City of Scottsbluff, Nebraska
Monday, October 9, 2023
Regular Meeting

Item Pub Hear2

Planning Commission to conduct a Public Hearing for proposed Ordinance Text Change to Chapter 25 Article 5 regarding Off-Street Parking Requirements.

Staff Contact:

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: September 27, 2023 **For Hearing of:** October 9, 2023

I. **GENERAL INFORMATION**
   A. Per § 25-5-2, "*If the Planning Commission finds from evidence submitted to it that fewer parking stalls than this article otherwise requires are needed for a lot or tract of land used for wholesale, warehousing, or manufacturing purposes, the Planning Commission may grant a permit to construct a facility that meets the actual need though less than generally required by this article. No off-street parking spaces are required for dwelling units or residential uses in a Central Business District (C-1) District.*
   B. Staff is requesting §25-5-2 be amended to read as: "*If the Planning Commission finds from evidence submitted to it that fewer parking stalls than this article otherwise requires are needed for any permitted use, the Planning Commission may grant a permit to construct a facility that meets the actual need though less than generally required by this article.*

II. **STAFF COMMENTS**
   A. The current code only allows exceptions for manufacturing, wholesale, and warehousing. However, all other uses must comply with the off-street parking standards of §25-5-1.
   B. Staff is requesting the limitation to only manufacturing, wholesale, and warehousing be removed, and the parking exception be available to any permitted use.
   C. Literature over that last decade has shown that parking requirements can stifle development due to increased prices and reduced developable space.
   D. Staff has begun reviewing the City's parking requirements; however, more time is necessary to research what the optimal calculations for the City of Scottsbluff are.
   E. This text amendment will provide a more immediate option for all developers to reduce parking requirements while staff researches.
   F. The burden to provide sufficient evidence remains with the developer, and the Planning Commission will retain the authority to review and approve/deny parking exception requests.

III. **STAFF RECCOMENDATION**
   A. Staff recommends the Planning Commission make a positive recommendation to City Council on the adoption of the revised 25-5-2 regarding exceptions to off-street parking minimum requirements.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA AMENDING CHAPTER 25, ARTICLE 5, SECTION 2 OF THE SCOTTSBLUFF MUNICIPAL CODE DEALING WITH EXCEPTIONS TO THE REQUIRED NUMBER OF PARKING STALLS AND PROVIDING EVIDENCE THAT FEWER STALLS ARE REQUIRED, 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 5, Section 2 of the Scottsbluff Municipal Code is amended as follows:

"§25-5-2 EXCEPTIONS.

If the Planning Commission finds from the evidence submitted to it that fewer parking stalls than this article otherwise requires are needed for any permitted use, the Planning Commission may grant a permit to construct a facility that meets the actual need for parking stalls though less than the parking stalls generally required by this article." (Ord. 3639, passed-2000; Ord. 4152, passed-2015; 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.

_____
Mayor

Attest:

_____
City Clerk   (Seal)

Approved as to form:

_____
City Attorney