

City of Scottsbluff, Nebraska

Monday, October 16, 2023

Regular Meeting

Item Resolut.1

Council to consider action on the first reading of the Ordinance for the proposed Text Change to Chapter 25, Article 5 regarding Off-Street Parking Requirements.

Staff Contact: Zachary Glaubius, Development Services Director

, Agenda Statement

Item No.

For Meeting of: 10-2-2023

AGENDA TITLE: Council to consider actin on the first reading of the Ordinance amending Chapter 25 Article 5 regarding Off-Street Parking Requirements.

SUBMITTED BY DEPARTMENT/ORGANIZATION: Development Services

PRESENTATION BY: Zachary Glaubius, Development Services Director

SUMMARY EXPLANATION: At the October 9, 2023 Planning Commission meeting, the Planning Commission made a positive recommendation on the approval the ordinance regarding a text change to Chapter 25 Article 5. The text change revises 25-1-2 to allow the Planning Commission to grant an exception to the off-street parking requirements for any permitted use, provided evidence which proves less parking than required is needed is submitted. Currently 25-1-2 only allows the Planning Commission to grant this exception to warehousing, wholesaling, and manufacturing uses.

BOARD/COMMISSION/STAFF RECOMMENDATION: **Positive for approval**
Does this item require the expenditure of funds? _____yes _____no
Are funds budgeted? _____yes _____no

If no, comments: _____
Estimated Amount _____
Amount Budgeted _____
Department _____
Account Description _____

Approval of funds available _____
City Finance Director

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map
Other (specify) Staff Report

NOTIFICATION LIST: Yes No Further Instructions
Please list names and addresses required for notification.

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev: 12/14/ City Clerk

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.

Attest:

Mayor

City Clerk (Seal)

Approved as to form:

City Attorney