

# **MCCOOK CITY COUNCIL**

## **REGULAR MEETING**

**Monday, July 14, 2025  
5:15 PM - City Council Chambers**

Call to Order and Roll Call.

Open Meetings Act Announcement.

Items

1. Approve the minutes of the June 9, 2025 regular Planning Commission meeting.
2. Review and discuss the Residential Single-Family District (R-1), Residential Two-Family District (R-2), Residential Multi-Family District (R-3), and Residential Mobile Home District (R-4) of the proposed City of McCook Zoning Regulations.

Adjournment.

**CITY MANAGER'S REPORT  
JULY 14, 2025 PLANNING COMMISSION MEETING**

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**ITEM:**          **1.**  

**RECOMMENDATION:**

Approve the minutes of the June 9, 2025 regular McCook Planning Commission meeting.

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**BACKGROUND:**

Receive and approve the minutes.

**FISCAL**

**IMPACT:**    None.

**APPROVALS:**

  
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Lea Ann Doak, City Clerk

July 9, 2025

McCook Planning Commission  
June 9, 2025  
5:15 P.M. Central

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:15 o'clock P.M. in the City Council Chambers.

Present: Chair Chad Lyons; Vice Chair Tammie Hilker; Commissioners Camy Bradley, Bruce McDowell, Jamie Mockry, Jesse Stevens, Kurt Vosburg.

Absent: Commissioners Matt Davidson, Ron Friehe, Bobby Gaulke.

City Officials present: City Manager Nate Schneider, Assistant City Manager Tera Koetter, City Attorney Nate Mustion, City Clerk Lea Ann Doak, Building Official Barry Mooney.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on June 5, 2025, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to all members of the Planning Commission. Availability of the agenda was communicated in the advance notice. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Open Meetings Act Announcement.

Chair Lyons announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the May 12, 2025 regular Planning Commission meeting.

Motion to approve the minutes of the May 12, 2025 regular Planning Commission meeting. This motion, made by Lyons and seconded by Vosburg, passed.

Bradley: YEA, Davidson: ABSENT, Friehe: ABSENT, Gaulke: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA  
YEA: 7, NAY: 0, ABSENT: 3

2. Public Hearings and Regular Agenda.

- 2.A Public Hearing - Regarding the Amendment to the Redevelopment Plan for the Wagner Auto Redevelopment Project as to its conformity with the general plan for the development of the City as a whole.

Motion to recess as a Planning Commission and convene a public hearing for the purpose of receiving public comment regarding the Amendment to the Redevelopment Plan for the Wagner Auto Redevelopment Project as to its conformity with the general plan for the development of the City as a whole, with the City Attorney to act as hearing officer. This motion, made by Lyons and seconded by McDowell, passed.

Bradley: YEA, Davidson: ABSENT, Friehe: ABSENT, Gaulke: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA  
YEA: 7, NAY: 0, ABSENT: 3

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the June 9, 2025 Planning Commission meeting (2 pages), Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - listing of Public Entities who received Notice of Public Hearing (1 page); Exhibit #4 - copies of letter to Public Entities receiving Notice of Public Hearing (5 pages); Exhibit #5 - Proposed Resolution No. PC2025-01 (2 pages); and Exhibit #6 - Proposed Redevelopment Plan for the Wagner Auto Redevelopment Project (13 pages).

City Manager Schneider reviewed the information presented in Exhibit #1.

With no one present to comment, motion to adjourn the public hearing and to reconvene as a Planning Commission. This motion, made by Vosburg and seconded by Lyons, passed.

Bradley: YEA, Davidson: ABSENT, Friehe: ABSENT, Gaulke: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA  
YEA: 7, NAY: 0, ABSENT: 3

2.B Approve Resolution No. PC 2025-01 making a recommendation to the Community Development Agency and the City Council of the City of McCook, Nebraska, with respect to the Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Wagner Auto Redevelopment Project.

Motion to approve Resolution No. PC 2025-01 making a recommendation to the Community Development Agency and the City Council of the City of McCook, Nebraska, with respect to the Redevelopment Plan Amendment for the City of McCook, Nebraska, including the Wagner Auto Redevelopment Project. This motion, made by Lyons and seconded by Hilker, passed.

Bradley: YEA, Davidson: ABSENT, Friehe: ABSENT, Gaulke: ABSENT, Hilker: YEA, Lyons: YEA, McDowell: YEA, Mockry: YEA, Stevens: YEA, Vosburg: YEA  
YEA: 7, NAY: 0, ABSENT: 3

2.C. Review and discuss Articles 4 and 5 of the proposed City of McCook Zoning Regulations.

Discussion was held regarding Articles 4 and 5 of the proposed City of McCook Zoning Regulations.

Chapters regarding residential zoning areas will be reviewed at the July 14 meeting.

Adjournment.

With no further business, Chair Lyons declared the Planning Commission meeting adjourned at 6:59 P.M.

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Lea Ann Doak, City Clerk-Treasurer  
Recording Secretary

**CITY MANAGER'S REPORT  
JULY 14, 2025 PLANNING COMMISSION MEETING**

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**ITEM:**              2.  

**RECOMMENDATION:**

Review and discuss the Residential Single-Family District (R-1), Residential Two-Family District (R-2), Residential Multi-Family District (R-3), and Residential Mobile Home District (R-4) of the proposed City of McCook Zoning Regulations.

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**BACKGROUND:**

As decided at the April 14, 2025 Planning Commission meeting, the proposed City of McCook Zoning Regulations will be discussed monthly until all of the proposed language is vetted by the Planning Commission. It was determined that the July Planning Commission meeting would focus on the articles pertaining to residential districts. Staff has reviewed these four chapters and the attached copies include the suggested revisions from staff. During this review staff determined that the Residential Two-Family District (R-2) was very similar to the Residential Single-Family District (R-1), therefore the two have been combined into the Residential Single-Family District (R-1).

Suggested revisions from the June 16, 2025 Planning Commission meeting have been made to Article 5 - Agricultural District (A-1) and Article 6 - Agricultural/Residential District (A-2). These revised articles are also attached for Planning Commission review.

**FISCAL  
IMPACT:**        None.

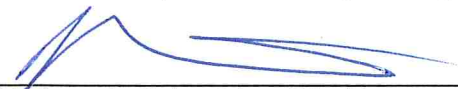
**APPROVALS:**

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

July 9, 2025

  
\_\_\_\_\_  
Tera Koetter, Assistant City Manager

July 9, 2025

  
\_\_\_\_\_  
Nathan A. Schneider, City Manager

July 9, 2025

RESIDENTIAL  
DISTRICTS

## ARTICLE 7

### RESIDENTIAL SINGLE-FAMILY AND TWO-FAMILY DISTRICT (R-1)

#### Article 7 - Residential Single-Family and Two-Family District (R-1)

##### **Section 701. Intent.**

The intent of a Residential Single-Family and Two-Family District (R-1) is to provide for residential uses consisting primarily of single-family dwelling units and accessory structures, but also including the permitted uses and special exceptions set forth in this district.

##### **Section 702. Permitted Principal Uses and Structures.**

The following principal uses and structures shall be permitted in a Residential Single-Family and Two-Family District (R-1):

1. Churches;
2. Dwellings:
  - (a) Duplex;
  - (b) Single-family detached;
3. Manufactured homes under the prescribed conditions of Section 2122 of this Ordinance;

##### **Section 703. Permitted Accessory Uses and Structures.**

Within Residential Single-Family and Two-Family Districts (R-1) accessory uses shall be in conformance with the provisions of Section 2105 and temporary uses shall be in conformance with the provisions of Section 2122 of this ordinance.

The following accessory uses and structures shall be permitted in Residential Single-Family and Two-Family Districts (R-1):

1. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district;
2. Home occupations under the prescribed conditions of Section 2106 of this Ordinance;

##### **Section 704. Special Exceptions.**

After the provisions of this Ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Residential Single-Family and Two-Family Districts (R-1):

1. **TALK TO CRAIG AND JASON/NOTED TO MOVE DOWN WHY/WHERE???** Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources in conformance with "Net Metering" per Neb. Rev. Stat. 70-2001 to 70-2005. Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Article 20, Div. 3 of this Ordinance;

2. Amphitheaters, stadiums, drive-in theaters, arenas and field house, community centers and auditoriums;
3. Bed and breakfast establishments;
4. Cemeteries, including crematories and mausoleums when used in conjunction with a cemetery;
5. Daycare centers;
6. Dwellings: **CRAIG DO WE NEED TO INCLUDE APARTMENTS**
  - (a) Condominium;
  - (b) Multi-family;
  - (c) Single-family attached;
  - (d) Townhouse.
7. Educational institutions as follows:
  - (a) Boarding schools and academies;
  - (b) Colleges and universities, including dormitories;
  - (c) Primary, intermediate, nursery and secondary schools;
  - (d) Public, private, and parochial schools.
8. Family-care facilities;
9. Funeral Chapel and Funeral Home;
10. Government buildings and services;
11. Group-care home, group home for the disabled, and group rehabilitation facility;
12. Group day-care centers when located in a nonresidential building;
13. Hospitals, sanitariums, rest homes and nursing homes;
14. Libraries;
15. Medical clinics and other health facilities;
16. Mortuaries;
17. Museums, historic and monument sites;
18. Non-profit institutions of an educational, philanthropic, or eleemosynary nature, excluding

- penal institutions;
19. Professional offices;
  20. Public buildings;
  21. Public service and public utility uses (excluding City of McCook public services and public utility uses), as follows:
    - (a) Ambulance service;
    - (b) Electric and telephone substations and distribution centers;
    - (c) Gas regulator stations;
    - (d) Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar equipment for the transmission, as distinguished from distribution to consumers, of telephone or other communications, electricity, gas or water, operated or maintained by a public utility, as defined in this Ordinance;
    - (e) Police and fire stations;
    - (f) Pumping stations;
    - (g) Radio, television and microwave transmitting or relay stations and towers;
    - (h) Telephone exchanges;
    - (i) Transformer stations;
    - (j) Water reservoirs and standpipes;
  22. Recreational and social facilities, as follows:
    - (a) Country clubs, including golf, swimming and tennis clubs;
    - (b) Golf courses, including but not limited to, executive golf and miniature golf courses;
    - (c) Parks and playgrounds;
    - (d) Public athletic fields.
  23. Telecommunication towers under the prescribed conditions in Article 21, Div. 4 of this Ordinance;
  24. Vacation rental.

**Section 705. Prohibited Uses and Structures.**

All other uses and structures, including a shouse, which are not specifically permitted or not permissible as special exceptions shall be prohibited from Residential Single-Family and Two-Family Districts (R-1).

**Section 706. Height, Lot and Yard Requirements.**

Uses	Lot Area (Sq. Ft.)****	Lot Width (ft.)*	Front Yard (ft.)**	Side Yard (ft.)	Rear Yard (ft.)	Max Height (ft.)	Max. Lot Coverage (%)
Single-family Dwelling	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Duplex Dwelling	2,500 per dwelling unit	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Multi-family and Townhouse Dwellings	2,500 per ground floor dwelling unit	40' Interior lot/ 50' Corner lot	20	6***	10	55	50
Other Permitted Uses	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Accessory Buildings ^							

- \* (a) Facing a cul-de-sac turnaround or curve on a minor loop street: forty-five (45) feet;
- (b) Platted lots in existence as of this update may have a lot width of fifty (50) feet or less, as long as the lot meets the front, side and rear yard setback requirements.
- \*\* There shall be a front yard of not less than a depth of twenty (20) feet, except, in the case of structures erected on lots adjacent to lots which have structures existing at the effective date of this Ordinance, the required front yard may be the average of the front yards existing on the adjacent lots.
- \*\*\* A side yard of not less than six (6) feet shall be provided except for corner lots wherein the side yard facing the street shall be one-half (1/2) of the front yard setback minimum requirements. A noncombustible carport may be constructed with a minimum side yard clearance of three (3) feet and shall be attached to an existing structure.
- \*\*\*\* Individual multi-family dwelling units located above first floor shall not count against the lot area square footage.
- ^ Accessory uses as permitted by Section 2105 of this Ordinance.

**Section 707. Parking Regulations.** Parking within Residential Single-Family and Two-Family Districts (R-1) shall be in conformance with the provisions of Article 23 of this Ordinance.

**Section 708. Fence Regulations.** Fences, walls and hedges within Residential Single-Family and Two-Family Districts (R-1) shall be in conformance with the provisions of Section 2104 of this Ordinance.

**Section 709. Sign Regulations.** Signs within Residential Single-Family and Two-Family Districts (R-1) shall be in conformance with the provisions of Section 2217 of this Ordinance.

**ARTICLE 8**

**RESIDENTIAL TWO-FAMILY DISTRICT (R-2)**

**This Article has been combined with  
Article 7 - Residential Single-Family District (R-1)**

Article 8 - RESERVED

## ARTICLE 9

### RESIDENTIAL MULTI-FAMILY DISTRICT (R-3)

#### Article 9 - Residential Multi-Family District (R-3)

##### **Section 901. Intent.**

The intent of a Residential Multi-Family District (R-3) is to provide for residential uses consisting primarily of single-family and multi-family dwelling units and accessory structures, but also including the permitted uses and special exceptions set forth in this district.

##### **Section 902. Permitted Principal Uses and Structures.**

The following principal uses and structures shall be permitted in Residential Multi-Family Districts (R-3):

1. Churches;
2. Dwellings:
  - (a) Single-family;
  - (b) Condominium;
  - (c) Duplex;
  - (d) Multiple-family;
  - (e) Townhouse.
3. Manufactured homes under the prescribed conditions of Section 2022 of this Ordinance;

##### **Section 903. Permitted Accessory Uses and Structures.**

Within Residential Multi-Family Districts (R-3) accessory uses shall be in conformance with the provisions of Section 2105 and temporary uses shall be in conformance with the provisions of Section 2122 of this ordinance.

The following accessory uses and structures shall be permitted in Residential Multi-Family Districts (R-3):

1. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district;
2. Home occupations under the prescribed conditions of Section 2006 of this Ordinance;

##### **Section 904. Special Exceptions.**

After the provisions of this Ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Residential Multi-Family Districts (R-3):

1. **TALK TO CRAIG AND JASON NOTED TO MOVE DOWN WHY/WHERE???** Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources

in conformance with "Net Metering" per Neb. Rev. Stat. 70-2001 to 70-2005. Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Article 20, Div. 3 of this Ordinance;

2. Automobile parking lots and structures;
3. Bed and breakfast establishments;
4. Cemeteries, including crematories and mausoleums when used in conjunction with a cemetery, but not including mortuaries;
5. Daycare centers;
6. Educational institutions as follows:
  - (a) Boarding schools and academies;
  - (b) Colleges and universities, including dormitories;
  - (c) Primary, intermediate, nursery and secondary schools;
  - (d) Public, private, and parochial schools.
7. Family-care facilities;
8. Funeral homes and funeral chapels;
9. Government buildings and services;
10. Group-care home, group home for the disabled, and group rehabilitation facilities;
11. Group day-care centers when located in a nonresidential building;
12. Hospitals, sanitariums, rest homes and nursing homes;
13. Library;
14. Medical clinics and other health facilities;
15. Mortuaries;
16. Museums; historic and monument sites;
17. Non-profit institutions of an educational, philanthropic, or eleemosynary nature, excluding penal institutions;
18. Professional offices;
19. Public service and public utility uses (excluding City of McCook public service and public utility uses), as follows:

- (a) Ambulance service;
  - (b) Electric and telephone substations and distribution centers;
  - (c) Gas regulator stations;
  - (d) Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar equipment for the transmission, as distinguished from distribution to consumers, of telephone or other communications, electricity, gas or water, operated or maintained by a public utility, as defined in this Ordinance;
  - (e) Police and fire stations;
  - (f) Pumping stations;
  - (g) Radio, television and microwave transmitting or relay stations and towers;
  - (h) Telephone exchanges;
  - (i) Transformer stations;
  - (j) Water reservoirs and standpipes;
20. Recreational and social facilities, as follows:
- (a) Country clubs, including golf, swimming and tennis clubs;
  - (b) Golf courses, including but not limited to executive golf and miniature golf courses;
  - (c) Parks and playgrounds;
  - (d) Public athletic fields.
21. Telecommunication towers under the prescribed conditions in Article 21, Div. 4 of this Ordinance;
22. Vacation rental.

**Section 905. Prohibited Uses and Structures.**

All other uses and structures, including a shouse, which are specifically permitted or not permissible as special exceptions shall be prohibited from Residential Multi-Family Districts (R-3).

**Section 906. Height, Lot and Yard Requirements.**

Uses	Lot Area (Sq. Ft.)****	Lot Width (ft.)*	Front Yard (ft.)**	Side Yard (ft.)	Rear Yard (ft.)	Max Height (ft.)	Max. Lot Coverage (%)
Single-family Dwelling	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	60
Duplex Dwelling	2,500 per dwelling unit	40' Interior lot/ 50' Corner lot	20	6***	10	35	60
Multi-family and Townhouse Dwellings	2,500 per ground floor dwelling unit	40' Interior lot/ 50' Corner lot	20	6***	10	55	60
Other Permitted Uses	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	60
Accessory Buildings ^							

- \* (a) Facing a cul-de-sac turnaround or curve on a minor loop street: forty-five (45) feet;
- (b) Platted lots in existence as of this update may have a lot width of fifty (50) feet or less, as long as the lot meets the front, side and rear yard setback requirements.
- \*\* There shall be a front yard of not less than a depth of twenty (20) feet, except, in the case of structures erected on lots adjacent to lots which have structures existing at the effective date of this Ordinance, the required front yard may be the average of the front yards existing on the adjacent lots.
- \*\*\* A side yard of not less than six (6) feet shall be provided except for corner lots wherein the side yard facing the street shall be one-half (1/2) of the front yard setback minimum requirements. A noncombustible carport may be constructed with a minimum side yard clearance of three (3) feet and shall be attached to an existing structure.
- \*\*\*\* Individual multi-family dwelling units located above first floor shall not count against the lot area square footage.
- ^ Accessory uses as permitted by Section 2105 of this Ordinance.

**Section 907. Parking Regulations.** Parking within Residential Multi-Family Districts (R-3) shall be in conformance with the provisions of Article 23 of this Ordinance.

**Section 908. Fence Regulations.** Fences, walls and hedges within Residential Multi-Family Districts (R-3) shall be in conformance with the provisions of Section 2104 of this Ordinance.

**Section 909. Sign Regulations.** Signs within Residential Multi-Family Districts (R-3) shall be in conformance with the provisions of Section 2217 of this Ordinance.

## ARTICLE 10

### RESIDENTIAL MOBILE HOME DISTRICT (R-4)

Article 10 - Residential Home District (R-4)

#### **Section 1001. Intent.**

The intent of a Residential Mobile Home District (R-4) is to provide for residential uses consisting primarily of single-family, multi-family dwelling units, mobile homes and accessory structures, but also including the permitted uses and special exceptions set forth in this district.

#### **Section 1002. Permitted Principal Uses and Structures.**

The following principal uses and structures shall be permitted in Residential Mobile Home Districts (R-4):

1. Churches;
2. Dwellings:
  - (a) Single-family detached;
  - (b) Duplex;
3. Manufactured homes under the prescribed conditions of Section 2122 of this Ordinance;
4. Mobile homes under the prescribed conditions of Section 2120 of this Ordinance;

#### **Section 1003. Permitted Accessory Uses and Structures.**

Within Residential Mobile Home Districts (R-4) accessory uses shall be in conformance with the provisions of Section 2105 and temporary uses shall be in conformance with the provisions of Section 2122 of this ordinance.

The following accessory uses and structures shall be permitted in Residential Mobile Home Districts (R-4):

1. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district;
2. Home occupations under the prescribed conditions of Section 2006 of this Ordinance;

#### **Section 1004. Special Exceptions.**

After the provisions of this Ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Residential Mobile Home Districts (R-4):

1. **TALK TO CRAIG AND JASON NOTED TO MOVE DOWN WHY/WHERE???** Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources in conformance with "Net Metering" per Neb. Rev. Stat. 70-2001 to 70-2005. Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Article 20, Div. 3 of this Ordinance;

2. Cemeteries, including crematories and mausoleums when used in conjunction with a cemetery, but not including mortuaries;
3. Daycare centers;
4. Dwellings:
  - (a) Condominium;
  - (b) Multiple-family;
  - (c) Single-Family attached.
  - (d) Townhouse;
5. Educational institutions as follows:
  - (a) Boarding schools and academies;
  - (b) Colleges and universities, including dormitories;
  - (c) Primary, intermediate, nursery and secondary schools;
  - (d) Public, private, and parochial schools.
6. Family-care facilities;
7. Funeral homes and funeral chapels;
8. Government buildings and services;
9. Group-care home, group home for the disabled, and group rehabilitations facilities;
10. Group day-care centers when located in a nonresidential building;
11. Hospitals, sanitariums, rest homes and nursing homes;
12. Medical clinics and other health facilities;
13. Mobile home parks under the prescribed conditions of Section 2117 of this Ordinance;
14. Mortuaries;
15. Non-profit institutions of an educational, philanthropic, or eleemosynary nature, excluding penal institutions;
16. Professional offices;
17. Public service and public utility uses (except City of McCook public service and public utility uses), as follows:

- (a) Ambulance service;
  - (b) Electric and telephone substations and distribution centers;
  - (c) Gas regulator stations;
  - (d) Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar equipment for the transmission, as distinguished from distribution to consumers, of telephone or other communications, electricity, gas or water, operated or maintained by a public utility, as defined in this Ordinance;
  - (e) Police and fire stations;
  - (f) Pumping stations;
  - (g) Radio, television and microwave transmitting or relay stations and towers;
  - (h) Telephone exchanges;
  - (i) Transformer stations;
  - (j) Water reservoirs and standpipes;
18. Recreational and social facilities, as follows:
- (a) Country clubs, including golf, swimming and tennis clubs;
  - (b) Golf courses, including but limited to executive golf and miniature golf courses;
  - (c) Parks and playgrounds;
  - (d) Public athletic fields.
19. Telecommunication towers under the prescribed conditions in Article 21, Div. 4 of this Ordinance;
20. Vacation rental.

**Section 1005. Prohibited Uses and Structures.**

All other uses and structures, including a shouse, which are not specifically permitted or not permissible as special exceptions shall be prohibited from Residential Mobile Home Districts (R-4).

**Section 1006. Height, Lot and Yard Requirements.**

Uses	Lot Area (Sq. Ft.)	Lot Width (ft.)*	Front Yard (ft.)**	Side Yard (ft.)	Rear Yard (ft.)	Max Height (ft.)	Max. Lot Coverage (%)
Single-family Dwelling	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Duplex Dwelling	2,500per dwelling unit	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Multi-family and Townhouse Dwellings	2,500 per ground floor dwelling unit	40' Interior lot/ 40' Corner lot	20	6***	10	55	50
Other Permitted Uses	5,000	40' Interior lot/ 50' Corner lot	20	6***	10	35	50
Accessory Buildings ^							

- \* (a) Facing a cul-de-sac turnaround or curve on a minor loop street: forty-five (45) feet;  
 (b) Platted lots in existence as of this update may have a lot width of fifty (50) feet or less, as long as the lot meets the front, side and rear yard setback requirements.
- \*\* There shall be a front yard of not less than a depth of twenty (20) feet, except, in the case of structures erected on lots adjacent to lots which have structures existing at the effective date of this Ordinance, the required front yard may be the average of the front yards existing on the adjacent lots.
- \*\*\* A side yard of not less than six (6) feet shall be provided except for corner lots wherein the side yard facing the street shall be one-half (1/2) of the front yard setback minimum requirements. A noncombustible carport may be constructed with a minimum side yard clearance of three (3) feet and shall be attached to an existing structure.
- \*\*\*\* Individual multi-family dwelling units located above first floor shall not count against the lot area square footage.
- ^ Accessory uses as permitted by Section 2105 of this Ordinance.

**Section 1007. Parking Regulations.** Parking within Residential Mobile Home Districts (R-3) shall be in conformance with the provisions of Article 23 of this Ordinance.

**Section 1008. Fence Regulations.** Fences, walls and hedges within Residential Mobile Home Districts (R-3) shall be in conformance with the provisions of Section 2104 of this Ordinance.

**Section 1009. Sign Regulations.** Signs within Residential Mobile Home Districts (R-3) shall be in conformance with the provisions of Section 2217 of this Ordinance.

AGRICULTURAL  
DISTRICTS

## ARTICLE 5

### AGRICULTURAL DISTRICT (A-1)

#### Article 5 - Agricultural District (A-1)

##### **Section 501. Intent.**

The intent of an Agricultural District (A-1) provides for and preserves the agricultural and rural use of land, while accommodating extremely low-density residential development generally associated with agricultural uses. This district is designed to maintain permanent and comprehensive agricultural uses within the McCook extra-territorial jurisdiction. It recognizes that major agriculture has industrial aspects and negative effects on nearby neighborhoods that often create conflicts between agricultural and residential uses.

Although this district is intended to provide for the agricultural use of land, it is recognized that certain areas within the district may have the capability in terms of proximity to urban development and accessibility to facilities, services, and utilities of accommodating residential, commercial and industrial expansion in the future through orderly annexation consistent with the adopted Comprehensive Plan.

##### **Section 502. Permitted Principal Uses and Structures.**

The following principal uses and structures shall be permitted in Agricultural Districts (A-1):

1. Agriculture Uses, as defined in this Ordinance;
2. Animal hospitals;
3. Bulk grain storage;
4. Crop production;
5. General farming and ranching activities, excluding any expansion of existing or development of livestock confinement facilities/operations in excess of ten (10) animals;
6. Greenhouses;
7. Home occupations, under the prescribed conditions of Section 2106 of this Ordinance;
8. Horticulture uses;
9. Irrigation facilities;
10. Nurseries;
11. Oil and gas well drilling and production as permitted and regulated by Federal, State and city regulations;
12. Orchards;
13. Riding stables;

14. Single family farm or ranch dwellings and non-farm single family dwellings, including mobile homes and manufactured homes under the prescribed conditions in Section 2122 of this Ordinance;
15. Veterinarian services;
16. Vineyards;
17. Wineries.

**COMBINED SECTIONS 503 AND 508**

**Section 503. Permitted Accessory and Temporary Uses.**

Within Agricultural Districts (A-1) accessory uses shall be in conformance with the provisions of Section 2105 and temporary uses shall be in conformance with the provisions of Section 2122 of this ordinance.

The following accessory uses and structures shall be permitted in Agricultural Districts (A-1):

1. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district;
2. Cargo containers following the prescribed conditions of Section 2115 of this Ordinance;
3. Roadside stands.

**Section 504. Special Exceptions. REMOVED NOT CONTIGUOUS TALK TO CRAIG ABOUT**

After the provisions of this ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Agricultural Districts (A-1):

1. Agricultural Attractions;
2. Airports;
3. **TALK TO CRAIG AND JASON** NOTED TO MOVE DOWN WHY/WHERE??? Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources in conformance with "Net Metering" per Neb. Rev. Stat. 70-2001 to 70-2005. Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Article 21, Div. 3 of this Ordinance;
4. Amphitheaters, stadiums, drive-in theaters, arenas and field houses, community centers and auditoriums;
5. Bed and breakfast establishments;
6. Casino; **NEED DEFINITION**
7. Cemeteries, including crematories and mausoleums when used in conjunction with a cemetery, but not including mortuaries;
8. Churches;

9. Commercial production and husbandry of poultry, fish and small animals subject to the location requirements in Section 507 of this Ordinance and on property not contiguous to the city limits;
10. Commercial uses (excluding retail stores) including, but not limited to the following: lumber yards, nurseries, yard equipment, truck stop/travel centers, auto repair and service facilities, wholesale storage warehouses, wholesale trade, household equipment and appliances repair, industrial rental establishments, car washes and truck washes;
11. **TALK TO CRAIG ABOUT** Commercial Wind Energy Conversion Systems (CWECS) utilizing a single or multiple tower applications or "Wind Farm" held in single ownership or in an association of multiple owners, in conformance with the provisions of Article 21, Div. 3 of this Ordinance;
12. Dog racing tracks;
13. Educational institutions as follows: **Need to add definitions for a - d**
  - (a) Boarding schools and academies;
  - (b) Colleges and universities;
  - (c) Primary, intermediate, nursery and secondary schools;
  - (d) Public, private, and parochial schools.
14. Excavation, extraction, or mining of sand, gravel, or other raw materials from the earth for resale. The conditions imposed on such excavation, extraction, or mining may include, but are not limited to, requirements for setbacks from schools and residential districts, screening, fencing, redevelopment, and restrictions on the grade of the excavation and vehicular access thereto and on property not contiguous to the city limits;
15. Feed lots, confined hog feeding facilities, and related feed lot runoff control ponds and basis required by the Nebraska Department of Environment and Energy (NDEE) subject to the location requirements in Section 507 of this Ordinance and on property not contiguous to the city limits;
16. Feed mills, packing plants, fertilizer plants and anhydrous ammonia storage tank facilities or plants subject to the location requirements in Section 507 of this Ordinance;
17. Funeral homes and funeral chapels;
18. Group-care home, group home for the disabled, and group rehabilitation facility;
19. Group day-care centers when located in a nonresidential building;
20. Horse racing tracks **on property not contiguous to the city limits???**;
21. Hospitals, sanitariums, rest homes and nursing homes; **NEED DEFINITION**
22. Individual domestic wind turbines;

23. Kennels;
24. Libraries and museums;
25. Licensed daycare centers;
26. Livestock auction;
27. Meat and poultry packing, slaughtering, eviscerating and skinning, including the rendering of byproducts of slaughtering and killing animals or poultry subject to the location requirements in Section 507 of this Ordinance;
28. Mobile home parks, under the prescribed conditions of Section 2107 of this Ordinance;
29. Mortuaries;
30. Power plants;
29. Private or commercially owned go-cart tracks, athletic game use and practice fields, bowling, swimming pools, golf driving ranges;
30. Public service and public utility uses, as follows, provided such use is, or will be, located more than three hundred (300) feet from the boundary of any residential district (excluding City of McCook public services and public utility uses):
  - (a) Ambulance service;
  - (b) Electric and telephone substations and distribution centers;
  - (c) Gas regulator stations;
  - (d) Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar equipment for the transmission, as distinguished from distribution to consumers, of telephone or other communications, electricity, gas or water, operated or maintained by a public utility, as defined in this Ordinance;
  - (e) Police and fire stations;
  - (f) Pumping stations;
  - (g) Radio, television and microwave transmitting or relay stations and towers;
  - (h) Telephone exchanges;
  - (i) Transformer stations;
  - (j) Water reservoirs and standpipes;
31. Publicly owned detention facilities;
32. Recreational and social facilities, as follows:

- (a) Amusement parks;
  - (b) Automobile race tracks;
  - (c) Campgrounds;
  - (d) Country clubs, including golf, swimming and tennis clubs;
  - (e) Fairgrounds
  - (f) Golf courses, including but not limited to, executive golf and miniature golf courses;
  - (g) Gun clubs and skeet and trap shooting ranges;
  - (h) Parks and playgrounds;
  - (i) Public athletic fields;
  - (j) Rest areas.
33. Recreational vehicle (RV) parks, under the prescribed conditions of Section 2119 of this Ordinance;
34. Sanitary sewage disposal and water systems, including agricultural irrigation wells, in conformance with the requirements of the Nebraska Departments of Environment and Energy (NDEE) and Nebraska Health and Human Services (NDHHS), excluding the City of McCook uses;
35. Sales, service, and storage of mobile homes, campers, boats, motor vehicles, motorized equipment and accessories for such vehicles, not including salvage junk yards;
36. Sanitary landfill, subject to state and federal requirements and on property not contiguous to the city limits;
37. Telecommunication towers, under the prescribed conditions in Article 21, Div. 4 of this Ordinance;
38. Vacation rental;
39. Well head stations, well separators and other similar above-the-ground facilities customarily used for the distribution, transmission or storage of oil or natural gas, provided no such equipment shall be located nearer than five hundred (500) feet from the boundary of any residential district. Such equipment may be in enclosed buildings or in the open, but it must be completely enclosed behind a chain link fence with a two (2) inch or less mesh, or its equivalent, not less than six (6) feet in height;
40. Wrecking, salvage, or junk yard, providing the storage yard is completely enclosed with an eight (8) foot fence, wall or hedge and located no less than three hundred (300) feet from a residential district zone; and
41. Youth camps.

**Section 505. Prohibited Uses and Structures.**

All other uses and structures which are not specifically permitted, or not permissible as special exceptions shall be prohibited from Agricultural Districts (A-1).

**Section 506. Height, Lot and Yard Requirements.**

Uses	Lot Area (Acres)	Lot Width (ft.)	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Max Height (ft.)	Max. Lot Coverage (%)
Residential Dwelling	3*	200	40**	20**	50**	55	--
Rural Subdivisions	3*****	200	40**	10**	50**	55	--
Other Permitted Uses	3	200	40	20	50	****	--
Accessory Buildings	--	--	--	***	--	****	--

\* Minimum lot area and lot area per dwelling unit shall be two (2) acres for a single-family dwelling erected prior to July 1, 2004 (Ordinance No. 2004-2702, result of Board of Zoning request 02/25/24).

\*\* Residential platted lots in existence as of the effective date of the 2013 update shall have Minimum Yard Requirements as follows:

- (a) Minimum front yard: twenty-five (25) feet.
- (b) Minimum side yard: ten (10) feet.
- (c) Minimum rear yard: twenty-five (25) feet.

\*\*\* Any accessory use structures, which are not a continuous part of the principal structure, may be located in the rear yard with a side and rear yard of not less than twenty (20) feet.

\*\*\*\* No limitation, except when located within the designated approach path or zones of the McCook Ben Nelson Regional Airport.

\*\*\*\*\* Rural subdivisions, in which all dwellings within the subdivision utilize a shared or "community style" water well or sanitary sewer lagoon in accordance with all restrictions of the Nebraska Department of Environment and Energy (NDEE) and the Nebraska Department of Health and Human Services (NDHHS). In which case, minimum lot sizes shall not be less than allowed by Federal and State regulations.

■ Driveways shall connect to a county road with a minimum width of twenty (20) feet and be surfaced with gravel, asphalt or concrete.

**Section 507. Location Requirements. (For Specified New or Expanded Uses in This District).**

The following uses must be located one (1) mile or further from the nearest occupied residential (excluding residence of owner or operator) structure or public school as measured from the nearest edge of the lot lines:

1. Commercial production and husbandry of poultry, fish and small animals.
2. Feed lots, confined hog feeding facilities, and related feed lot runoff control ponds and

basis required by the Nebraska Department of Environment and Energy (NDEE).

3. Feed mills, packing plants, fertilizer plants and anhydrous ammonia storage tank facilities or plants.

**Section 509. Parking Regulations.** Parking within Agricultural Districts (A-1) shall be in conformance with the provisions of Article 23 of this Ordinance.

**Section 510. Fence Regulations.** Fences, walls and hedges within Agricultural Districts (A-1) shall be in conformance with the provisions of Section 2104 of this Ordinance.

**Section 511. Sign Regulations.** Signs within Agricultural Districts (A-1) shall be in conformance with the provisions of Section 2217 of this Ordinance.

## ARTICLE 6

### AGRICULTURAL/RESIDENTIAL DISTRICT (A-2)

#### Article 6 - Agricultural/Residential District (A-2)

##### **Section 601. Intent.**

The intent of an Agricultural/Residential District (A-2) is to provide a transition from farming and ranching to low density residential development. This district is intended to accommodate larger residential tracts and accompanying agricultural uses that do not conflict with the low-density residential developments. Conformity with urban residential developments is necessary to assure future annexations comply with these regulations.

##### **Section 602. Permitted Principal Uses and Structures.**

The following principal uses and structures shall be permitted in Agricultural/Residential Districts (A-2):

1. Crop production;
2. Home occupations, under the prescribed conditions of Section 2106 of this Ordinance;
3. Horticulture uses;
4. Orchards;
5. Single family farm or ranch dwellings and non-farm single family dwellings, including manufactured homes under the prescribed conditions in Section 2022 of this Ordinance;

##### **Section 603. Permitted Accessory Uses and Structures.**

Within Agricultural Districts (A-2) accessory uses shall be in conformance with the provisions of Section 2105 and temporary uses shall be in conformance with the provisions of Section 2122 of this ordinance.

The following accessory uses and structures shall be permitted in Agricultural/Residential Districts (A-2):

1. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district;

##### **Section 604. Special Exceptions. REMOVED NOT CONTIGUOUS TALK TO CRAIG ABOUT**

After the provisions of this ordinance relating to special exceptions have been fulfilled, the City Council may permit as special exceptions in Agricultural/Residential Districts (A-2):

##### **TALK TO CRAIG AND JASON NOTED TO MOVE DOWN WY/WHERE??**

1. Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar and/or Wind sources in conformance with "Net Metering" per Neb. Rev. Stat. 70-2001 to 70-2005. Individual or "Small Wind Energy Conversion Systems (SWECS) shall also be in conformance with the provisions of Article 20, Div. 3 of this Ordinance;
2. Bed and breakfast establishments;

3. Campgrounds;
4. Cemeteries, including crematories and mausoleums when used in conjunction with a cemetery, but not including mortuaries;
5. Churches;
6. Daycare centers;
7. Educational institutions as follows: **Need to add definitions for a - d**
  - (a) Boarding schools and academies;
  - (b) Colleges and universities;
  - (c) Primary, intermediate, nursery and secondary schools;
  - (d) Public, private, and parochial schools.
8. Group-care home, group home for the disabled, and group rehabilitation facility;
9. Group day-care centers when located in a nonresidential building;
10. Hospitals, sanitariums, rest homes and nursing homes;
11. Individual domestic wind turbines; **NEED DEFINITION**
12. Kennels;
13. Library and museums;
14. Power plants;
15. Private or commercially owned go-cart tracks, athletic game use and practice fields, bowling, swimming pools, golf driving ranges;
16. Public service and public utility uses, as follows, provided such use is, or will be, located more than three hundred (300) feet from the boundary of any residential district (excluding City of McCook public services and public utility uses):
  - (a) Ambulance service;
  - (b) Electric and telephone substations and distribution centers;
  - (c) Gas regulator stations;
  - (d) Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves and other similar equipment for the transmission, as distinguished from distribution to consumers, of telephone or other communications, electricity, gas or water, operated or maintained by a public utility, as defined in this Ordinance;

- (e) Police and fire stations;
  - (f) Pumping stations;
  - (g) Radio, television and microwave transmitting or relay stations and towers;
  - (h) Telephone exchanges;
  - (i) Transformer stations;
  - (j) Water reservoirs and standpipes;
17. Recreational and social facilities, as follows:
- (a) Country clubs, including golf, swimming and tennis clubs;
  - (b) Golf courses, but not including pitch and putt, or miniature golf courses;
  - (c) Parks and playgrounds;
  - (d) Public athletic fields;
  - (e) Rest areas.
18. Sanitary sewage disposal and water systems, including agricultural irrigation wells, in conformance with the requirements of the Nebraska Departments of Environment and Energy (NDEE) and Nebraska Health and Human Services (NDHHS), excluding the City of McCook uses;
19. Telecommunication towers, under the prescribed conditions in Article 21, Div. 4 of this Ordinance;
20. Vacation rental;
21. Well head stations, well separators and other similar above-the-ground facilities customarily used for the distribution, transmission or storage of oil or natural gas, provided no such equipment shall be located nearer than five hundred (500) feet from the boundary of any residential district. Such equipment may be in enclosed buildings or in the open, but it must be completely enclosed behind a chain link fence with a two (2) inch or less mesh, or its equivalent, not less than six (6) feet in height;

**Section 605. Prohibited Uses and Structures.**

All other uses and structures which are not specifically permitted, or not permissible as special exceptions shall be prohibited from Agricultural/Residential Districts (A-2).

**Section 606. Height, Lot and Yard Requirements.**

Uses	Lot Area (Acres)	Lot Width (ft.)	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)	Max Height (ft.)	Max. Lot Coverage (%)
Residential Dwelling	3	200	40*	20*	50*	55	--
Rural Subdivisions	3***	200	40*	20*	50*	55	--
Other Permitted Uses	3	200	40	20	50	55	--
Accessory Buildings	--	--	--	**	--	55	--

\* Residential platted lots in existence as of the effective date of the 2013 update shall have Minimum Yard Requirements as follows:

- (a) Minimum front yard: twenty-five (25) feet.
- (b) Minimum side yard: ten (10) feet.
- (c) Minimum rear yard: twenty-five (25) feet.

\*\* Any accessory use structures, which are not a continuous part of the principal structure, may be located in the rear yard with a side and rear yard of not less than twenty (20) feet.

\*\*\* Rural subdivisions, in which all dwellings within the subdivision utilize a shared or "community style" water well or sanitary sewer lagoon in accordance with all restrictions of the Nebraska Department of Environment and Energy (NDEE) and the Nebraska Department of Health and Human Services (NDHHS). In which case, minimum lot sizes shall not be less than allowed by Federal and State regulations.

■ Driveways shall connect to a county road with a minimum width of twenty (20) feet and be surfaced with gravel, asphalt or concrete.

**Section 607. Parking Regulations.** Parking within Agricultural Districts (A-2) shall be in conformance with the provisions of Article 23 of this Ordinance.

**Section 608. Fence Regulations.** Fences, walls and hedges within Agricultural Districts (A-2) shall be in conformance with the provisions of Section 2104 of this Ordinance.

**Section 609. Sign Regulations.** Signs within Agricultural Districts (A-2) shall be in conformance with the provisions of Section 2217 of this Ordinance.