

City Council Introduction: Monday, September 14, 2009
Public Hearing: Monday, September 21, 2009, 3:00 p.m.

Bill No. 09R-164

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 09006, by the Director of Planning, at the request of the Public Works & Utilities Department and the Lower Platte South Natural Resources District, to amend the 2030 Lincoln/Lancaster County Comprehensive Plan to add the Little Salt Creek Watershed Master Plan to the list of subarea plans and watershed studies, and to amend the Lincoln Area and Lancaster County future land use maps to ensure the Agricultural Stream Corridor, Green Space and Environmental Land Uses are consistent with the updated Floodprone Area and Floodway boundaries, as appropriate.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 08/12/09
Administrative Action: 08/12/09

RECOMMENDATION: Approval (8-0: Esseks, Taylor, Partington, Cornelius, Francis, Gaylor Baird, Larson and Sunderman voting 'yes').

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. This Comprehensive Plan Amendment was heard before the Planning Commission at the same time as proposed text amendments to the County Zoning Resolution and the County Land Subdivision Resolution. The Public Works & Utilities, Watershed Management Division, has also submitted a request to the City Council and County Board for a resolution approving the Little Salt Creek 100-year Floodprone Area and revised Floodway as the "best available information" for local flood regulation purposes.
2. The Executive Summary of the Little Salt Creek Watershed Master Plan is being submitted to the City Council under separate cover by the Public Works & Utilities Department. A CD of the entire Master Plan is also being submitted to the City Council along with this Factsheet.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the proposed amendments to the Future Land Use Maps, Utilities section and Plan Realization section are in conformance with the goals of the 2030 Lincoln-Lancaster County Comprehensive Plan. The specific amendment language is found on p.4-5. The staff presentation is found on p.6.
4. The applicant's testimony is found on p.6-7; testimony in support from the Lower Platte South Natural Resources District is found on p.7; and the record consists of a letter in support from the Lower Platte South NRD Board of Directors (p.13).
5. There was no testimony in opposition.
6. On August 12, 2009, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.
7. This Comprehensive Plan Amendment and a resolution recognizing the Little Salt Creek 100-year Floodprone Area and Floodway as best available information are also scheduled for public hearing and action by the Lancaster County Board of Commissioners on Tuesday, September 15, 2009, at 9:30 a.m.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: September 8, 2009

REVIEWED BY: _____

DATE: September 8, 2009

REFERENCE NUMBER: FS\CC\2009\CPA.09006

LINCOLN /LANCASTER COUNTY PLANNING STAFF REPORT
for August 12, 2009 Planning Commission Meeting

PROJECT #: Comprehensive Plan Amendment #09006

PROPOSAL: Amend the 2030 Lincoln/Lancaster County Comprehensive Plan to amend language on Page 81 in the Utilities chapter, Page 155 in the Plan Realization chapter and the Future Land Use Maps for Lincoln and Lancaster County to reflect the Little Salt Creek Watershed Master Plan.

CONCLUSION: The amendment to the Future Land Use Maps, Utilities section and Plan Realization section is in conformance with the goals of the 2030 Lincoln-Lancaster County Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval of the proposed amendment
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GENERAL INFORMATION:

COMPREHENSIVE PLAN SPECIFICATIONS: The 2030 Comprehensive Plan states the following (in part) about floodplains and watershed plans:

Riparian, Floodplains, and Stream Corridors – Streams and their adjoining corridors snake their way through much of Lancaster County. Throughout the region, surface water runoff flows into these stream corridors that typically consist of floodplains and riparian areas. These are instrumental in providing habitat and water infiltration benefits, along with serving as connectors to natural areas. Pg 54

Obtain reasonably constrained regulations – Maintaining a balance between the natural and human built environment is always a delicate one. Planning policy and regulatory approaches employed in achieving the Plan’s Vision and Greenprint Challenge should strive to be effective, tempered, pragmatic, circumscribed, and respectful of private property rights. Pg 56

Clean air, clean water, parks and open space, mature trees, signature habitats, and prime and productive farmlands are valuable assets. Conservation areas, floodplains, green spaces, and parks define, and help create linkages between, neighborhoods and surrounding population centers. The Comprehensive Plan takes into consideration the effects of natural events and characteristics not only upon localized development, but also upon the community as a whole, upon private ownership issues, and upon recreational opportunities. The Plan thus commits Lincoln and Lancaster County to preserve unique and sensitive habitats and endorses creative integration of natural systems into developments.

The following principles are based on this Environmental Stewardship statement and describe the desired end state:

- ◆ Natural and environmentally sensitive areas are preserved and thrive. Wetlands, native prairies and stream (riparian) corridors are preserved to ensure the ecological health of the community.

Environmental Resources: Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.

Agricultural Stream Corridor: Land intended to remain in open space, predominately in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses. Such areas will be primarily privately owned, but may also include some public ownership or easements. These areas are mostly in the 100 year floodplain, outside of the existing Lincoln urban development. Pg 16

In April of 2003, the Mayor’s Floodplain Task Force developed policy standards for floodplains that took into consideration the natural functions played by these areas. These policy recommendations have been incorporated into the watershed management strategies included in the Utilities section of the Comprehensive Plan. Many recommendations have also been incorporated into the zoning and subdivision codes.

Environmental Resources

Seek the routine use of “Best Management Practices” in implementing stormwater management policy so that the potential for sedimentation problems are minimized.

Further discussion of floodplain and stormwater management considerations and strategies is provided within the Utilities section. Pg 61

The City of Lincoln is in the process of developing an integrated watershed management program combining previously separate floodplain and stormwater management initiatives. This approach recognizes that floodplains, tributaries, and upland areas are all part of a comprehensive, integrated watershed system.

A comprehensive watershed management program will need to incorporate a range of strategies including land use planning, conservation efforts, appropriate standards for floodplains and stormwater, flood warning system development/expansion, stream stabilization, stormwater storage basins, and other structural flood control efforts.

Utilities

As part of the overall watershed management program, the City is also developing a Master Watershed Management Plan. This plan will provide information and computer models to aid in analyzing stormwater management alternatives. A Beal Slough Stormwater Master Plan has already been prepared and adopted by the City. Similar management plans for other basins will be created and implemented by the City. Such plans are formulated in cooperation with other local, state and federal agencies. Pg 78

ANALYSIS:

This proposal to amend the Comprehensive Plan is to reflect the Little Salt Creek Watershed Master Plan in the text and future Land Use Maps. The full report of the Little Salt Creek Watershed Master Plan can be found at www.lincoln.ne.gov (Key word watershed) under “Master Plans” or “Featured Sites”.

SUMMARY:

The proposed amendment

1. Amends the City and County Future Land Use Maps to best reflect the new Floodprone Area and Floodway boundaries. Floodprone Areas are used as new FEMA floodplain maps will not be available for several years.
2. Updates the list of watershed master plans on page 81 in the Utility Chapter and
3. Updates the list of subarea plans on page 155, Plan Realization.

PROPOSED AMENDMENTS:

Amend the 2030 Lincoln-Lancaster County Comprehensive Plan as follows:

1. Future Land Use Maps

Amend the Lancaster County and Lincoln Area Future Land Use maps on pages 17 and 19 to ensure the Agricultural Stream Corridor, Green Space and Environmental Land Uses are consistent with the updated Floodprone area and Floodway boundaries as appropriate.

2. Utilities

STRATEGIES

The following watershed studies are adopted in order to provide guidance to watershed management activities within the basin.

- ◆ Stevens Creek Watershed Study and Flood Management Plan, 1998 (for rural watershed).
- ◆ Beal Slough Stormwater Master Plan, May 2000.
- ◆ Southeast Upper Salt Creek Watershed Master Plan, 2003.
- ◆ Stevens Creek Watershed Master Plan, 2005.
- ◆ Cardwell Branch Watershed Master Plan, 2007.
- ◆ Deadmans Run Watershed Master Plan, 2007
- ◆ Little Salt Creek Watershed Master Plan 2009 Pg 81

3. Plan Realization

ON-GOING COMPREHENSIVE PLAN ACTIVITIES

Subarea Planning – The Comprehensive Plan provides broad guidance for achieving the community's stated Vision. Putting details to the Plan takes additional effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards. Many of these subarea plans are prepared by the City-County Planning Department, while some are prepared by other agencies and departments. Subarea plans from the previous (1994) Comprehensive Plan carried over as part of this Comprehensive Plan include:

- ◆ North 27th Street Corridor Plan, RDG Crose Gardner Shukert, April 1997.
- ◆ Antelope Valley Major Investment Study: Amended Draft Single Package, City of Lincoln; May 1998, Updated November 1998.
- ◆ Wilderness Park Subarea Plan; February, 2000
- ◆ Stonebridge Creek Development Area at 14th to 27th, north of the Interstate; March 27, 2000.
- ◆ Greater Arnold Heights Area Neighborhood Plan; September, 2000.
- ◆ Southeast Lincoln/Highway 2 Subarea Plan; March 26, 2001.
- ◆ City-County Solid Waste Management Plan, Public Works and Utilities Department and Lincoln Lancaster County Health Department; September, 1994.
- ◆ Ground Water Management Plan, Lower Platte South Natural Resources District; April, 1995.
- ◆ Consolidated Plan for HUD Entitlement Programs; FY 2000 Urban Development;
- ◆ Lincoln Water System Facilities Master Plan, Public Works and Utilities Department; April 2003.
- ◆ Lincoln Wastewater Facilities Master Plan, Public Works and Utilities Department; November 2007.

- ◆ Stevens Creek Watershed Study and Flood Management Plan, Lower Platte South Natural Resources District; March 1998.
- ◆ Beal Slough Stormwater Master Plan, Olsson Associates & Wright Water Engineers; May 2000.
- ◆ Southeast Upper Salt Creek Watershed Master Plan, 2003.
- ◆ Lincoln Public Schools 10 year Plan: which is based on the Comprehensive District Master Plan; May 2003 and Student Housing Task Force Report 2005
- ◆ North 48th Street/University Place Plan: Neighborhood Revitalization & Transportation Analysis, 2004
- ◆ Lincoln Airport F.A.R. Part 150 Noise Compatibility Study, 2003
- ◆ Airport West Subarea Plan, 2004
- ◆ Stevens Creek Watershed Master Plan, 2005
- ◆ Downtown Master Plan, 2005
- ◆ Cardwell Branch Watershed Master Plan, 2007
- ◆ Deadmans Run Watershed Master Plan, 2007
- ◆ Little Salt Creek Watershed Master Plan 2009

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Prepared by:

Mike DeKalb
 441-6370, mdekalb@lincoln.ne.gov
 Planner
 July 29, 2009

APPLICANT: Greg MacLean, Director
 Public Works and Utilities Dept, Watershed Management Div
 555 S. 10th Street
 Lincoln, NE 68508
 and
 Glenn Johnson, General Manager
 Lower Platte South NRD

CONTACT: Ed Kouma
 Public Works and Utilities Dept, Watershed Management Div
 555 S. 10th Street
 Lincoln, NE 68508
 (402) 441-7018
ekouma@lincoln.ne.gov

**COMPREHENSIVE PLAN AMENDMENT NO. 09006,
LITTLE SALT CREEK WATERSHED MASTER PLAN,
COUNTY CHANGE OF ZONE NO. 09017 and
COUNTY MISCELLANEOUS NO. 09006**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 12, 2009

Members present: Esseks, Taylor, Partington, Cornelius, Francis, Gaylor Baird, Larson and Sunderman.

Ex Parte Communications: None.

Staff recommendation: Approval.

Staff presentation: **Mike DeKalb of Planning staff** stated that the Comprehensive Plan Amendment amends three pieces of the Comprehensive Plan as well as updating the Land Use Maps. The two text amendments change the county zoning and subdivision regulations to incorporate “floodprone areas” so that the best available information can be applied in the regulations as the best available floodplain information.

Proponents

1. Ed Kouma, Public Works & Utilities, Watershed Division, stated that the Little Salt Creek Watershed Master Plan is the sixth in the series that have been done for the City. The purpose of the master plan is to create long term planning tools and improvement projects for water quality, flood management and stream stability to provide guidance for sustainable urban growth.

Floodplain mapping was done in the study and the floodprone areas were updated. The study shows the existing approved FEMA floodplain maps. Some of the areas, which are mostly at the extension of the tributaries, are now included as defined floodplains that were not previously defined. The items before the Planning Commission are to make the revisions to the county zoning and subdivision regulations to add provision for regulating locally adopted floodprone areas and floodways. This mirrors the regulations in the city jurisdiction.

Kouma went on to advise that the study identified problems throughout the basin. Eighteen stream stability projects were identified with recommendations as possible improvements to the basin to improve water quality and stream stability. The recommendations were for grade control at bridges and for silt-in basins. Other recommendations include stormwater BMP’s and recommendations for future development which would include testing for dispersive soils. Approval of the study adopts floodprone areas as best available information.

There are other recommendations for bridges and culverts, natural resources, riparian corridor and water quality, but these were not recommended as projects.

Kouma suggested that the public process was key throughout the study. Two open houses were held, there were mailings and two committees were formed to assist the study team. The Web site has been maintained throughout the study – keyword “watershed”.

Adoption of the Master Plan is recommended. The request is to add the master plan to the list of approved subarea plans and watershed studies. The proposed future land use plan updates the agricultural stream corridor and environmental resources land uses to reflect the updated floodprone area and floodway information. This is consistent with updates that have been made in other watersheds.

Kouma pointed out that the majority of the watershed has agricultural land use designation. Two areas extend slightly into the industrial/commercial areas and urban residential land uses. Those areas are still zoned for agricultural use. The commercial area near Interstate 80 was already zoned so it was not updated with these changes.

2. Paul Zillig, Assistant Manager of the Lower Platte South NRD, testified in support, The NRD was a partner with the City in preparing this plan. The Board met in July and approved the plan and recommends the Planning Commission approval as well.

There was no testimony in opposition.

COMPREHENSIVE PLAN AMENDMENT NO. 09006

ACTION BY PLANNING COMMISSION:

August 12, 2009

Larson moved approval, seconded by Gaylor Baird.

Sunderman commented that this is not the first watershed study the Planning Commission has been through. The issues have come forward previously and the Commission is fairly familiar with them.

Motion for approval carried 8-0: Esseks, Taylor, Partington, Cornelius, Francis, Gaylor Baird, Larson and Sunderman voting ‘yes’. This is a recommendation to the Lancaster County Board and the Lincoln City Council.

COUNTY CHANGE OF ZONE NO. 09017

ACTION BY PLANNING COMMISSION:

August 12, 2009

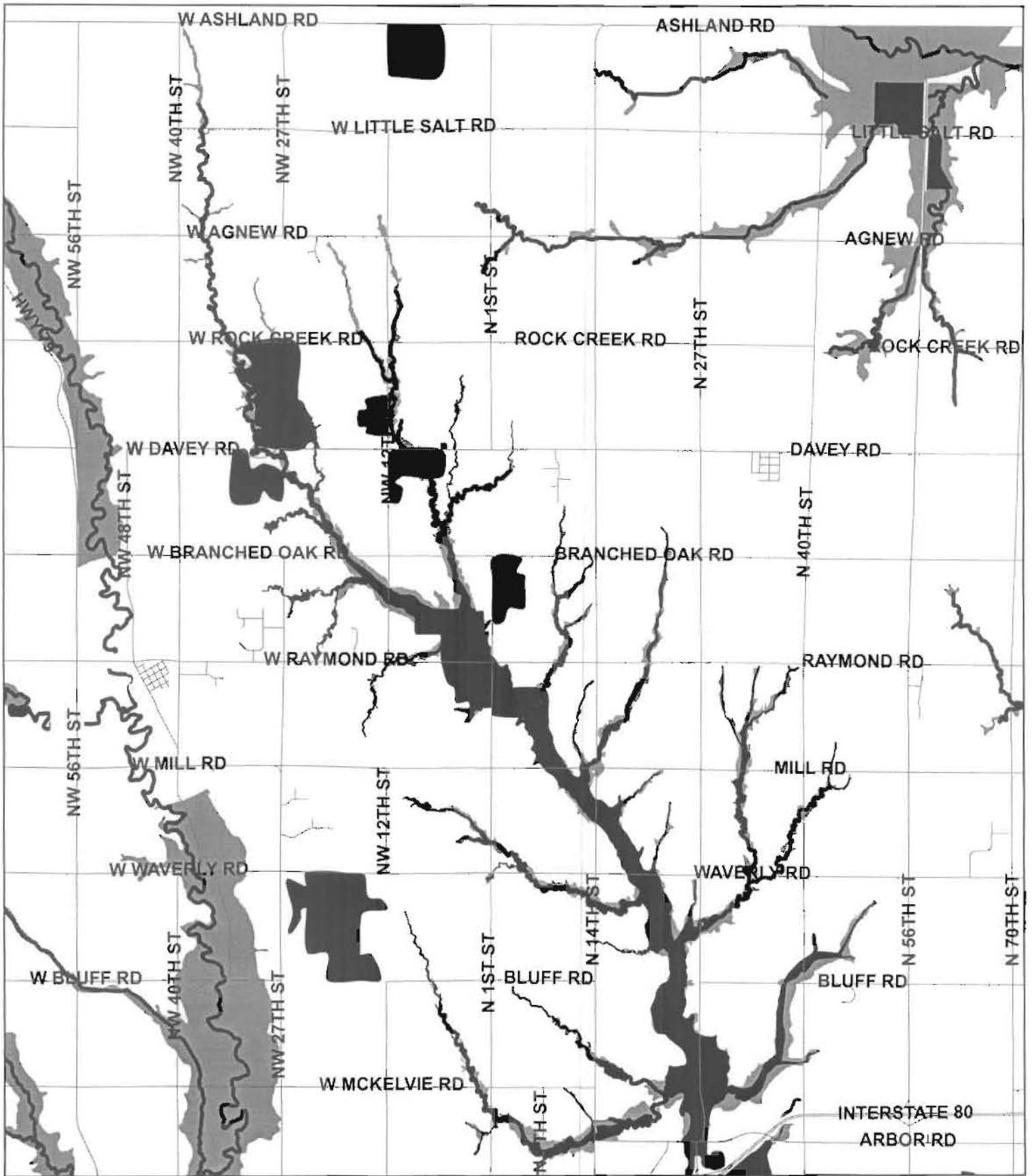
Francis moved approval, seconded by Cornelius and carried 8-0: Esseks, Taylor, Partington, Cornelius, Francis, Gaylor Baird, Larson and Sunderman voting ‘yes’. This is a recommendation to the Lancaster County Board.

COUNTY MISCELLANEOUS NO. 09006

ACTION BY PLANNING COMMISSION:

August 12, 2009

Cornelius moved approval, seconded by Francis and carried 8-0: Esseks, Taylor, Partington, Cornelius, Francis, Gaylor Baird, Larson and Sunderman voting ‘yes’. This is a recommendation to the Lancaster County Board.



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CPA09006 (Map A)

Proposed Future Land Use Plan

Reflecting Little Salt Creek Floodprone Data

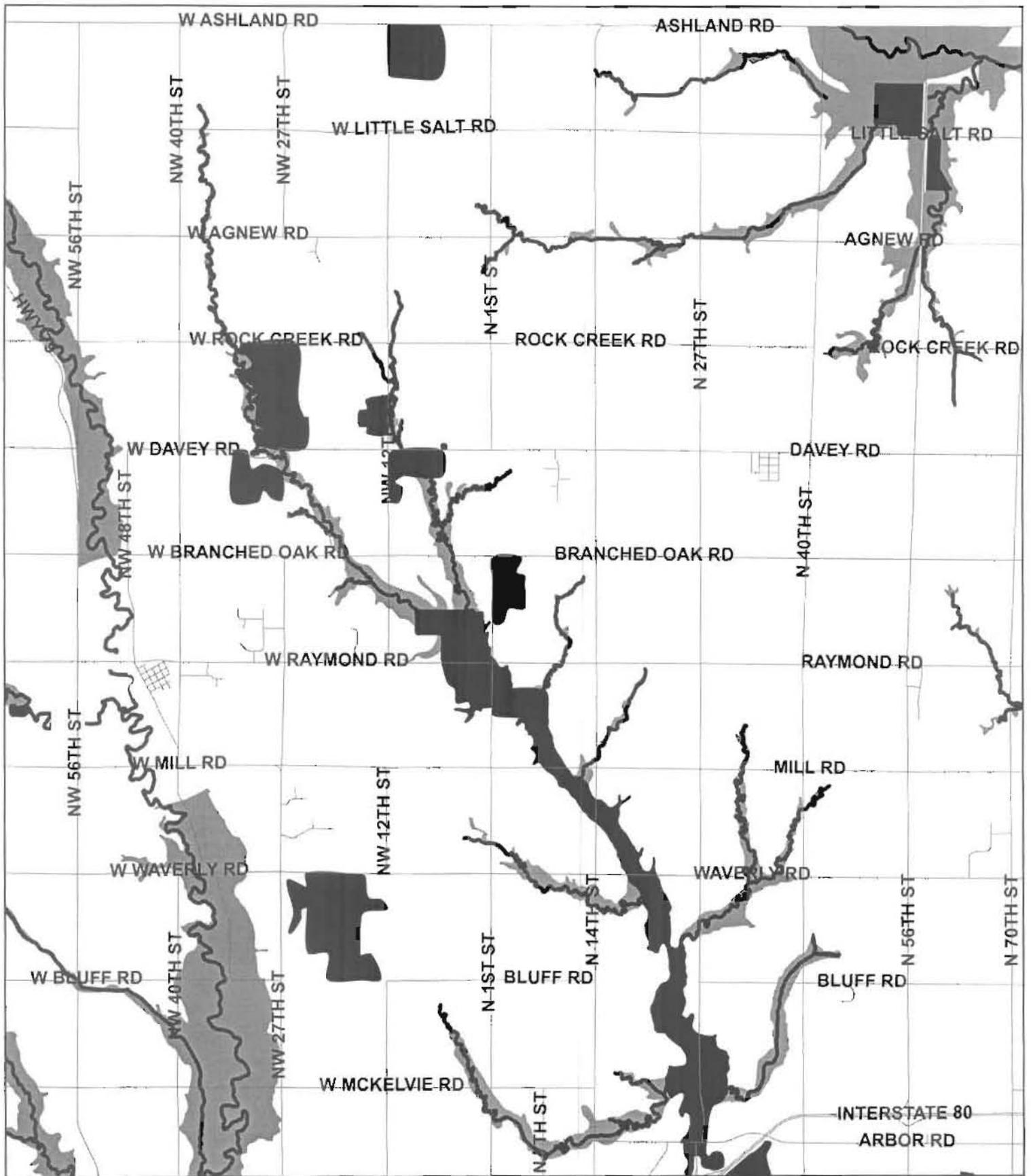


- Environmental Resources
- Ag Stream Corridor

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LINCOLN - LANCASTER COUNTY
 PLANNING DEPARTMENT
 Information Technology Services
 205 South 900 Street
 Lincoln, Nebraska 68509
 402.464.2444 Fax 402.464.2427



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CPA09006 (Map B)

Current Future Land Use Plan

As Approved In The 2030 Comprehensive Plan

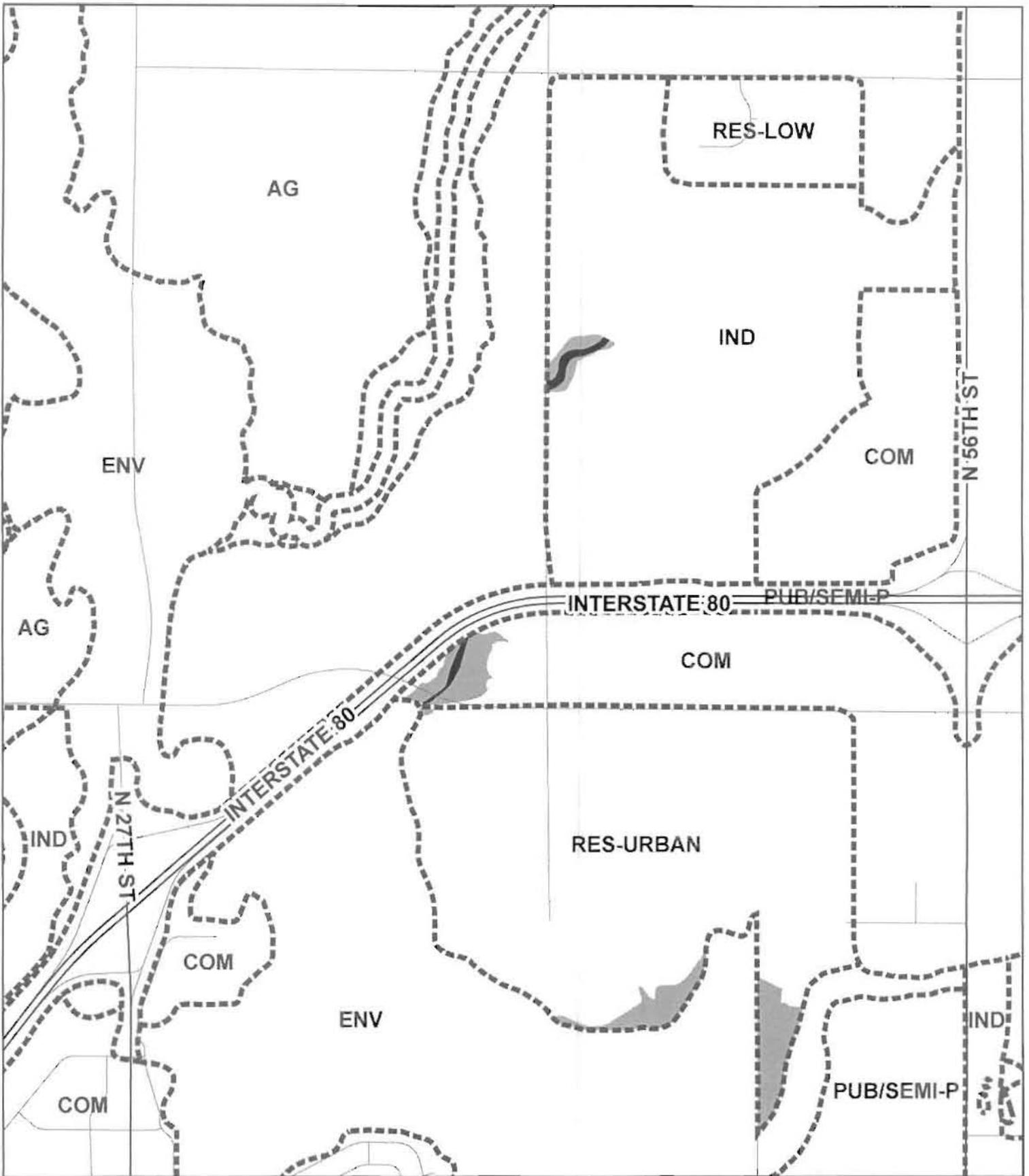


- Environmental Resources
- Ag Stream Corridor

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LINCOLN - LANCASTER COUNTY
 PLANNING DEPARTMENT
 Jobanomics Technology Services
 100 South 10th Street
 Lincoln, Nebraska 68508
 402.464.7400 Fax 402.464.6177



CPA09006 (Map C)
Proposed Future Land Use Plan
Specific (Non-Ag) Proposed Changes

- Change To Environmental Resources
- Change To Ag Stream Corridor

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LINCOLN - LANCASTER COUNTY
 PLANNING DEPARTMENT
 1115 S. 10th Street
 Lancaster, Nebraska 68602
 402-441-3141 Fax 402-441-3127



July 14, 2009

Marvin Krout, Planning Director
Lincoln-Lancaster Co. Planning Dept.
555 S. 10th Street, Ste 213
Lincoln, NE 68508

Dear Marvin:

This is a request by the Public Works and Utilities Department and the Lower Platte South Natural Resources District (NRD) to place three items on the August 12, 2009 Planning Commission agenda:

1. An amendment to the Lincoln-Lancaster County Comprehensive Plan to add the Little Salt Watershed Master Plan to the list of sub-area plans in the Plan Implementation section and to the list of watershed studies in the Utilities section; and to amend the Lincoln Area and Lancaster County future land use maps to ensure the Agricultural Stream Corridor, Green Space, and Environmental Land Uses are consistent with the updated Floodprone Area and Floodway boundaries as appropriate.
2. At the direction of the County Board, proposed revisions to the County Zoning Regulations to add provisions for regulating locally-adopted Floodprone Areas and Floodways.
3. At the direction of the County Board, proposed revisions to the County Subdivision Regulations to add provisions for regulating locally-adopted Floodprone Areas and Floodways.

The Little Salt Creek Watershed Master Plan is a joint project of the City of Lincoln and NRD in cooperation with the County, and it represents the sixth master planning effort to date. Master Plans for Beal Slough, Cardwell Branch, Stevens Creek, Southeast Upper Salt Creek, and Deadmans Run have previously been adopted as subarea plans. The Little Salt Creek Watershed Master Plan was initiated in order to develop long-term planning tools and improvement projects to address water quality, flood management, and stream stability to provide guidance for sustainable urban growth in the watershed. The Master Plan consists of four major elements: 1) Floodplain Management Tools, 2) Capital Improvement Projects, 3) Stormwater Best Management Practices, and 4) Other Improvement Recommendations.

The enclosed Plan represents an extensive and inclusive public process to solicit input from a broad range of stakeholder groups, which included the involvement

of a 16-member Citizen Advisory Committee and a 14-member Technical Advisory Committee, two open house public meetings, a series of five newsletters, and a project web site, all of which are detailed in the Master Plan.

The intent is to bring resolutions before the City Council and County Board in tandem with the above three items to adopt the Little Salt Creek Floodprone Area and Floodway as the best available information for local regulatory purposes. While the City has an ordinance in place as a basis for adopting updated Floodprone Area information, the County does not yet have regulatory provisions to recognize the updated information. Because such a large portion of the Little Salt Creek watershed is within the County's zoning jurisdiction, the County Board requested revisions to the County Zoning and Subdivision Regulations be brought before them for their consideration.

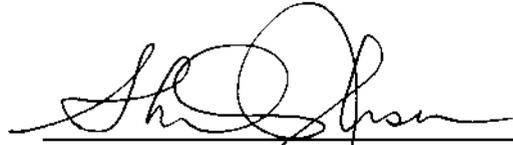
The entire Master Plan, together with information regarding the process for its development, can be found online at lincoln.ne.gov, keyword: "watershed."

Should you have any questions or need further information, please contact Ed Kouma in the Public Works and Utilities Department, ekouma@lincoln.ne.gov or 441-7018.

Sincerely,



Greg MacLean, Director
Public Works & Utilities Dept.



Glenn Johnson, General Manager
Lower Platte South NRD

cc: Nicole Fleck-Tooze, Ben Higgins, Ed Kouma - PW/U Dept.
Mike DeKalb - Planning Dept.
Doug Pillard - Co. Engineering
Tom Fox - County Attorney's Office
Lynn Johnson, J.J. Yost, Terry Genrich - Parks Dept.
Paul Zillig - Lower Platte South NRD
Mark Meyer - Intuition & Logic
Milan Wall - Heartland Center for Leadership Development

Attachments: 1 bound copy of Watershed Master Plan with CD
12 copies of Executive Summary with CD of full Master Plan

**LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT**



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August 13, 2009

Lincoln City Council
City-County Building
555 South 10th Street, Room 111
Lincoln, Ne 68508

Dear Council Members:

The Lower Platte South NRD Board of Directors reviewed and approved the Little Salt Creek Watershed Master Plan at their July Board of Directors meeting. In addition to approving the plan they also recommend approval by the Lincoln City Council.

Sincerely,

Paul D. Zillig
Assistant General Manager

PDZ/pdz

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