

Municipal Code of the City of Battle Creek, Nebraska

CHAPTER 11 – MUNICIPAL PLANNING

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CHAPTER 11 – MUNICIPAL PLANNING

Article 1 – Comprehensive Plan and Related Regulations

§11-101 COMPREHENSIVE PLAN ADOPTED.

In order to accommodate anticipated long-range future growth, the Comprehensive Development Plan for the County of Madison County, Nebraska, as prepared by White, Hamele and Hunsley, consulting engineers and planners, has been adopted by Ordinance No. 222, October 4, 1976, as the official Comprehensive Plan of the City of Battle Creek. Three copies of the adopted Plan shall be kept on file with the City Clerk and available for inspection by any member of the public during office hours.

§11-102 DESIGNATION OF EXTRATERRITORIAL JURISDICTION.

The territory located within one mile of the corporate limits of the City is hereby designated as the City's extraterritorial jurisdiction for the purpose of exercising the powers and duties granted by Neb. Rev. Stat. §17-1002 and 17-1003 with respect to subdivisions and platting and Neb. Rev. Stat. §19-2402 with respect to extension of water or sanitary sewer service. The boundaries of the territory so designated shall be as shown on the official zoning map, a copy of which is on file and available for public inspection in the office of the City Clerk. (Ref. 17-1002 RS Neb.) (Ord. No. 2002-031, 10/16/02)

§11-103 ZONING REGULATIONS ADOPTED.

For the purpose of setting minimum standards to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the community, and to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, the Zoning Regulations for the City of Battle Creek as prepared by White, Hamele, and Hunsley, consulting engineers and planners, and published in pamphlet form, have been adopted by Ordinance No. 230, September 12, 1977. Three copies of the adopted Zoning Regulations shall be kept on file with the City Clerk and available for inspection by any member of the public

during office hours.

§11-104 SUBDIVISION REGULATIONS ADOPTED.

To provide for harmonious development of the City and its environs; for the integration of new subdivision streets with other existing or planned streets or with other features of the Comprehensive Plan; for adequate open spaces for traffic, recreation, light and air; for the distribution of population and traffic in a manner which will tend to create conditions favorable to health, safety, convenience, or prosperity; to insure conformance of subdivision plans with the capital improvement program of the City; and to secure equitable handling of all subdivision plats by providing uniform procedures and standards for observance by subdividers and the Planning Commission and City Council, the Subdivision Regulations for the City of Battle Creek as prepared by White, Hamele, and Hunsley, consulting engineers and planners, and published in pamphlet form, have been adopted by Ordinance No. 230, September 12, 1977. Three copies of the adopted Subdivision Regulations shall be kept on file with the City Clerk and available for inspection by any member of the public during office hours.

§11-105 SUBDIVISIONS AND ADDITIONS PERMITTED.

The proprietor or proprietors of any land within the corporate limits of the City, or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to Neb. Rev. Stat. §17-1002, may lay out such land into lots, blocks, streets, avenues, alleys, and other grounds under the name of "_____ Addition to the City of Battle Creek" and may subdivide, plat, or lay out any such land upon conformance to and compliance with the conditions in this code and state law. (Ref. 19-916 RS Neb.) (Ord. No. 2002-032, 10/16/02)

§11-106 ADDITIONS; INCORPORATION INTO CITY.

All additions to the City laid out and previously located within the corporate boundaries of the City shall remain a part of the City. All additions laid out adjoining or contiguous to the corporate limits may be included within the corporate limits and become a part of the City for all purposes whatsoever at such time as the addition is approved as provided in Neb. Rev. Stat. §19-916. If the City Council includes the addition within the corporate limits, the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all the laws, ordinances, rules, and regulations of the City. (Ref. 19-916 RS Neb.) (Ord. No. 2002-033, 10/16/02)

§11-107 SURVEY AND PLAT.

(A) The owner or proprietor of any tract or parcel of land who shall subdivide the same into two or more parts for the purpose of laying out any addition to the City or any part thereof or suburban lots shall cause a plat of such subdivision to be made with references to known or permanent monuments, which plat shall accurately describe all subdivisions of such tract or parcel of land, numbering the same by progressive numbers and giving the dimensions and length and breadth thereof and the breadth and courses of all streets and alleys established therein. (Ref. 17-415 RS Neb.)

(B) The map or plat of land within the corporate limits of the City or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to Neb. Rev. Stat. §17-1002 shall designate explicitly the land so laid out and particularly describe

the lots, blocks, streets, avenues, alleys, and other grounds belonging to such addition. The lots shall be designated by numbers and streets, avenues, and other grounds by names or numbers. Such plat shall be acknowledged before some other officer authorized to take the acknowledgments of deeds, shall contain a dedication of the streets, alleys, and public grounds therein to the use and benefit of the public, and shall have appended a survey made by some competent surveyor with a certificate attached, certifying that he or she has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately staked off and marked. When such map or plat is so made out, acknowledged, and certified and has been approved by the City Council, the same shall be filed and recorded in the office of the Register of Deeds and County Assessor. (Ref. 19-916 RS Neb.) (Ord. No. 2002-034, 10/16/02)