
GOALS AND STRATEGIES

The purpose of formulating goals and strategies for implementing the Comprehensive Plan for Cherry County, Nebraska is to provide a basis for preparing components of the Plan that identify what the citizens of the County desire the County to be like over the next 10 years or more. These components include the Public Facilities and Services Plan, the Future Land Use Plan and the Transportation Plan.

The goals established on a given planning topic do just that – they define what the citizens desire in the future on that given topic for the future of the County. Strategies are formulated to define specific actions should be implemented to accomplish the stated goals.

GUIDING PRINCIPLE

A guiding principle set forth in Cherry County’s original Comprehensive Plan adopted in 1997 is still completely valid today. This principle states:

“The people of Cherry County have generally been good stewards of the sensitive Sandhills ecosystem. Indeed, the events that led the County to begin planning – including the designation of the Niobrara River as a National Scenic River – would never have happened if ranching was not compatible with the water quality, diverse fish and wildlife habitats and quiet scenic beauty that are beginning to attract attention to Cherry County as one of the nation’s special places.

The people of the Cherry County wish simply to continue their present way of life. They fear additional regulations that could limit the viability of agriculture and their cherished sense of independence. At the same time, the people of the County recognize that major land use changes can have adverse impacts on neighboring ranch operations and that large-scale development could irrevocably alter the character of the landscape and community.”

To be consistent with this guiding principle the following goals and strategies, again derived from the original Cherry County Comprehensive Plan, are established to guide the formulation of the Public Facilities and Services Plan, the Future Land Use Plan and Transportation Plan components of this Comprehensive Plan and the formulation of the County’s zoning regulations:

GOAL 1: This Comprehensive Plan and zoning regulations will not impose additional regulations on agricultural operations, but will make every effort to ensure that changes in the use of land and water resources have no adverse impacts on the present and future viability of agricultural operations on lands that neighbor any such land use changes.

STRATEGY 1: To accomplish this goal a definition of agricultural use for Cherry County is needed in order to identify those land use activities that are not to be further regulated.

Definition: Agricultural use in Cherry County shall include three types of activities and associated land uses:

1. the raising of fish, fowl, livestock or crops or in terms of land use, crops, pasture and grazing lands.
2. the accessory uses and structures customarily associated with the raising of crops or livestock and commonly found on crop, pasture or grazing lands, including corrals, barns, windmills, ranch houses and similar structures and buildings.
3. uses and structures that compliment ranching operations, including the use of crop, pasture and grazing lands for hunting and fishing for a fee where such activity does not involve the development of lodges or other buildings devoted solely to the support of such hunting and fishing activities; outfitting hunting and fishing trips; temporary housing of hunters and fishermen in farm or ranch dwellings, bunkhouses or other farm or ranch related housing up to five (5) units; small home occupations or businesses including bed and breakfast inns that have up to five (5) units, the sale of art or crafts made by family members, the conduct of a profession (accounting, law, medicine, computer and IT services, etc); welding or equipment and auto repair and similar activities that have three (3) or fewer full-time equivalent employees in addition to family members.

Definition: Home based business or home occupation shall include an occupation or a business enterprise conducted in a dwelling unit or building accessory to a dwelling unit (barn, garage, shop, etc) on the same premises with such dwelling which occupies not more than 1,000 square feet if a retail or personal service business, which occupies not more than 3,000 square feet if any other type of commercial business or industry, which has not more than 5 units if a lodging use (bed and breakfast inn, campground, etc.) and

in which not more than 3 full-time equivalent persons or employed on the premises. Such persons may be in addition to any persons who reside in the dwelling unit to which such occupation or business enterprise is associated and such persons may reside off the premises on which the occupation or business enterprise is located.

STRATEGY 2: Develop definitions and regulations defining livestock production in confined areas to be certain that certain types of livestock confinement that are integral to ranching operations are not regulated, but year-around livestock feeding operations in confined areas are regulated in location, size and type through zoning standards and conditional use review and approval to protect the ground and surface waters of the County, minimize impact on County roads and bridges, and to avoid adverse impacts on neighboring properties.

STRATEGY 3: Develop and disseminate educational information to be included in the issuance of zoning permits for land use changes in the rural areas of the County. Such information should include information for new rural residents and owners of new commercial, industrial or other non-agricultural uses to help them understand the responsibilities that comes with land ownership including weed control, fence maintenance and erosion control.

STRATEGY 4: Develop environmental protection and “good neighbor” standards for any such land use changes to be set forth in the County zoning regulations as information required in a zoning permit application. Such standards shall include:

A. Non-agricultural developments shall maintain a vegetative cover on the land sufficient to prevent wind and water erosion. Specific zoning performance standards shall include:

- 1) Identification of runoff and erosion (water and wind) hazard areas on the site.
- 2) Indication of areas of existing vegetation that will not be disturbed by proposed development.

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- 3) Indication of how disturbed area will be revegetated.
 - 4) Indication of how water runoff velocities and erosion will be minimized and how increased runoff will be retained or detained.
- B. Non-agricultural developments shall protect wetlands and flood-prone areas. Specific zoning performance standards shall include:
- 1) Identification of any wetland areas on the development site.
 - 2) Development shall provide a naturally vegetated buffer areas surrounding any identified wetland. Roads and utilities may cross such buffer areas, but such crossings shall be minimized.
 - 3) Development near any wetland area shall have a lowest floor elevation at least one (1) foot above the high-water area in the wetland.
 - 4) Development in any flood prone area shall have a lowest floor elevation at least one (1) foot above the 100-year flood elevation.
- C. Non-agricultural developments shall which abuts grazing land shall be fenced as defined in Neb. Rev. Stat. §34-115. Fencing, or ensuring existing fences are sound shall the responsibility of the owner of the non-agricultural use and such fences shall be maintained by such owner unless there is a written agreement between such owner and the owner(s) of adjoining grazing land.
- D. Where any non-agricultural development, other than development of a single residential dwelling, can be anticipated to generate increased traffic on a county road that passes through open range, the owner of such non-agricultural development may be required to fence such road to protect motorists and livestock if the anticipated traffic volumes are more than 50% greater than existing traffic volumes.
- E. Non-agricultural developments which abut grazing land shall be required to install cattle gates or cattle guards with adjoining gate on all

vehicular access points unless there is a written agreement between such owner and the owner(s) of adjoining grazing land.

F. Where any non-agricultural development, other than development of a residential dwelling on a tract of land larger than 160 acres, shall be required to execute and record a Cattle Country Easement, the language of which shall be made part of the zoning regulations.

G. Any new lots or tracts created shall have a minimum area of two and one-half (2 ½) acres with a maximum lot depth to width ratio of 3 to 1.

GOAL 2: This Comprehensive Plan and zoning regulations will guide future development to minimize conflicts with continuing agricultural production by limiting the need for added roads, public facilities and tax-supported services in order to minimize future property and other taxes.

STRATEGY 1: Develop standards for any non-agricultural development to be set forth in the County zoning regulations. Such standards shall include:

A. All developments shall front on or have a minimum forty (40) feet wide access by deed or easement to an existing Federal, State or County roadway classified by the Cherry County Board of Commissioners as maintenance level 1 through 3. Development of any lot or tract on a roadway classified as a Class 4 (minimum maintenance) roadway shall be prohibited unless the owner of such lot or tract shall improve such roadway to at least a Class 3 standard before the County shall consider to accept maintenance of such roadway. The County shall not be required to construct or improve any new roadway and shall not be required to accept maintenance of such roadway even if improved to County standards.

B. Any new private access roadway shall be located at least one (1) foot above the 100-year flood elevation to ensure emergency access to the development on lots served by such roadway during periods of flooding.

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- C. Where more than one (1) lot or tract is to be created which fronts on and has access to a private roadway, provisions shall be required for self-assessment of each lot or tract for the common maintenance of such roadway.
 - D. The location of points of access onto Federal, State or County roadways shall be as authorized by the Nebraska Department of Transportation or the Cherry County Board of Commissioners to provide for proper site distances and drainage.
 - E. Residential uses on lots or tracts less than ten (10) acres in area shall be limited to not more than five (5) such lots or tracts per section of land unless a conditional use for a subdivision is authorized by the County Board of Commissioners and in the designated Niobrara Scenic River corridor, residential uses in excess of two (2) lots per ¼ section shall be prohibited unless a conditional use for a subdivision is authorized by the County Board of Commissioners.

GOAL 3: This Comprehensive Plan and zoning regulations will guide future development in the Niobrara Scenic River corridor to maintain the nationally significant scenic, recreational and biological resource of this River.

STRATEGY 1: All new developments in the Niobrara Scenic River corridor shall comply with the standards for development and the related review procedures as set forth in the General Management Plan Environmental Impact Statement: Niobrara National Scenic River and the current zoning regulations (adopted December, 2008) and performance standards set forth in such zoning regulations.

GOAL 4: This Comprehensive Plan and zoning regulations will promote economic development and diversification of the local economy, but only in ways that are consistent with the other goals set forth in the Plan.

STRATEGY 1: Encourage additional tourism by promoting points of interest, recreation, hunting, fishing and the scenic beauty of the Sandhills and the Niobrara River valley.

STRATEGY 2: Encourage the development of new or expanded businesses in the County in areas along the highways serving the County that are near the municipalities in the County in order to expand employment opportunities without the need for expansion of tax supports facilities or services.