

City of Scottsbluff, Nebraska

Monday, May 1, 2023

Regular Meeting

Item Resolut.1

Council to consider action on the first reading of the Ordinance amending Chapter 25, Article 3, Section 12 dealing with PBC Planned Business Center Regulations and Performance Standards.

Staff Contact: Zachary Glaubius, Planning Administrator

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 25, ARTICLE 3, SECTION 12 OF THE SCOTTSBLUFF MUNICIPAL CODE DEALING WITH PBC PLANNED BUSINESS CENTER REGULATIONS AND AMENDING THE PERFORMANCE STANDARDS THEREIN, PROVIDING FOR 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. Chapter 25, Article 3, Section 12 of the Scottsbluff Municipal Code is amended as follows:

“§25-3-12. PBC PLANNED BUSINESS CENTER.

(A) Intent. The intent of a Planned Business Center District is to:

- (1) Provide an area for a unified commercial center which provides goods and services to a regional trading area;
- (2) Provide for joint or grouped parking facilities serving several retail stores; and
- (3) Coordinate a vehicular and pedestrian traffic circulation system and carefully design access that is compatible with surrounding uses.

(B) Principle permitted uses.

- (1) Accounting, auditing, and bookkeeping services;
- (2) Ambulance service;
- (3) Amusement centers; indoor only;
- (4) Animal clinic; indoor only;
- (5) Arts and 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 and savings and loan;
- (11) Barber and beauty shop;
- (12) Book and stationery store;
- (13) Business college and trade school;
- (14) Church;
- (15) Cleaning and laundry agency;
- (16) Clinic;

(17) Communication facilities including communication tower, such tower not to exceed 150 feet in height. No guy wires, outrigging, or other supporting structures may extend beyond the foundation of the tower;

(18) Community center (public);

(19) Confectionery stores;

(20) Convenience stores without dispensing gasoline;

(21) Convenience stores with dispensing gasoline;

(22) Dance, music, or voice studio;

(23) Day care center (child care center) or preschool;

(24) Delicatessen;

(25) Drive-thru photo facility;

(26) Drive-thru (fast food) restaurant;

(27) Educational and scientific research service;

(28) Florist;

(29) Food store and delicatessen;

(30) Furniture/appliance store;

(31) Gift shop;

(32) Grocery store;

(33) Hardware store;

(34) Hospital;

(35) Insurance agency/services;

(36) Jewelry store;

(37) Laboratory, medical, dental, and optical;

(38) Laundromat; self-service;

(39) Library;

(40) Marriage and family counseling;

(41) Mortuary;

(42) Multi-family dwelling units. Living quarters for watchperson of commercial or industrial use property, or for hotels and motels, are the only permitted residential uses in this zone;

(43) Municipal uses;

- (44) Offices; professional and service;
- (45) Permanent cosmetic facility;
- (46) Pharmacy;
- (47) Photographic studio;
- (48) Printing and blueprinting;
- (59) Professional membership organizations;
- (50) Professional schools;
- (51) Reducing/suntanning;
- (52) Restaurant, bar, and tavern;
- (53) Retail stores and services;
- (54) Service station; full service;
- (55) Service station; mixed use;
- (56) Single-family dwelling units. Living quarters for watchperson of commercial or industrial use property, or for hotels and motels, are the only permitted residential uses in this zone;
- (57) Shoe store;
- (58) Theater; indoor;
- (59) Tire shop and recapping; and
- (60) Utility business offices.

(C) Special permit uses.

- (1) Adult bookstore: no such use shall be located within 300 linear feet of any school, public or private, place of worship, public park, day care center, child nursery, library, or residential district. No such use shall be located within 1,000 linear feet of any existing adult bookstore. No such use may be allowed in combination with the sale or consumption of alcoholic beverages;
- (2) Lodge or club;
- (3) Public utility facilities;
- (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) Utility plants; and
- (7) Water storage.

(D) Performance standards.

(1) Area and bulk regulations.

Use	Minimum District Size	Minimum Lot Size	Minimum Lot Width	Maximum Coverage	Maximum # Dwelling Units	Setbacks				Structure Regulations
						Front	Rear	Interior Side	Side Street	Maximum Height
Permitted Use	8 acres	No minimum	20 feet	No maximum	4(c)	25 feet or 4(h)	4(h)	4(h)	25 feet	4(b)
Accessory Building						Not Permitted	4(h)	4(h)	25 feet	4(b)

(2) Accessory building/garage; detached.

(a) A detached accessory building must be located at least ten 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 20 feet.

(3) Accessory building; attached. 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.

(4) Design requirements.

(a) Buffer strips; R Districts. A buffer strip, at least 25 feet in width, sodded and planted with shrubs or other greenery, and with a permanent screen at least ten feet high, must be established and maintained adjacent to the boundary line of any abutting lot or tract of land located in whole or part in an R District.

(b) Buildings and structures; height. No building or structure, except for an elevator, penthouse water tower, or decorative building projection, may exceed three stories or 45 feet in height, whichever is lower.

(c) Dwellings. No building in a center may be used as dwelling except for a paid custodian, caretaker, or watchperson living in the center.

(d) General design. A center must be laid out and developed as a unit in accordance with an integrated or coordinated overall design that complies with the provisions of this article. Buildings, structures, parking areas, walks, lighting, and appurtenant facilities must be located and arranged with due regard for surrounding land uses. Any part of a center not used for buildings, structures, accessways, parking and loading, or unloading areas must be landscaped with grass, trees, shrubs, or pedestrian walks.

(e) Loading facilities. A center must provide adequate areas for motor vehicles to load or unload merchandise, materials, or equipment without interfering with the use of any public street or alley.

(f) Location. A center may be located only in a PBC District established in accordance with this article, and only on a lot or tract of land abutting one or more arterial streets.

(g) Off-street parking. Adequate off-street parking must be provided in a center to accommodate all motor vehicles of employees, customers, and other persons reasonably expected to use the center, and for vehicles used in the conduct of businesses in the center. At least one parking space must be provided for each 200 square feet of floor area used for selling or offices. Areas designed primarily for loading and unloading or standing space are not parking spaces within the meaning of this section. Floor area designed for selling or office may not include areas used for storage, utilities or restrooms. Parking spaces and areas must meet the requirements of Article 5 of this chapter.

(h) Setbacks. No building or structure may be constructed or maintained in a center within 100 feet of the boundary line of an abutting lot or tract of land located in an R District nor within 25 feet of the right-of-way of a public street or road. No roadway or parking area in a center may be constructed or maintained within 25 feet of the right-of-way line.

(I) Storage; outdoor; restrictions. Merchandise, materials, or equipment may not be stored in an open area except for immediate sale or temporary display not exceeding seven days.” (Ord. 4072, passed -2012; Ord. 4137, passed -2014; Ord. 4192, passed -2016; Ord. _____, passed -2023.)

Section 2. All other ordinances and parts of ordinances in conflict herewith are repealed. Provided, however, this Ordinance shall not be construed to effect any rights, or duties existing at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage and approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2023.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney