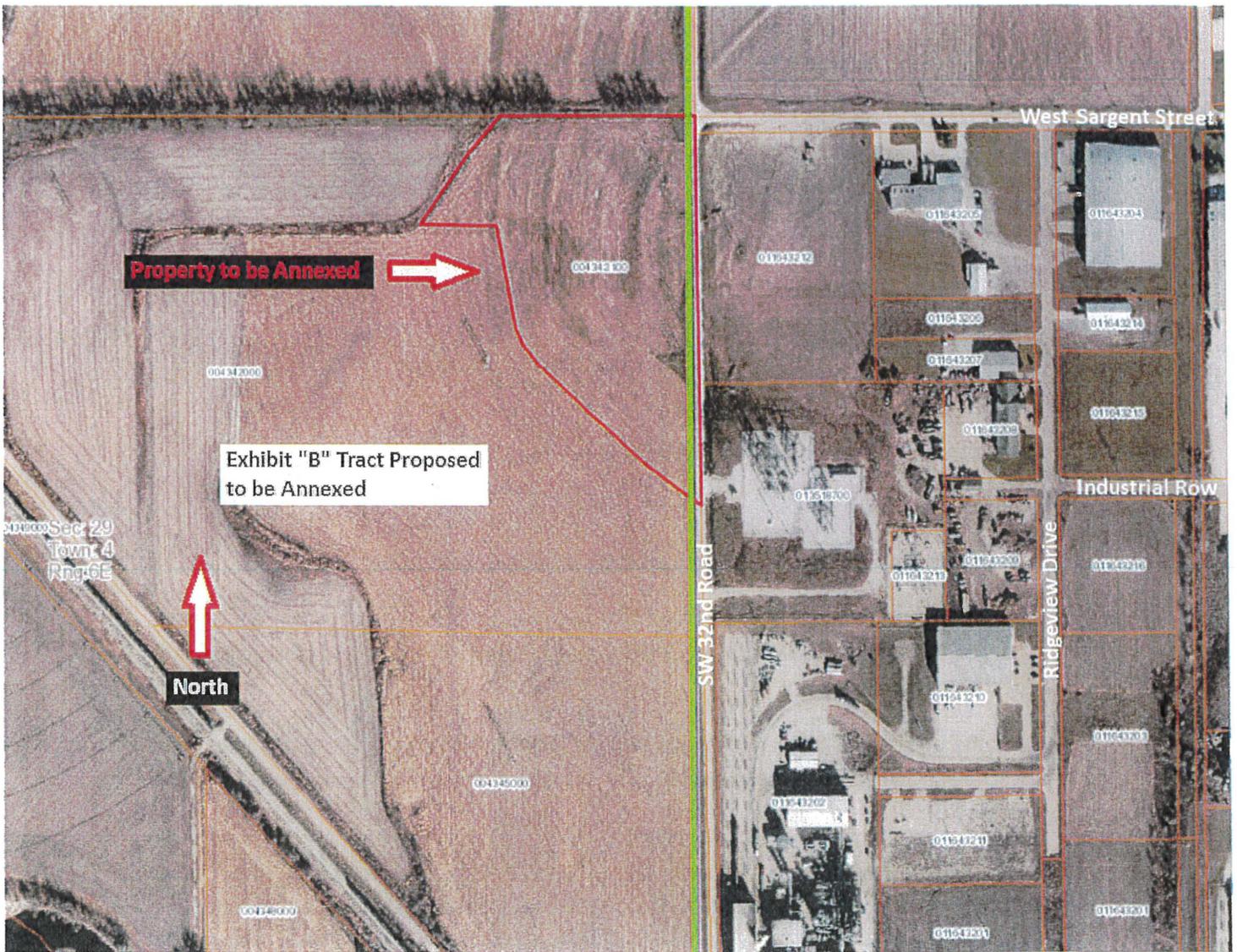
SECTION 2. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 16th day of March, 2026.

Deven McGhee, Secretary

Alan Fetty, Chairperson







**STAKE
YOUR
CLAIM**

BEATRICE
CITY - BOARD OF PUBLIC WORKS

CITY HALL

400 Ella Street | Beatrice, NE 68310
Phone: 402.228.5200 Fax: 402.228.2312

SERVICE CENTER

500 North Commerce Street | Beatrice, NE 68310
Phone: 402.228.5211 Fax: 402.223.5181

March 4, 2026

Armstrong Rentals, LLC
1250 Lakeview Lane
Beatrice, NE 68310

VIA FIRST CLASS MAIL

RE: Annexation of Real Estate – Gage County Parcel No. 004342100

To Whom It May Concern:

The City of Beatrice is proposing to annex real estate described as follows:

A tract of land located on a part of the Northeast Quarter of Section 29, Township 4 North, Range 6 East of the 6th P.M., City of Beatrice, Gage County, Nebraska and more particularly described as follows:

For the purpose of this legal description, the basis of bearings is the North line of the Northeast Quarter of said Section 29 having an assumed reference bearing of S 89°30'06" W.

Beginning at the Northeast Corner of said Section 29, thence westerly S 89°30'06" W, on the North line of the Northeast Quarter of said Section 29, 519.10 feet; thence southwesterly S 40°00'32" W, 131.10 feet; thence southwesterly S 35°04'57" W, 225.85 feet; thence easterly S 89°18'55" E, 204.56 feet, thence southerly S 10°36'35" E, 274.39 feet; thence southeasterly S 24°33'38" E, 50.41 feet; thence southeasterly S 38°45'34" E, 63.38 feet; thence southeasterly S 47°31'17" E, 374.74 feet; thence southeasterly S 52°50'22" E, 173.09 feet, to a point of intersection on the East line of the Northeast Quarter of said Section 29; thence northerly N 00°04'35" E, on the East line of the Northeast Quarter of said Section 29, 1,012.37 feet, to the Northeast Corner of said Section 29, said Corner also being the True Point of Beginning.

Gage County Assessor Parcel ID#: 004342100

This letter serves as Notice of the Public Hearings to annex the above cited property located in Gage County, Nebraska. The Beatrice **Planning and Zoning Commission** shall hold a Public Hearing to consider this annexation proposal on **March 16, 2026 at 5:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Board Room, 320 North 5th Street, Beatrice, Nebraska.

The Public Hearing before the **City Council** shall be held on **March 16, 2026 at 6:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Board Room, 320 North 5th Street, Beatrice, Nebraska.

The "Parcel ID#" as provided above corresponds with the numbers assigned by the Gage County Assessor.



**STAKE
YOUR
CLAIM**

BEATRICE
CITY • BOARD OF PUBLIC WORKS

CITY HALL

400 Ella Street | Beatrice, NE 68310
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SERVICE CENTER

500 North Commerce Street | Beatrice, NE 68310
Phone: 402.228.5211 Fax: 402.223.5181

You may visit their website (www.gagecountynebraska.us) to assist in identifying the parcels to be annexed as outlined herein.

Lastly, enclosed is a map of the real estate proposed to be annexed.

Please feel free to call me with any questions at (402) 228-5200 or trivera@beatrice.ne.gov if you would like additional information regarding this proposed annexation.

Sincerely,

Taylor Rivera
City Attorney



**STAKE
YOUR
CLAIM**

BEATRICE
CITY • BOARD OF PUBLIC WORKS

CITY HALL

400 Ella Street | Beatrice, NE 68310
Phone: 402.228.5200 Fax: 402.228.2312

SERVICE CENTER

500 North Commerce Street | Beatrice, NE 68310
Phone: 402.228.5211 Fax: 402.223.5181

March 4, 2026

Board of Education
School District #15
Attn: Jason Alexander
320 N. 5th Street
Beatrice, NE 68310

VIA FIRST CLASS MAIL

RE: Annexation of Real Estate – Gage County Parcel No. 004342100

Dear Jason:

The City of Beatrice is proposing to annex Parcel No. 004342100, and legally described in the enclosed Resolution and shown on the enclosed maps. This letter serves as Notice of a Public Hearing to annex said property. The next **Public Hearing before the City Council** shall be held on **March 16, 2026 at 6:00 p.m.** Said hearing shall be held at the Beatrice Public Schools Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska.

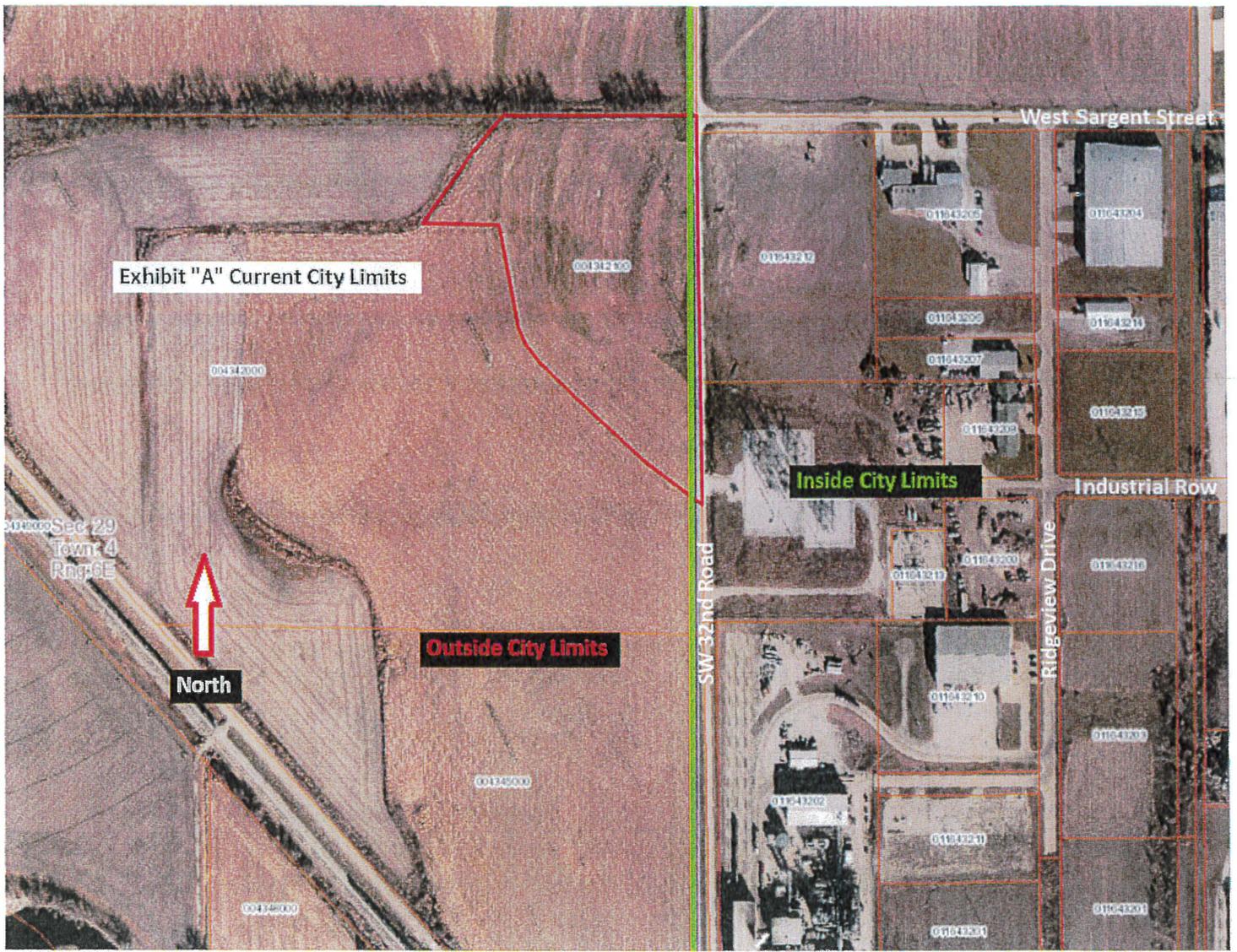
The "Parcel ID#" corresponds with the numbers assigned by the Gage County Assessor. You may visit their website (www.gagecountynebraska.us) to assist in identifying the parcels to be annexed as outlined herein.

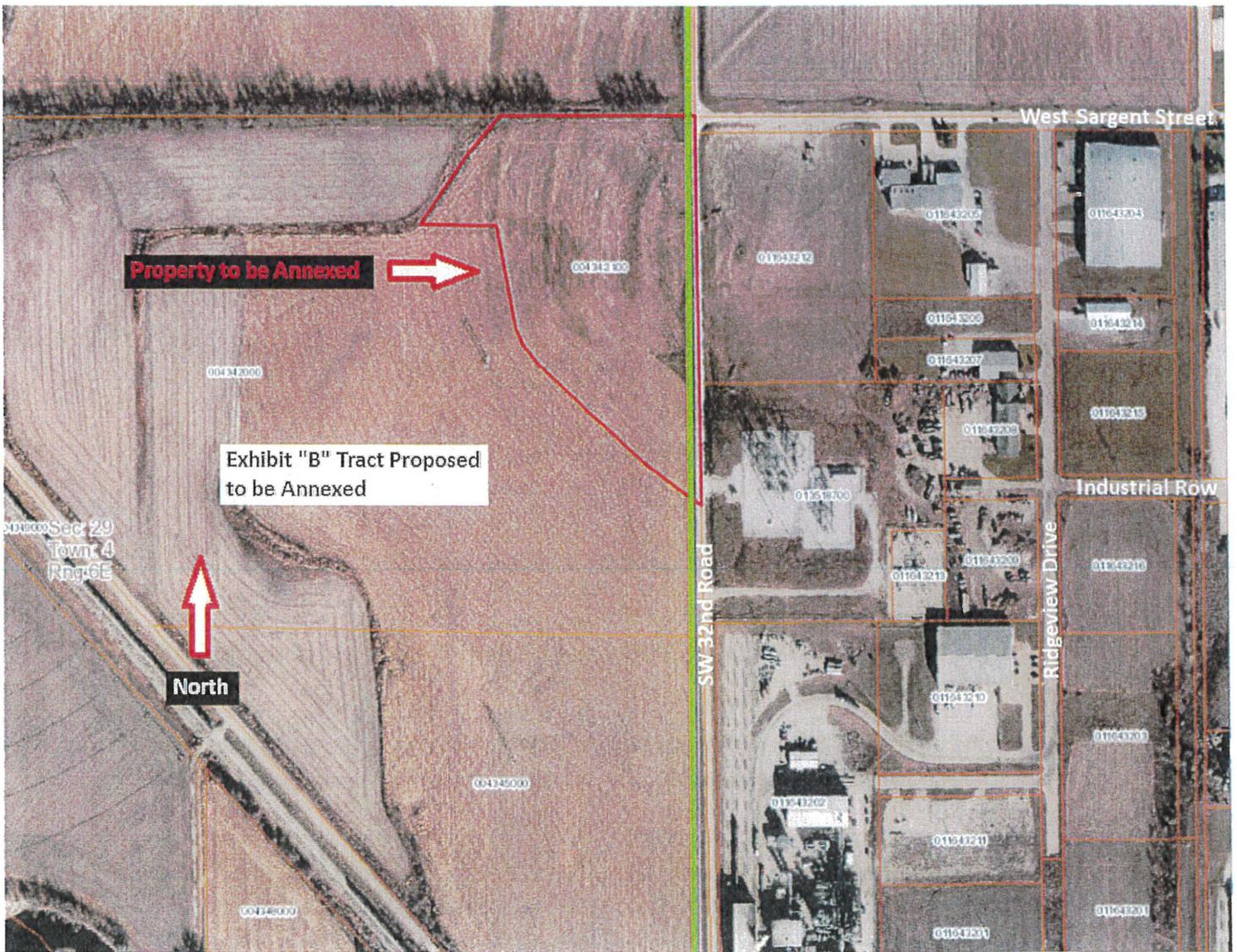
Please feel free to call me with any questions at (402) 228-5200 or trivera@beatrice.ne.gov if you would like additional information regarding this proposed annexation.

Sincerely,

Taylor Rivera
City Attorney

Enc: per letter





**RESOLUTION NUMBER 26-7
PLANNING AND ZONING COMMISSION**

WHEREAS, the Planning and Zoning Commission of the City of Beatrice received a proposed amendment to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts; and

WHEREAS, the Commission reviewed the proposed amendment and found it to be consistent with the City's Comprehensive Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. The Planning and Zoning Commission reviewed the proposed amendment and finds that the amendment is in conformity with the general plan for the development of the City as a whole.

SECTION 2. The Commission recommends to the Beatrice City Council to approve said amendment. Said amendment, marked as Exhibit "A" is attached hereto and incorporated herein by reference.

SECTION 3. That all resolutions or parts of resolutions in conflict herein are hereby repealed.

P&Z RESOLUTION PASSED and ADOPTED this 16th day of March, 2026.

Deven McGhee, Secretary

Alan Fetty, Chairperson

ORDINANCE NUMBER 26-___

An ordinance to amend Section 505 of Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Special and Overlay Districts definitions, and to add Chapter 16 to Article V of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to Campus Overlay Districts.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That Section 505 of Article V of the Beatrice Zoning Code be and hereby is amended to read as follows:

“505 Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application:

- a. **“Appeal”** means a request for a review of the Chief Building Inspector's interpretation of any provision of this article or a request for a variance.
- b. **“Appurtenant/Accessory Structure”** means a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principle structure.
- c. **“Area of Shallow Flooding”** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- d. **“Base Flood”** means the flood having one percent chance of being equalled or exceeded in any given year.
- e. **“Basement”** means any area of the building having its floor subgrade (below ground level) on all sides.
- f. **“Campus”** means a contiguous physical area owned, leased, or otherwise controlled by a single entity or institution to provide a master planned environment for charitable, educational, government, religious, and medical institutions.

- g. **"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- h. **"Existing Construction"** means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."
- i. **"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.
- j. **Expansion to an Existing Manufactured Home Park or Subdivision** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- k. **"Flood" or "Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The usual and rapid accumulation of runoff of surface waters from any source.
- l. **"Flood Fringe"** is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).
- m. **"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.
- n. **"Flood Insurance Study"** is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.
- o. **"Floodplain"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

- p. **"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- q. **"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.
- r. **"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- s. **"Historic Structure"** means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
- t. **"Lowest floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.
- u. **"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- v. **"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- w. **"New Construction"** For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the

effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

- x. **"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

- y. **"Overlay District"** is a district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.

- z. **"Principally Above Ground"** means that at least 51 percent of the actual cash value of the structure is above ground.

- aa. **"Recreational Vehicle"** means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

- bb. **"Special Flood Hazard Area"** is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

- cc. **"Start of Construction"** [for other than new construction or substantial improvements under the coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

- dd. **"Structure"** means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.
- ee. **"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- ff. **"Substantial Improvement"** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- gg. **"Variances"** is a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.
- hh. **"Violation"** means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations."

SECTION 2. That Section Chapter 16 of Article V of the Beatrice Zoning Code be and hereby

is added to read as follows:

CHAPTER 16 – CAMPUS OVERLAY DISTRICT

“590 PURPOSE

The purpose of the Campus Overlay District is to provide for a master planned campus environment for charitable, educational, government, religious, and medical institutions and ancillary or compatible uses to the primary institution located on the same site.

591 MINIMUM ACREAGE REQUIREMENT

A Campus Overlay District must consist of at least ten (10) contiguous acres, excluding rights-of-way dedicated to the City, that are owned by the same entity or institution.

592 BOUNDARIES

The boundaries of a Campus Overlay District shall be set out on the City of Beatrice Zoning Map.

593 PROCEDURE FOR ADOPTION

a. Proposal

The creation of a Campus Overlay District may be initiated by the Planning and Zoning Commission, the City Council, or by application of the owner or owners of the property within the proposed district.

b. Requirements for Application

An application for the creation of a Campus Overlay District must include:

1. The application fee as established by resolution adopted by the city council.
2. Documents showing that the property(ies) to be included in the proposed district consist(s) or will consist of at least ten (10) contiguous acres of land, excluding rights-of-way dedicated to the City.
3. Documents showing that the property(ies) to be included in the proposed district is/are owned by the same entity or institution.
4. A statement describing the reasons for proposal of the district.
5. A map indicating the boundaries of the proposed Campus Overlay District.
6. A Master Development Plan.

c. Master Development Plan

A Master Development Plan shall serve as the comprehensive plan for the Campus Overlay District. The Master Development Plan must be determined to be in harmony with the surrounding area, align with the general intent of the underlying zoning district, and that such District will not adversely affect neighboring properties. All buildings and structures, including the use thereof, located within such District must meet any and all applicable rules and regulations of the underlying zoning district, including Fire Codes. A Master Development Plan shall include the following information:

1. A map, drawn to scale, showing the location of all existing buildings and all proposed future buildings;
2. The proposed use of all future buildings;
3. Set back requirements for all structures to be included in the Campus Overlay District;
4. An impervious area calculation upon the full build-out of all proposed buildings;
5. A circulation plan for vehicular traffic;

6. A detailed statement identifying the ownership of all existing and proposed utilities serving the campus, including but not limited to water, wastewater, stormwater, electric, gas, and any other public or private infrastructure, and clearly indicating whether each utility is publicly or privately owned; and
7. A stormwater drainage study prepared by a licensed professional engineer, evaluating existing and proposed conditions and demonstrating adequate detention and/or retention capacity to manage stormwater runoff in accordance with City standards.

594 ADOPTION OF CAMPUS OVERLAY DISTRICT

- a. The Commission and City Council shall review and evaluate each Campus Overlay District application.
- b. As part of the review and evaluation of a Campus Overlay District application, the Commission and City Council shall review and evaluate the proposed Master Development Plan included with such application.
- c. For each application, the Commission, after proper notice, shall hold a public hearing and shall make a recommendation to the City Council for approval or denial. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).
- d. The Commission may recommend amendments to Campus Overlay District applications or Master Development Plans.
- e. The recommendation of the Commission shall be transmitted to the City Council for final action.
- f. For each proposed Campus Overlay District, after receiving the recommendation by the Commission, the City Council shall approve or deny the Campus Overlay District. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).
- g. The resolution adopting the Campus Overlay District shall include a statement of purpose and a description of district boundaries.
- h. Upon approval by the City Council, each Campus Overlay District shall be shown on the Zoning Map.
- i. Upon approval by the City Council, each Campus Overlay District shall run with the land.

595 AMENDMENT PROCEDURE

Amendments to a Campus Overlay District must be approved according to the same procedure set forth in Section 593.

596 TERMINATION OF CAMPUS OVERLAY DISTRICT

- a. If at any time after the adoption of a Campus Overlay District a campus is reduced to less than ten (10) acres, then the Campus Overlay District shall terminate automatically.

- b. The City Council may, by resolution, terminate or revoke a Campus Overlay District in the event that the City Council determines that the uses or activities within a Campus Overlay District have become detrimental to public health, safety, and welfare, or if the uses or activities within a district become incompatible with the City's Comprehensive Development Plan or do not adhere to the Master Development Plan that part of the application approved for the Campus Overlay District."

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in electronic form as provided by law.

PASSED AND APPROVED this 16th day of March, 2026.

Attest:

Amanda Kuhlman, Deputy City Clerk

Robert Morgan, Mayor

* Redline *

CHAPTER 2 – DEFINITIONS

505 Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application:

- a. **"Appeal"** means a request for a review of the Chief Building Inspector's interpretation of any provision of this article or a request for a variance.
- b. **"Appurtenant/Accessory Structure"** means a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure.
- c. **"Area of Shallow Flooding"** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- d. **"Base Flood"** means the flood having one percent chance of being equaled or exceeded in any given year.
- e. **"Basement"** means any area of the building having its floor subgrade (below ground level) on all sides.
- f. **"Campus"** means a contiguous physical area owned, leased, or otherwise controlled by a single entity or institution to provide a master planned environment for charitable, educational, government, religious, and medical institutions.
- g. **"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- h. **"Existing Construction"** means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures."
- i. **"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.
- j. **"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured

homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

- k. **"Flood" or "Flooding"** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (1) The overflow of inland or tidal waters.
 - (2) The usual and rapid accumulation of runoff of surface waters from any source.
- l. **"Flood Fringe"** is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).
- m. **"Flood Insurance Rate Map (FIRM)"** means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.
- n. **"Flood Insurance Study"** is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.
- o. **"Floodplain"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").
- p. **"Floodway" or "Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- q. **"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.
- r. **"Highest Adjacent Grade"** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- s. **"Historic Structure"** means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state

inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

- t. **"Lowest floor"** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.
- u. **"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- v. **"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- w. **"New Construction"** For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- x. **"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- y. **"Overlay District"** is a district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.
- z. **"Principally Above Ground"** means that at least 51 percent of the actual cash value of the structure is above ground.
- aa. **"Recreational Vehicle"** means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- bb. **"Special Flood Hazard Area"** is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

- cc. **"Start of Construction"** [for other than new construction or substantial improvements under the coastal Barrier Resources Act (Pub. L. 97-348)] includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.
- dd. **"Structure"** means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.
- ee. **"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- ff. **"Substantial Improvement"** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- gg. **"Variances"** is a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.
- hh. **"Violation"** means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

CHAPTER 16 – CAMPUS OVERLAY DISTRICT

590 PURPOSE

The purpose of the Campus Overlay District is ~~to accommodate the uses and activities of institutional campuses, including but not limited to governmental, educational, medical, social services, continuum of care residential developments, and religious campuses, which may include associated ancillary uses to the primary institution located on the same premises.~~ to provide for a master planned campus environment for charitable, educational, government, religious, and medical institutions and ancillary or compatible uses to the primary institution located on the same site.

591 MINIMUM ACREAGE REQUIREMENT

A Campus Overlay District must consist of at least ten (10) contiguous acres, excluding rights-of-way dedicated to the City, that are owned by the same ~~person,~~ entity, or institution.

592 BOUNDARIES

The boundaries of a Campus Overlay District shall be set out on the City of Beatrice Zoning Map.

593 PROCEDURE FOR ADOPTION

a. Proposal

The creation of a Campus Overlay District may be initiated by the Planning and Zoning Commission, the City Council, or by application of the owner or owners of the property within the proposed district.

b. Requirements for Application

An application for the creation of a Campus Overlay District must include:

1. The application fee as established by resolution adopted by the city council.

~~1.2.~~ Documents showing that the property(ies) to be included in the proposed district consist(s) or will consist of at least ten (10) contiguous acres of land, excluding rights-of-way dedicated to the City.

~~2.3.~~ Documents showing that the property(ies) to be included in the proposed district is/are owned by the same ~~person,~~ entity, or institution.

~~3.4.~~ A statement describing the reasons for proposal of the district.

~~4.5.~~ A map indicating the boundaries of the proposed Campus Overlay District.

~~5.~~ An inventory of the buildings and other accessory structures to be located within the boundaries of the proposed district. A Master Development Plan.

- ~~6. A circulation plan, including location of existing and proposed vehicular and pedestrian facilities; and the location and general design of parking and loading facilities.~~

c. Master Development Plan

A Master Development Plan shall serve as the comprehensive plan for the Campus Overlay District. The Master Development Plan must be determined to be in harmony with the surrounding area, align with the general intent of the underlying zoning district, and that such District will not adversely affect neighboring properties. All buildings and structures, including the use thereof, located within such District must meet any and all applicable rules and regulations of the underlying zoning district, including Fire Codes. A Master Development Plan shall include the following information:

1. A map, drawn to scale, showing the location of all existing buildings and all proposed future buildings;
2. The proposed use of all future buildings;
3. Set back requirements for all structures to be included in the Campus Overlay District;
4. An impervious area calculation upon the full build-out of all proposed buildings;
5. A circulation plan for vehicular traffic;
6. A detailed statement identifying the ownership of all existing and proposed utilities serving the campus, including but not limited to water, wastewater, stormwater, electric, gas, and any other public or private infrastructure, and clearly indicating whether each utility is publicly or privately owned.; and
7. A stormwater drainage study prepared by a licensed professional engineer, evaluating existing and proposed conditions and demonstrating adequate detention and/or retention capacity to manage stormwater runoff in accordance with City standards.

594 ADOPTION OF CAMPUS OVERLAY DISTRICT

- a. The Commission and City Council shall review and evaluate each Campus Overlay District application.
- b. As part of the review and evaluation of a Campus Overlay District application, the Commission and City Council shall review and evaluate the proposed Master Development Plan included with such application.

~~a.c.~~ For each application, the Commission, after proper notice, shall hold a public hearing and shall make a recommendation to the City Council for approval or denial. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).

~~b.d.~~ _____ The Commission may recommend amendments to Campus Overlay District applications or Master Development Plans.

~~e.e.~~ The recommendation of the Commission shall be transmitted to the City Council for final action.

~~d.f.~~ The For each proposed Campus Overlay District, after receiving the recommendation by the Commission, the City Council shall approve or deny the Campus Overlay District. City Council, after proper notice, shall hold a public hearing and act upon any Article establishing an HD Historic Overlay District. Notice of the public hearing shall be provided by following the procedures set forth in Section 1304(e).

~~e.g.~~ _____ The resolution adopting the Campus Overlay District shall include a statement of purpose and a description of district boundaries.

~~h.~~ Upon approval by the City Council, each Campus Overlay District shall be shown on the Zoning Map.

~~f.i.~~ Upon approval by the City Council, each Campus Overlay District shall run with the land.

~~g.~~ Any protest against a Campus Overlay District shall be made and filed as provided by Section 19-905, Revised Statutes of Nebraska, 1943, and amendments thereto.

595 AMENDMENT PROCEDURE

Amendments to a Campus Overlay District must be approved according to the same procedure set forth in Section 593.

596 TERMINATION OF CAMPUS OVERLAY DISTRICT

- a. If at any time after the adoption of a Campus Overlay District a campus is reduced to less than ten (10) acres, then the Campus Overlay District shall terminate automatically.
- b. The City Council may, by resolution, terminate or revoke a Campus Overlay District in the event that the City Council determines that the uses or activities within a Campus Overlay District have become detrimental to public health, safety, and welfare, or if the uses or activities within a district become incompatible with the City's Comprehensive Development Plan or do not adhere to the Master Development Plan that part of the application approved for the Campus Overlay District.