

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Chapter 26.07 of the Lincoln Municipal Code relating  
2 to Land Subdivision Definitions by adding a new section numbered 26.07.113 to define “existing  
3 urban area”; repealing Section 26.07.115 to delete the definition of “flood insurance study”; adding  
4 a new section numbered 26.07.116 to define “flood design criteria”; renumbering and amending  
5 Section 26.07.120 as Section 26.07.117 to revise the definition of “floodplain”; adding a new section  
6 numbered 26.07.119 to define “floodprone area”; amending Section 26.07.126 to revise the  
7 definition of “minimum flood corridor”; adding a new section numbered 26.07.127 to define “new  
8 growth areas”; renumbering current Section 26.07.127 as Section 26.07.130; renumbering current  
9 Section 26.07.128 as Section 26.07.135; amending Section 26.07.240 to revise the definition of  
10 “wastewater works”; and repealing Sections 26.07.115, 26.07.117, 26.07.126, and 26.07.240 of the  
11 Lincoln Municipal Code as hitherto existing.

12 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

13 Section 1. That Chapter 26.07 of the Lincoln Municipal Code be amended by adding  
14 a new section numbered 26.07.113 to read as follows:

15 **26.07.113 Existing Urban Area.**

16 Existing Urban Area shall mean those areas inside the corporate limits of the City of Lincoln.  
17 as well as those areas outside the corporate limits having a zoning designation other than AG  
18 Agriculture or AGR Agricultural Residential, on the effective date of this ordinance.

1           Section 2. That Section 26.07.115 of the Lincoln Municipal Code be and the same  
2 is hereby repealed:

3 ~~26.07.115~~ **Flood Insurance Study.**

4 ~~——— Flood Insurance Study (FIS) shall mean the Flood Insurance Study for Lancaster County,~~  
5 ~~Nebraska and Incorporated Areas published by FEMA in conjunction with the FIRM and containing~~  
6 ~~background data such as base flood discharges and water surface elevations used to prepare the~~  
7 ~~FIRM.~~

8           Section 3. That Section 26.07 of the Lincoln Municipal Code be amended by adding  
9 a new section numbered 26.07.116 to read as follows:

10 **26.07.116**    **Flood Design Criteria**

11           Flood Design Criteria shall mean Chapter 10 of the City of Lincoln Drainage Criteria  
12 Manual, as adopted on February 22, 2000 by Resolution No. A-80038, as amended.

13           Section 4. That Section 26.07.120 of the Lincoln Municipal Code be renumbered as  
14 Section 26.07.117 and amended to read as follows:

15 ~~26.07.120~~ **26.07.117**   **Flood Plain Floodplain.**

16           ~~Flood plain~~ Floodplain shall mean those lands ~~within the zoning jurisdiction of the City of~~  
17 ~~Lincoln~~ which are subject to a one percent or greater chance of flooding in any given year, as shown  
18 on the. ~~The regulatory flood plain for this title shall be based on the September 21, 2001 official~~  
19 ~~Flood Insurance Rate Map (FIRM issued by FEMA for Lancaster County, Nebraska and~~  
20 ~~Incorporated Areas), issued by the Federal Emergency Management Agency and any revision~~  
21 ~~thereto. as amended.~~ Copies of the said maps shall be kept on file in the Department of Building and  
22 Safety.

1 Section 5. That Chapter 26.07 of the Lincoln Municipal Code be amended by adding  
2 a new section numbered 26.07.119 to read as follows:

3 **26.07.119 Floodprone Area.**

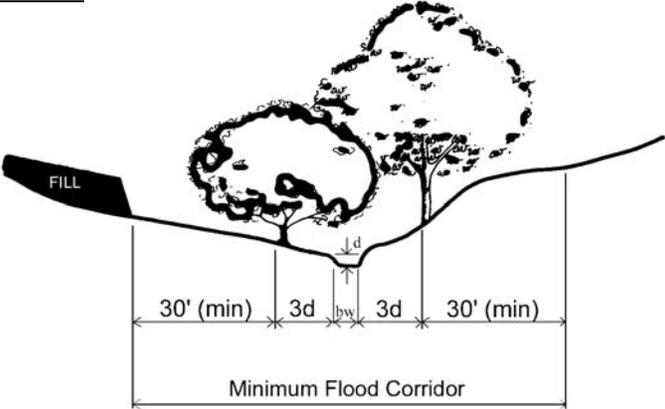
4 Floodprone area shall mean those lands subject to a one percent or greater chance of flooding  
5 in any given year, as determined by hydrologic and hydraulic studies completed by the City or other  
6 government agency, or other acceptable source as approved by the City where this is the best  
7 available information.

8 Section 6. That Section 26.07.126 of the Lincoln Municipal Code be amended to  
9 read as follows:

10 **26.07.126 Minimum Flood Corridor.**

11 Minimum flood corridor shall mean the existing channel bottom width plus 60 feet plus six  
12 times the channel depth and the corridor will be centered on the channel, as shown in Figure 1 below,  
13 or aligned such that the corridor follows the natural flow of flood waters.

14 For streams with a defined bed and bank which drain less than 150 acres, minimum flood  
15 corridor shall mean a narrower corridor proportionate to the drainage area as identified in the City  
16 of Lincoln Design Standards.



17 **Figure 1 - Minimum Flood Corridor**

1           Section 7. That Chapter 26.07 of the Lincoln Municipal Code be amended by adding  
2 a new section numbered 26.07.127 to read as follows:

3       **26.07.127    New Growth Areas.**

4           New growth areas shall mean those areas outside the corporate limits of the City of Lincoln  
5 and zoned AG Agriculture and AGR Agricultural Residential on the effective date of this ordinance.

6           Section 8. That Section 26.07.127 of the Lincoln Municipal Code be and the same  
7 is hereby renumbered as Section 26.07.130:

8       **~~26.07.127~~ 26.07.130   **On-site Wastewater Treatment System.****

9           On-site wastewater treatment system shall mean any system of piping, treatment devices, or  
10 other appurtenances that convey, store, treat, or dispose of wastewater on the property where it  
11 originates, or on nearby property under the control of the user, where the system is not connected to  
12 a wastewater works. All systems are limited to a maximum size of 1000 gallons per day to be  
13 considered an on-site wastewater treatment system.

14           Section 9. That Section 26.07.128 of the Lincoln Municipal Code be and the same  
15 is hereby renumbered as Section 26.07.135:

16       **~~26.07.128~~ 26.07.135   **Outlot.****

17           A parcel of real property having the same definition as a "lot" as defined hereinbefore, but  
18 not presently designated for building or occupancy, reserved for future building or occupancy after  
19 platting and subdivision, or reserved for open space and common facilities, which present and  
20 proposed future use must be designated by the subdivider at the time of filing of the initial plat.

21           Section 10. That Section 26.07.240 of the Lincoln Municipal Code be amended to  
22 read as follows:

1     **26.07.240     Wastewater Works.**

2             Wastewater works shall mean facilities, whether public or community (private), for  
3     collecting, transporting, pumping, treating, discharging or disposing of treated effluent and disposing  
4     or utilizing biosolids generated by wastewater treatment facilities. ~~and treating wastewater and the~~  
5     ~~disposal of treated effluent and sludges.~~

6             Section 11. That Sections 26.07.115, 26.07.117, 26.07.126, and 26.07.240 of the  
7     Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

8             Section 12. That this ordinance shall take effect and be in force from and after its  
9     passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2004:  
  
\_\_\_\_\_  
Mayor