ORDINANCE NO. 1316

AN ORDINANCE OF THE CITY OF BROKEN BOW, NEBRASKA, ESTABLISHING REGULATORY STANDARDS FOR COTTAGE DEVELOPMENTS, TINY HOMES, AND ACCESSORY DWELLING UNITS (ADUs); PROVIDING FOR STRICT STRUCTURE SETBACKS AND RESIDENTIAL MULTI-FAMILY YARD SETBACK REQUIREMENTS; AMENDING PARKING CALCULATIONS TO EXCLUDE ADJACENT STREET PARKING; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROKEN BOW, NEBRASKA:

SECTION I: PURPOSE AND INTENT

The purpose of this ordinance is to provide diverse, affordable housing options (such as cottages, tiny homes, and accessory dwelling units) that respond to changing household sizes and income levels in Broken Bow. This ordinance establishes developmental standards that ensure compatibility with surrounding residential land uses, promote efficient land use, and guarantee the protection of open space.

SECTION II: CONDITIONAL USE PERMIT REQUIRED AND GENERAL REGULATIONS

All tiny homes, cottage courts, and related developments shall be subject to a Conditional Use Permit and must comply with the following standards:

a) **Tiny Home Size Requirements:** Tiny homes shall have a minimum footprint/floor area of 220 square feet up to a maximum of 900 square feet.

b) **Cottage Courts / Clusters:** Defined as a grouping of no fewer than four detached housing units per acre, with an individual footprint of less than 900 square feet each, which share a common courtyard.

c) **Accessory Dwelling Units (ADUs) / Backyard Cottages:** Shall range between 220 and 900 square feet.

SECTION III: APPLICABILITY AND GENERAL REQUIREMENTS

1. **Permitted Districts:** Cottage Developments are permitted in the R-2 Residential Multi-Family zoning districts.
2. **Minimum Site Area:** Cottage development sites must be a minimum of 6,000 square feet in gross area.
3. **Infrastructure:** All structures must connect to municipal electric, water and sewer infrastructure systems.

4. **Covenants and Maintenance:** Prior to development, all cottage court developments shall provide enforceable Covenants, Conditions, and Restrictions ensuring ongoing maintenance of common areas, subject to City review.
5. **Nonconforming Structures:** Any tiny home, cottage unit, or accessory dwelling unit lawfully existing prior to the effective date of this ordinance may continue as a nonconforming structure but shall not be enlarged, extended, or structurally altered except in conformance with this ordinance.
6. **Replacement Structures:** All replacement tiny home structures must be similar in character, color, and building materials to existing structures within the development.

SECTION IV: MANDATORY SETBACKS AND YARD REQUIREMENTS

All cottage structures built within a Cottage Development or approved zoning district must comply with the following setback provisions:

1. **Mandatory Structural Separation:** There shall be a mandatory **10-foot minimum setback between all individual structures** within the development.
2. **Perimeter Yard Setbacks:** Every cottage housing development shall comply with the following minimum yard setbacks:
    a) **Front Yard Setback:** 25 feet minimum from the property line.
    b) **Side Yard Setback:** 6 feet minimum from the property line.
    c) **Rear Yard Setback:** 15 feet minimum from the property line.
    d) **Side Street / Corner Lot Setback:** Must meet all current city side-street setback requirements.

SECTION V: PARKING REQUIREMENTS

Parking requirements are designed to minimize the visual impact of vehicles and maintain the single-family character along public rights-of-way.

1. **Minimum Stalls Required:**
    a) One (1) on-site space per studio or 1-bedroom cottage.
    b) One and one-half (1.5) spaces per 2-bedroom cottage.
    c) Two (2) on-site spaces per 3+ bedroom cottage.
    d) Fractional space requirements shall be rounded up to the nearest whole number, calculated on a per-development basis.

2. **Exclusion of Adjacent Parking:** On-street parking directly adjacent to the development shall NOT qualify, be considered, or be counted toward fulfilling the mandatory parking calculations. All required parking must be entirely on-site.

3. **Location:** Parking areas and garages shall not be located between a cottage and the front property line, or, on a corner lot, between a cottage and the side street property line.

SECTION VI: OPEN SPACE AND SCREENING

1. **Private Open Space:** Each cottage unit shall feature a minimum of 300 square feet of private, contiguous, usable open space (with no single dimension less than 10 feet).

2. **Shared Open Space:** Cottage court developments shall provide a centrally located, common open area totaling a minimum of 300 square feet per cottage unit. Parking areas shall not count toward this requirement.

3. **Screening:** Common waste and storage receptacles shall not be located within the front yard setback and shall, together with parking areas, be screened from public streets and adjacent properties by structural or landscape screening.

SECTION VII: SEVERABILITY AND EFFECTIVE DATE

1. Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole.

PASSED AND APPROVED BY THE CITY COUNCIL OF BROKEN BOW, NEBRASKA, THIS 11th **DAY OF** August **, 2026.**

CITY OF BROKEN BOW CORPORATE SEAL NEBRASKA

Rodney W. Sonnichsen, Mayor

ATTEST:

Jennifer A. Waterhouse

Jennifer A. Waterhouse, City Clerk