

Topic:	Overlay District
Resource Type:	Regulations
State:	Nebraska
Jurisdiction Type:	Municipal
Municipality:	City of Omaha
Year (adopted, written, etc.):	1980
Community Type - applicable to:	Urban; Suburban
Title:	City of Omaha ED Environmental Resources District Ordinance
Document Last Updated in Database:	April 19, 2017

Abstract

The environmental resources overlay district allows for the adoption of special standards for areas of “special natural environment significance or sensitivity.” Creation of these districts can be initiated by the mayor, the planning board, or the city council. In order for an environmental resources district to be adopted, an ordinance establishing the ED must be written and passed by the city council.

Resource

Sec. 55-641. ED environmental resources district.

Sec. 55-642. Purpose.

The ED environmental resources overlay district enables the adoption of special performance standards in combination with site development regulations of a given base district for areas of special natural environmental significance or sensitivity. These areas include hill environments; native prairies; areas with unique soil or drainage conditions; lake, river or creek districts; forests; or other areas with unique environmental characteristics

(Code 1980, § 55-642)

Sec. 55-643. Application for creation of district.

(a) *Initiation.* The creation of an ED environmental resources overlay district may be initiated by the mayor, the planning board or the city council.

(b) *Contents.* An application for the creation of an ED overlay district must include:

(1) A statement describing the proposed district's special environmental characteristics and stating the reasons for proposal of the district

(2) A map indicating the boundaries of the proposed ED overlay district, specifying the base district(s) included within these boundaries

(3) Supplemental site development regulations and performance standards that apply to the proposed district.

(Code 1980, § 55-643)

Sec. 55-644. Adoption of district.

(a) The planning director shall transmit his/her recommendation establishing an ED environmental resources overlay district to the planning board.

(b) The planning board, after proper notice, shall hold a public hearing and act upon the district application.

(c) The planning board may recommend amendments to district applications.

(d) The recommendation of the planning board, together with that of the planning director, shall be transmitted to the city council for final action.

(e) The city council, after proper notice, shall hold a public hearing and act upon any ordinance establishing an ED environmental resources overlay district

(f) The ordinance adopting the ED district shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.

(g) An ordinance adopting an ED district shall require a favorable vote of five members of the city council for approval if the planning board recommends denial of the ordinance. The city council may amend such ordinances, provided at least five councilmembers vote to do so.

(h) Each ED district shall be shown on the zoning map, identified sequentially by order of enactment and referenced to the enacting ordinance.

(i) Any protest against an ED environmental resources district shall be made and filed as provided by R.R.S. 1943, § 14-405, and amendments thereto.

(Code 1980, § 55-644)

Sec. 55-645. Building permits and other permits.

Building or other development permits issued by the permits and inspections division in an ED district shall be consistent with the adopted ED district ordinance.

(Code 1980, § 55-645)