

City of Scottsbluff, Nebraska

Monday, December 3, 2018

Regular Meeting

Item Pub. Hear.1

Council to conduct a public hearing set for this date at 6:15 p.m. to consider an Ordinance-proposed text changes including definitions for Micro Distilleries and Distilleries and including such as a special permitted and permitted use in zoning districts C-1, C-2, C-3, M-1, & M-2.

Staff Contact: City Council

**PLANNING COMMISSION MINUTES
REGULAR SCHEDULED MEETING
NOVEMBER 12, 2018
6:00 PM
SCOTTSBLUFF, NEBRASKA**

The Planning Commission of the City of Scottsbluff, Nebraska met in regular scheduled meeting on November 12, 2018, at 6:00 PM in the Scottsbluff Council Chamber, at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the city, on November 12, 2018. The notice stated the date, time and location of the meeting, that the meeting was open to the public, anyone with a disability desiring reasonable accommodation to attend the Planning commission meeting should contact Development Services Department, and that an agenda of the meeting is kept continuously current is available for public inspection at Development Services Office; provided; the City Planning Commission could modify the agenda at the meeting if the business was determined that a n emergency so required. A similar notice, together with a copy of the agenda, also has been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of Development Services Department at all times from publication to the time of the meeting.

Item 1: Chairman Angie Aguallo called the meeting to order. Roll call consisted of the following members. Linda Redfern (alternate), Dave Gompert, Callan Wayman, Henry Huber, Becky Estrada, Angie Aguallo. Absent: Jim Zitterkopf, Anita Chadwick, Dane Weber, Mark Westphal. City officials present were, Gary Batt, Code Administrator II and Anthony Murphy City Fire Marshal.

Item 2: Chairman Aguallo informed those present of the Nebraska Open Meetings Act and that a copy was posted on the bookcase in the back of the Council Chamber, for those interested.

Item 3: Acknowledgement of any changes in the agenda; None.

Item 4: Business not on the agenda; None.

Item 5: Citizens with business not on the regular agenda: None.

Item 6: The minutes from the September 10, 2018 meeting were reviewed.

Conclusion: A motion was made by Estrada and second made by Huber to approve the minutes from the September 10, 2018 meeting. "Yeas": Redfern, Gompert, Huber, Estrada, Aguallo. "Nays": None, "Abstained": Wayman, "Absent": Zitterkopf, Weber, Westphal, Chadwick. Motion Carried.

Item 7: The Planning commission opened the public hearing on a annexation request from property owners Western Sugar Company and Eric and Brandy Reichert .

The Western Sugar Company parcel is 31.6 acres and described as "That certain triangle-shaped parcel of land lying east of 21st Avenue, south and west of Highway 26 and north of East Overland Drive, being located in the W 1/2 SW ¼ of Section 19, Township 22 north, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska.

The second parcel owned by Eric and Brandy Reichert consists of 4.1 acres and described as Lot 1, Block 1, Western Addition, situated in the SW ¼ SW ¼ of Section 19, Township 22 North, Range 54 West of the 6th P.M., in Scotts Bluff County, Nebraska.

The City Staff made a positive recommendation to annex the two properties.

Chairman Aguallo asked if anyone was interested in speaking on the annexation, Anthony Murphy, City Fire Marshal for the City of Scottsbluff arose and said he just had a concern on what entity was going to the intersections of 21st Avenue and East Overland since rural fire currently responds to those locations, Anthony also questioned since these parcels are annexed, does the City Fire respond to incidents on Highway 26 between the above intersections. Anthony said that he has these concerns because of the new 911 system. Gary Batt said he would have to speak to the City Attorney to address these concerns and suggested that Anthony may do the same. Anthony then sat down.

There was an elderly gentleman who did not offer his name other than he was a on the Board of the Scottsbluff Sugar Workers Credit Union, he stated that the credit union never received notification. Gary Batt advised the gentleman that he would check into the matter.

Note: After the meeting, I remembered that when notifications are sent out, the computer generates a list of property owners within the 300 feet of the proposed property and notification is sent to those property owners. The Credit Union leases the ground from Western Sugar Company thus the Credit Union is not the owner so the notice was sent to Western Sugar Company.

Chairman Aguallo asked if anyone else had any comments and there were none and she asked for a motion.

Conclusion: A motion was made by Wayman, second made by Huber to approve the annexation of the two parcels. First being Western Sugar Company "That certain triangle-shaped parcel of and lying east of 21st Avenue, south and west of Highway 26 and north of East Overland Drive, being located in the W1/2 SW1/2 of Section 19, Township 22 North, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska.

The second parcel of Eric & Brandy Reichert, Lot 1, Block 1, Western Addition, situated in the SW1/4 SW 1/4 of Section 19, Township 22 North, Range 54 West of the 6th P.M., In Scotts Bluff County, Nebraska. "Yeas": Redfern, Gompert, Wayman, Huber, Estrada, Aguallo. "Nays": None, "Abstained": None "Absent": Zitterkopf, Chadwick, Weber, Westphal. Motion Carried.

Item 8: The Planning Commission opened the public hearing on a special permit for Dawn Jolliffe to have an esthetician salon in her home at 2117 2nd Avenue. Gary Batt read the staff report for the members and Gary said that staff recommended the salon. Chairman Aguallo asked if anyone had comments concerning the salon. Gary Batt introduced Dawn Jolliffe to the Planning Commission, Dawn explained what she was wishing to do at the house. Dawn explained the amount of clients she would see daily or weekly, an approximate time frame per client, and she addressed the issue of parking stating she has enough room in her driveway to park at least three cars. Although she said that she would never have that many clients at any time.

A unidentified male who apparently resides near Dawn Jolliffe addressed the members and Dawn with questions on time frames for her clients, parking and amount of clients. Dawn addressed the man and answered his questions with the same information she had spoke of earlier. Another unidentified female who said she lives in the neighborhood of 2117 2nd Avenue asked Dawn about the amount of clients and where were they going to park along with questioning the increase traffic on 2nd Avenue of clients coming to 2117 2nd Avenue. Dawn addressed those concerns. Another female Mary Skiles spoke to the members concerning the neighborhood has been changing over the years with a business being

located nearby (Jordaine Insurance) and many of the homes are being bought up and turned into rentals, she said she worried what problems adding this business would bring.

Callan Wayman asked Dawn about her business, Callan spoke of another hair salon that was denied in 2017 at the location of 7th Avenue and East 20th Street, which the salon owner would not have lived there and the parking was prohibitive. Callan asked if this would comply with the new Comp Plan, Gary Batt said he would have to check land use. Chairman Aguallo asked Dawn whether she planned on more than one customer at a time. Dawn said she would not, due to the prep time per customer is prohibitive. Dave Gompert asked whether her hours are day time or evening. Dawn said she leaned more to day light hours 8:00 am to 5:00 pm. Henry Huber asked whether the special permit was allowed anyone else to work there or if Dawn was the sole person. Gary Batt said the special permit is for Dawn alone and when she moves from 2117 2nd Avenue, the special permit ends.

At this point Chairman Aguallo asked for a motion for the Special Permit. Callan Wayman made a motion to disapprove the permit and second was made by Huber not to allow the esthetician salon at 2117 2nd Avenue. "Yeas" : Wayman, Huber, Estrada "Nays": Redfern, Gompert, Aguallo, "Abstained": None, "Absent": Zitterkopf, Weber, Westphal, Chadwick. There was a tie with three Yeas and three Nays.

Chairman Aguallo asked whether we could table the matter to the December meeting. Gary Batt said he believed that was possible due to the vote was tied. Chairman Aguallo asked for a motion to table. Henry Huber made a motion to table the Special Permit for 2117 2nd Avenue till the December meeting, seconded by Estrada. "Yeas": Redfern, Gompert, Huber, Estrada, Aguallo, "Nays": Wayman, "Abstained": None, "Absent": Zitterkopf, Westphal, Weber, Chadwick. Motioned Carried.

Becky Estrada then left the meeting at 6:30 PM due to another engagement.

Item 9: The Planning Commission opened a public hearing for Western Banks request to rezone a parcel at Lot 1, Block 1, Northern Heights By Foos from an R-1A to an O&P zoning district. The parcel is located on the corner of West 35th and Avenue B. The bank plans to build on the lot directly south of this lot and plans to use this lot as extra parking. They are asking for the rezone in advance before even starting construction of a new building. Pre-emptive.

Jack Baker of Baker and Associates was there as the engineer for the future project to answer any questions. Jack did explain the project is still in planning stages for now. Jack did say that there is a current curb cut on Avenue B, the bank plans for the entrance, there are no plans for any curb cuts on West 35th Street.

Leon Ross and his wife came to the meeting with questions on what lot was being rezoned, they asked Jack Baker about any frontage roads being planned, to which, Jack said no plans for a frontage road. They asked how far over to the east was being planned for development. Jack explained the bank owns the whole lot from Avenue B to the east boundary line of that lot. To which Leon and his wife said they have no objections to the rezone.

Chairman Aguallo asked for a motion to approve the rezone from R-1A to an O&P zoning district. Linda Redfern made a motion to approve the rezone with Dave Gompert second the motion. "Yeas": Redfern, Gompert, Wayman, Huber, Aguallo. "Nays": None, "Abstained": None, "Absent": Zitterkopf, Westphal, Weber, Chadwick. Motion Carried

Item 10. The Planning Commission opened a public hearing for review and adopt guidelines and requirements for micro distilleries in C-1 and C-2 zoning districts, as well as C-3, M1 and M2 zoning districts for distilleries and micro distilleries. The City Attorney has come up with an ordinance which is compliant with the State of Nebraska statutes governing micro distilleries and distilleries and complies with the above zoning districts. Gary Batt explained that a parcel on Broadway was being planned to

have a micro distillery such as the micro brewery. Gary Batt did say that a micro distillery in C-1 and C-2 zones would be required to have a special permit. Gary did say that staff recommended the ordinance. Chairman Aguallo asked for a motion to approve the micro distillery for C-1 and C-2 zones and Distilleries and micro distilleries in C-3, M-1 and M-2 zones. Callan Wayman made a motion to approve the addition of micro distilleries and distilleries to the above zones, Dave Gompert seconded the motion. "Yeas": Redfern, Gompert, Wayman, Huber, Aguallo, "Nays": None, "Abstained": None, "Absent": Zitterkopf, Westphal, Weber, Chadwick. Motion Carried.

Item 11: The Planning Commission opened a public hearing to correct an error that occurred three years ago when the new sign ordinance was adopted and free standing signs were accidentally omitted from the PBC, C-1, C-2, C-3, M-1, M-2 zones when the ordinance was typed up. Gary Batt advised the members that free standing signs are the most common types of signs in the city and they are already with the above zones. The city just needs to add them so we are not going against our own ordinance. Chairman Aguallo asked for a motion to approve the free standing sign language to the C-1, C-2, C-3, M-1, M-2 and PBC zones. A motion was made by Huber and seconded by Wayman to add the language for free standing signs. "Yeas": Redfern, Gompert, Wayman, Huber, Aguallo, "Nays": None, "Abstained": None, "Absent": Zitterkopf, Chadwick, Weber, Westphal. Motion Carried.

Item 12: Motion to adjourn by Aguallo and seconded by Wayman. "Yeas": Redfern, Gompert, Huber, Wayman, Aguallo, , "Nays": None, "Abstained": None, "Absent": Zitterkopf, Westphal, Chadwick, Weber. Motion Carried.

Angie Aguallo, Chairperson

Attest: _____
Gary Batt

Agenda Statement

Item No.

For Meeting of: November 19, 2018

AGENDA TITLE: Adding guidelines and requirements for Micro Distilleries and Distilleries to the City Ordinance

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services Department

PRESENTATION BY: Nathan Johnson

SUMMARY EXPLANATION: The Scottsbluff Planning Commission met in regular meeting on November 12, 2018. The Planning Commission was asked to approve adding micro-distilleries and distilleries to C-1, C-2, C-3, M1 & M-2 zoning districts. Legal provided information that was taken directly from State Statute of Nebraska for micro-distilleries and distilleries.

Micro-distilleries will be allowed in C-1 and C-2 zoning districts by Special Permit only. No distilleries in C-1 or C-2 zones.

Micro-distilleries and distilleries shall be allowed as Principle Permitted uses in C-3, M-1 and M-2 zoning districts.

BOARD/COMMISSION RECOMMENDATION: Planning Commission approved the addition of Micro-distilleries and distilleries in C-1, C-2, C-3, M-1 & M-2 zoning districts.

STAFF RECOMMENDATION: Staff recommends that City Council approve adding micro-distilleries and distilleries to C-1, C-2, C-3, M-1 & M-2 zoning districts.

EXHIBITS

Resolution ☐

Ordinance ☐

Contract ☐

Minutes ☐

Plan/Map ☐

Other (specify) _____

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐

Please list names and addresses required for notification.

Rev: 11/15/12 City Clerk

Section 1. Chapter 25, Article 2 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"25-2-13.2. Brewery, Micro.

Micro Brewery shall mean a facility for the production and packaging of malt beverages of low alcoholic content for distribution retail or wholesale, on or off premises, with a capacity of not more than 10,000 barrels per year. The development may include other uses such as a standard restaurant, bar, or live entertainment as otherwise permitted in the zoning district.

25-2-31.1. Distillery.

Distillery shall mean any industrial use that distills on site. Distilleries are classified as a use that manufactures more than 10,000 gallons annually.

25-2-31.2. Distillery, Micro.

Micro Distillery shall mean a facility which distills and packages liquor for retail or wholesale, on or off premises, produces 10,000 or fewer gallons of liquor annually and is licensed by the State of Nebraska. The facility may include other uses such as a bar, tavern, tasting room, standard restaurant or live entertainment as otherwise permitted in the zoning district."

Section 2. Chapter 25, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"25-3-13. C-1 Central Business District.

Intent: The intent of a C-1 Central Business District Zone is a zone for the central business district permitting all types of business enterprises except manufacturing and other industries which are incompatible with a business district comprised primarily of retail sales and service businesses.

Principle Permitted Uses.

1. Accounting, auditing, bookkeeping services
2. Ambulance service
3. Amusement centers, indoor only
4. Animal clinic, indoor only
5. Arts & crafts studio
6. Auto storage and rental
7. Bakery or bakery goods store. The maximum gross floor area of a building permitted for this use is six thousand four hundred (6,400) square feet. Incidental, non-nuisance-producing processing, packaging, or fabricating is permitted if conducted entirely within a building.
8. Bank automated teller facilities, outdoor
9. Bank automated teller facilities, indoor
10. Bank & savings & loan
11. Barber, beauty shop
12. Book & stationary store
- 12.1 Brew Pub
13. Bus depot
14. Business college, trade school
15. Automated or coin-operated car wash
16. Church
17. Cleaning, laundry agency
18. Clinic
19. Communication facilities including communication tower, such tower not to exceed one hundred fifty (150) feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.
20. Community center (public)
- 20.5 Condominium with 3 or fewer apartments
21. Confectionery stores
22. Convenience stores w/o dispensing gasoline
23. Convenience stores with dispensing gasoline
24. Convenience warehouse storage facilities
25. Day care center (child care center) or preschool
26. Delicatessen
27. Drive-thru photo facility
- 27.5 Dwelling unit--two (2) unit and multiple family within the confines of a building in which a business enterprise, retail sales or service business may be conducted.

28. Educational and charitable institutions
29. Educational and scientific research service
30. Florist
31. Food store, delicatessen
32. Furniture refinishing. The entire business must be conducted within a building.
33. Furniture/appliance store
34. Gift shop
35. Grocery store
36. Hardware store
37. Hospital
38. Hotel
39. Insurance agency/services
40. Jewelry store
41. Laboratory, medical, dental, optical
42. Laundromat, self-service
43. Library
44. Lodge or club
45. Marriage and family counseling
46. Mortuary
47. Motel
48. Municipal Uses
49. Nursery for children
50. Nursery for flowers/plants
51. Offices, professional and service
52. Parking lot, garage or facility
53. Pharmacy
54. Photographic studio
55. Printing & blueprinting
56. Professional membership organizations
57. Professional schools
58. Railroad station
59. Reducing/Suntanning
60. Restaurant, bar, tavern
61. Retail stores and services
62. Rooming/boarding house. Residential use is permitted above the ground floor and within the confines of a business building.
63. School
64. Service station-full service
65. Service station-mixed use
66. Service station -self service dispensing of gas only
67. Shoe store
- 67.1 Tattoo/body piercing establishment
68. Temporary medical housing
69. Theater, indoor
70. Tire shop, recapping
71. Tourist information booth
72. Upholstery Shops provided all work is completed inside the building.
73. Utility business offices
74. Warehousing facilities. Warehouse or storage facilities are permitted as the primary use on a lot or property only if a special permit is granted. A lot or property will not be eligible for consideration of the issuance of a special permit unless (1) the proposed facility will be located on a lot immediately adjoining (or directly across an alley from) a property with an allowed C-1 Zone use, (2) the proposed facility is necessary to and will be used as an accessory to the allowed use on the adjoining lot, and (3) both lots are under the same ownership.
75. Wholesale stores and distributors. The maximum gross floor area of a building permitted for this use is six thousand four hundred (6,400) square feet. Incidental, non-nuisance-producing processing, packaging, or fabricating is permitted if conducted entirely within a building.

Special Permit Uses

1. Drive-thru (fast food) restaurant

2. Micro Brewery
3. Equipment rental and sales yard
4. Temporary building or contractor's storage and construction yard, incidental to the construction of a residential development or a real estate sales office to be used in marketing lots in a new subdivision, may be permitted if such a building or structure complies with all height and area requirements for the zone in which it is located.
5. Temporary building may be permitted if such building complies with all height and area requirements, and the use complies, except for the fact that the building is a temporary one.
6. Micro Distillery

Performance Standards

1. Area & bulk regulations.

Use	Minimum Lot Area (sq ft)	Minimum Lot Width (ft)	Minimum Coverage (%)	Maximum # Dwelling Units	Front (ft)	Rear (ft)	Setbacks Interior (ft)	Side (ft)	Side Street (ft)	Alley (ft)	Plot Area (sq ft)	Floor Minimum Height (ft)
Office	2000	2000	-	1	5	5	5	-	12.5	5	12.5	20

Minimum Lot Area: Dwelling Unit = 10,000 sq ft
 FRTEA = Parking Ratio in other areas

- A. No minimum rear yard setback is required except for a lot abutting the side of a lot in either an R or OP Zone, in which case the minimum rear yard setback is fifteen (15) feet. If a public alley separates such lots, no rear yard is required.
 - B. No minimum interior side yard setback is required except for a lot in a C or M Zone whose side abuts the side of a lot in either an R or OP Zone, in which latter case the minimum interior side yard setback is five (5) feet. If a public alley separates such lots, no side yard is required.
 - C. The required minimum R Zone setback applies if the frontage between two (2) streets separates an R Zone and a C Zone. If all frontage between two (2) streets is in a C Zone no front setback is required.
2. Accessory building/garage; detached
 - A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
 3. Accessory building, attached.
 - A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building."

Section 3. Chapter 25, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"25-3-14. C-2 Neighborhood and Retail Commercial.

Intent: The intent of a C-2 Neighborhood and Retail Commercial Zone is to provide a zone consisting of retail stores and service establishments

Principle Permitted Uses

1. Accounting, auditing, bookkeeping services
2. Ambulance service
3. Amusement centers, indoor only
4. Animal clinic, indoor only
5. Arts & crafts studio
6. Automated or coin-operated car wash
7. Bakery or bakery goods store
8. Bank automated teller facilities, outdoor
9. Bank automated teller facilities, indoor
10. Bank & savings & loan

11. Barber, beauty shop
12. Book & stationary store
- 12.1 Brew Pub
13. Church
14. Cleaning, laundry agency
15. Clinic
16. Communication facilities including communication tower, such tower not to exceed one hundred fifty (150) feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.
17. Community center (public)
18. Confectionery stores
19. Convenience stores with dispensing gasoline
20. Convenience stores w/o dispensing gasoline
21. Convenience warehouse storage facilities
22. Dance, music or voice studio
23. Day care center (child care center) or preschool
24. Delicatessen
25. Domestic violence shelter
26. Drive-through (fast food) restaurant
27. Educational and charitable institutions
28. Educational and scientific research service
29. Equipment rental and sales yard
30. Florist
31. Food store, delicatessen
32. Furniture refinishing. The entire business must be conducted within a building.
33. Furniture/appliance store
34. Gift shop
35. Gymnasium, private
36. Grocery store
37. Hardware store
38. Hospital
39. Hotels/motels
40. Insurance agency/services
41. Jewelry store
42. Laboratory, medical, dental, optical
43. Laundromat, self-service
44. Library
45. Lodge or club
46. Marriage and family counseling
47. Municipal Uses
48. Nursery for children
49. Offices, professional and service
50. Pharmacy
51. Photographic studio
52. Printing & blueprinting
53. Professional membership organizations
54. Professional schools
55. Reducing/Suntanning
56. Restaurant, bar, tavern
57. Retail stores and services
58. Rooming/boarding house. Residential use is permitted above the ground floor and within the ground floor if to the back or side of a business building.
59. School
60. Service station-full service
61. Service station-mixed use
62. Shoe store
- 62.1 Tattoo/body piercing establishment
63. Temporary medical housing
64. Theater, indoor
65. Tourist information booth
66. Upholstery Shop provided all work is completed within the building.

67. Utility business offices
68. Warehousing, wholesaling

Special Permit Uses.

1. Auto sales and service
2. Billboards
3. Micro Brewery
4. Emergency shelter
5. Hardware stores selling lumber
6. Multi-family dwellings. Residential use is permitted above the ground floor and within the ground floor to the back or side of a business building.
7. Single family dwelling. Residential use is permitted above the ground floor and within the ground floor to the back or side of a business building.
8. Temporary building or contractor's storage and construction yard, incidental to the construction of a residential development or a real estate sales office to be used in marketing lots in a new subdivision, may be permitted if such a building or structure complies with all height and area requirements for the zone in which it is located.
9. Temporary building may be permitted if such building complies with all height and area requirements, and the use complies, except for the fact that the building is a temporary one.
10. Two family dwelling. Residential use is permitted above the ground floor and within the ground floor to the back or side of a business building.
11. Any hotels or apartments higher than the maximum 45' will require a special permit approved by the Planning Commission.
12. Micro Distillery

Performance Standards.

1. Area & bulk regulations

Use	Minimum Lot Size (sq ft)	Minimum Lot Width (ft)	Maximum Coverage (%)	Maximum # Dwelling Units	Front (ft)	Rear (ft)	Setbacks (ft)	Side (ft)	Front (ft)	Area (sq ft)	Front Height (ft)	Maximum
Garage	None	10	0	1 or 2	5	10	10	10	10	FKTFA	35	
Minimum Lot Area / Dwelling Unit = 2,800 sq ft												
Hotels and Apartments Except with Special Permit Use												45'
FKTFA = Parking Ratio to Floor Area												

- A. No minimum rear yard setback is required except for a lot abutting the side of a lot in either an R or OP Zone, in which case the minimum rear yard setback is fifteen (15) feet. If a public alley separates such lots, no rear yard is required.
- B. No minimum interior side yard setback is required except for a lot whose side abuts the side of a lot in either an R or OP Zone, in which latter case the minimum interior side yard setback is five (5) feet. If a public alley separates such lots, no side yard is required.
- C. The required minimum R Zone setback applies if the frontage between two (2) streets separates an R Zone and either a C Zone. If all frontage between two (2) streets is in a C Zone no front setback is required.
2. Accessory building/garage; detached
 - A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
3. Accessory building, attached
 - A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building."

Section 4. Chapter 25, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language.

"25-3-15. C-3 Heavy Commercial.

Intent: The intent of a C-3 Heavy Commercial Zone is a zone designed primarily for warehousing,

distribution centers, and minimum light manufacturing and processing.

Principle Permitted Uses

1. Accounting, auditing, bookkeeping services
2. Ambulance service
3. Amusement centers, indoor only
4. Animal clinic, indoor only
5. Animal clinic, indoor/outdoor
6. Arts & crafts studio
7. Auction house
8. Auto sales & service
9. Auto storage and rentals. All processing, packaging or fabricating to be conducted wholly inside a building. Nuisance-producing processing, packaging or fabricating not permitted.
10. Automated or coin-operated car wash
11. Bakery or bakery goods store
12. Bank automated teller facilities, outdoor
13. Bank automated teller facilities, indoor
14. Bank & savings & loan
15. Barber, beauty shop
16. Beverage bottling plant
17. Billboard. Billboards may not be placed everywhere in this zone. See special provisions dealing with billboards in Chapter 25, Article 6
18. Boat building (small)
19. Book & stationary store
- 19.1 Brewery
- 19.2 Brew Pub
20. Bus depot
21. Business college, trade school
22. Cabinet shop. The entire business must be conducted within a building.
23. Campground
24. Church
25. Cleaning plant, commercial. The maximum gross floor area of a building permitted for this use is six thousand four hundred (6,400) square feet. Incidental, non-nuisance-producing processing, packaging, or fabricating is permitted if conducted entirely within a building.
26. Cleaning, laundry agency
27. Clinic
28. Communication facilities including communication tower, such tower not to exceed one hundred fifty (150) feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.
29. Community center (public)
30. Confectionery stores
31. Construction storage yard. Yard must be enclosed in Class Three (3) fence.
32. Convenience warehouse storage facility
33. Convenience stores w/o dispensing gasoline
34. Convenience stores with dispensing gasoline
35. Dairy product processing
36. Dance, music or voice studio
37. Day care center (child care center) or preschool
38. Delicatessen
- 38.1 Distillery
39. Drive-through photo facility
40. Drive-through (fast food) restaurant
41. Educational and scientific research service
42. Equipment rental and sales yard
43. Florist
44. Food store, delicatessen
45. Furniture refinishing. The entire business must be conducted within a building.
46. Furniture/appliance store
47. Gift shop
48. Gymnasium, private
49. Grocery store

- 50. Hardware store
- 51. Hospital
- 52. Insurance agency/services
- 53. Jewelry store
- 54. Laboratory, medical, dental, optical
- 55. Laundry, commercial plant. The maximum gross floor area of a building permitted for this use is six thousand four hundred (6,400) square feet. Incidental, non-nuisance-producing processing, packaging, or fabricating is permitted if conducted entirely within a building.
- 56. Laundromat, self-service
- 57. Library
- 58. Lodge or club
- 59. Lumber yard
- 60. Machine shop
- 61. Marriage and family counseling
- 62. Metal finishing. Retail and wholesale metal finishing permitted, providing (1) the metal finishing equipment shall be used, and all parts to be or which have been processed, together with all materials and supplies, shall be stored, wholly within a building, and (2) in addition, if metal plating is done, not more than three (3) persons may function in the metal plating line, the metal plating line shall not use a floor area in excess of one thousand five hundred (1,500) square feet, and only a self-contained processing system shall be used. A metal plating line constitutes a metal plating process commencing with racking of a part to be plated and ending with unranking of such part.
- 62.1 Micro Brewery
- 62.2 Micro Distillery
- 63. Monument works, stone
- 64. Mortuary
- 65. Motel
- 66. Municipal Uses
- 67. Nursery for children
- 68. Nursery for flowers/plants
- 69. Offices, professional and service
- 70. Parking lot, garage or facility
- 71. Pharmacy
- 72. Photographic studio
- 73. Printing & blueprinting
- 74. Professional membership organizations
- 75. Professional schools
- 76. Public garage
- 77. Railroad station
- 78. Recreational vehicle sales lot
- 79. Recreational vehicle storage lot, outside
- 80. Reducing/Suntanning
- 81. Restaurant, bar, tavern
- 82. Retail stores and services
- 83. Sandblasting. All commercial sandblasting of moveable objects to be conducted wholly inside a building.
- 84. Service station-full service
- 85. Service station-mixed use
- 86. Service station -self service dispensing of gas only
- 87. Shoe store
- 88. Shop for building contractor. The entire business must be conducted within a building
- 89. Sign shop
- 90. Tack shop
- 91. Tattoo parlor meeting the following conditions:
 - a. Prior to operating a tattoo parlor, the operator/practitioner must first apply for and receive a permit and certificate of occupancy from the Development Services Director. The permit is subject to revocation if the permittee at any time fails to comply with the conditions set forth herein.
 - b. The operator/practitioner must comply with any and all federal, state and local regulations pertaining to the activity of tattoo artistry on the human skin.
 - c. The operator/practitioner must submit to regular and/or unannounced inspections by

- the Department of Planning, Building and Development, the Scotts Bluff County Department of Health, and any other authority empowered to regulate such activities.
- d. All instruments and equipment must be cleaned and sterilized before use. Sterilization of equipment shall be accomplished by exposure to live steam for at least thirty (30) minutes at a minimum pressure of fifteen (15) pounds per square inch, temperature of two hundred forty (240) degrees Fahrenheit or one hundred sixteen (116) degrees Celsius.
 - e. The operator/practitioner must positively identify each client and keep record of the client's name, age, mailing address and phone number and not dispose of such information for a period of at least ten (10) years. Any transfer in ownership or operation of the business will result in revocation of the permit. All records shall be relinquished to the Development Services Director at that time.
 - f. The operator/practitioner may not perform work on anyone eighteen (18) years of age or younger without written permission from the minor's parent/parents or legal guardian.
 - g. The operator/practitioner shall comply with the OSHA (Occupation Safety and Health Act) blood borne pathogen rules as it relates to the disposition of hazardous waste materials.
 - h. To prevent the cause and/or spread of infection or disease, any and all tattoo needles used for each client shall be disposed of properly and not reused.

92. Temporary medical housing
93. Terminal yard, trucking
94. Theater, indoor
95. Theater, drive-in
96. Tire shop, recapping. The entire business must be conducted within a building.
97. Tourist information booth
98. Tractor/trailer parking lot
99. Trailer parks
100. Travel Trailers
101. Travel trailer, mobile home, manufactured housing sales lot
102. Truck and tractor repair
103. Upholstery Shop provided all work is completed inside the building.
104. Used car lot
105. Utility business offices
106. Warehousing/wholesaling facilities

Special Permit Uses.

1. Emergency shelter
2. Implement dealers
3. Mobile home sales
4. Petroleum storage
5. Processing, packaging or fabricating
6. Public scale
7. Recycling center
8. Residential use is permitted only within the confines of a building in which a permitted use is conducted. Preliminary and final site plans must be submitted to the Planning Commission for review and approval.
9. Rooming/boarding houses
10. Temporary building or contractor's storage and construction yard, incidental to the construction of a residential development or a real estate sales office to be used in marketing lots in a new subdivision, may be permitted if such a building or structure complies with all height and area requirements for the zone
11. Temporary building may be permitted if such building complies with all height and area requirements, and the use complies, except for the fact that the building is a temporary one.
12. Temporary storage of grain, for not to exceed sixty (60) consecutive days (and a permit for which may be renewed for not to exceed sixty (60) consecutive days), outside a building or structure subject the following additional conditions, to be set forth in the permit:
 - a. the grain shall be placed on a concrete floor or some other type of water-proof material that, as determined by the Development Services Director, is equal to a concrete floor,
 - b. no part of the grain shall be placed, or caused or permitted to be closer to any

property line than any building setback line that has been platted or is required in the zone to which the tract of land is subject.

- c. the permit shall be subject to revocation by the Commission. if the Commission, subsequent to granting the permit, shall determine that the grain, or conditions incidental thereto, or the manner in which the grain is being handled constitutes a public nuisance; and, upon such a determination, the holder of the permit shall promptly comply with any order of the Commission concerning removal or other disposition of the grain.
- d. Provided, no permit for such a use shall be issued and delivered until the permittee shall have executed and delivered to the Development Services Director a written agreement which, as determined by the Director, indemnifies and holds harmless the City, its officers and employees and members of the Planning Commission, against any and all claims of liability for injuries or damages to persons or property caused, in whole or in part, by the presence of the grain: by conditions occurring, in whole or in part, because of presence of the grain or the manner in which the grain is delivered, piled, moved, removed, or otherwise handled; and by any acts of commission or omission on the part of any persons, whether or not the permittee or third persons for whose acts or omissions liability otherwise might or might not be imputable to the permittee. The terms "warehousing" and "wholesaling" shall not be construed to apply to the storage of grain outside a building or structure.

13. Two family dwelling

Performance Standards.

1. Area & bulk regulations.

Use	Minimum Lot Side (sq ft.)	Minimum Lot Width (ft.)	Maximum Coverage (%)	Maximum % Detached Units	Front (ft.)	Rear (ft.)	Setbacks Interior Side Side Street (ft.)	Area (sq ft.)	Front Height (ft.)	Maximum
Garage	600	-	-	-	5	5	5 10 5 12.5	0.175A	5	-

Minimum Lot Area / Detached Unit = 100 Requirement

PRRFA = Parking Ratio to Floor Area

- A. No minimum rear yard setback is required except for a lot abutting the side of a lot in either an R or OP Zone, in which case the minimum rear yard setback is fifteen (15) feet. If a public alley separates such lots, no rear yard is required.
 - B. No minimum interior side yard setback is required except for a lot whose side abuts the side of a lot in either an R or OP Zone, in which latter case the minimum interior side yard setback is five (5) feet. If a public alley separates such lots, no side yard is required.
 - C. The required minimum R Zone setback applies if the frontage between two (2) streets separates an R Zone and a C Zone. If all frontage between two (2) streets is in a C Zone, no front setback is required.
2. Accessory building/garage; detached
- A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
3. Accessory building, attached.
- A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building."

Section 5. Chapter 25, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language.

"25-3-16. M-1 Light Manufacturing and Industrial.

Intent. The intent of an M-1 Light Manufacturing and Industrial Zone is a zone permitting most fabricating activities except heavy manufacturing and processing of raw materials.

Principle Permitted Uses.

1. Accounting, auditing, bookkeeping services
2. Ambulance service
3. Amusement centers, indoor only
4. Animal clinic, indoor only
5. Animal clinic, indoor/outdoor
6. Arts & crafts studio
7. Auction house
8. Auto sales & service
9. Auto storage and rental
10. Automated or coin-operated car wash
11. Bakery or bakery goods store
12. Bank automated teller facilities, outdoor
13. Bank automated teller facilities, indoor
14. Bank & savings & loan
15. Barber, beauty shop
16. Beverage bottling plant
17. Billboard. Billboards may not be placed everywhere in this zone. See special provisions dealing with billboards in Chapter 25, Article 6
18. Boat building (small)
19. Book & stationary store
- 19.1 Brewery
- 19.2 Brew Pub
20. Bus depot
21. Business college, trade school
22. Cabinet shop
23. Church
24. Cleaning plant, commercial
25. Cleaning, laundry agency
26. Clinic
27. Communication facilities including communication tower, such tower not to exceed one hundred fifty (150) feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.
28. Community center (public)
29. Concrete batch plant
30. Construction storage yard
31. Confectionery stores
32. Convenience stores w/o dispensing gasoline
33. Convenience stores with dispensing gasoline
34. Convenience warehouse storage facilities.
35. Dairy product processing
36. Dance, music or voice studio
37. Day care center (child care center) or preschool
38. Delicatessen
- 38.1 Distillery
39. Drive-through photo facility
40. Drive-through (fast food) restaurant
41. Educational and scientific research service
42. Equipment rental and sales yard
43. Feed mill
44. Florist
45. Food processing plant, other than meat
46. Food store, delicatessen
47. Fuel yard
48. Furniture refinishing
49. Furniture/appliance store
50. Gift shop
51. Gymnasium, private
52. Grocery store
53. Hardware store
54. Hospital

- 55. Hotel
- 56. Ice manufacture cold storage plant
- 57. Insurance agency/services
- 58. Jewelry store
- 59. Laboratory, medical, dental, optical
- 60. Laundry, commercial plant
- 61. Laundromat, self-service
- 62. Library
- 63. Lodge or club
- 64. Lumber yard
- 65. Machine shop
- 66. Marriage and family counseling
- 67. Metal finishing
- 67.1 Micro Brewery
- 67.2 Micro Distillery
- 68. Monument works, stone
- 69. Mortuary
- 70. Motel
- 71. Municipal Uses
- 72. Nursery for children
- 73. Nursery for flowers/plants
- 74. Offices, professional and service
- 75. Parking lot, garage or facility
- 76. Pharmacy
- 77. Photographic studio
- 78. Planning mill
- 79. Printing & blueprinting
- 80. Processing, packaging or fabricating. All processing, packaging or fabricating to be conducted wholly inside a building. Nuisance-producing processing, packaging or fabricating not permitted.
- 81. Professional membership organizations
- 82. Professional schools
- 83. Public garage
- 84. Public scale
- 85. Railroad station
- 86. Recreational vehicle sales lot
- 87. Recreational vehicle storage lot, outside
- 88. Recycling center
- 89. Reducing/Suntanning
- 90. Restaurant, bar, tavern
- 91. Retail stores and services
- 92. Sandblasting
- 93. Service station-full service
- 94. Service station-mixed use
- 95. Service station -self service dispensing of gas only
- 96. Shoe store
- 97. Shop for building contractor
- 98. Sign shop
- 99. Single family dwellings for living quarters for watchman of commercial or industrial use property, or for hotels and motels, are the only permitted residential uses in this zone.
- 99.1 Tattoo/body piercing establishment
- 100. Temporary medical housing
- 101. Terminal yard, trucking
- 102. Theater, indoor
- 103. Theater, drive-in
- 104. Tire shop, recapping
- 105. Tourist information booth
- 106. Tractor/trailer parking lot
- 107. Travel trailer, mobile home, manufactured housing sales lot
- 108. Truck and tractor repair
- 109. Used car lot

- 110. Utility business offices
- 111. Warehousing/wholesaling facilities
- 112. Wholesale stores and distributors

Special Permit Uses

- 1. Fertilizer mixing and storage plant
- 2. Junk yard
- 3. Petroleum storage
- 4. Scrap metal processing facility
- 5. Solid waste transfer station
- 6. Temporary building or contractor's storage and construction yard, incidental to the construction of a residential development or a real estate sales office to be used in marketing lots in a new subdivision, may be permitted if such a building or structure complies with all height and area requirements.
- 7. Temporary building may be permitted if such building complies with all height and area requirements, and the use complies, except for the fact that the building is a temporary one, with all use requirements for the Zone.
- 8. Temporary storage of grain, for not to exceed sixty (60) consecutive days (and a permit for which may be renewed for not to exceed sixty (60) consecutive days), outside a building or structure subject the following additional conditions, to be set forth in the permit:
 - a. the grain shall be placed on a concrete floor or some other type of water-proof material that, as determined by the Development Services Director, is equal to a concrete floor,
 - b. no part of the grain shall be placed, or caused or permitted to be closer to any property line than any building setback line that has been platted or is required in the zone to which the tract of land is subject,
 - c. the permit shall be subject to revocation by the Commission. if the Commission, subsequent to granting the permit, shall determine that the grain, or conditions incidental thereto, or the manner in which the grain is being handled constitutes a public nuisance; and, upon such a determination, the holder of the permit shall promptly comply with any order of the Commission concerning removal or other disposition of the grain.
 - d. Provided, no permit for such a use shall be issued and delivered until the permittee shall have executed and delivered to the Development Services Director a written agreement which, as determined by the Director, indemnifies and holds harmless the City, its officers and employees and members of the Planning Commission, against any and all claims of liability for injuries or damages to persons or property caused, in whole or in part, by the presence of the grain: by conditions occurring, in whole or in part, because of presence of the grain or the manner in which the grain is delivered, piled, moved, removed, or otherwise handled; and by any acts of commission or omission on the part of any persons, whether or not the permittee or third persons for whose acts or omissions liability otherwise might or might not be imputable to the permittee. The terms "warehousing" and "wholesaling" shall not be construed to apply to the storage of grain outside a building or structure.

Performance Standards

1. Area & bulk regulations.

Use	Minimum Lot Size (sq ft.)	Minimum Lot Width (ft.)	Maximum Corner Lot (ft.)	Maximum # Dwelling Units	Front (ft.)	Rear (ft.)	Setback, Minimum Side Street (ft.)	Side Street (ft.)	Area (sq ft.)	Floor Height (ft.)	Maximum
Office	10,000	100	100	1	20	10	10	10	10,000	10	10

Source: City of Scottsbluff, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2691, 2692, 2693, 2694, 2695, 2696, 2697, 2698, 2699, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 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3832, 3833, 3834, 3835, 3836, 3837, 3838, 3839, 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849, 3850, 3851, 3852, 3853, 3854, 3855, 3856, 3857, 3858, 3859, 3860, 3861, 3862, 3863, 3864, 3865, 3866, 3867, 3868, 3869, 3870, 3871,

- C. The required minimum R Zone setback applies if the frontage between two (2) streets separates an R Zone and either a C Zone, M Zone or OP Zone. If all frontage between two (2) streets is in either a C or M Zone, no front setback is required.
- 2. Accessory building/garage; detached
 - A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
- 3. Accessory building, attached.
 - A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building."

Section 6. Chapter 25, Article 3 of the Scottsbluff Municipal Code is amended by repealing the existing language and adding the following language:

"25-3-18. M-2 Heavy Manufacturing and Industrial.

Intent: The intent of an M-2 Heavy Manufacturing and Industrial Zone is a zone permitting the manufacture and processing of goods from raw materials.

Principle Permitted Uses.

- 1. Accounting, auditing, bookkeeping services
- 2. Ambulance service
- 3. Amusement centers, indoor only
- 4. Animal clinic, indoor only
- 5. Animal clinic, indoor/outdoor
- 6. Arts & crafts studio
- 7. Auction house
- 8. Auto sales & service
- 9. Auto storage and rental
- 10. Automated or coin-operated car wash
- 11. Bakery or bakery goods store
- 12. Bank automated teller facilities, outdoor
- 13. Bank automated teller facilities, indoor
- 14. Bank & savings & loan
- 15. Barber, beauty shop
- 16. Beverage bottling plant
- 17. Billboard. Billboards may not be placed everywhere in this zone. See special provisions dealing with billboards in Chapter 25, Article 6
- 18. Boat building (small)
- 19. Book & stationary store
- 19.1 Brewery
- 19.2 Brew Pub
- 20. Bus depot
- 21. Business college, trade school
- 22. Cabinet shop
- 23. Church
- 24. Cleaning plant, commercial
- 25. Cleaning, laundry agency
- 26. Clinic
- 27. Communication facilities including communication tower, such tower not to exceed one hundred fifty (150) feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.
- 28. Community center (public)
- 29. Concrete batch plant
- 30. Confectionery stores
- 31. Construction storage yard
- 32. Convenience stores w/o dispensing gasoline
- 33. Convenience stores with dispensing gasoline

34. Convenience warehouse storage facilities.
35. Dairy product processing
36. Dance, music or voice studio
37. Day care center (child care center) or preschool
38. Delicatessen
- 38.1 Distillery
39. Drive-through photo facility
40. Drive-through (fast food) restaurant
41. Educational and scientific research service
42. Equipment rental and sales yard
43. Feed mill
44. Florist
45. Food processing plant, other than meat
46. Food store, delicatessen
47. Fuel yard
48. Furniture refinishing
49. Furniture/appliance store
50. Gift shop
51. Gymnasium, private
52. Grocery store
53. Hardware store
54. Hospital
55. Hotel
56. Ice manufacture cold storage plant
57. Insurance agency/services
58. Jewelry store
59. Laboratory, medical, dental, optical
60. Laundry, commercial plant
61. Laundromat, self-service
62. Library
63. Lumber yard
64. Machine shop
65. Marriage and family counseling
66. Meat packing
67. Metal finishing
- 67.1 Micro Brewery
- 67.2 Micro Distillery
68. Monument works, stone
69. Mortuary
70. Motel
71. Municipal Uses
72. Nursery for children
73. Nursery for flowers/plants
74. Offices, professional and service
75. Parking lot, garage or facility
76. Petroleum storage
77. Pharmacy
78. Photographic studio
79. Planning mill
80. Printing & blueprinting
81. Processing, packaging or fabricating
82. Professional membership organizations
83. Professional schools
84. Public garage.
85. Public scale
86. Railroad station
87. Railroad yard or shops
88. Recreational vehicle sales lot
89. Recreational vehicle storage lot, outside
90. Recycling center
91. Reducing/Suntanning

92. Restaurant, bar, tavern
93. Retail stores and services
94. Sandblasting
95. School
96. Service station-full service
97. Service station-mixed use
98. Service station -self service dispensing of gas only
99. Shoe store
100. Shop for building contractor
101. Sign shop
102. Single family dwellings for living quarters for watchman of commercial or industrial use property, or for hotels and motels, are the only permitted residential uses in this zone.
- 102.01 Tattoo/body piercing establishment
103. Temporary medical housing
104. Terminal yard, trucking
105. Theater, indoor
106. Theater, drive-in
107. Tire shop, recapping
108. Tourist information booth
109. Tractor/trailer parking lot
110. Travel trailer, mobile home, manufactured housing sales lot
111. Truck and tractor repair
112. Used car lot
113. Utility business offices
114. Warehousing/wholesaling facilities
115. Wholesale stores and distributors

Special Permit Uses.

1. Asphalt Batch Plant
2. Fertilizer mixing and storage plant
3. Junk yard
4. Kennel, dog
5. Livestock auction or holding pens
6. Rendering plants
7. Scrap metal processing facility
8. Second dwelling for relatives, employees
9. Solid waste transfer station
10. Tanning, curing, storage of skins or hides
11. Temporary building or contractor's storage and construction yard, incidental to the construction of a residential development or a real estate sales office to be used in marketing lots in a new subdivision, may be permitted if such a building or structure complies with all height and area requirements for the zone.
12. Temporary building may be permitted if such building complies with all height and area requirements, and the use complies, except for the fact that the building is a temporary one, with all use requirements for the Zone.
13. Temporary storage of grain, for not to exceed sixty (60) consecutive days (and a permit for which may be renewed for not to exceed sixty (60) consecutive days), outside a building or structure subject the following additional conditions, to be set forth in the permit:
 - a. the grain shall be placed on a concrete floor or some other type of water-proof material that, as determined by the Development Services Director, is equal to a concrete floor,
 - b. no part of the grain shall be placed, or caused or permitted to be closer to any property line than any building setback line that has been platted or is required in the zone to which the tract of land is subject,
 - c. the permit shall be subject to revocation by the Commission if the Commission, subsequent to granting the permit, shall determine that the grain, or conditions incidental thereto, or the manner in which the grain is being handled constitutes a public nuisance; and, upon such a determination, the holder of the permit shall promptly comply with any order of the Commission concerning removal or other disposition of the grain
 - d. Provided, no permit for such a use shall be issued and delivered until the permittee

shall have executed and delivered to the Development Services Director a written agreement which, as determined by the Director, indemnifies and holds harmless the City, its officers and employees and members of the Planning Commission, against any and all claims of liability for injuries or damages to persons or property caused, in whole or in part, by the presence of the grain by conditions occurring, in whole or in part, because of presence of the grain or the manner in which the grain is delivered, piled, moved, removed, or otherwise handled; and by any acts of commission or omission on the part of any persons, whether or not the permittee or third persons for whose acts or omissions liability otherwise might or might not be imputable to the permittee. The terms "warehousing" and "wholesaling" shall not be construed to the application to the storage of grain outside a building or structure.

Performance Standards.

1. Area & bulk regulations.

Use	Minimum Lot Size (sq ft.)	Minimum Lot Width (ft.)	Minimum Coverage (%)	Maximum Structure & Dwelling Units	Front (ft.)	Rear (ft.)	Setbacks: Front & Side (ft.)	Side & Rear (ft.)	Area (sq ft.)	Height (ft.)	Maximum
Single-Family	6,000	30	25	1	20	5	10	10	10,000	7	75

Minimum Lot Area: 1 Dwelling Unit = 6,000 sq ft. (not allowed)

- A. No minimum rear yard setback is required except for a lot abutting the side of a lot in either an R or OP Zone, in which case the minimum rear yard setback is fifteen (15) feet. If a public alley separates such lots, no rear yard is required.
- B. No minimum interior side yard setback is required except for a lot whose side abuts the side of a lot in either an R or OP Zone, in which latter case the minimum interior side yard setback is five (5) feet. If a public alley separates such lots, no side yard is required.
2. Accessory building/garage; detached
 - A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
3. Accessory building, attached.
 - A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building."