

RESOLUTION 2020- 11

WHEREAS: On August 7, 2019 the Keith County Commissioners adopted by Resolution the Update to the Keith County, Nebraska Zoning and Subdivision Regulations;

WHEREAS: The Keith County Board of Commissioners may from time to time amend, change, modify or repeal the adopted Zoning Regulations according to law;

WHEREAS: The Keith County Planning Commission has determined the need to make amendment to Article 6 Definitions, Section 2 by adding:

**ATTACHED ACCESSORY BUILDING** – An accessory building which shares an attached roof with a primary dwelling or another accessory building, shall be considered attached. All others will be considered detached.

**LIVING QUARTERS** - Accommodations within a primary or accessory building including, at a minimum, a kitchen, bathroom, and bedroom, which meets the minimum design standards found in these regulations.

To amend Article 6 Definitions, Section 2:

**DWELLING UNIT: VACATION RENTAL** - The renting out of a furnished apartment, house (including guest house/quarters), or professionally managed resort-condominium complex on a temporary basis to tourists as an alternative to a hotel. Examples are VRBO, Airbnb and Home Away. The dwelling unit may be rented on a daily, weekly or monthly basis.

Add "including guest house/quarters" to definition.

**HOTEL/MOTEL** -Any commercial, nonprofit, or state-owned facility in which the public may, for a consideration, obtain sleeping accommodations. It includes any hotel, motel, tourist home, lodging house, or inn. The term "hotel" does not include any hospital, sanitarium, nursing home, chronic care center, rooming or boarding house, or dormitory or facility regularly used to house students in a facility operated by an educational institution

Removed "campground" and "court".

WHEREAS: The Keith County Planning Commission has determined the need to make amendment to Article 10 Residential - Rural District, Section 2 A and Section 3 A, as well as Article 12 Residential Medium Density District, Section 2 A and Section 3 A, to read:

**Section 2 Uses Permitted by Right**

- A. ~~Accessory Uses on an individual lot of two (2) acres or more without a primary use. (Remove)~~

**Section 3 Conditional Uses Permitted by Special Review**

- A. Accessory Uses on an individual lot without a primary use. (Add)

- ~~B. Accessory Uses on a lot of less than two (2) acres without a primary use. (Remove)~~

1. The accessory use or uses shall meet the minimum setbacks.
2. The complete interior layout of the accessory use or uses shall be provided.
3. The applicant shall submit a time schedule for the construction of the primary building on the lot.

WHEREAS: The Keith County Planning Commission has determined the need to make amendment to Article 7 General Provisions, by adding:

**Section 8 Camping and Storage of Boats and Recreational Vehicle's**

- A. This regulation is for the residential areas (Residential Rural, Residential Rural Two, Residential Medium Density, and Mixed Residential) in and around the Lake McConaughy and Lake Ogallala State Recreation Areas,

as depicted in the attached Camping and Storage Limitation Area (Figure 7-1). This includes the defined "Lake Area" as seen in Figure 18-1 and added sections.

- B. For those residential areas not under the control of the Nebraska Game and Parks Commission, the following regulations shall be in effect in regards to camping and storage.
1. Vacant residential lots cannot be used for any camping, or the storage of any boats or RV's, unless the vacant lot is contiguous to a lot with the same ownership which contains a primary use.
  2. Vehicles and recreational vehicles stored outdoors on a residential lot, with a primary use, must be titled and licensed to the property owner.
  3. Recreational vehicles which are not titled/licensed to the owner must be occupied. No more than 2 RV's or tents may be present at one time.
    - i. At no time shall any form of payment be requested, or received.
    - ii. Camping on residential lots, with a primary use, is limited to 14 days a year.

### Section 9 Intermodal Containers

- A. These are also known as cargo or freight containers, shipping containers, Conex containers, etc. They are a large standardized shipping container, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo.
1. Intermodal Containers may only be used for storage.
  2. Each lot is allowed one (1) intermodal container, unless more are allowed by these regulations.
  3. At no time shall intermodal containers be leased, or rented out.
  4. Intermodal Containers are permitted by right in Agricultural (A), Trans Agricultural (TA), and Heavy Industrial (HI) as year round storage. If the property owner wishes to have more than one (1) container, he may request a Conditional Use Permit.
  5. Intermodal Containers are permitted by Conditional Use Permit in Tourist Services (TS), Highway District (HD), and General Business (GB), as year round storage.
  6. Intermodal Containers are permitted in all zones temporarily to store building materials during the construction pursuant to an active building permit. If the building permit is expired, the Intermodal Container shall be removed. The property owner, or contractor will let the Planning and Zoning Administration know that an Intermodal Container is being placed.
  7. Intermodal Containers must meet the setback requirements for accessory buildings, in each district.

WHEREAS: The Keith County Planning Commission has determined the need to make amendment to Article 8 Agricultural District, Section 3 and Article 9 Transitional Agricultural District, Section 3, by adding:

Dwelling Unit: Vacation Rental.

WHEREAS: The Keith County Planning Commission has determined the need to make amendment to Article 10 Residential – Rural District, Section 3, by removing:

~~H. Group housing use, including but not limited to cabins, motels, lodges.~~

WHEREAS: The Keith County Planning Commission has garnered public input, and after due notice in the official county newspaper, did hold a public hearing on February 6, 2020 in the Keith County Courthouse on said recommendation.

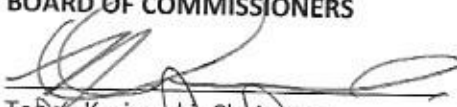
WHEREAS: The Keith County Planning Commission recommends to the Keith County Board of Commissioners the text amendments to Article 6 Section 2, Article 10 Section 2 A and 3 A, Article 12 Section 2 A and 3 A, Article 7, Article 8 Section 3, Article 9 Section 3, and Article 10 Section 3 of the Update to the Keith County, Nebraska Zoning and Subdivision Regulations of August 7, 2019.

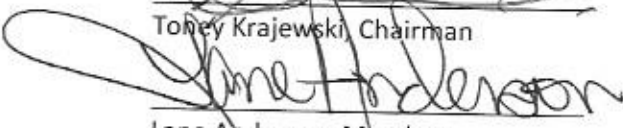
NOW THEREFORE BE IT RESOLVED, THAT

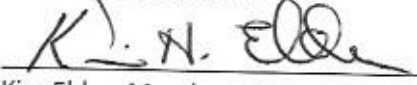
The Keith County Board of Commissioners hereby approves the text amendments to Article 6 Section 2, Article 10 Section 2 A and 3 A, Article 12 Section 2 A and 3 A, Article 7, Article 8 Section 3, Article 9 Section 3, and Article 10 Section 3 of the Update to the Keith County, Nebraska Zoning and Subdivision Regulations of August 7, 2019.

INTRODUCED AND PASSED THIS 26<sup>th</sup> DAY OF FEBRUARY, 2020

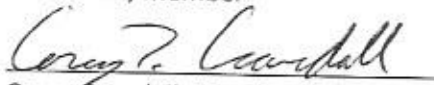
**KEITH COUNTY NEBRASKA  
BOARD OF COMMISSIONERS**

  
Toney Krajewski, Chairman

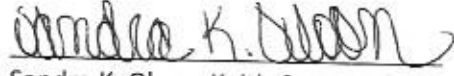
  
Lane Anderson, Member

  
Kim Elder, Member

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Joan Ervin, Member

  
Corey Crandall, Member

ATTEST:

  
Sandra K. Olson, Keith County Clerk