



City of Plattsmouth  
 Permits & Inspections  
 136 North 5<sup>th</sup> Street  
 Plattsmouth, NE 68048

For Office Use Only	
Date Filed	_____
Permit #	_____
Fee \$	_____
Receipt	_____

### SPECIAL USE PERMIT APPLICATION

Date of Application: \_\_\_\_\_

Applicant: \_\_\_\_\_  
                     Name  Address                    Zip                    Phone#

Location If Different: \_\_\_\_\_  
                                     Address  Zip

Legal Description of Property to be used: \_\_\_\_\_

Owner of Property (If Different than Applicant): \_\_\_\_\_  
   Name  Address                    Phone#

Type of Special Use Permit Request: \_\_\_\_\_

Explain in Detail Operation Planned: \_\_\_\_\_

Building to be Used:  Residence \_\_\_\_\_  
 Other (Explain) \_\_\_\_\_

Present Zoning \_\_\_\_\_ Lot Dimensions: \_\_\_\_\_ Lot Area (Square Feet): \_\_\_\_\_

NOTE: I (we) understand if this permit is granted, the permit is issued for the use of the applicant only and cannot be transferred or assigned.

**PLANNING COMMISSION**  
 Hearing Date: \_\_\_\_\_  
 Recommendation: \_\_\_\_\_  
 Special Conditions: \_\_\_\_\_

**CITY COUNCIL**  
 Hearing Date: \_\_\_\_\_  
 Recommendation: \_\_\_\_\_  
 Special Conditions: \_\_\_\_\_

CERTIFICATION: I hereby certify that the above Information is true and correct to the best of my knowledge and behalf, and I will abide by the rules and ordinances covering this application as well as directives of the elected and/or appointed officials of the City of Plattsmouth, Nebraska, pertaining to this Special Use Permit.

\_\_\_\_\_  
 Applicant's Signature



## CHECKLIST SPECIAL USE PERMITS

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### **Land Use Compatibility**

- Development Density: Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.

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### **Height and Scale**

- Height and Bulk: Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.
- Setbacks: Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.
- Building Coverage: Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.

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### **Site Development**

- Frontage: Project frontage along a street should be similar to lot width.

#### **Parking and Internal Circulation:**

- Parking should serve all structures with minimal conflicts between pedestrians and vehicles.
- All structures must be accessible to public safety vehicles.
- Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.

#### **Landscaping:**

- Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.

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### **Building Design**

- Architectural design and building materials should be compatible with surrounding areas or highly visible locations.

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### **Operating Characteristics**

- Traffic Capacity: Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.
- External Traffic Effects: Project design should direct non-residential traffic away from residential areas.
- Operating Hours: Projects with long operating hours must minimize effects on surrounding residential areas.
- Outside Storage: Outside storage areas must be screened from surrounding streets and less intensive land uses.

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### **Public Facilities**

#### **Sanitary Waste Disposal:**

- Developments within 500 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.
- Sanitary sewer must have adequate capacity to serve development.

#### **Storm Water Management:**

- Development should handle storm water adequately to prevent overloading of public storm water management system.
- Development should not inhibit development of other properties.
- Development should not increase probability of erosion, flooding, landslides, or other run-off related effects.
- Utilities: Project must be served by utilities.

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### **Comprehensive Plan**

- Projects should be consistent with the comprehensive development plan of Plattsmouth.
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## **ADMINISTRATION AND PROCEDURES**

- G. **Modification of Site Plan:** The Building Official may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include, but not be limited to, additional landscaping or screening, installation of erosion control measures, improvement of access or circulation, rearrangement of structures on the site, or other modifications deemed necessary to protect the public health, safety, or welfare.
- H. **Term and Modification of Approval:**
1. A site plan approval shall become void two years after the date of approval, unless the applicant receives a building permit and diligently carries out development prior to the expiration of this period.
  2. The Building Official may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 12-1.
  3. The Building Official may revoke a site plan approval if he/she determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.
  4. **Approval to Run with Land:** An approval pursuant to this section shall run with the land until the expiration date of such approval.

### **12-4 Special Use Permit Procedure**

- A. **Purpose:** The special use permit procedure provides for public review and discretionary City Council approval for uses within zoning districts which have unusual site development or operating characteristics that could adversely affect surrounding properties.
- B. **Administration:** The Planning Commission shall review and evaluate each application and transmit its recommendation to the City Council. The City Council shall review, evaluate, and act upon all applications submitted pursuant to this procedure.
- C. **Application Requirements:** An application for a special use permit may be filed by the owners of a property or the owners' authorized agent with the Building Official. The application shall include the following information:
1. Name and address of the applicant.
  2. Owner, address, and legal description of the property.
  3. A description of the nature and operating characteristics of the proposed use.
  4. Any graphic information, including site plans, elevations, or other drawings necessary to describe the proposed use to approving agencies.
- D. **Approval Process:**
1. The Planning Commission, following proper notice, shall hold a public hearing on each special use permit and, following such public hearing, shall recommend action to the City Council.
  2. The City Council, after publication and public hearing, shall act on the special use permit. If the Planning Commission recommends denial of the special use permit, a majority plus one of the City Council is required for approval. The City Council may apply any reasonable conditions to the approval of the permit.
- E. **Criteria for Review:** The Planning Commission and the City Council shall review and approve the site plan based on the criteria established in Table 12-1 and conformance with applicable regulations in this Zoning Ordinance.



<b>TABLE 12.1: CRITERIA FOR SITE PLAN REVIEW AND SPECIAL USE PERMITS</b>			
<b>CRITERIA</b>		<b>APPLICATION TO</b>	
		<b>Site Plan Review</b>	<b>Special Use Permit</b>
Land Use Compatibility Development Density	Site area per unit or floor area ratio should be similar to surrounding uses If not separated by major natural or artificial features		X
Height and Scale Height and Bulk	Development should minimize differences In height and building size from surrounding structures. Differences should be justified by urban design considerations.	X	X
Setbacks	Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.	X	X
Building Coverage	Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.	X	X
Site Development Frontage	Project frontage along a street should be similar to lot width.	X	X
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	X	X
	All structures must be accessible to public safely vehicles. Development must have access to adjacent public streets and ways.	X	X
	Internal circulation should minimize conflicts and congestion at public access points.	X	X
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.	X	X
Building Design	Architectural design and building materials should be compatible with surrounding areas or highly visible locations.		X
Operating Characteristics Traffic Capacity	Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	X	X
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	X	X
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	X	X
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses.	X	X
Public Facilities Sanitary Waste Disposal	Developments within 500 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.	X	X
	Sanitary sewer must have adequate capacity to serve development.	X	X
Storm Water Management	Development should handle storm water adequately to prevent overloading of public storm water management system.	X	X
	Development should not inhibit development of other properties.	X	X
	Development should not increase probability of erosion, flooding, landslides, or other run-off related effects.	X	X
Utilities	Project must be served by utilities.	X	X
Comprehensive Plan	Projects should be consistent with the comprehensive development plan of Plattsburgh.		X



- F. Scope of Approval: The City Council may, at its discretion, apply a special use permit to a specific owner or applicant. The City Council may establish special site development or operational regulations as a condition for approval of a special use permit.
- G. Lapse and Revocation of Permit:
1. A special use permit shall become void two years after its effective date if the applicant has not carried out development or occupancy during that period.
  2. The City Council may revoke a special use permit should the operation of the use subject to such permit violate the conditions under which the permit was granted.
- H. Previously Approved Permits: Any special use approved under regulations In effect before the effective date of this ordinance shall be considered to have a valid special use permit; subject to requirements Imposed at the time of its approval.

#### **12-5 Amendment Procedure**

- A. Purpose: The amendment procedures describe the methods by which changes may be made in the text of the Zoning Ordinance (text amendment) and/or the official boundaries of zoning districts (rezoning).
- B. Initiation of Amendments:
1. Text amendments may be initiated by the Planning Commission or City Council.
  2. Rezoning or changes to the zoning map may be initiated by a property owner or authorized agent, the Planning Commission, or the City Council.
- C. Rezoning Application Requirements: An application for a rezoning shall be filed with the Building Official. The application shall include the following information:
1. Name and address of the applicant.
  2. Owner, address, and legal description of the property.
  3. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
  4. Any graphic information, including site plans, elevations, or other drawings, necessary to describe the proposed use to approving agencies.
- D. Amendment Process:
1. The Planning Commission, following ten days' notice, shall hold a public hearing on each proposed text or rezoning and, following such public hearing, shall recommend action to the City Council.
  2. The City Council, after publication and public hearing, shall act on the proposed amendment: If the Planning Commission recommends denial of the amendment, a majority plus one of the City Council is required for approval.