

# **City of Scottsbluff, Nebraska**

**Tuesday, January 18, 2022**

**Regular Meeting**

## **Item Resolut.2**

**Council to consider the second reading of the Ordinance Change regarding buffer yard requirements in the City of Scottsbluff zoning jurisdiction.**

**Staff Contact: Zachary Glaubius, Planning Administrator**

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

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 25, ARTICLE 22, SECTION 6 OF THE SCOTTSBLUF MUNICIPAL CODE REGARDING PROVISIONS FOR A BUFFERYARD, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. Section 25-22-6 of the Scottsbluff Municipal Code is now revised and amended to read as follows:

**“25-22-6. Bufferyard Provisions.**

(A) Applications. These provisions apply when use is established in a more intensive zoning district which is adjacent to a less intensive zoning district. The owner, developer, or operator of the property in the more intensive zoning district shall install and maintain a 20-foot deep landscaped bufferyard on his or her lot or site. Bufferyards are not required on a single-family, duplex, or townhouse use types in the more intensive zoning district.

(B) Landscaping in the bufferyard. Each required bufferyard shall be landscaped. Each bufferyard shall be landscaped with a minimum of one tree for each 500 square feet of bufferyard area. The majority of trees shall be evergreens. Each bufferyard shall be free of paved areas, accessways, and storage sites. Required trees must be planted in a manner to form a screen.

(C) If a 6 foot solid wood or PVC fence or masonry wall is incorporated into the designs, the bufferyard may be reduced by 10 feet. The finished side of fencing will face the abutting property.

(D) If a street or public alley separates adjacent zoning districts requiring a bufferyard, no bufferyard is required. Applicable setback and landscaping requirements will still apply in these cases.”

Section 2. Previously existing 25-22-6 of the Scottsbluff Municipal Code is amended and all other Ordinances and parts of Ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to affect 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, approval as provided by law, and publication shall be in pamphlet form.

PASSED and APPROVED on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to Form:

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City Attorney