

ORDINANCE NO. 1855

AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, ENACTING 5-6.1 OF THE LAND DEVELOPMENT ORDINANCE, CREATING THE DOWNTOWN PLATTSMOUTH HISTORIC DISTRICT; ESTABLISHING SUPPORTIVE OVERLAY ZONING WITHIN THE PLATTSMOUTH LAND DEVELOPMENT ORDINANCE, AMENDING THE PLATTSMOUTH ZONING MAP; ALLOWING FOR SEVERABILITY OF PROVISIONS; TO REPEAL ALL ORDINANCES IN CONFLICT, TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Whereas, a significant number of buildings in the downtown district of the City of Plattsmouth offer a rich demonstration of the elements of design, detail, materials, and craftsmanship typical to buildings of the late 19th and early 20th centuries; and

Whereas, taken as a whole, the downtown district is a public resource of essential geographic and historical importance to the City of Plattsmouth, owing to its essential relationship to the city's economic evolution, physical development, civic heritage, and public culture; and

Whereas, the preservation of these types of resources has been prioritized by the City of Plattsmouth in the city's current comprehensive plan, through the inclusion of a Historic Overlay District within the zoning code, and in the purposes and outcomes of Chapter 9, Article 3, Section 9-305 of the Plattsmouth City Code;

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

Section 1. The Downtown Plattsmouth Historic District is established as the area delineated by the HD1 overlay district on the official zoning map of the City of Plattsmouth, the boundaries of which are as follows: Beginning from the intersection of the centerlines of A Avenue and 7th Street, east along the centerline of A Avenue to its intersection with the centerline of 3rd Street, south along the centerline of 3rd Street to its intersection with the centerline of the alleyway immediately to the south of Main Street, following that line west to its intersection with the centerline of 7th street, then north along the centerline of 7th Street to its intersection with A Avenue.

Section 2. The zoning code is amended to create the HD1 overlay district, "Downtown Plattsmouth Historic District."

A. The administration of the HD1 overlay district shall be governed by Chapter 9, Article 3, Section 9-305 of the Plattsmouth City Code, except for any procedural exceptions herein contained.

B. The primary guiding set of standards and criteria to be referenced by the Plattsmouth Historic Preservation Board in consideration of all applications for Certificates of Approval within the HD1 district shall be the Plattsmouth Downtown Historic Guidelines and the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. These guidelines are to be interpreted through the professional expertise of the Historic Preservation Board and applied with due consideration to state and federal law and policy.

C. These guidelines shall apply only to facades and roofs visible from the public right-of-way, excluding alleys within the Historic District.

Section 3. Levels of Review.

A. The following common property maintenance actions do not require review and approval within the HD1 overlay district.

1. Replacement or repair of existing materials with ones which are identical in material properties and physical appearance.
2. The repainting of already painted surfaces in the identical color to existing.
3. The restoration of historic signage, such as one painted on the wall of a structure, under the following conditions:
 - a. The details of the historic sign must be plainly discernible to the naked eye.
 - b. The sign must be restored faithfully to its original colors, character, and message,
 - c. In the event that a sign has been painted over, the project becomes one of recreation as opposed to restoration and must be reviewed by the preservation board.
4. Minor patching and repair of materials on building facades with identical materials, textures, finish, colors, and profile to match existing.
5. Repair and replacement of entry steps and handrails with identical materials.

6. Repair of currently installed exterior lighting, sign, or signage fixture.

7. Any other property maintenance work ordered by a code-enforcement action, so long as the repair is completed with materials identical to those existing.

8. Replacement of existing window-based climate control devices.

B. The following property maintenance and modification actions may be granted a certificate of approval through administrative review by the Building and Zoning Administrator, within the HD1 overlay district.

1. Changing the color of a currently painted exterior surface may be approved by administrative review, if the owner chooses to use colors from the established palette for the district. The application of colors must be in keeping with the district guidelines.

2. The placement of satellite dishes and antennas may be approved by administrative review. Per FCC regulation, there may not be a charge for this review. Placement of satellite dishes and antennas such that they are visible from the public right of way, excluding alleys is generally not appropriate.

3. The installation of window-mounted climate control devices which do not project beyond the glazing face, on any facade that faces a public street, may be approved by administrative review.

4. The provision of new and design changes to existing fencing in the district may be approved by administrative review.

5. New building and site signage as well as non-maintenance related modification to existing signage may be approved by administrative review.

6. Sign replacement, defined as alteration of existing signage.

7. Addition and modification to awnings.

C. The following property maintenance and modification actions within the HD 1 Overlay District may be granted a certificate of approval through review by the Historic Preservation Board.

1. Painting unpainted masonry which shall be strongly discouraged.
2. If owner wishes to use colors not on the HD 1 color palette, or to use a paint scheme which significantly deviates from the same.
3. Replacement of windows, storefront entry systems, and exterior doors.
4. Painting over an existing historic sign. Existing historic sign shall be defined as: that which was original to the building, ownership, or use. If a sign has been painted over or is deteriorated beyond reasonable recognition, it is no longer a project of restoration, but one of recreation.
5. New construction, including infill and additions to existing buildings.
6. Reconstruction due to demolition or catastrophic loss.
7. Restoration of major façade components including, but not limited to, windows, storefronts, cornices, pediments, window lintels, storefront lintels, columns, bulkheads, storefront entry systems, doors, masonry, columns, corner posts, transoms, architectural metals, and porches.
8. The installation of any equipment that extends beyond the cornice or roof parapet, including installation of new window-based climate control devices. Air conditioners and heat pumps which project beyond the glazing face are generally not appropriate on any street-facing façade.
9. Demolition. No structures may be demolished without review and approval.

Section 4. The official Plattsburgh Zoning Map is amended, and the same shall include the HD1 district, as defined by the area enclosed within the following boundary:

Beginning from the intersection of the centerlines of A Avenue and 7th Street, east along the centerline of A Avenue to its intersection with the centerline of 3rd Street, south along the centerline of 3rd Street to its intersection with the centerline of the alleyway immediately to the south of Main Street, following that line west to its intersection with the centerline of 7th street, then north along the centerline of 7th Street to its intersection with A Avenue.

Section 5. If a part of this ordinance is found to be invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this ordinance is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 6. All other ordinances passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions are repealed.

Section 7. This ordinance is adopted and published in pamphlet form, and shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 4th day of February 2013.



Michael C. Bowman
Michael C. Bowman, Mayor

Attest:

Sandra J. Meyer
Sandra J. Meyer, City Clerk

Publication: 02-07-2013, 2013

**CITY OF PLATTSMOUTH
NOTICE OF PUBLICATION OF
ORDINANCE IN PAMPHLET FORM**

On the 4th day of February, 2013, the Mayor and City Council of the City of Plattsmouth, Nebraska adopted an ordinance entitled:

ORDINANCE NO. 1855

AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA, ENACTING 5-6.1 OF THE LAND DEVELOPMENT ORDINANCE, CREATING THE DOWNTOWN PLATTSMOUTH HISTORIC DISTRICT; ESTABLISHING SUPPORTIVE OVERLAY ZONING WITHIN THE PLATTSMOUTH LAND DEVELOPMENT ORDINANCE, AMENDING THE PLATTSMOUTH ZONING MAP; ALLOWING FOR SEVERABILITY OF PROVISIONS; TO REPEAL ALL ORDINANCES IN CONFLICT, TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.

Said Ordinance was published in pamphlet form and copies thereof are available at the office of the City Clerk, 136 North 5th Street, Plattsmouth, Nebraska.

/s/Sandra J. Meyer, City Clerk

Publication Date: February 7, 2013-----3 Proofs please