

# **City of Scottsbluff, Nebraska**

**Monday, March 2, 2015**

**Regular Meeting**

## **Item Resolut.2**

**Council to consider a Resolution adopting a map showing allowable areas for large lot development into the Comprehensive Plan.**

**Staff Contact: Annie Folck, City Planner**

# Agenda Statement

Item No.

For meeting of: March 2, 2015

**AGENDA TITLE:** Council to consider adopting a map showing allowable areas for large lot development into the Comprehensive Plan

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Planning and Zoning

**PRESENTATION BY:**

**SUMMARY EXPLANATION:** The proposed code changes refer to a map in the Comprehensive Plan that would outline areas where subdivision could occur without extending utilities or paving streets. This is the map that would be adopted into the Comprehensive Plan to outline these areas. It is based on engineering recommendations and can be updated as needed. The first draft of this map was first shown to the Planning Commission in January and was shown to Council at the February 2<sup>nd</sup> meeting. After a member of the public requested more time for public input, Council directed staff to take comments from the public for the next month and make any necessary changes. After receiving input from a few members of the public, and after looking more closely at wellhead protection issues, a few changes were made. The amended map is attached.

**BOARD/COMMISSION RECOMMENDATION:** The Planning Commission recommended adoption of this map into the Comprehensive Plan (see attached minutes).

**STAFF RECOMMENDATION:** Staff recommends adoption of this map into the Comprehensive Plan.

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## EXHIBITS

Resolution  Ordinance  Contract  Minutes  Plan/Map

Other (specify)  \_\_\_\_\_

**NOTIFICATION LIST:** Yes  No  Further Instructions

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

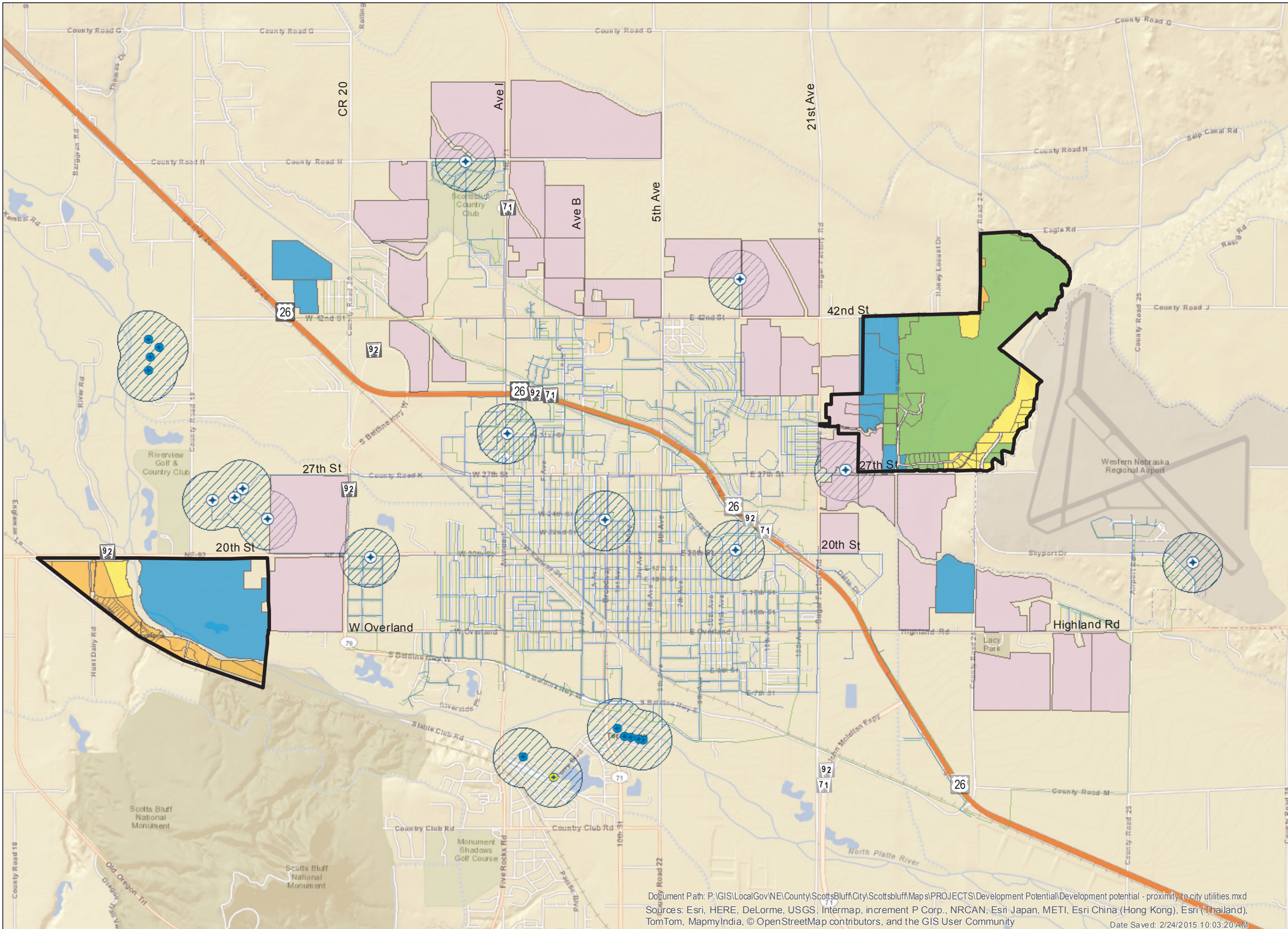
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Rev 3/1/99CClerk



**Areas in which requirement for Water, Sewer, and Paving Improvements may be waived (Future R1-B)**

City of Scottsbluff, NE



**Future R-1B — Areas for Development (R1-B: Rural Residential Estate)**

- Airport Boundary
- ⊕ Scottsbluff Active Municipal Well
- Gering or Terrytown Active Municipal Well
- ⊕ Emergency-Only Well

**Wellhead Protection Area (within 1000' of municipal well)**

- Water Main
- Wastewater Line

**Proximity to Water & Sewer Utilities**

**Combined distance from existing utilities**

- 0 - 2,500'
- 2,501 - 5,000'
- 5,001 - 7,500'
- 7,501 - 12,500'
- 12,501 - 25,000'

1 inch = 3,000 feet



818 South Beltline Hwy East  
Scottsbluff, Nebraska 69361

Document Path: P:\GIS\LocalGov\NE\County\ScottsBluff\City\Scottsbluff\Maps\PROJECTS\Development Potential\Development potential - proximity to city utilities.mxd  
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
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**RESOLUTION 15-\_\_\_\_\_**

**WHEREAS**, Chapter 21, Article 1 of the Scottsbluff Municipal Code requires certain improvements to be constructed within subdivisions that are proposed or when an application for approval of the subdivision has been submitted to the City of Scottsbluff (“City”).

**WHEREAS**, §21-1-27 of the Scottsbluff Municipal Code states the Comprehensive Plan will have a map which designates areas outside of the City’s corporate limits where some or all of the improvements required for a subdivision to be approved are not be applicable;

**WHEREAS**, the map attached to and part of the Comprehensive Plan has now been completed and is submitted for the City Council’s approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Scottsbluff, Nebraska that the map, marked as Exhibit A, attached hereto and incorporated by this reference shall become a part of the City’s Comprehensive Plan, is now approved. The map of the designates areas, within the City’s Comprehensive Plan and extra territorial zoning jurisdiction, where some or all improvements under Chapter 21, Article 1 of the Scottsbluff Municipal Code may not be required before approval of an application for subdivision is granted by the Planning and Development Department for the City and the City Council for the City of Scottsbluff, Nebraska.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk (Seal)

**Planning Commission Minutes**  
**Regular Scheduled Meeting**  
**January 12, 2015**  
**Scottsbluff, Nebraska**

The Planning Commission of the City of Scottsbluff, Nebraska met in a regular scheduled meeting on Monday, January 12, 2015, 6:00 p.m. in the City Hall Council Chambers, 2525 Circle Drive, Scottsbluff, Nebraska. A notice of the meeting had been published in the Star-Herald, a newspaper of general circulation in the City, on January 3, 2015. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public, that anyone with a disability desiring reasonable accommodation to attend the Planning Commission meeting should contact the Development Services Department, and that an agenda of the meeting kept continuously current was available for public inspection at Development Services Department office; provided, the City Planning Commission could modify the agenda at the meeting if the business was determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each Planning Commission member. An agenda kept continuously current was available for public inspection at the office of the Development Services Department at all times from publication to the time of the meeting.

**ITEM 1:** Vice Chairman, Angie Aguallo called the meeting to order. Roll call consisted of the following members: Anita Chadwick, Mark Westphal, Dana Weber, Jim Zitterkopf, and Angie Aguallo. Absent: Callan Wayman, David Gompert, Henry Huber, and Becky Estrada. City officials present: Annie Urdiales, Planning Administrator, Annie Folck, City Planner, and Gary Batt, Code Administrator II.

**ITEM 2:** Vice Chairman Aguallo informed all those present of the Nebraska Open Meetings Act and that a copy of such is posted on bookcase in the back area of the City Council Chamber, for those interested parties.

**ITEM 3:** Acknowledgment of any changes in the agenda: None.

**ITEM 4:** Business not on agenda: None

**ITEM 5:** Citizens with items not scheduled on regular agenda: None

**ITEM 6:** The minutes of December 8, 2014 were reviewed and approved. A motion was made to accept the minutes by Weber, and seconded by Westphal. "YEAS": Westphal, Zitterkopf, Weber, Chadwick, and Aguallo. "NAYS": None. ABSTAIN: None. ABSENT: Gompert, Wayman, Huber and Estrada. Motion carried.

**NOTE:** Becky Estrada arrived at 6:10 p.m. and took over as Chairman.

**ITEM 7A:** The Planning Commission opened a public hearing for proposed ordinance text changes in Chapter 21 of the City's Subdivision code. Annie Folck, City Planner, addressed the Planning Commission and outlined the proposed changes to the code. The proposed changes are as follows:

**Section 21-1-21** - Current code refers to "Master Street plan," which does not currently exist. *Changed to refer to Future Street Extensions map which already exists in our Comp plan.*

**Section 21-1-27** - Current code states that areas outside of City Limits but within Extraterritorial Zoning Jurisdiction are required to make improvements when subdivided. *Changed to state that areas within designated areas set forth in the Comp plan may not be required to make improvements when subdivided.* This will accommodate the desire for large lots with individual

50 wells and septic systems while ensuring that they are not placed in areas which will cut off future  
51 growth for the City.

52 **Section 21-1-34** - Current code states that the City Planner may waive the requirement for  
53 paving. *Changed to state that the planner may only do so in areas that are designated within the*  
54 *Comp plan.* This keeps this section of code consistent with the changes in section 21-1-27  
55

56 Annie Folck also discussed a map which will go along with these text changes. The map will show the  
57 areas in town which will allow for large lot development in the City's extra territorial areas. Three areas  
58 shown on the map one is east of 28<sup>th</sup> Avenue between 27<sup>th</sup> and 42<sup>nd</sup> Street to the airport line. Second one  
59 is west of County Road 19 and between Riverview Golf course and Highway 26. The other area  
60 identified is half a mile west of Highway 71 and north of Highway 92. This map is not set in stone and  
61 changes can be made as we update our comprehensive development plan.  
62

63 The map will be adopted into the Comprehensive development plan which outlines the areas in which  
64 engineering consultants believe large residential lots could be allowed to develop without impeding  
65 future growth for the City. Along with the code changes in Chapter 21 of the City Subdivision code.  
66

67 Discussion regarding what other cities require for large lot development, other cities require that dry  
68 infrastructure be put in place along with well and septic fields for this type of development. The City's  
69 new economic development plan may have ways that the City can possibly extend infrastructure in the  
70 future with trunk lines.  
71

72 **Conclusion:** A motion was made by Weber and seconded by Westphal to approve the proposed text  
73 changes to Chapter 21, Article 1 of the Scottsbluff municipal code dealing with subdivisions and  
74 improvements required, amending 21-1-21, 21-1-27, and 21-1-34 of the subdivision code. **"YEAS":**  
75 Weber, Chadwick, Zitterkopf, Aguallo, Westphal, and Estrada. **"NAYS":** None. **ABSTAIN:** None.  
76 **ABSENT:** Gompert, Wayman, and Huber. Motion carried.  
77

78 **ITEM 7B:** The Planning Commission opened a public hearing for a map amendment addition to the  
79 comprehensive development plan. This map will work with the language in the above stated ordinance  
80 changes regarding large lot development in the City's extra territorial area.  
81

82 **Conclusion:** A motion was made by Weber and seconded by Westphal to make a positive  
83 recommendation to City Council to approve the amendment map addition to the comprehensive  
84 development plan for areas to allow large lot development in the City's extra territorial jurisdiction.  
85 **"YEAS":** Weber, Chadwick, Zitterkopf, Aguallo, Westphal, and Estrada. **"NAYS":** None. **ABSTAIN:**  
86 None. **ABSENT:** Gompert, Wayman, and Huber. Motion carried.  
87

88 **ITEM 7C.** The Planning Commission opened a public hearing for the 2015 One and Six Year Street  
89 Plan. Mark Bohl, Director of Public Works, addressed the Commission. The projects that are listed  
90 include work that is being projected for this construction season as well as other street improvement  
91 projects that go out to the next six years. Number one on the list this year is 12th Avenue and  
92 Wintercreek Drive in the Reganis Subdivision these should be done by the end of this year. Number two  
93 is to install left turn lanes on 27th St. and 2nd Ave. Number three through eight are in the Five Oaks  
94 Subdivision and include extending Five Oaks Drive to the west 140' Pine Circle; the others projects are  
95 streets that were approved last year with the Revised Five Oaks preliminary plat.  
96

97 **Conclusion:** A motion was made by Aguallo and seconded by Zitterkopf to make a positive  
98 recommendation to City Council to approve the 2015 One and Six Year Street Plan **"YEAS":** Weber,

99 Chadwick, Zitterkopf, Aguillo, Westphal, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT:  
100 Gompert, Wayman, and Huber. Motion carried.

101  
102 **7D:** The Planning Commission opened a public hearing regarding City parking lots. The Business  
103 Improvement Board met on November 19, 2014 and recommended that two parking lots be sold. The  
104 BID Board discussed and made recommendations on Parking lot # 2 which is located on the northwest  
105 corner of 2nd Avenue and 17th Street; it is not included in the Business Improvement District. Valley  
106 Bank is to the east and a law firm is north of the parking lot, the City has been maintaining this lot  
107 without funds from the BID, the lot is mostly used by the two businesses. This parking lot is in need of  
108 repairs estimated at \$40,000; this does not include routine maintenance. The other parking lot  
109 recommended for sale is Parking lot # 15 which is located north of 19th Street and east of Avenue A, this  
110 lot was previously a residential lot which had the home removed and relocated through CDBG, and the  
111 City then converted the lot into a parking lot. The lot is 50' wide and has sidewalk areas on each side of  
112 the lot making it difficult for larger vehicles to park. It also has two brick walls with areas for plants;  
113 these were originally planted with shrubs but the plants have not been maintained. This parking lot is  
114 used by a few businesses that front Broadway, and the apartment building to the south. A suggestion  
115 was made that possibly the apartment owner may be interested in buying for private use or maybe the  
116 two businesses to the north and south would be interested in this lot.

117  
118 **Conclusion:** A motion was made by Westphal and seconded by Zitterkopf to make a positive  
119 recommendation to City Council to sell Parking lots # 2 and # 15. "YEAS": Weber, Chadwick,  
120 Zitterkopf, Aguillo, Westphal, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Gompert,  
121 Wayman, and Huber. Motion carried.

122  
123 **7E:** The Planning Commission discussed updating areas in the zoning and subdivision codes regarding  
124 addition of language and requirements for Doggie Daycare and allowing for Condominiums in the C-1  
125 Central Business District (Broadway) would also change the number from four units to one to four units.  
126 These changes will be brought to the Planning Commission at a later meeting.

127  
128 Staff also reminded the Commission about the annual NPZA/APA conference which will be held on  
129 March 11, 12, and 13<sup>th</sup> this year. The conference will be held in Kearney, all Commissioners are eligible  
130 for scholarships. If anyone is interested let Annie U.

131  
132 **ITEM 8. Unfinished Business:** Discussed attendance requirements for the Planning Commission  
133 members we would like to have each Planning Commissioner attend at least 75% of the meetings. We  
134 will review rules and regulations and if necessary draft language to add to them. We want to make sure  
135 we have a quorum for our meeting and that the members are aware of what is discussed and approved at  
136 previous meeting.

137  
138 There being no further business, a motion to adjourn was made by Weber and seconded by Westphal.  
139 The meeting was adjourned at 7:45 p.m. "YEAS": Gompert, Wayman, Weber, Westphal, Chadwick,  
140 Zitterkopf, Aguillo, and Estrada. "NAYS": None. ABSTAIN: None. ABSENT: Huber. Motion  
141 carried.

142  
143  
144  
145 \_\_\_\_\_  
Becky Estrada, Chairperson

146  
147 Attest: \_\_\_\_\_  
148 Annie Urdiales