

**CITY OF PAPILLION
PLANNING COMMISSION
STAFF REPORT**

JANUARY 27, 2021 AGENDA

**ACCESSORY USES FOR CIVIC USE TYPES
ORDINANCE NO. 1923
ORDINANCE AMENDMENT
TC-21-0001**

I. GENERAL INFORMATION

A. APPLICANT:

City of Papillion
122 E 3rd Street
Papillion, NE 68046

B. REQUESTED ACTION:

A request to amend § 205-208(C) of Article XXXIII (Supplemental Use Regulations), of Chapter 205 Zoning Regulations having to do with accessory uses for Civic use types. The applicant is the City of Papillion.

II. BACKGROUND:

Accessory use is defined as: “A use that is incidental to and customarily associated with a specific principal use on the same site.”

Accessory uses for Civic use types are regulated in § 205-208(C).

Both Child care center and Preschool are defined as Civic use types under § 205-18, which means that both are permitted as principal uses in certain zoning districts. Child care center and preschool uses are also commonly associated with and located within other principal uses such as Administration, College and university facilities, Emergency residential services, Primary educational facilities, Religious Assembly, and Secondary educational facilities. Many of these other Civic use types are often permitted by right in residential zoning districts while the Child care center and Preschool uses are permitted as principal uses by special use permit. Due to varying staff interpretations over the years, some Child care center and preschool uses located within other Civic use types, typically Religious assembly or Primary educational facilities, have been required to obtain special use permits while others were permitted by right as accessory uses.

III. ANALYSIS

A. STAFF COMMENTS:

1. The ordinance amendment proposes to amend § 205-208(C) to allow Child care center and Preschool use types are permitted as accessory uses to and on the same site as Administration, College and university facilities, Emergency residential services, Primary educational facilities, Religious Assembly, and Secondary educational

facilities provided that the site can comply with off-street parking requirements

2. As noted under Background, it is common for Child care center and Preschool uses to be associated with and locate within certain civic use types. Staff wishes to formally acknowledge and support the relationship between Child care center and preschool uses and these other Civic use types by amending § 205-208(C) to allow Child care center and preschool uses as accessory uses to Administration, College and university facilities, Emergency residential services, Primary educational facilities, Religious Assembly, and Secondary educational facilities.
3. A redlined version of the proposed changes is attached.
4. Staff recommends approval of the changes.

III. RECOMMENDATION

Staff recommends approval of Ordinance No. 1923 having to do with accessory uses for Civic use types (TC-21-0001) based on consistency with Neb. Rev. Stat. § 19-901.

IV. COPIES OF REPORT TO:

Public upon request

V. ATTACHMENTS:

Legislative Tracked Version of Changes

Report prepared by:

Mark Stursma, Planning Director

Ordinance #1923
Legislative Tracked Changes

§ 205-208. Accessory uses.

C. Permitted accessory uses: civic use types.

(1) Guidance services and health-care use types are permitted in the GI General Industrial Zoning District only as accessory uses to a principal industrial use.

(2) Child care center and Preschool use types are permitted as accessory uses to and on the same site as Administration, College and university facilities, Emergency residential services, Primary educational facilities, Religious Assembly, and Secondary educational facilities provided that the site can comply with off-street parking requirements.