

City of Scottsbluff, Nebraska

Tuesday, January 18, 2022

Regular Meeting

Item Resolut.3

Council to consider the third reading of the Ordinance regarding zoning district R-1 Single Family to add special permit use for Livestock-Horses for certain lots.

Staff Contact: Zachary Glaubius, Planning Administrator

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING CHAPTER 25, ARTICLE 3, SECTION 2 OF THE SCOTTSBLUFF MUNICIPAL CODE DEALING WITH ZONING DISTRICT R-1 SINGLE FAMILY ADDING A SPECIAL PERMIT USE FOR LIVESTOCK-HORSES FOR CERTAIN LOTS, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. Section 25-3-2 of the Municipal Code is revised and amended to provide as follows:

“25-3-2. R-1 Single Family.

Intent: The intent of the R-1 Single Family Zone is to:

- 1. Provide for low density residential areas where the predominant uses are single family detached houses.
- 2. Protect these areas from incompatible uses.

Principle Permitted Uses.

- 1. Church
- 2. Colleges
- 3. Community Center
- 4. Family child care home
- 5. Fire station
- 6. Home Occupations in accordance with Article 8
- 7. Municipal Uses
- 8. Parks (public) including campgrounds
- 9. Public utility lines & substations
- 10. Rooming/boarding house with no more than two (2) guests
- 11. Single family detached dwelling units
- 12. School
- 13. Water wells

Special Permit Uses.

- 1. Cemeteries
- 2. Cluster housing
- 3. College dormitories
- 4. Condominium
- 5. Hospital
- 6. Library
- 7. Public utility facilities
- 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. Townhouses (single family attached) dwelling units
- 10. Two-family dwellings
- 11. Utility plants
- 12. Water storage
- 13. Livestock-Horses and other livestock used solely for non-business recreation of occupier are permissible on lots comprising two (2) acres or more, in the quantity of one (1) animal per each whole acre. Shelters for such animals shall be situated not less than fifty (50) feet from the property line and not less than fifty (50) feet from a residence on another lot or tract.

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 Interior (ft.)	Side Street (ft.)	Area Min (ft.)	Floor Height (sq.ft.)	(ft.)
Single											
Family	12,000	100	40	1	A	20	5	15	1200	35	
Accessory Building						3	2	15	900	1 story	
Garage						3	2	15	900	18	

- A. If buildings have been built on lots which comprise more than twenty-five (25) percent of the front footage of any block, no building or structure may be built or structurally altered which projects beyond the average front yard setback already established.

If the only building is one on an adjoining lot, the minimum front yard setback shall be the greater of twenty-five (25) feet or the setback of such building.

If buildings have been built on lots which comprise twenty-five (25) or less percent of the front footage of any block, the minimum front yard setback shall be twenty-five (25) feet.

No front yard setback shall exceed fifty (50) feet.

2. Accessory building; detached

- A. A detached accessory building must be located:

- (1) to the rear of the main building,
- (2) at least ten (10) feet from the main building, or a distance of at least five (5) feet from the main dwelling building if the interior wall of the accessory building adjacent to the main building complies with the International 1&2 Family Dwelling Section 309.2, which has been adopted by this Municipal Code, provided a detached accessory building constructed prior to June 26, 1974, to the rear of and at a distance not less than five (5) feet from the main building shall not be deemed to be in violation of this requirement;
- (3) at least three (3) feet from the rear lot line if the lot line is a common lot line abutting a lot, and the entry point from alley shall be no closer than five (5) feet from the property line; and
- (4) at least two (2) feet from the interior side lot line; provided, this requirement shall not apply where the interior side lot lines is over which the main building extends. If the lot abuts a side street, an accessory building must comply with the setback requirements applicable to the lot or tract of land upon which the main building is located. Setbacks shall be measured from the nearest eve of the building or buildings.

- B. 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. (Ord. 3985, 2009)

- C. A detached garage may be located in the side yard if the following requirements are met:

- (1) The garage must meet the performance guidelines in the residential zone.
- (2) The garage must observe the same front yard setbacks required for the main structure.
- (3) Garages shall not be placed over easements.
- (4) Lot coverage will meet requirements in the zoning district.”

Section 2. Prior Section 25-3-2 is now repealed and replaced by this revised Section.

Section 3. This Ordinance shall become affection 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: