

City of Scottsbluff, Nebraska
Monday, September 14, 2015
Regular Meeting

Item NewBiz2

Ordinance Text Change

Ordinance Text Change: 21-1-20. Alleys; location

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Urdiales



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Staff Development Services
Date: September 14, 2015
Subject: Proposed Ordinance text change in Chapter 21
Subdivision Code, 21-1- 20 Alleys: location

We have had a few commercial developments/subdivisions come before the Planning Commission. One of the things we have worked on with the owners/developers is placement of alleys on proposed developments. Current city code reads that an alley shall be provided at the rear of every lot used or proposed to be used for business purposes. (ord. 1225, 1959: Ord. 116). Recently we have had commercial properties being developed and re-platted. This alley requirement has hindered some of the proposed developments and the developers have asked for variances to this requirement, or the City has asked that access easements be provided, we have also asked them to demonstrate to us how emergency or maintenance trucks (trash, delivery, etc.) would get in and out of the development. Mark Bohl, Director of Public Works, has reviewed and inspected the proposed plat changes and made positive recommendation for the re-plats.

In checking back we have a few commercial developments that were approved without an alley, or large lots/blocks with an alley and then were subdivided without an alley. The City wants to make sure there is emergency access for emergency vehicles as well as trash trucks, delivery trucks, etc. onto these lots with either an alley or easements provided to allow for this type of traffic.

The proposed ordinance will add three exceptions to this code. 1) to provide and maintain suitable access; 2) provide and maintain an easement; and then at 3. have the Planning & Development Department, Public Works Department and Fire Department all review either the access or easement and then a waiver is of the alley is signed by the mayor or council president.

RECOMMENDATION

Approve

Make a motion for positive recommendation for City Council to approve proposed ordinance text amendment in Chapter 21 Subdivision Code amending 21-1-20 setting forth exceptions on alley requirement/placement in business zoning districts subject to the following condition(s):

Deny

Make a motion for negative recommendation to City Council to disapprove proposed ordinance text amendment in Chapter 21, Subdivision Code, amending 21-1-20 setting forth exceptions on alley requirements/placement in business zoning districts subject for the following reason(s):

Table

Make the motion to TABLE the proposed ordinance text amendment in Chapter 21 Subdivision Code amending 21-1-20 setting forth exceptions on alley requirements/placement in business zoning districts for the following reason(s):

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING THE SCOTTSBLUFF MUNICIPAL CODE AT CHAPTER 21, ARTICLE 1, RELATING TO SUBDIVISION REQUIREMENTS AND SPECIFICALLY ALLEYS, AMENDING SECTION 21-1-20 RELATING TO REQUIRED ALLEYS, REPEALING FORMER SECTIONS, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 21-1-20 of the Scottsbluff Municipal Code is amended to provide as follows:
“21-1-20. Alleys; location; exception.

An alley shall be provided at the rear of every lot used or proposed to be used for business purposes. Provided, however, a subdivision may be approved without an alley at the rear of a lot, if the following conditions are met:

- (1) The applicant has provided and will maintain access sufficient for emergency vehicles and City vehicles needed for trash, sewer, water or other City services, as well as access for delivery vehicles; or
- (2) The applicant has provided and maintains an access easement(s) sufficient for the City to use for emergency vehicles, other city vehicles for trash, sewer or water; and
- (3) The City, through its Planning and Development Department, Public Works Department and Fire Department, has reviewed the proposed subdivision for sufficient access or easements and the Mayor or Council President signed a written waiver on behalf of the City for the required alley and its location.”

Section 2. All other Ordinances and parts of Ordinances passed and approved and in conflict herewith are now repealed.

Section 3. This Ordinance shall be published in pamphlet form and shall become effective upon its passage and approval.

PASSED AND APPROVED on _____, 2015.

Mayor

ATTEST:

City Clerk

(Seal)