

# **City of Scottsbluff, Nebraska**

**Monday, May 1, 2023**

**Regular Meeting**

## **Item Pub. Hear.2**

**Council to conduct a public hearing set for this date at 6:00 p.m. to consider the proposed Ordinance Text Change to Chapter 25 Article 3 regarding Miscellaneous Zoning Regulations.**

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

# City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: March 21, 2023

For Hearing of: April 10, 2023



## I. GENERAL INFORMATION

- A. As part of the comprehensive review and update of Chapter 25 Article 3 regarding zoning districts, staff came across three sections of code which prohibit more than one residential building per lot.
- B. These restrictions are under 25-3-25 Miscellaneous Regulations (J), (K), and (L).
  - i. (J) Residence buildings; number. Except as provided in Article 9 of this chapter, no more than one building used for residence purposes may be located on any lot.
  - ii. (K) Residence; sleeping quarters. Permanent sleeping quarters may not be located or used in any building or structure in an R District other than a main residence building.
  - iii. (L) Residence; rear of lot. No building, designed to provide living or sleeping quarters, or both, may be located on an interior lot to the rear of the main building which is used for non-residence purposes.
- C. Additionally, 25-3-25 (D) is a regulation for the development in the floodplain.
  - i. (D) Grades; flood requirements. No building may be built, rented, or occupied which is located on a lot or other tract of land that does not comply with all lawful grade requirements for flood purposes.
- D. Research of the Zoning Code showed (D) has been in place since at least 1957, and (J), (K), and (L), have been in place since at least 1974.

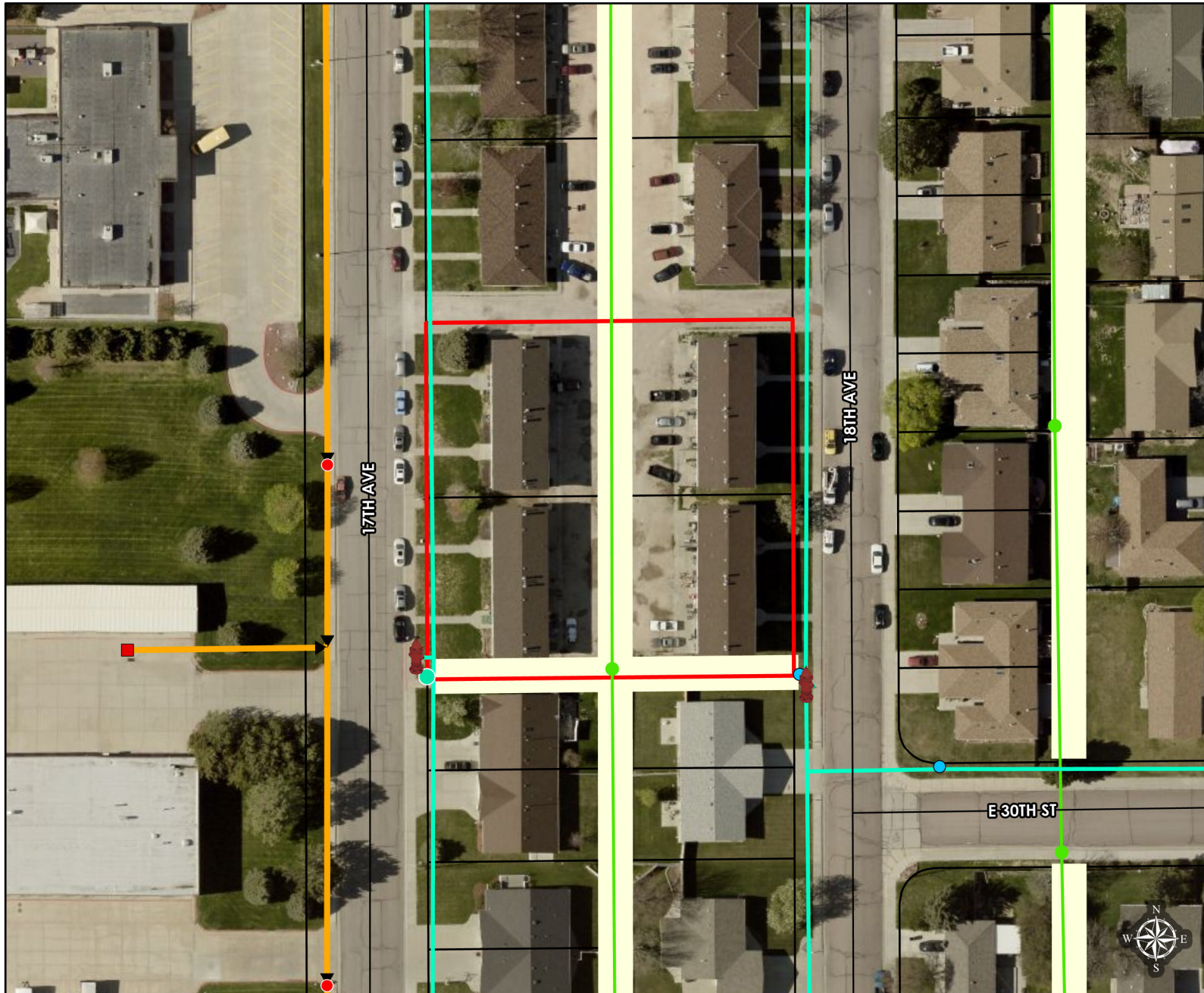
## II. STAFF COMMENTS

- A. The current language of J, K, and L prohibit the ability for large housing developments such as apartment complexes and assisted living villages by requiring separate lots for each residential building.
- B. The repealing of these three regulations would benefit developers by:
  - i. Requiring less surveying (larger lot vs. multiple smaller lots)
  - ii. Allowing consolidated parking facilities in lieu of requiring the minimum parking on each of the smaller lots.
  - iii. Potential reduction of public improvements required to be constructed.
    - 1. Private drives could be utilized for interior access instead of requiring interior public streets.
  - iv. Reducing the need for dedicating access easements, which reduce the amount of developable land.
- C. The repealing of these regulations would benefit the City by:
  - i. Reducing amount of City maintenance by requiring less public street dedication and construction.
  - ii. Promotes housing density.
- D. These regulations have not been consistently enforced.

- E. With the adoption of the revised Chapter 25 Article 19 (Floodplain Overlay District) in November 2022, (D) is a redundant regulation.

**III. STAFF RECCOMENDATION**

- A. Staff recommends the Planning Commission make a positive recommendation to City Council on the adoption of the revised 25-3-25 regarding the repealing of (D), (J), (K), and (L).

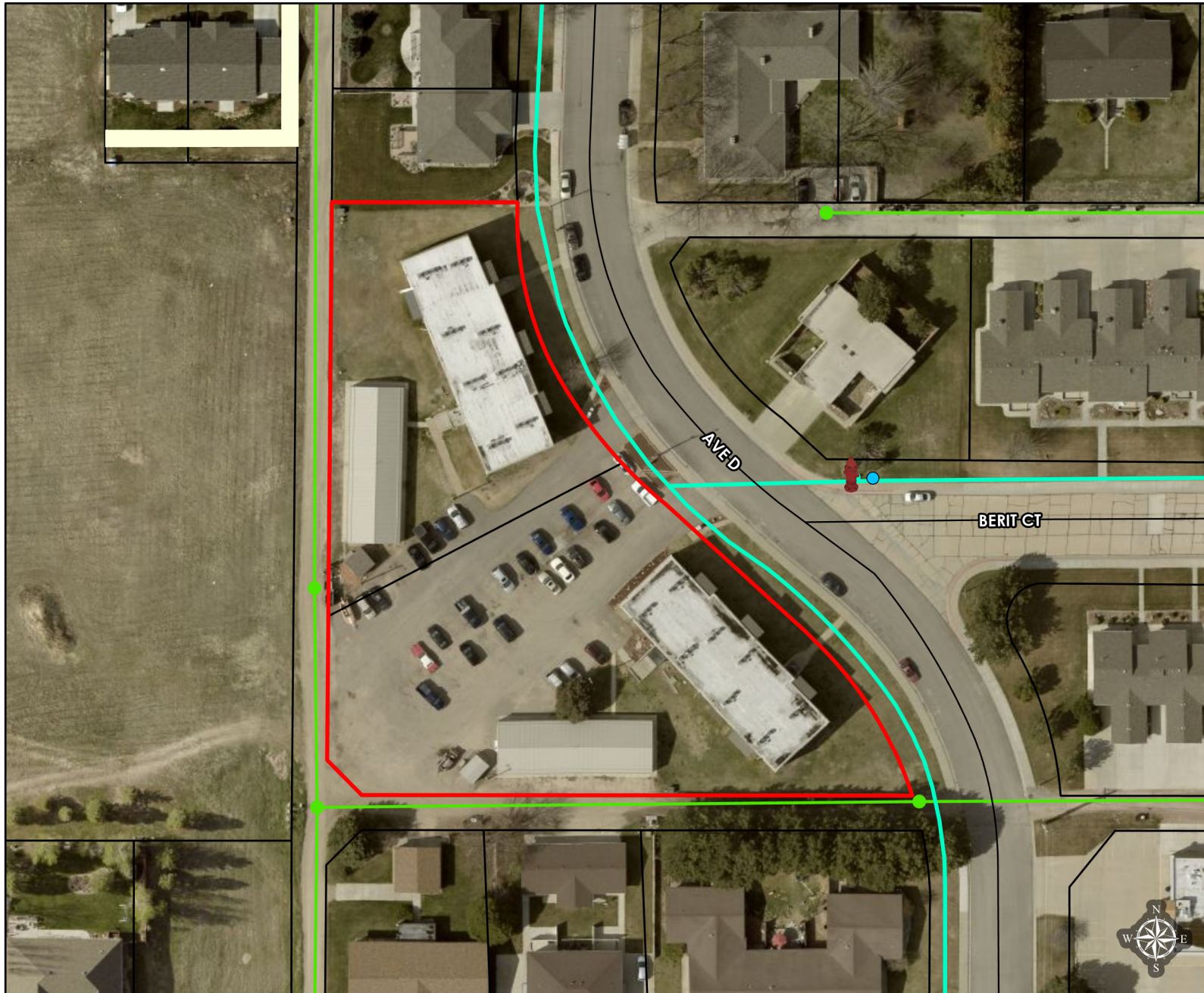


### Street Centerlines

- Highway
- Main Road
- Residential/Rural
- Fire Hydrants
- Water Curbstop
- Water Valve
- Water Manhole
- Water Lines
- Wastewater MH
- Wastewater Lines
- Outfall
- Stormwater Inlet
- Stormwater Manhole
- Stormwater Arc
- Easement
- Proposed Property
- Parcels

Taylor Stephens  
City of Scottsbluff GIS  
Created on 3/28/2023  
Coordinate System: NAD 1983 (2011)  
StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.



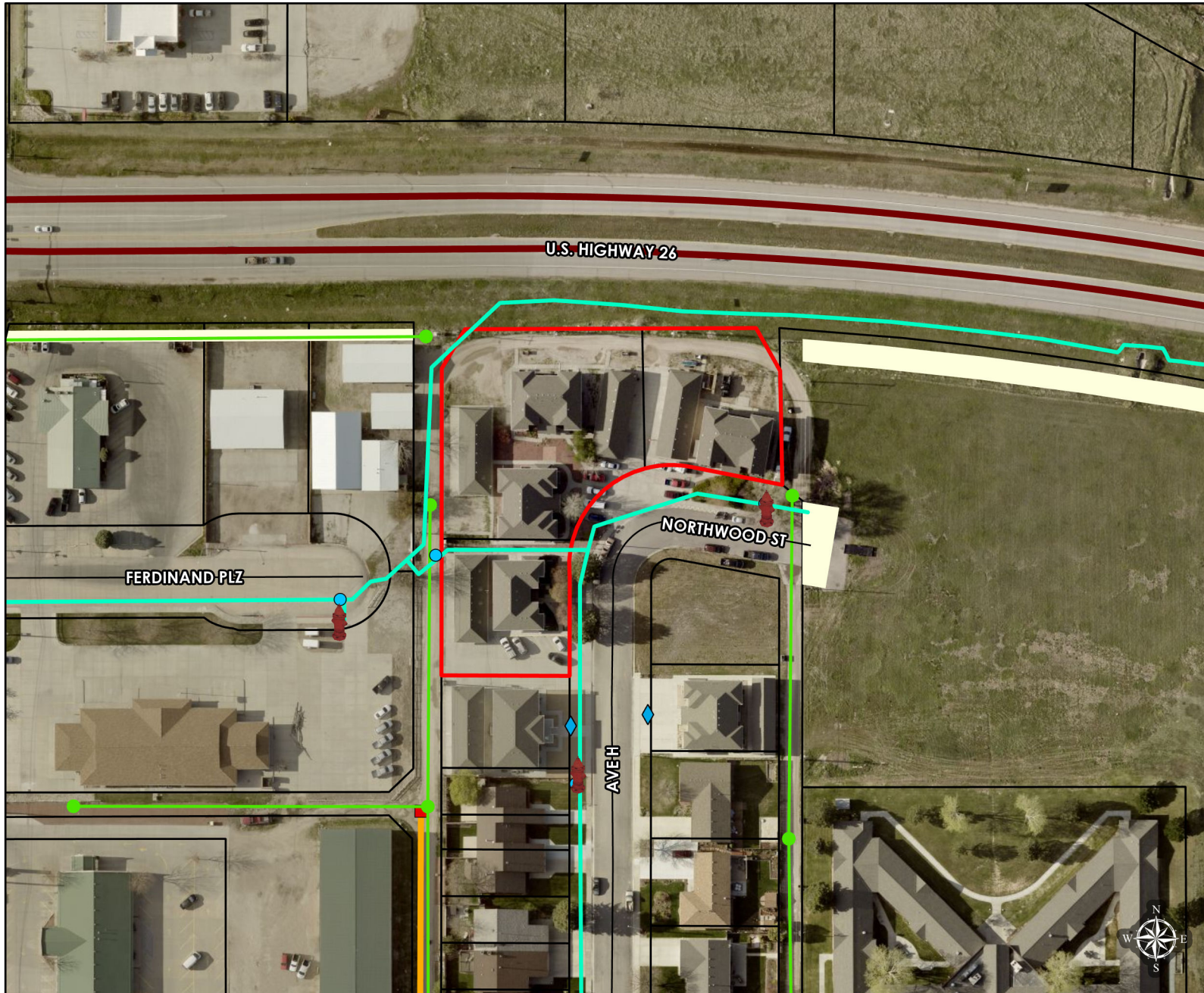
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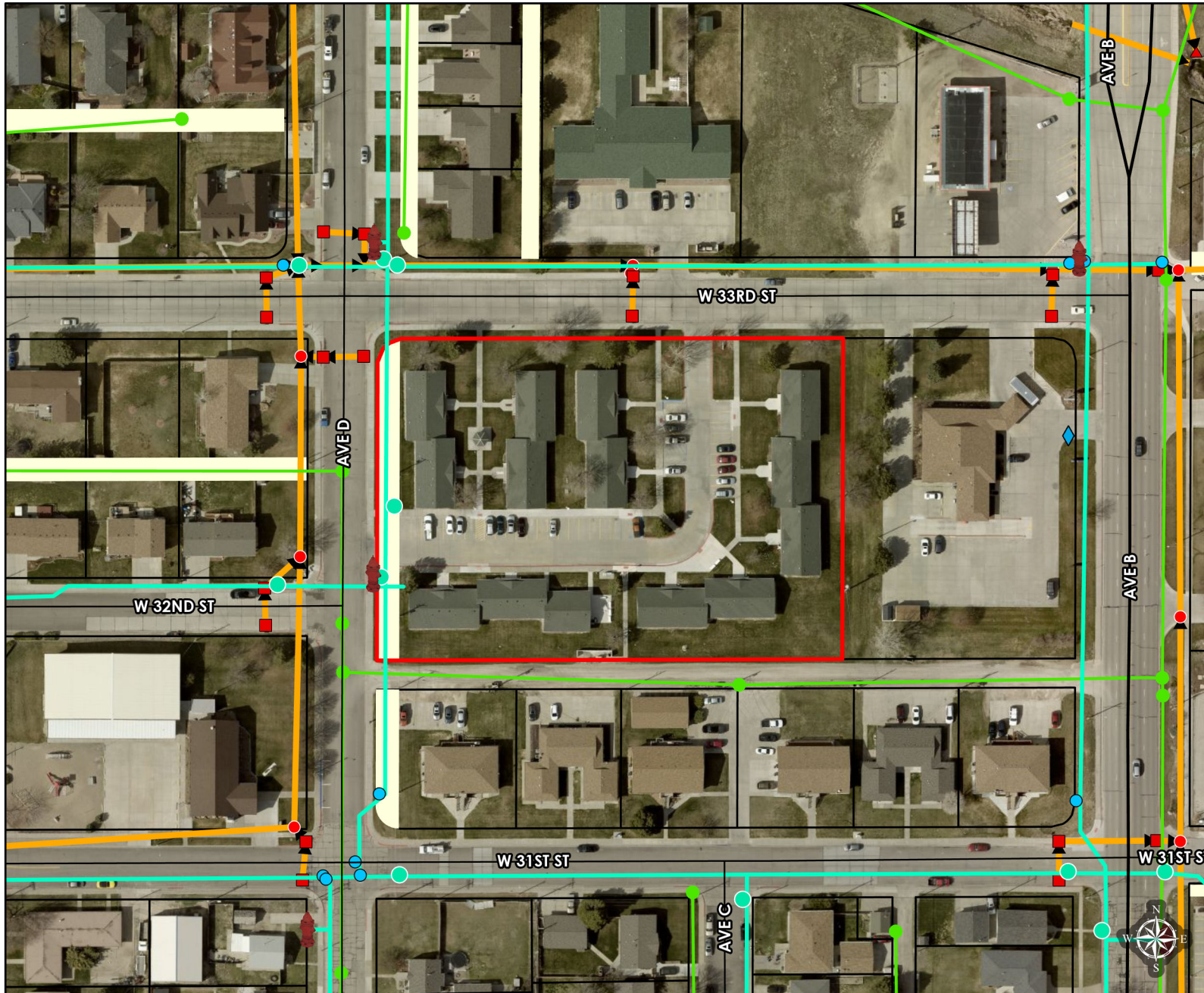
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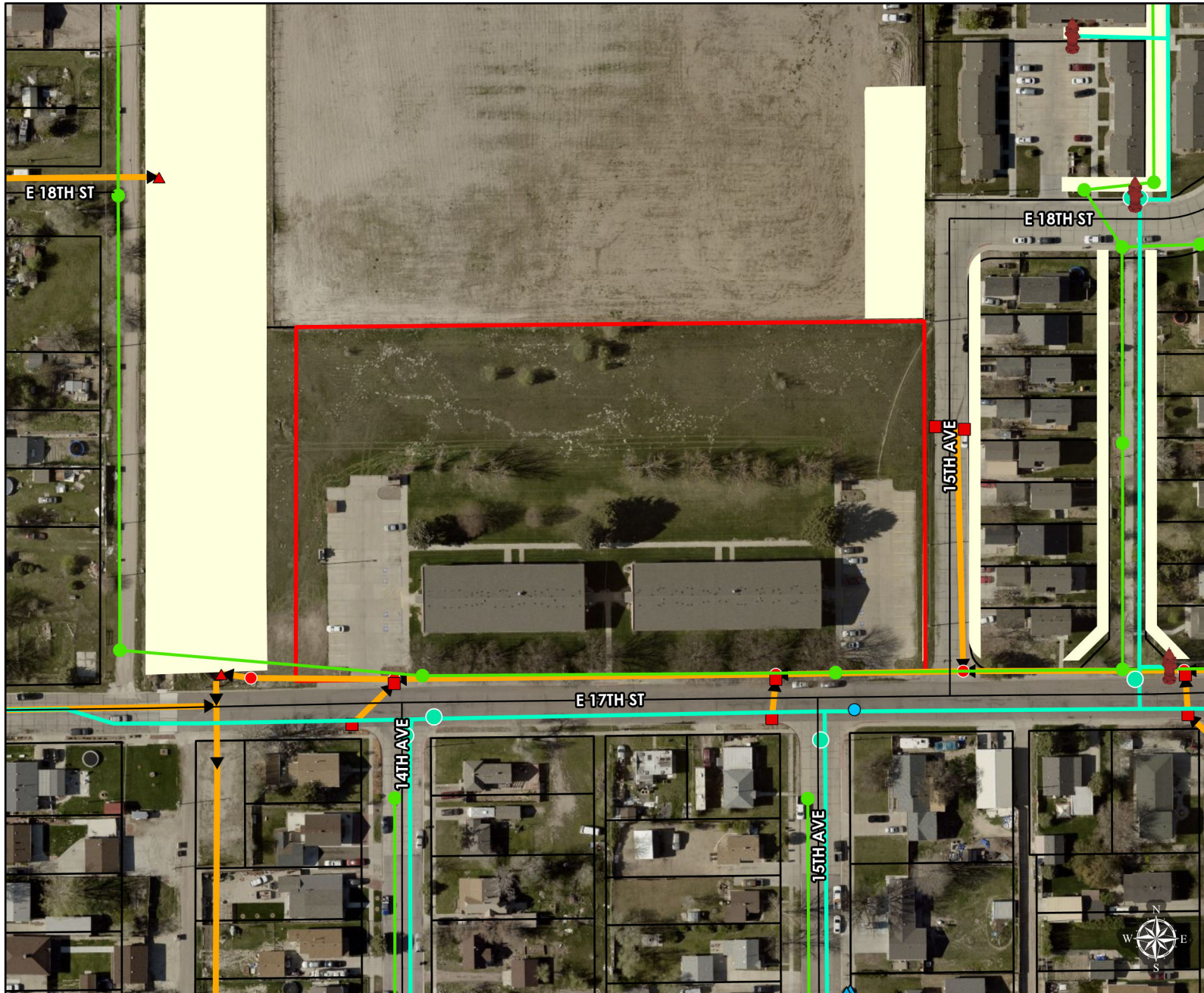
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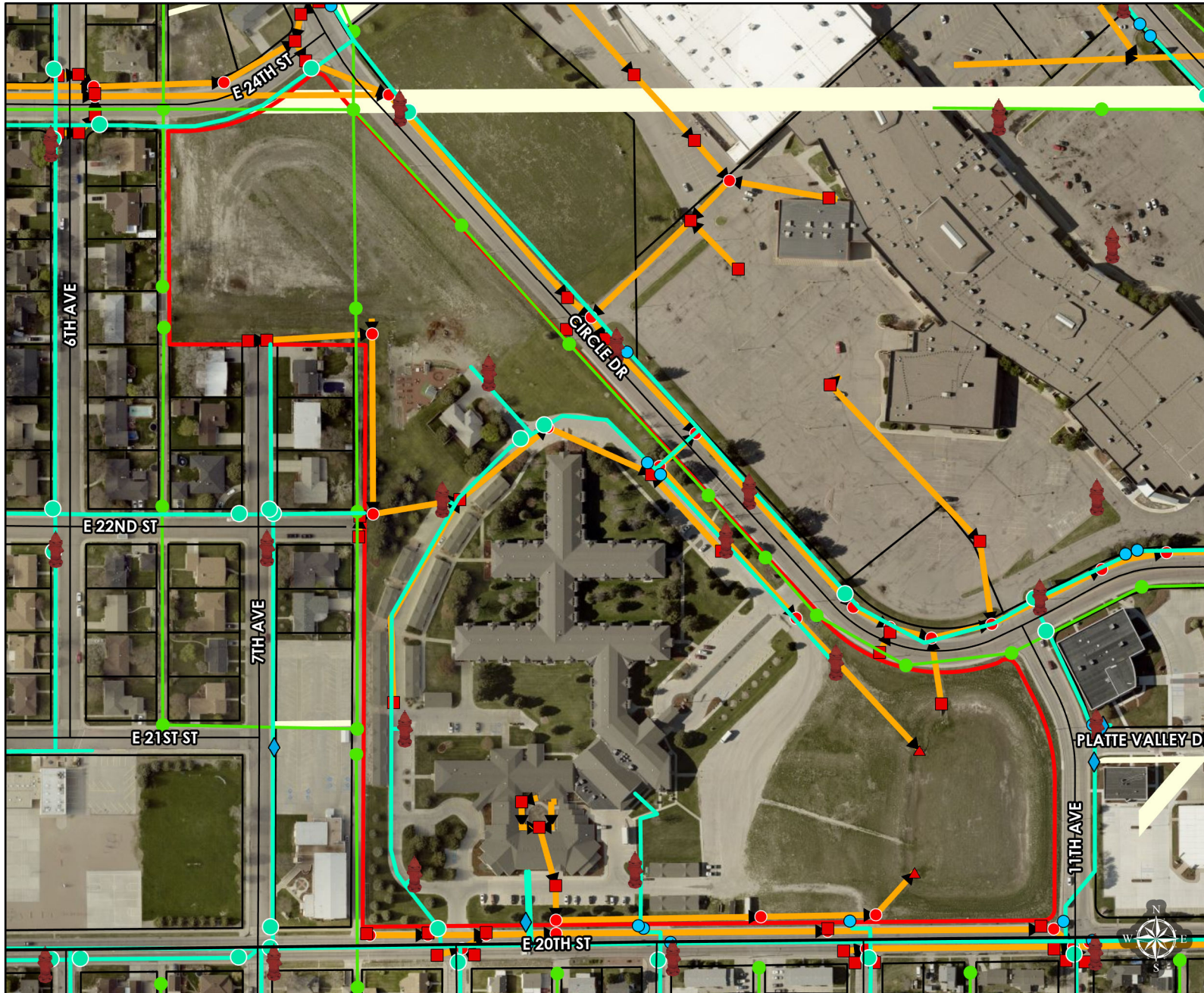


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