

City of Scottsbluff, Nebraska

Monday, August 8, 2016

Regular Meeting

Item NewBiz1

Ordinance

Ordinance: Chapter 25, Article 7

Applicant(s): N/A

Owner(s): N/A

Location: N/A

Staff Contact: Annie Folck



SCOTTSBLUFF PLANNING COMMISSION Staff Report

To: Planning Commission
From: Development Services Department
Date: August 8, 2016
Subject: Tiny Home Requirements
Location: Residential Zoning Districts

Zoning: N/A
Property Size: N/A
Lots/Units:

Staff met with legal about establishing guidelines and requirements for tiny homes. Several issues were discussed, state requirements; along with concerns from our code administrators regarding fire safety.

Recommendations discussed is to only allow them on permanent foundations, require minimum square footage that allows for building codes to be met, utilities to each unit.

The Tiny Homes/Houses will be added under Article 7 of our zoning code Planned Unit Developments (PUDs) which has information on Condominiums, Townhouses, Cluster Housing, & Mobile Home PUDs.

Legal will have a draft ordinance in place for your review on Monday night.

RECOMMENDATION

Approve

Make a motion to approve and continue with a draft ordinance to make changes to code with additional language to Article 7, Chapter 25 regarding Tiny homes requirements subject to the following condition(s):

Deny

Make a motion to disapprove changes to Article 7, Chapter 25 adding language to Article 7, Chapter 25 for Tiny Homes, for the following reason(s):

Table

Make a motion to TABLE the proposed changes to Article 7, Chapter 25, regarding language for Tiny Homes for the following reason(s):

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 25 ARTICLE 7 RELATING TO PLANNED UNIT DEVELOPMENTS PROVIDING FOR AN ADDITIONAL SECTION RELATING TO A TINY HOME COMMUNITY PLANNED UNIT DEVELOPMENTS, PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE.

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

Section 1. Chapter 25, Article 7 of the Scottsbluff Municipal Code is amended by adding new Sections 25-7-81 through 25-7-87 to provide as follows:

“(f) TINY HOME COMMUNITY PLANNED UNIT DEVELOPMENT
25-7-81.

- (1) Applicability. The regulations in this subdivision (f) of this Article apply to Tiny Home Community Planned Unit Developments.
- (2) Scope. With respect to such developments, these regulations supercede all other regulations in this Article, and in other Articles of this Chapter, which are in conflict with these regulations. Except in cases of such conflict, or in situations where such other regulations clearly are inapplicable (because clearly inappropriate) to Tiny Home Community Planned Unit Developments, such other regulations, otherwise applicable, apply also to such developments.
- (3) Purpose. The purpose of the regulations in this subdivision (f) is to permit the planning, construction, and occupancy of Tiny Home Community Planned Unit Developments in accordance with standards for Tiny Houses, and for accessory buildings and lands, containing adequate parking facilities, open spaces, recreation facilities, pedestrian walkways and other amenities which are not required or, as the case may be, not permitted under other provisions of this Article, or other Articles in this Chapter.”

“25-7-82 Definition of Tiny House, lots; area.

A Tiny House is a residential structure on a permanent foundation with a minimum of 200 square feet and constructed according to all building and life safety codes. A Tiny House on wheels must be licensed as a recreational vehicle under the laws and regulations of the State of Nebraska and then can be placed wherever a recreational vehicle can be placed, however, a Tiny House on wheels cannot be lived in year around. To be lived in year around, the Tiny House must be taken off wheels and affixed to a permanent foundation.

Tiny House sites in a Tiny Home Community Planned Unit Development must have a site area with a minimum of 2,850 square feet and a minimum width of thirty (30) feet.”

“25-7-83 Site; area; frontage and density.

A Tiny Home Community Planned Unit Development shall be not less than three acres in area, and shall have a frontage on a dedicated street of not less than two hundred (200) feet. The density of Tiny Home Community Planned Unit Development shall not exceed ten (10) units per gross acre. Provided, however, the City may approve a smaller site if it is part of a redevelopment site and meets the intent of this Article.”

“25-7-84 Setbacks.

The following minimum yard setbacks shall be maintained in each Tiny Home Community Planned Unit Development:

- (1) Public street frontage: On that part of a Tiny Home Community Planned Unit Development which is adjacent to a major street, a minimum setback of twenty (20) feet shall be maintained. On that part of such development which is adjacent to a secondary street or a street with a lower classification, a minimum setback of fifteen (15) feet shall be maintained.
- (2) Interior lot lines: A minimum setback from interior lot lines of ten (10) feet shall be maintained.”

“25-7-85 Accessory buildings.

All accessory buildings and structures in a Tiny Home Community Planned Unit Development shall be:

- (1) Located to the rear of the Tiny House.
- (2) At least three (3) feet from the rear lot line if the line is a common lot line with an abutting lot.

- (3) At least two (2) feet from the interior side lot line and if the lot is a corner lot, the accessory building shall not protrude beyond the tiny house into the front yard abutting the side street.
- (4) Any detached accessory building shall be situated not less than five (5) feet from the Tiny House.”

“25-7-86 Off-street parking.

Two (2) off-street parking spaces shall be provided on each Tiny House site.”

“25-7-87 Other requirements.

To insure the residential character of a Tiny Home Community Planned Unit Development, and to minimize adverse effects on adjacent properties, the following additional requirements shall be observed:

- (1) Tiny Houses shall be affixed to permanent foundations.
- (2) Tiny Houses must meet all building and life safety codes, minimum square footage requirements, height requirements, including kitchen and bathroom with minimum clearances for all fixtures and have a fire suppression system suitable for a dwelling unit of its size.
- (3) Tiny Houses must be connected to utilities with separate water services and sewer services and meters for each Tiny House.
- (4) A Tiny Home Community Planned Unit Development may be allowable in any residential zone as long as they meet the requirements set forth in this Article.

Section 2. All other ordinances and 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 passing and approval and publication shall be in pamphlet form.

PASSED and APPROVED on _____, 2016.

Attest:

Mayor

City Clerk (Seal)

Approved as to Form:

Deputy City Attorney