

BRIEF SUMMARY OF ZONING AMENDMENT PROPOSALS

EVENT FACILITY

It is proposed the text below be added to the definitions (section 17) and to the list of Conditional Use Permits allowed in the Agricultural Zoning District (section 5.102). I have had inquiries within the last year about having a venue for wedding receptions and graduation parties, i.e., similar to the Papa Moon facility located northeast of Scottsbluff. We included the Class II option because of the recent emergence of sports venues and racetrack casinos.

EVENT FACILITY (Class I) – A public or privately owned structure and/or outdoor venue used commercially for weddings, receptions, parties, business events, or similar activities. Such use may include food service and alcohol when approved.

EVENT FACILITY (Class II) – A public or privately owned structure and/or outdoor venue with a capacity of 300 or more occupants that is used commercially for a concert hall, convention center, sports complex, racetracks, casinos, or other similar social, recreational, or amusement purposes. Such facility shall include all uses listed in the Class I Event Facility definition; and such use may include food service and alcohol when approved.

EXCEPTION FOR REPLATTING NON-CONFORMING LOTS

It is proposed to include an exception for lot areas of existing non-conforming tracts, allowing for an increase in size without meeting the current area requirements. There are many lots from ½-acre to 3 acres which were approved by the county when the minimum acreage requirements were far smaller. It would be a benefit for the lot owner increasing the size, as well as all neighboring owners, for the increased separation gained from adding the extra area.

AG ESTATE DWELLING SITE (AEDS)

Currently the regulation allows for one AEDS for each farm it is split off from, with the remaining acreage (20-80 acres) being designated as the reserve area – meaning there can’t be another AEDS used in that area.

The proposed amendment will eliminate the reserve area requirement and adopt a two (2) AEDS restriction per each aliquot 80-acre tract. Dwellings existing at the time of adoption of this amendment will be exempt from this density requirement. Also, existing AEDS with lot areas under 2 acres will be allowed to reduce the rear and side yard building setbacks to 10 feet. It is also proposed for an exception to the minimum lot sizes of non-conforming lots of record, allowing such lots to be merged and replatted if they can’t meet the current district standards. The premise of this amendment is to allow for the increase of a lot area to better facilitate setback distances for septic systems and water wells.

WORK COMPLETED WITHOUT INSPECTION AFFIDAVIT & PERMIT LATE FEE

It is proposed to require an affidavit for work completed and concealed which was not inspected due to the failure of a contractor to contact the building official. Also, a late fee for starting a job without first obtaining a permit and approval from the building official. The fee for both is proposed to be \$100.

ACCESSORY DWELLING UNIT

It is proposed to add the below text to the list of definitions (Section 17) and replace similar language in the regulations where a separate dwelling or habitable living space is appurtenant to the principal dwelling or structure. We are proposing a maximum of 800 square feet and no more than two bedrooms, which is consistent with industry standard.

ACCESSORY DWELLING UNIT (ADU) – A dwelling or habitable living space no larger than 800 square feet and no more than to bedrooms, appurtenant to the principal dwelling or structure of a lot of record.