

# **City of Scottsbluff, Nebraska**

**Monday, December 8, 2014**

**Regular Meeting**

## **Item NewBiz2**

### **Rural Residential Requirements**

*Discussion: Rural Residential Developments*

**Staff Contact: Annie Urdiales**



*SCOTTSBLUFF*  
*PLANNING COMMISSION*  
*Staff Report*

**To:** Planning Commission  
**From:** Development Services Department  
**Date:** December 8, 2014  
**Subject:** Rural Residential Development  
**Location:** Scottsbluff Municipal Subdivision Code Chapter 21

**Background**

The Planning Commission requested that Rural Development be placed on the December agenda. Chapter 21 of the Scottsbluff Municipal Code lists the requirements for development in the City of Scottsbluff and the two mile extra territorial zoning jurisdiction. When unplatted property is developed there is a process that the City has to follow, these requirements are listed in our Subdivision code Chapter 21. Streets, sidewalks curb, gutter, water and sewer infrastructure are all part of the development. A Developers Agreement is required for all new subdivisions and outlines how the improvement will be done; either the Developer pays for the improvements or Districts are formed.

Section **21-1-27** has language regarding the extra territorial properties as follows:

**Improvements; requirements; general.** The requirements for improvements set forth in this Article shall apply in every subdivision hereafter platted that is within or is proposed to be annexed to the corporate limits of the City, and every existing street or alley of the City that abuts such subdivision. The provisions of this **Article shall apply also to subdivisions hereafter platted that are within two (2) miles of**, but are not proposed to be annexed to, the corporate limits of the City; and every such subdivision shall be so laid out and platted that, if it subsequently is annexed to the City, the improvements referred to in this Article may be constructed in the subdivision in accordance with the requirements in those sections. Such improvements shall be constructed by the person proposing the subdivision at his or her own expense. Construction shall not be commenced until after plans and specifications, and contracts, if any, therefor have been approved by the Planning and Building Official, and shall be completed in accordance with the plans, specifications and contracts. Provided, anything in the foregoing provisions of this section to the contrary notwithstanding, the requirements in this section are subject to the exceptions and other requirements stated in sections 21-1-28 to 21-1-30, inclusive, and section 21-1-40.

Under section 21-1-34 the City Planner is allowed to waive the paving – the language reads as - Provided further, that the City Planner may waive the requirements of this section for areas outside of the City limits if in the judgment of the City Planner the density of the population and the volume of traffic are sufficiently low that gravel streets are appropriate. (Ord. 3858, 2005)

If a developer is unable to put the infrastructure in they can request that the City create districts for paving, water, sewer, storm sewer. The districts assess the cost to each lot in the subdivision according to frontage and the assessments are paid back usually within a 15 year time period. After the infrastructure improvements have been installed, inspected, and meet City specifications. The City takes over the maintenance of the public streets and utilities.

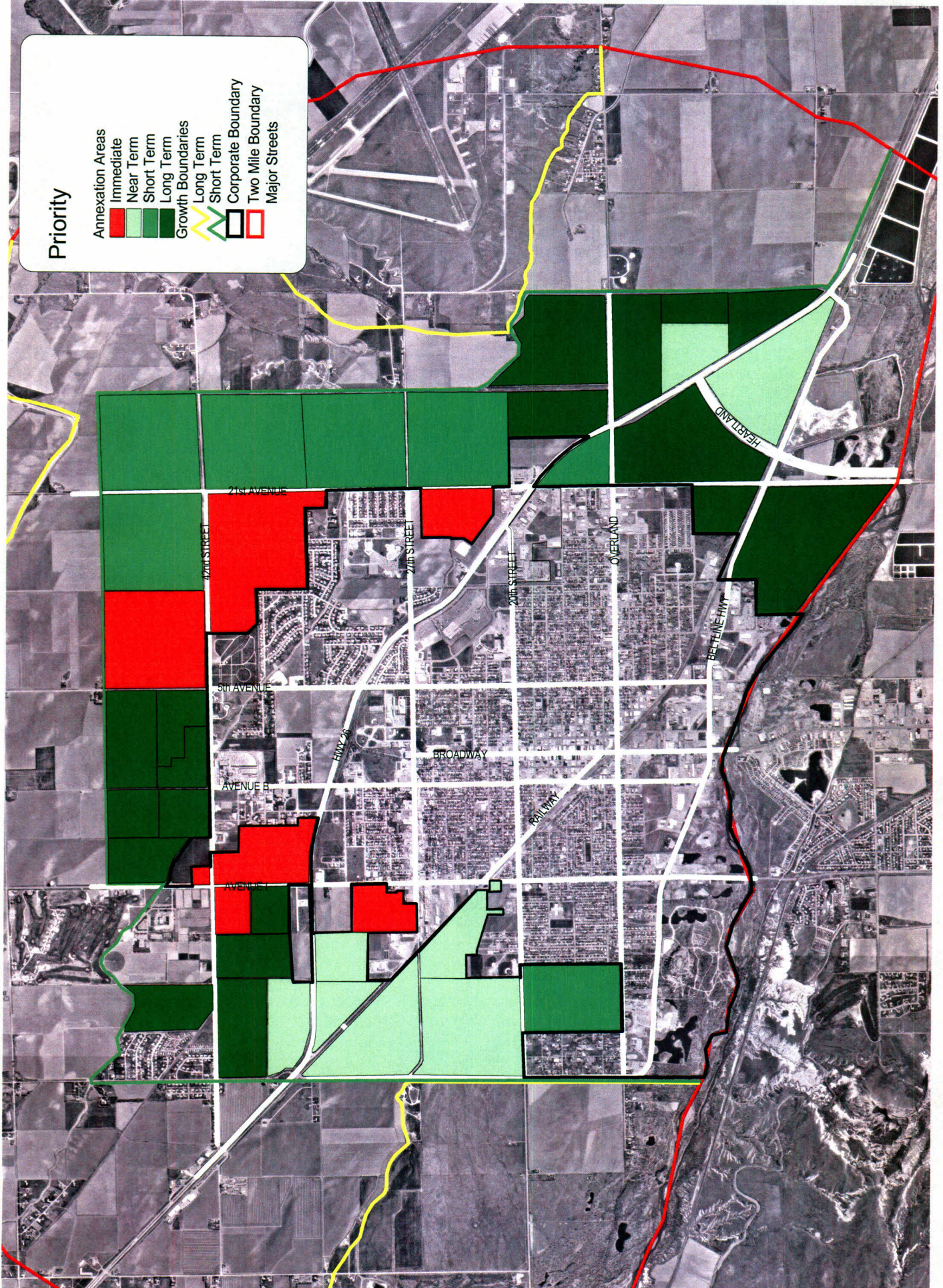
The City's Engineering Consultant pointed out to staff that if the City does not follow their own codes it causes problems for home owners in the future, we have areas in the City that were developed with past codes or variance which at the time saved money, but those properties have problems arise and the owner has to pay for the changes to update and bring the property into compliance. We usually hear about these

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issues when a homeowner is having problems with existing infrastructure. This is one of the problems the City of Cheyenne is having with the larger developments to the north and east they are unable to grow in those directions because of the lack of infrastructure. We want to avoid similar problems for Scottsbluff.

**Priority**

- Annexation Areas
  - Immediate
  - Near Term
  - Short Term
  - Long Term
- Growth Boundaries
  - Long Term
  - Short Term
- Corporate Boundary
- Two Mile Boundary
- Major Streets



**Map 10-10: Future Annexation Areas**