



**CITY OF SCOTTSBLUFF**  
**Council Chambers, Scottsbluff City Hall**  
**2525 Circle Drive**  
**PLANNING COMMISSION AGENDA**  
***Monday, January 9, 2023***  
***6:00 PM***

- 1. Roll Call:**
- 2. Nebraska open Meetings Act:** For all interested parties, a copy of the Nebraska Open Meetings Act is posted on a bulletin board at the south wall of the council chambers.
- 3. Notice of Changes in the Agenda by the City Manager:** Additions may not be made to this agenda less than 24-hours before the beginning of the meeting unless added under item 4 of this agenda.
- 4. Citizens with Items not Scheduled on the Regular Agenda:** As required by State Law, no item may be considered under this item unless the Planning Commission determines that the matter requires an emergency action.
- 5. Approval of the Planning Commission Minutes From:**  
A November 1, 2022
- 6. Staff Reports:**  
A (Informational Only)
- 7. Other Business:**  
A Planning Commission to discuss and direct staff on updates to Chapter 25 Article 3 of the Municipal Code
- 8. Schedule Meeting:**  
A Confirm next meeting date: February 13, 2023
- 9. Adjourn**

2525 CIRCLE DRIVE • SCOTTSBLUFF, NEBRASKA 69361 • (308) 630-6243 • FAX (308) 630-6294

**City of Scottsbluff, Nebraska**  
**Monday, January 9, 2023**  
**Regular Meeting**

**Item Appr. Min.1**

**November 1, 2022**

**Staff Contact:**

PLANNING COMMISSION MINUTES  
REGULAR SCHEDULED MEETING  
November 14, 2022  
SCOTTSBLUFF, NEBRASKA

The Planning Commission for the City of Scottsbluff met in regular scheduled meeting on Monday, November 14, 2022 at 6:00 PM in the Scottsbluff City Council Chambers at 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting was published in the Star-Herald, a newspaper of general circulation in the city, on November 1, 2022. The notice stated the date, time, and location of the meeting, that the meeting was open to the public, and that anyone with a disability desiring reasonable accommodation to attend should contact the Development Services office. An agenda was kept current and available for public inspection at the Development Services office, provided the Planning Commission can modify the agenda at the meeting if it is determined that an emergency so required. A copy of the agenda packet was delivered to each Planning Commission member.

- 1 Chair Dana Weber called the meeting to order at 6:00 PM. Roll call consisted of the following members being present, Becky Estrada, Dave Gompert, Callan Wayman, Jerry Stricker, Angie Aguallo, Dana Weber, Kendall Palu, Linda Redfern (Alternate, Quorum present so excused). "Absent": Henry Huber, Jim Zitterkopf. City Officials present were Zachary Glaubius, Planning Administrator, Taylor Stephens, GIS Analyst, and Gary Batt, Code Administrator II.
- 2 Weber informed those present of the Nebraska Open Meetings Act and that a copy was located on the south wall of the Council Chambers.
- 3 Acknowledgement of any changes in the agenda: None.
- 4 Business not on the agenda: None.
- 5 The minutes from the October 10, 2022 meeting were reviewed. Wayman noted a misspelling of his name. **Conclusion:** a motion was made by Wayman and seconded by Gompert to approve the minutes as corrected from October 10, 2022 meeting. "Yeas" Aguallo, Weber, Wayman, Gompert, Estrada, Palu "Nays": None "Abstain" Stricker, "Absent": Huber, Zitterkopf "Excused": Redfern (alt.) The motion carried.
- 6 Item 6A: Weber opened a public hearing at 6:02 PM regarding a special permit application by Mesner Development Company for townhomes at Lots 1 through 5, Block 6m, Northeast Second Addition. Glaubius stated the townhomes would be located directly west of City Hall on Circle Drive and are considered a special permit use in the R-1A single-family residential zoning district. Glaubius stated each townhome would have a two-car garage which meets the off-street parking requirement of a townhome. Glaubius stated the comprehensive plan identifies the land as Highway 26 commercial, which includes a mix of residential and commercial use. Glaubius stated the land would be replatted to 8 lots. Glaubius stated the townhomes are essentially two-family homes which are a permitted use in the R-1A district, however since the common wall is also a property line, they are considered single-family attached or a townhome. Glaubius stated the staff recommends the Planning Commission approve the townhome special use permit. Applicant Chris Lenz stated the townhomes are workforce housing and they intend to sell each unit for around \$240,000. Lenz stated the Twin City Development and the City LB 840 Fund are assisting in the project. Weber closed the public hearing at 6:05 PM. Stricker stated the townhomes are a good buffer between the existing single-family dwellings and offices. Wayman stated the community needed more housing and this was a good project. Palu inquired if any neighbors had comments. Glaubius stated he had not been contacted by any neighbors regarding the special use permit.

- 7 **Conclusion:** A motion was made by Stricker and seconded by Gompert to approve the special use permit for townhomes at Lots 1 through 5, Block 6, Northeast Second Addition to Mesner Development Company. "Yeas" Aguillo, Weber, Wayman, Gompert, Estrada, Palu, Stricker "Nays": None, "Absent": Huber, Zitterkopf "Excused": Redfern (alt.) The motion carried.
- 8 Weber introduced Item 6B regarding a Public Hearing to consider and take action on a special use permit application by Transwest Inc. for auto sales and service at 1515 E. 20<sup>th</sup> Street. Weber opened the public hearing at 6:08 PM. Glaubius stated Transwest Inc. is purchasing the existing Fremont Motors Ford Dealership at 1515 E. 20<sup>th</sup> Street. Glaubius stated the property is zoned C-2 in which auto sales and service are a special permit use. Glaubius stated staff looked into the history of the property. Glaubius stated the property was zoned C-3 prior to 1994 which permits auto sales and service; however the property was rezoned sometime between 1994 and 2010 to C-2. Glaubius stated the only change at the property is the name, and staff recommends approval of the special use permit for auto sales and service to Transwest Inc. at 1515 E. 20<sup>th</sup> Street. Kyle Schmidt from Transwest Inc. stated his company is purchasing the Fremont Ford Dealership, and the company is excited to be part of the community. Weber closed the public hearing at 6:10 PM. Wayman asked Glaubius if a new special permit is needed everytime the dealership changes ownership. Glaubius stated yes, a new special permit would be needed. Wayman suggested a rezone in the future to remove the need for a special permit to operate a dealership at the location. Stricker asked Schmidt if any changes are planned for the dealership. Schmidt stated they intend to update security cameras and lighting, but no major changes are planned at this time.
- 9 **Conclusion:** A motion was made by Stricker and seconded by Estrada to approve the special use permit for auto sales and service at 1515 E. 20<sup>th</sup> Street to Transwest, Inc. "Yeas" Aguillo, Weber, Wayman, Gompert, Estrada, Palu, Stricker "Nays": None, "Absent": Huber, Zitterkopf "Excused": Redfern (alt.) The motion carried.
- 10 Weber introduced Item 7 regarding the officer elections tabled from the October 10, 2022 meeting. Weber asked for a motion to remove it from the table.
- 11 **Conclusion:** A motion was made by Stricker and seconded by Estrada to remove officer elections from the table. "Yeas" Aguillo, Weber, Wayman, Gompert, Estrada, Palu, Stricker "Nays": None, "Absent": Huber, Zitterkopf "Excused": Redfern (alt.) The motion carried.
- 12 Weber asked for volunteers for the Chair and Vice-Chair offices. Wayman volunteered to serve as Vice-Chair. Gompert nominated Estrada to serve as Chair.
- 13 **Conclusion:** A motion was made by Gompert and seconded by Aguillo to nominate Estrada as Chair and Wayman as Vice-Chair. "Yeas" Aguillo, Weber, Wayman, Gompert, Estrada, Palu, Stricker "Nays": None, "Absent": Huber, Zitterkopf "Excused": Redfern (alt.) The motion carried.
- 14 Staff Reports: None
- 15 Weber introduced Item 9A regarding a discussion on community surveys. Weber asked Stephens to play a Youtube video regarding surveys. Weber stated the video was about a community in similar size and the region. Weber stated community surveys would provide community members another way to share feedback with the Planning Commission instead of attending the monthly meetings. Weber stated this could be useful in the next update to the City's Comprehensive Plan. Stephens presented how the City can conduct surveys online via ArcGIS's Survey123. Stephens stated the surveys could be placed on the City website and also could be linked to QR code. Stephens stated the surveys could have various types of information inputs such as text boxes and check boxes. Wayman recalled conducting surveys for the 2016 Comprehensive Plan. Stephens recommended looking to budget in a comprehensive plan update for the next fiscal year. Wayman inquired how long an update would take. Glaubius stated he was unsure.

- 16 Weber introduced Item 9B and welcomed new Planning Commission members Jerry Stricker and Kendall Palu.
- 17 Estrada introduced Item 10 regarding scheduling the next Planning Commission meeting on December 12, 2022.
- 18 Item 10: Adjournment
- 19 Adjournment: Motion by Wayman, seconded by Estrada to adjourn the meeting at 6:26 PM. "Yeas" Aguillo, Stricker, Palu, Weber, Wayman, Gompert, Estrada "Nays": None "Absent": Zitterkopf, Huber "Excused": Redfern (alt.) The motion carried.

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Chairman Dana Weber

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Zachary Glaubius, Secretary

# **City of Scottsbluff, Nebraska**

**Monday, January 9, 2023**

**Regular Meeting**

**Item Staff Rep1**

**(Informational Only)**

**Staff Contact:**

# **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.

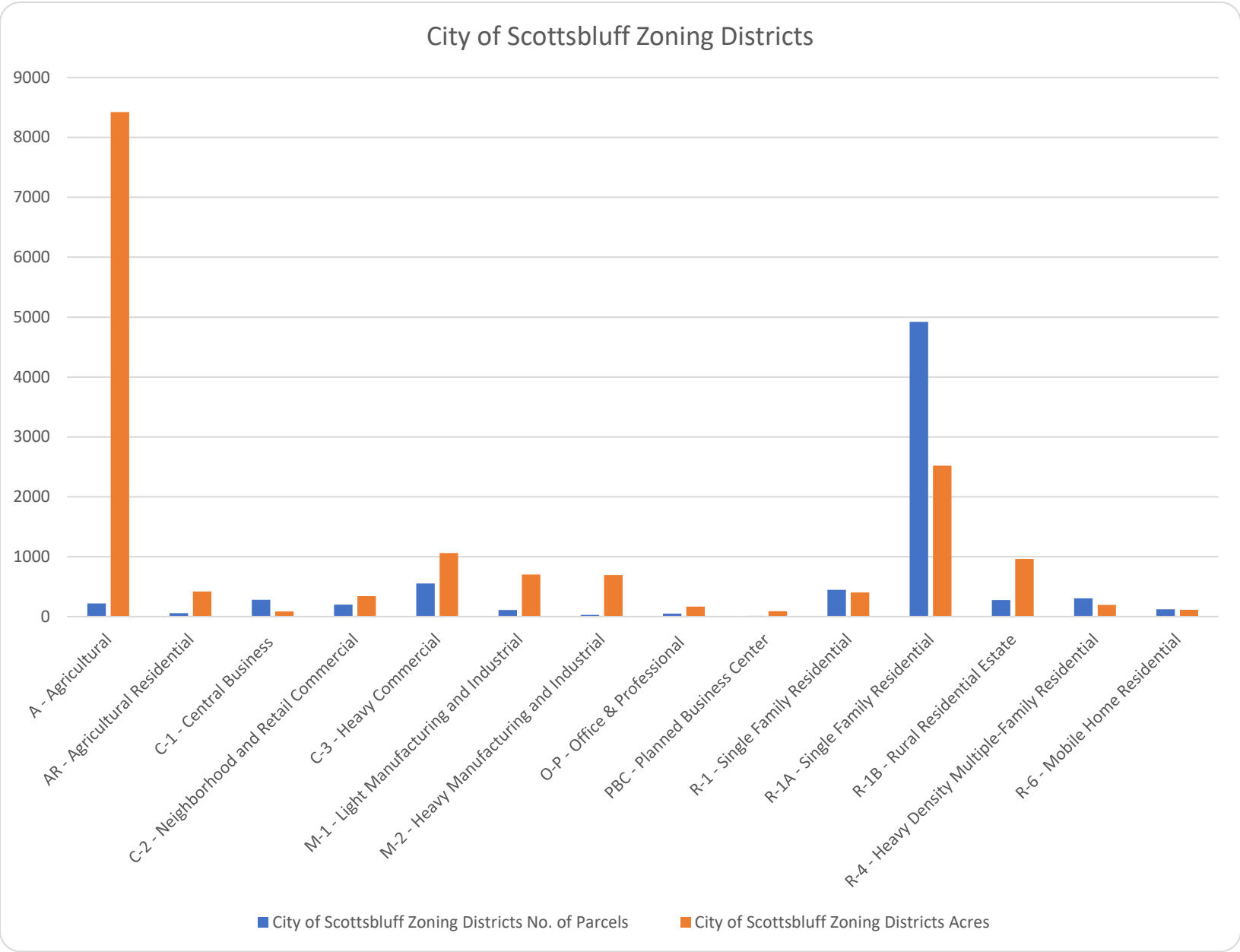
**G. Accessory Buildings**

- 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.

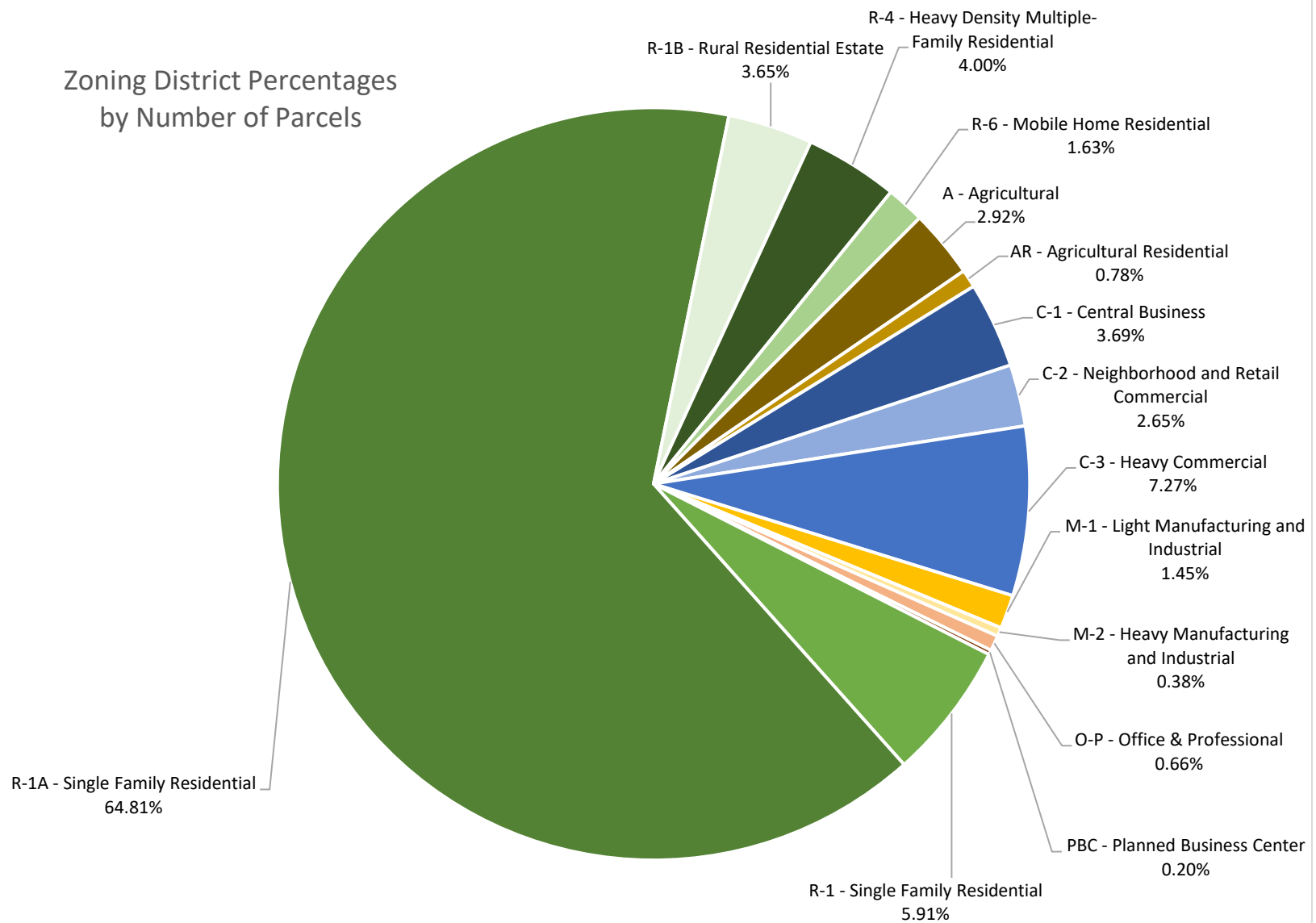
**H. Performance Standard Tables**

- 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.

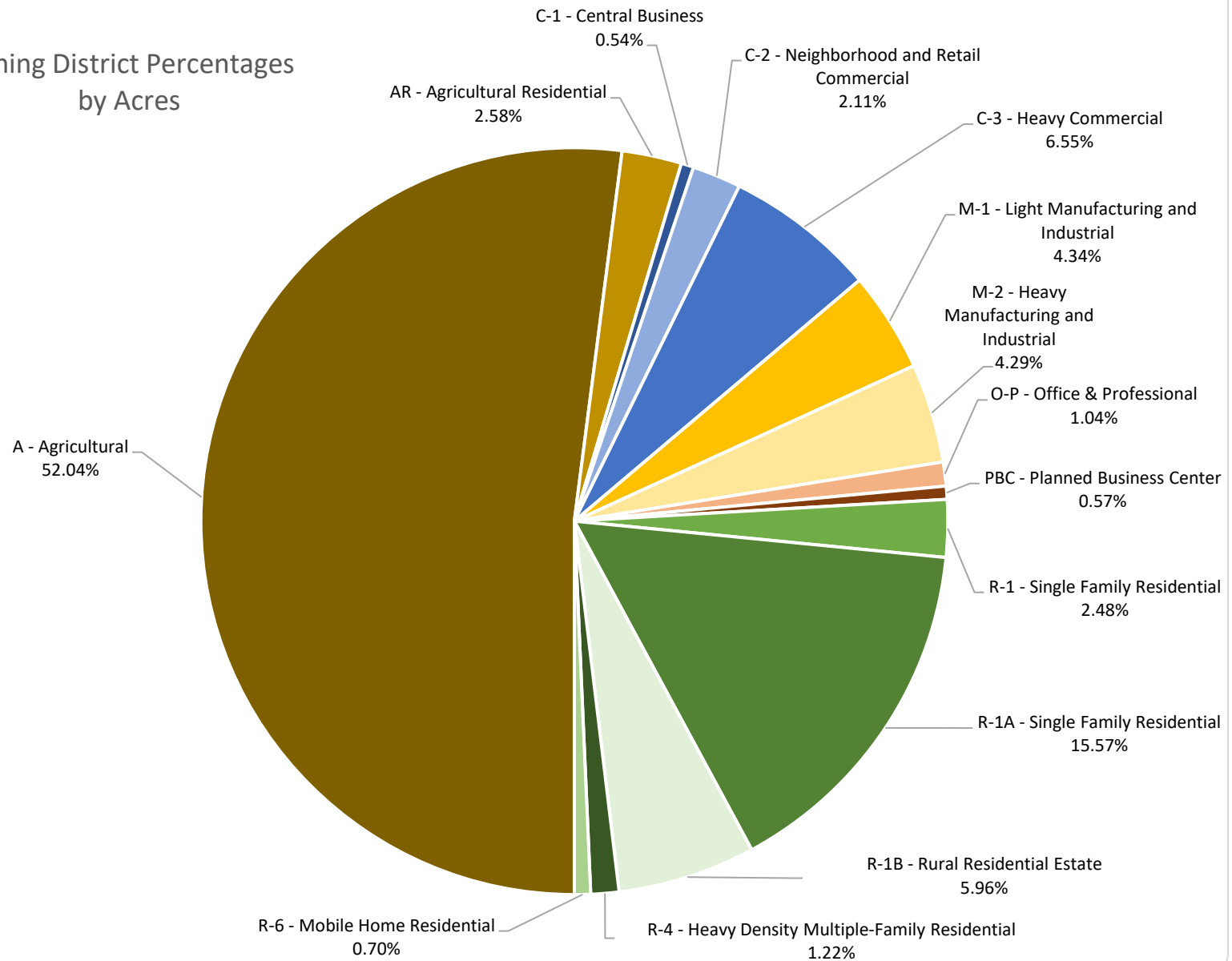
City of Scottsbluff Zoning Districts		
District	No. of Parcels	Acres
A - Agricultural	222	8424
AR - Agricultural Residential	59	418
C-1 - Central Business	280	88
C-2 - Neighborhood and Retail Commercial	201	342
C-3 - Heavy Commercial	552	1060
M-1 - Light Manufacturing and Industrial	110	702
M-2 - Heavy 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
<b>Total</b>	<b>7594</b>	<b>16186</b>



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				P		
Scrap metal processing facility											S				
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		
Theater, drive-in											P	P	P		
Theater, indoor							P	P	P	P	P	P	P		
Tire shop, recapping							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	

# **City of Scottsbluff, Nebraska**

**Monday, January 9, 2023**

**Regular Meeting**

## **Item Meet1**

**Confirm next meeting date: February 13, 2023**

**Staff Contact:**