

# **City of Scottsbluff, Nebraska**

**Monday, July 6, 2015**

**Regular Meeting**

## **Item Resolut.1**

**Discuss Planning Commission Recommendation for proposed Ordinance amendment/additions to Residential Parking Requirements.**

**Staff Contact: Annie Folck, City Planner**

# Agenda Statement

Item No.

For meeting of: July 6, 2015

**AGENDA TITLE:** Discuss Planning Commission Recommendation for proposed ordinance amendment/additions to Residential Parking Requirements.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Development Services

**PRESENTATION BY:** Rick Kuckkahn

**SUMMARY EXPLANATION:** Citizen request to look into adding requirements to code for residential parking prohibiting parking vehicles in front yards. Staff researched what other Cities have in place for residential parking and put together a draft ordinance. The ordinance would be placed in Chapter 22 - Traffic, Article 6 - Parking. These codes are enforced by the Police Department. This ordinance was brought before the Planning Commission for review and input. The City has off street parking ordinances and nuisance ordinances in place but nothing that covers this problem in particular. The Planning Commission discussed the pros and cons of whether the City should pursue this ordinance and if this type of parking is a problem within the City. Also, how difficult it could be to enforce. The ordinance would have to be initiated by the Police Department as they would be the department enforcing the violations.

**BOARD/COMMISSION RECOMMENDATION:** The Planning Commission at their regular meeting on June 8, 2015, recommended that the ordinance change not be pursued further.

**STAFF RECOMMENDATION:**

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<b>EXHIBITS</b>				
Resolution <input type="checkbox"/>	Ordinance x	Contract	Minutes <input type="checkbox"/>	Plan/Map <input type="checkbox"/>
Other (specify) _____				

**NOTIFICATION LIST:** Yes ☐ No ☐ Further Instructions ☐

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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Rev 3/1/99CClerk

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE MUNICIPAL CODE TO INCLUDE RESTRICTIONS ON PARKING OF PERSONAL VEHICLES ON RESIDENTIAL LOTS, INCLUDING A NEW §22-6-29, RESTRICTING PARKING OF PERSONAL VEHICLES ON RESIDENTIAL LOTS, REPEALING ALL PRIOR SECTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Chapter 22, Article 6 of the Municipal Code is amended by adding the following language:

**“22-6-29. Parking of personal vehicles on residential lot.**

1. It shall be unlawful for any person to park or allow the parking of personal vehicles on residential lots except as set forth in this section.
2. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include passenger cars, vans, pickup trucks, recreational vehicles, trailers under twenty feet in length, or boats.
3. Location of allowed parking.
  - a. Parking is permitted within an enclosed structure when the structure otherwise conforms to the requirements of its specific zoning district.
  - b. Parking is permitted outside of an enclosed structure in the side yard behind the line of the required front yard setback or in the rear provided the space is on a paved, hard-surfaced driveway or paved pad adjacent to the driveway.
  - c. Parking is permitted outside of an enclosed structure within the required front yard setback, subject to the following conditions:
    - i. The parking space is provided on a paved, hard-surfaced driveway or paved pad adjacent to the driveway.
    - ii. Space is unavailable in the side yard behind the required front yard setback or in the rear yard, or there is no reasonable access to the side or rear yards. A corner lot is normally considered to have reasonable access to the rear yard. A fence does not prevent reasonable access. Grade changes or substantial vegetation or landscape features can be considered to prevent reasonable access.
  - iii. Enclosed parking in conformance with the requirements of the district is impossible.
  - iv. The vehicles parked perpendicular to the front curb.
  - v. The vehicle must not encroach on public right-of-way.
4. Exceptions. Temporary parking of personal vehicles on a driveway within a front yard setback is permitted for loading and unloading purposes. Such temporary parking shall not exceed 24 hours during an individual week.

Section 2. All other ordinances or parts of ordinances in conflict herewith are repealed. Provided, however, this ordinance shall not be construed to effect any rights, liabilities, duties or causes of action, either criminal or civil, existing or actions pending at the time when this ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage and approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED on \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

Approved:

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City Attorney