

## Ordinance No 726

AN ORDINANCE OF THE CITY OF RANDOLPH, NEBRASKA, AMENDING THE ZONING REGULATIONS OF THE R-1, R-2, R-3, RESIDENTIAL & C-1, C-2 COMMERCIAL DISTRICTS CONTAINED IN ARTICLE 5 OF THE RANDOLPH, NEBRASKA ZONING ORDINANCES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

### BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RANDOLPH, CEDAR COUNTY, NEBRASKA:

- A. Upon recommendation of the City of Randolph (the "City") Planning Commission and its findings of fact, the Mayor and City Council hereby find and determine that it is necessary and desirable to amend the zoning regulations of the R-1, R-2, R-3 Residential Zoning & C-1, C-2 Commercial Zoning Districts contained in Article 5 of the Randolph, Nebraska Zoning Ordinances.
- B. The Planning Commission findings of fact are: that the amendment is consistent with the Planning Commission recommendation after discussion at their public meeting and posting notice of the same; that the amendment is consistent with the City Comprehensive Plan and the current and future land use of the City.
- C. That Article 5, Section 5.2.3 of the Randolph, Nebraska Zoning Ordinances is hereby amended as follows:

**5.2.3 Permitted Accessory Uses and Structures:** The following accessory uses and structures shall be permitted:

"Accessory Building or Use" is defined as a building or use that exhibits the following:

- Constructed or located on the same lot as the principal building or use served, except as may be specifically provided elsewhere in this Ordinance;
- Clearly incidental to, subordinate in purpose and area to, and serves the principal use; and
- R-1 approved dwelling structure must exist prior to accessory building construction.

Home occupations in accordance with Article 8.2; and

- Accessory uses and structures normally appurtenant to permitted uses and structures, provided that:
  - a. Collectively the area(s) occupied:
    - i. By all existing and proposed structures do not exceed 33% of the entire lot area, and
    - ii. Collectively the area of all accessory structures shall not exceed 1064 square feet or 7% of the lot area up to 2,500 square feet, whichever is greater.
    - iii. The side wall height of an accessory structure does not exceed 11 feet, measured from lowest door threshold to baseline roof height. Accessory structures with a side wall height in excess of 10 feet may be approved by application for special use permit in accordance with Article 6 of these regulations).

- D. That Article 5, Section 5.2.4 of the Randolph, Nebraska Zoning Ordinances is hereby amended as follows:

**5.2.4 Permitted Special Uses:** A building or premises may be used for the following purpose in the R-1 Residential District if a special permit for such use has been obtained in accordance with Article 6 of these regulations. The permitted special uses are:

1. Medical clinics;
2. Mortuaries;
3. Child care center;

4. Expansion of nonconforming uses;
5. Museum and art galleries;
6. Nursing homes;
7. Public and private golf courses;
8. Retirement homes;
9. Bed and breakfast homes;
10. Townhouses;
11. Hospitals; and
12. Private garages not used for business or commercial uses
13. Community garden

E. That Article 5, Section 5.3.3 of the Randolph, Nebraska Zoning Ordinances is hereby amended as follows:

**5.3.3 Permitted Accessory Uses And Structures:** The following accessory uses and structures shall be permitted:

"Accessory Building or Use" is defined as a building or use that exhibits the following:

- Constructed or located on the same lot as the principal building or use served, except as may be specifically provided elsewhere in this Ordinance;
- Clearly incidental to, subordinate in purpose and area to, and serves the principal use; and
- R-2 approved dwelling structure must exist prior to accessory building construction.

Home occupations in accordance with Article 8.2; and

- Accessory uses and structures normally appurtenant to permitted uses and structures, provided that:
  - a. Collectively the area(s) occupied:
    - i. By all existing and proposed structures do not exceed 33% of the entire lot area, and
    - ii. Collectively the area of all accessory structures shall not exceed 1064 square feet or 7% of the lot area up to 2,500 square feet, whichever is greater.
    - iii. The side wall height of an accessory structure does not exceed 11 feet, measured from lowest door threshold to baseline roof height. Accessory structures with a side wall height in excess of 10 feet may be approved by application for special use permit in accordance with Article 6 of these regulations).

F. That Article 5, Section 5.4.3 of the Randolph, Nebraska Zoning Ordinance be amended as follows:

**5.4.3 Permitted Accessory Uses And Structures:** The following accessory uses and structures shall be permitted:

"Accessory Building or Use" is defined as a building or use that exhibits the following:

- Constructed or located on the same lot as the principal building or use served, except as may be specifically provided elsewhere in this Ordinance
- Clearly incidental to, subordinate in purpose and area to, and serves the principal use; and
- R-3 approved dwelling structure must exist prior to accessory building construction.

Home occupations in accordance with Article 8.2; and

- Accessory uses and structures normally appurtenant to permitted uses and structures, provided that:
  - a. Collectively the area(s) occupied:
    - i. By all existing and proposed structures do not exceed 33% of the entire lot area, and
    - ii. Collectively the area of all accessory structures shall not exceed 1064 square feet or 7% of the lot area up to 2,500 square feet, whichever is greater.
    - iii. The side wall height of an accessory structure does not exceed 11 feet, measured from lowest door threshold to baseline roof height. Accessory structures with a side wall height in excess of 10 feet may be approved by application for special use permit in accordance with Article 6 of these regulations).

G. That Article 5, Section 5.4.6 of the Randolph, Nebraska Zoning Ordinance is hereby amended as follows:

**5.4.6 Area and Lot Requirements:**

- A mobile home court shall have an area of not less than five (5) acres. No mobile homes shall be located within fifty (50) feet of the principal street on which the court has frontage. The setback on all other court property lines shall be twenty-five (25) feet. These areas shall be landscaped.
- Each lot provided for occupancy of a single mobile home shall have an area of not less than four thousand (4000) square feet and a width of not less than forty (40) feet. Each individual lot shall have:
  - a. Side yards which total not less than twenty (20) feet provided one side yard shall not be less than five (5) feet.
  - b. Front yard of not less than twenty-five (25) feet.
  - c. Rear yard of not less than five (5) feet.
- There shall be a minimum livable floor area of five hundred (500) square feet in each mobile home.

	Lot Area (Sq. Ft.)	Lot Width	Required Front Yard	Required Side Yard	Required Rear Yard	Height
Single Family Dwelling	7,000	50'	25'	5'	15'	35'
Two Family Dwelling	3,500 per family	25' per family	25'	5' or 7 ½' On corner lots	15'	45'
Multi-family Housing	2,200 per family	50' per Family	25'	5' or 7 ½' On corner lots	15'	45'
Other Permitted Uses	7, 000	50'	25'	5'	15'	35'

H. That Article 5, Section 5.5.5 of the Randolph, Nebraska Zoning Ordinance is hereby amended as follows:

**5.6.4 Permitted Special Uses:** A building or premises may be used for the following purposes in the C- 2 Highway Commercial District if a special use permit for such use has been obtained in accordance with Article 6 of these regulations.

1. Private clubs and lodges;
2. Facilities for the commercial storage or sale of fertilizer or toxic or flammable chemicals;
3. Radio studios, transmitters and antenna; and
4. Recycling centers.




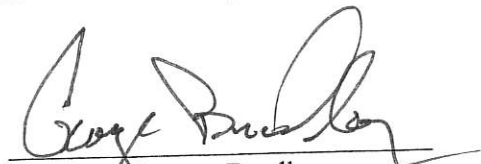
5. RV Park/Campground

I. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

J. The City Clerk of the City of Randolph is hereby ordered and directed to cause this Ordinance to be published in pamphlet or book form.

K. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

**PASSED, APPROVED, AND ADOPTED** by the City Council and the Mayor of the City of Randolph, Cedar County, Nebraska at their regular meeting held on the 1<sup>st</sup> day of June, 2022.

  
Clerk, Benjamin Benton  
Mayor, George Bradley