

City of Scottsbluff, Nebraska

Monday, January 9, 2023

Regular Meeting

Item Olher Bus.1

**Planning Commission to discuss and direct staff on updates to
Chapter 25 Article 3 of the Municipal Code**

Staff Contact:

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: January 4, 2023

For Meeting of: January 9, 2023



I. GENERAL INFORMATION

- A. Staff has begun reviewing Chapter 25 Article 3 regarding the zoning districts of the City of Scottsbluff and its extraterritorial jurisdiction.

II. STAFF COMMENTS

A. New Zoning District

- i. Staff is considering to propose the creation of a RR or Rural Residential District.
- ii. This would be the result of consolidating R-1B Rural Residential Estate District and Agricultural Rural into a single district.
- iii. The two districts are very similar and staff cannot justify why the two should remain different.

B. District Renaming

- i. R-1 Single Family Residential to R-1 Low Density Residential
- ii. R-1a Single Family Residential to R-2 Medium Density Residential
- iii. R-4 Heavy Density Multi-Family Residential to R-4 High Density Residential
- iv. O-P Office & Professional to MX Mixed Use District
- v. C-2 Neighborhood and Retail Commercial to C-2 Neighborhood Commercial or C-2 Local Commercial
- vi. C-3 Heavy Commercial to C-3 Highway Commercial or C-3 General Commercial
- vii. M-1 Light Manufacturing and Industrial to M-1 Limited Industrial
- viii. M-2 Heavy Manufacturing and Industrial to M-2 General Industrial

C. Special Use Permit Renaming

- i. The known majority of Nebraska cities and villages refer to these as Conditional Use Permits.
- ii. The City would be consistent with other cities including Gering.
- iii. Special Use Permit could be considered ambiguous whereas a Conditional Use Permit more accurately refers to the type of permit and use.
- iv. This would include a review of Chapter 25 Article 13 which is section of code pertaining to Special Permits.

D. Supplemental Zoning Regulations

- i. Currently, supplemental zoning regulations are split between 25-3-23 General Requirements and 25-3-25 Miscellaneous Regulations.
- ii. Staff would like to consolidate both into a Supplemental Zoning Regulation section to reduce chance of an oversight.

E. Permitted and Special Uses Review

- i. Presently there are 235 different uses listed in Article 3.
- ii. Some uses are unnecessary as they fall under the umbrella of another use.
 - 1. Retail stores and services encompasses jewelry stores and confectionary stores.
- iii. Some uses need to be removed from certain zoning districts.

1. Schools are currently a permitted use in M-2 Heavy Industrial.
- iv. Some uses may be antiquated and could be removed from code.
 1. Drive-thru photo facility is a permitted use in PBC, C-1, C-3, M-1, and M-2.

F. Zoning District Map

- i. Staff would like to initiate a review of the zoning district map with primary focus on the commercial and industrial zoning districts.
- ii. Some rezones may be in the City's best interest.

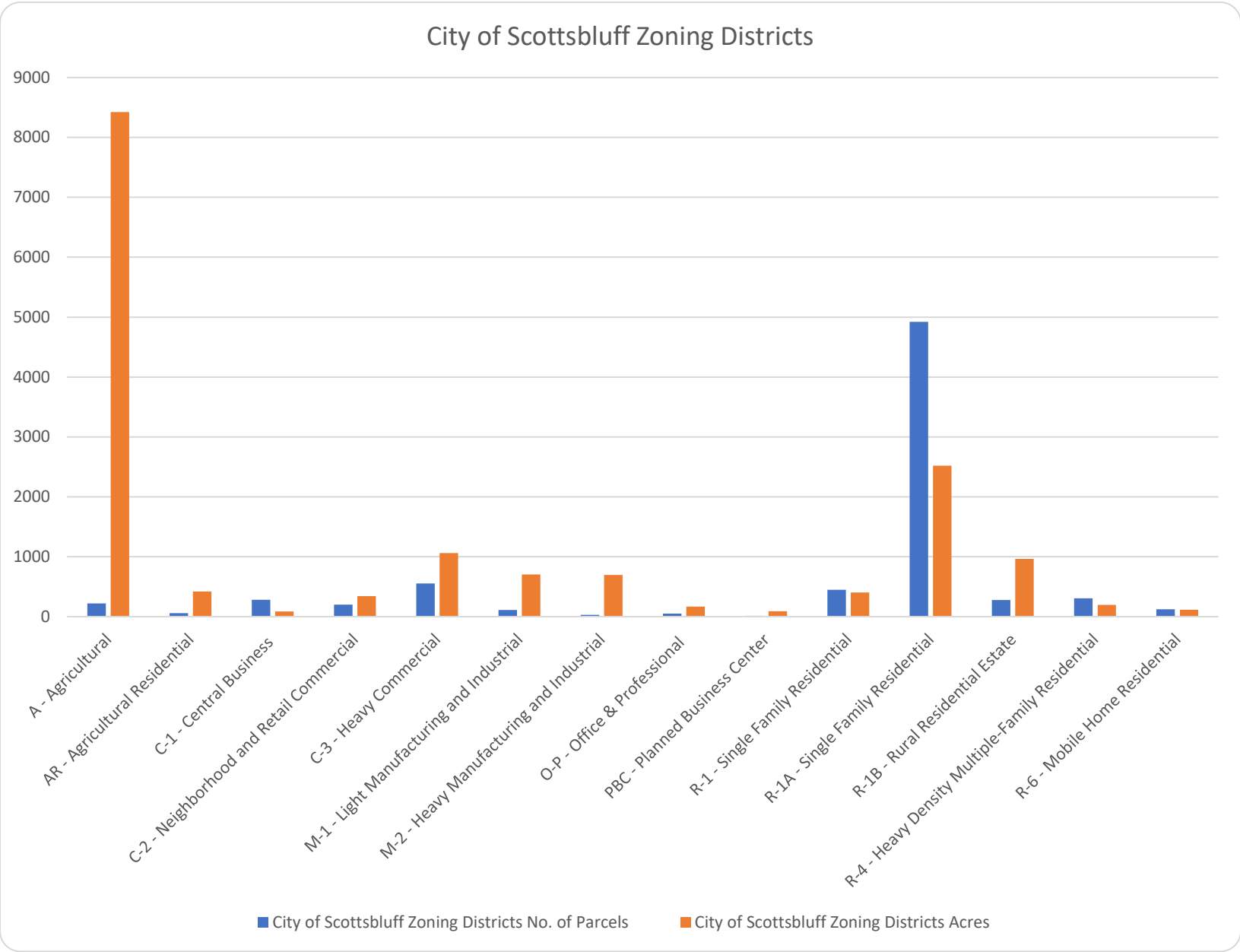
G. Accessory Buildings

- i. Accessory building performance standards are duplicated in each individual zoning district section.
- ii. The creation of a Chapter 25 Article 25 could serve as the accessory building section of code and would be more concise.
- iii. Shipping container requirements from 25-3-25 could be located here as well.

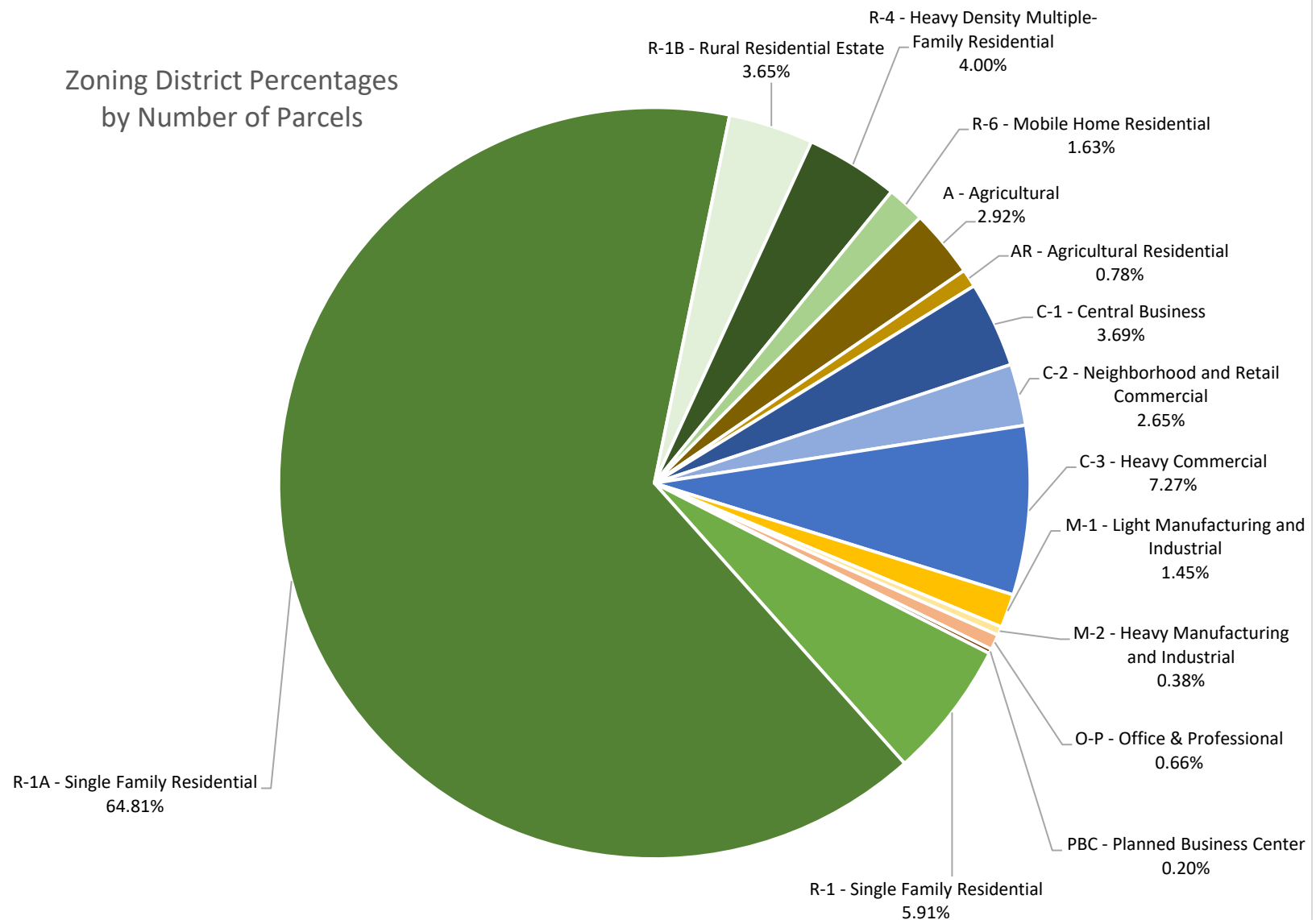
H. Performance Standard Tables

- i. Over time, the rows and columns in the performance standard tables of the zoning districts have been shifted and in several cases are misleading and inaccurate.
- ii. There is also ambiguity on the administration of these standards on non-residential buildings such as churches in the residential zoning districts. The table only lists standards for dwellings and not other permitted/conditional uses.

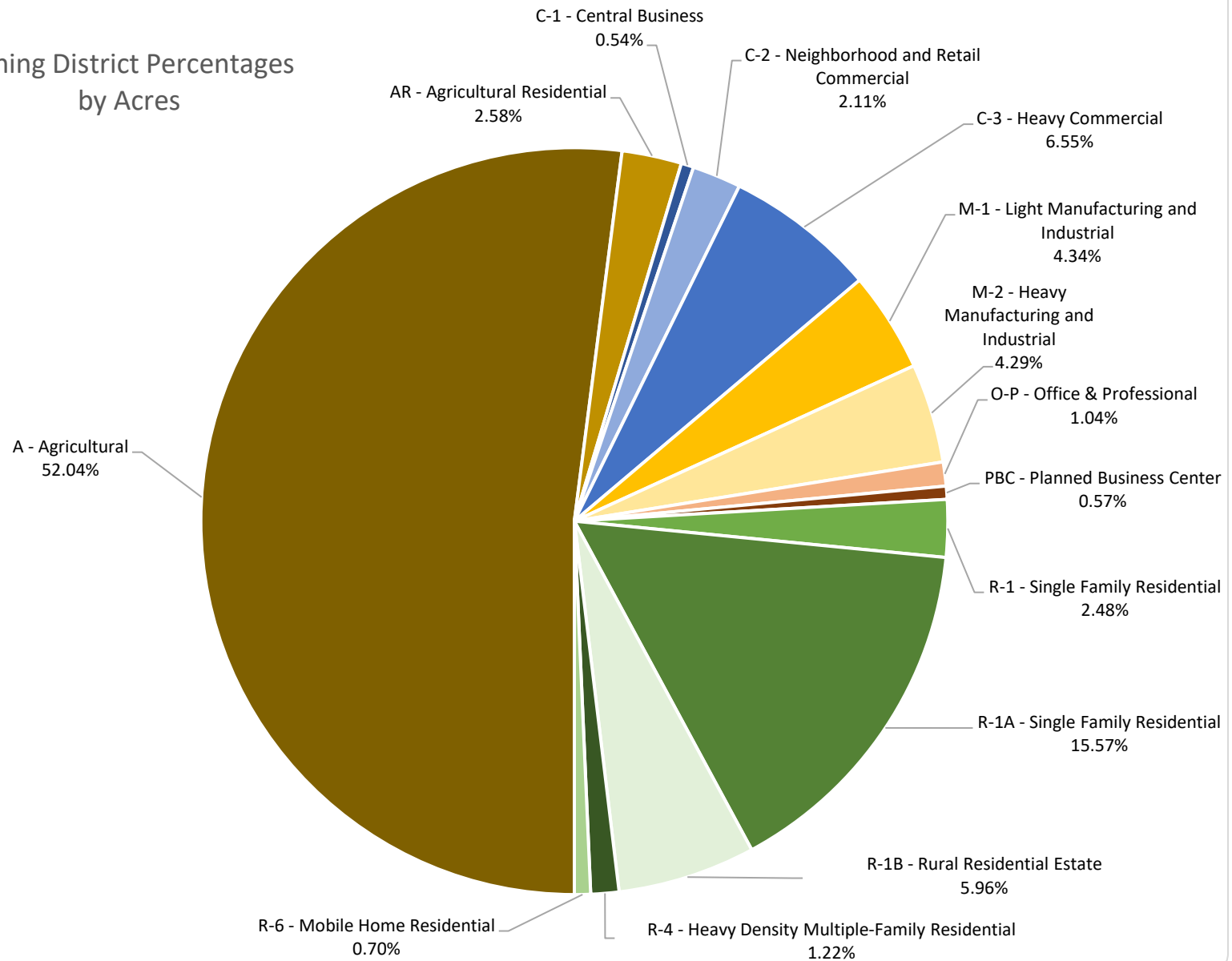
City of Scottsbluff Zoning Districts		
District	No. of Parcels	Acres
A - Agricultural	222	8424
AR - Agricultural Residential	59	418
C-1 - Central Business	280	88
C-2 - Neighborhood and Retail Commercial	201	342
C-3 - Heavy Commercial	552	1060
M-1 - Light Manufacturing and Industrial	110	702
M-2 - Heavy Manufacturing and Industrial	29	695
O-P - Office & Professional	50	168
PBC - Planned Business Center	15	92
R-1 - Single Family Residential	449	402
R-1A - Single Family Residential	4922	2520
R-1B - Rural Residential Estate	277	965
R-4 - Heavy Density Multiple-Family Residential	304	197
R-6 - Mobile Home Residential	124	113
Total	7594	16186



Zoning District Percentages
by Number of Parcels



Zoning District Percentages
by Acres



Land Use	R-1	R-1A	R-1B	R-4	R-6	O&P	PBC	C-1	C-2	C-3	M-1	M-2	A	AR
Accessory single-family dwelling for persons customarily employed or engaged in farming and ranching													S	
Accounting, Auditing, Bookkeeping Services						P	P	P	P	P	P	P		
Adult Book Store							S							
Agricultural Estate Dwelling Site													P	
Agricultural Attractions													P	
Agricultural uses, general													P	P
Ambulance Service						S	P	P	P	P	P	P		
Amusement Centers, indoor only							P	P	P	P	P	P		
Animal Clinic (Indoor) with second story residential use						S								
Animal Clinic, indoor only							P	P	P	P	P	P		
Animal clinic, indoor/outdoor										P	P	P		
Any hotels or apartments higher than the max 45'									S					
Arts & Crafts Studio						P	P	P	P	P	P	P		
Asphalt Batch Plant													S	
Auction house										P	P	P		
Auto sales and service									S	P	P	P		
Auto storage and rental								P			P	P		
Auto storage and rental. All processing, packaging or fabricating to be conducted wholly inside a building. Nuisance-producing processing, packaging or fabricating not permitted.										P				
Automated or coin-operated car wash							P	P	P	P	P	P		
Bakery or Bakery Goods Store							P		P	P	P	P		
Bakery or bakery goods store. The max. gross floor area of building permitted for this is 6,400 sq ft. Incidental, non-nuisance-producing, processing, packaing, or fabricating is permitted if conducted entirely within a building								P						
Bank & Saving & Loan						P	P	P	P	P	P	P		
Bank Automated teller facilities, indoor						P	P	P	P	P	P	P		
Bank Automated teller facilities, outdoor						S	P	P	P	P	P	P		
Barber/Beauty Shop						P		P	P	P	P	P		
Beverage Bottling Plant										P	P	P		
Billboard. Billboards may not be placed everywhere in this zone.										P	P	P		
Billboards									S					
Boat building (small)										P	P	P		
Book & Stationery Store						S	P	P	P	P	P	P		
Brew Pub								P	P	P	P	P		
Brewery											P	P		
Bus Depot								P		P	P	P		
Business College, Trade School							P	P		P	P	P		
Cabinet Shop											P	P		S
Cabinet Shop. The entire business must be conducted within a building										P				
Campground										P				
Cemeteries	S													
Cemetery													S	
Church	P	P	P	P	P	P	P	P	P	P	P	P	S	S
Cleaning plant, commercial.											P	P		
Cleaning plant, commercial. The max. gross floor area of building permitted for this is 6,400 sq ft. Incidental, non-nuisance-producing, processing, packaing, or fabricating is permitted if conducted entirely within a building										P				
Cleaning, Laundry Agency							P	P	P	P	P	P		
Clinic							P	P	P	P	P	P		
Cluster Housing	S	S												
Cluster housing, condominiums and townhouses				S	S									
College	P													
College Dormitories	S													
Communications facilities including communication tower, such tower not so exceed 150 feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower.						P	P	P	P	P	P			
Community Center	P	P	P	P	P	P								
Community Center (public)							P	P	P	P	P	P	S	S
Concrete batch plant											P	P		
Condominium	S	S												
Condominium with 3 or fewer apartments								P						

Confectionery Stores							P	P	P	P	P	P		
Construction storage yard. Yard must be enclosed in Class 3 Fence										P	P	P		
Construction storage yard											P	P		
Convenience stores w/o dispensing gasoline							P	P	P	P	P	P		
Convenience stores with dispensing gasoline							P	P	P	P	P	P		
Convenience warehouse storage facilities								P	P	P	P	P		
Crop Production & Orchards			P	S										
Dairy product processing										P	P	P		
Dance, music or voice studio							P		P	P	P	P		
Daycare Center (child care center) or Preschool						S	P	P	P	P	P	P		
Delicatessen						S	P	P	P	P	P	P		
Domestic violence shelter									P					
Drive-thru (fast food) restaurant							P	S	P	P	P	P		
Drive-thru photo facility							P	P		P	P	P		
Dwelling Unit -- two unit and multiple family within confines of a building in which a business enterprise, retail sales or service business may be conducted								P						
Educational and scientific research service							P	P	P	P	P	P		
Educational and charitable Institutions				P				P	P				S	S
Educational/Charitable Institutions and educational or scientific research services						P								
Emergency Shelter									S	S				
Equipment rental and sales yard								S	P	P	P	P		
Family Child Care Home	P	P	P	P	P									
Feed mill											P	P		
Fertilizer mixing and storage plant											S	S		
Fire Station	P													
Fire Stations		P												S
Florist						P	P	P	P	P	P	P	S	P
Food processing plant, other than meat											P	P		
Food Store, delicatessen							P	P	P	P	P	P		
Fraternities, Sororities, Dormitories				P										
Fruit, vegetable stand													S	S
Fuel yard											P	P		
Funeral Home		S												
Furniture refinishing.											P	P		
Furniture refinishing. The entire business must be conducted within a building									P	P	P			
Furniture/appliance store							P	P	P	P	P	P		
Gift Shop						P	P	P	P	P	P	P		
Golf Courses		P												
Grocery store							P	P	P	P	P	P		
Gymnasium, private									P	P	P	P		
Hair Salons		S												
Hardware store							P	P	P	P	P	P		
Hardware stores selling lumber									S					
Health Food Store						S								
Home Occupations		P	P	P	P	P							P	P
Home Occupations in accordance with Article 8	P													
Hospital	S	S	S	S		P	P	P	P	P	P	P	S	S
Hotel								P			P	P		
Hotels/motels									P					
Ice manufacture cold storage plant											P	P		
Implement dealers										S				
Insurance Agency/services						P	P	P	P	P	P	P		
Irrigation facilities													P	P
Irrigation Facilities that are incidental to Ag uses on premises			P	S										
Jewelry store							P	P	P	P	P	P		
Junk yard											S	S		
Kennel, dog												S	P	S
Laboratory, medical, dental, optical						P	P	P	P	P	P	P		
Laundromat, self-service							P	P	P	P	P	P		
Laundry, commercial plant											P	P		

Rendering plants													S		
Residential use is permitted only within the confines of a building in which a permitted use is conducted.										S					
Restaurant						S									
Restaurant, bar, tavern							P	P	P	P	P	P	P		
Retail stores and services							P	P	P	P	P	P	P		
Retirement facilities		S													
Rooming/boarding house for not more than six guests			S												
Rooming/boarding house for not more than six roomers or boarders				S											
Rooming/boarding house with no more than 2 guest	P	P	P	P	P										
Rooming/Boarding Houses										S					
Rooming/Boarding House. Residential use is permitted above the ground floor and within the confines of a business building.								P							
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.									P						
Rooming/boarding houses						P									
Sandblasting											P	P			
Sandblasting. All commercial sandblasting of moveable objects to be conducted wholly inside a building.										P					
School	P	P	P	P	P	P		P	P			S	P		
Scrap metal processing facility															
Second dwelling for relatives, employees								P	P	P	P	P	P		
Service station -mixed use								P	P	P	P	P	P		
Service station -self service dispensing of gas only								P	P	P	P	P	P		
Service station-full service								P	P	P	P	P	P		
Shoe Store								P	P	P	P	P	P		
Shop for building contractor												P	P		
Shop for building contractor. The entire business must be conducted within a building											P	P	P		
Sign shop											P	P	P		
Single Family Detached Dwelling	P	P	P	P	P										
Single family dwelling						P								P	P
Single family dwelling units. Living quarters for watchman of commercial or industrial use property, or for hotels and motels, are the only permitted residential uses in this zone								P				P	P		
Single Family dwelling. Residential use is permitted above the ground floor and within the ground floor if to the back or side of a business building.									S						
Solid waste transfer station												S			
Stable														P	P
Tack shop										P					
Tanning, curing, storage of skins or hides													S		
Tattoo Parlor										P					
Tattoo/body piercing establishment								P	P		P	P			
Temporary Building							S	S	S	S	S	S	S		
Temporary Building/Construction Yard	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Temporary Medical Housing						S		P	P		P	P	P		
Temporary storage of grain										S			S	S	
Terminal yard, trucking										P	P	P	P		
Theater, drive-in										P	P	P	P		
Theater, indoor							P	P	P	P	P	P	P		
Tire shop, recapping							P	P			P	P	P		
Tire shop, recapping. The entire business must be conducted within a building										P					
Tourist Information Booth		S	S	S		P		P	P	P	P	P	P	P	P
Townhouses (single family attached) dwelling units	S	S									P	P	P		
Tractor/trailer parking lot											P	P	P		
Trailer parks											P				
Travel Trailers											P				
Travel Trailer, mobile home, manufactured housing sales lot											P	P			
Truck and tractor repair											P	P	P		
Two Family dwelling. Residential use is permitted above the ground floor and within the ground floor if to the back or side of a business building.									S						
Two-Family Dwellings	S	P		P		P				S					
Upholstery Shops provided all work is completed inside the building								P	P	P					
Used car lot										P	P	P			

Utility business offices								P	P	P	P	P		
Utility Plants	S	S	S	S		S	S							
Warehousing, wholesaling									P					
Warehousing/wholesaling facilities										P	P	P		
Warehousing facilities								P						
Water Storage	S	S	S	S			S							
Water Storage. Residential use is permitted only within the confines of a buildignin which a permitted use is conducted.						S								
Water Wells	P	P												
Wholesale stores and distributors											P	P		
Wholesale Stores and distributors. The max. gross floor area of building permitted for this is 6,400 sq ft. Incidental, non-nuisance-producing, processing, packaing, or fabricating is permitted if conducted entirely within a building								P						
Wineries & Vineyards													P	
Wind Energy Conversion Systems													S	