

## **FACTSHEET**

**TITLE:** **CHANGE OF ZONE NO. 04044**, requested by the Director of Planning, to amend Title 27 of the Lincoln Municipal Code adopting the "Build Through Acreage Overlay District" and Build-Through Acreage standards.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 09/15/04  
Administrative Action: 09/15/04

**STAFF RECOMMENDATION:** Approval.

**RECOMMENDATION:** Approval, with amendments (8-0: Carlson, Carroll, Krieser, Larson, Marvin, Bills-Strand, Taylor and Sunderman voting 'yes'; Pearson absent).

**ASSOCIATED REQUESTS:** Miscellaneous No. 04008 (04-183 and 04-184) and Miscellaneous No. 04011 (04R-267).

### **FINDINGS OF FACT:**

1. These proposed text amendments to Title 27 of the Lincoln Municipal Code and the associated amendments to Title 26 and the City of Lincoln Design Standards relating to "Build-Through Acreage" standards were heard at the same time before the Planning Commission.
2. The purpose of the proposed text amendments is to reflect a new "Build-Through Acreage Overlay District" on AG and AGR zoning in the three-mile jurisdiction, pursuant to the Comprehensive Plan and the recommendations of the consultant, the Acreage Resource Group and staff. The proposed changes to Title 27 require:
  - a "shadow" plat showing each acreage lot subdivided into at least three future lots
  - all easements for the existing and future lots
  - pre-grading of all streets and drainageways
  - agreements of no protest for future annexation, assessment and urbanization
  - easements and location of major utility and road easements on the outlots of CUP's
  - the current bonus package for a CUP is modified to allow 20% for preservation of future development and an additional 20% for community sewer in the AG district.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.4-5, concluding that the proposed amendments modify the existing ordinances and standards to reflect the Build-Through Acreage recommendations of the consultant and the staff. These amendments only apply to Lincoln's three-mile jurisdiction.
4. The minutes of the public hearing before the Planning Commission are found on p.6-11. Bob Benes of Aspen Builders and Brian Carstens testified in support; however, they expressed concerns about the grading requirements (p.8).
5. There was no testimony in opposition.
6. On September 15, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval, with two amendments:

Bills-Strand moved to amend to change the language in Section 27.65.075(b)(1) on page 18, line 20, to R-1 (instead of R-3), to adjust the minimum gross density of 3.25 units per acre accordingly, and to amend any other language throughout the ordinance necessary to accomplish this amendment, seconded by Carroll and carried 8-0.

Bills-Strand moved to amend Section 27.65.075(a)(2) on p.18, such that the grading for the future streets not be required for the current subdivision, but that the future streets be dedicated or easements granted, with the final rough grading not to be done in Tier II and III, but only required in Tier I, seconded by Sunderman and carried 5-3 (Carroll, Marvin and Carlson dissenting).
7. Staff reviewed the intent of the density requirement, and would now suggest alternative language that meets the intent of the Planning Commission's motion, but clarifies the language: require a minimum gross density of 3.0 units per acre, reflecting the average urban density as calculated in the Comprehensive Plan, and reference the R-3 zoning district in order to establish appropriate building lines.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** September 20, 2004

**REVIEWED BY:** \_\_\_\_\_

**DATE:** September 20, 2004

**REFERENCE NUMBER:** FS\CC\2004\CZ.04044

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

## for September 15, 2004 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items.

**P.A.S.:**                    **Change of Zone #04044** - Build -Through Standard  
Misc # 04008 - Build Through amendments to Subdivision  
Misc # 04011 - Build Through amendments to Design Standards

**PROPOSAL:**                Text amendments to :

**Zoning, Title 27 LMC:**  
**Chapter 27.07 Permitted Special Uses**  
**Chapter 27.65 Community Unit Plan**  
**Chapter 27.83. New BTA District**

*Subdivision, Title 26 LMC;*  
Chapter 26.11 Procedure for Processing  
Chapter 26.15 Preliminary Plat  
Chapter 26.23 Development Standards  
Chapter 26.27 Minimum Improvements

*Lincoln Design Standards for Zoning and Subdivision Regulations;*  
Section 2.20 BTA Public Street Design Standards

All relating to the Build Through Acreage regulations to reflect the Comprehensive Plan and Consultants Build Through Report and recommendations.

**CONCLUSION:** These amendments modify the existing ordinances and standards to reflect the Build - Through Acreage (BTA) recommendations of the consultant and staff. These amendments only apply to Lincoln's three mile jurisdiction. The Subdivision and Zoning are adjusted to reflect a BTA overlay. The Design Standards are amended to reflect the road changes.

<b>RECOMMENDATION:</b>
------------------------

Approval
----------

### HISTORY:

**May 2002** - Lincoln Lancaster County Comprehensive Plan is adopted and calls for development of a "Build - Through" design standard to be applied to acreage development in Tiers II and III. New urban acreage development is not encouraged in Tier I.

Acreage Resource Group formed to assist staff and consultants on all acreage studies.

**March 2003** - RDG Crose Gardner hired to assist in developing Build Through standards.

**March 2004** - Final BTA report released.

**August 2004** - Staff develops and releases draft BTA ordinances and standards.

**2003 and 2004** - Numerous meetings with the ARG and public through the process.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan states:

Rural Lancaster County is in transition from an area of predominantly agricultural uses to an area which includes more residential uses. Balancing the strong consumer demand for country style living and the practical challenge of integrating acreages with traditional agricultural land use will continue. Lands previously designated in the Comprehensive Plan or zoned for low density residential development must be recognized. (F69)

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot area) and AGR - Agricultural Residential District (minimum of 3 acres per lot area) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies. (F70)

Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost effective rural water district service. Grouping also reduces the amount of potential conflict points between farm operations and acreages. (F70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F70)

*New urban acreage development is not encouraged in the Plan Vision Tier I areas for Lincoln, except for areas already zoned, previously designated for acreages or under development, in order to provide areas for future urban growth and to minimize the impact on new acreage development. This will reduce the number of acreage homeowners who would be impacted by annexation in the future. Even though acreages can be designed with infrastructure to city standards, there is still an impact on acreage owners and their families during annexation in terms of changes in school district, the character of the surrounding area and financial implications. Impacts to the acreage homeowners and to the City of Lincoln can be avoided by locating acreages in areas outside of the Tier I areas.(F70)*

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.(F 71)

*“New ‘urban acreage’ development should only be permitted in Tier II and Tier III area of Lincoln and near towns under higher design standards based upon a “buildthrough” model and without use of sanitary improvement districts. The “build through” design standards should address, along with other items deemed necessary to the study:*

- *a preliminary plan lot layout that accommodates first phase low density acreages with rural water and sewer systems. The preliminary plat would also show future lot splits as a second phase to permit the urban infrastructure to be built through and urbanization to occur if and when annexed by a city or town is deemed appropriate. The future lot splits will increase density in an urban form and provide income to property owners to defray the increases in city taxes, services and infrastructure costs;*
- *a lot layout that meets the various elements of the Comprehensive Plan; and*
- *a development agreement that runs with the land and acknowledges that the acreage development (I) is not entitled to extra buffering protection greater than the acreage property lines from existing agricultural practices and from future urbanization and (ii) waives any future right to protest the creation of lawful centralized sanitary sewer, water and paving special assessment districts or other lawful financing methods at a later date when urbanization is appropriate. (F71)*

## **ANALYSIS:**

1. The ordinance changes are summarized on the attached fact sheet and include amendments to the zoning to reflect a new overly BTA district on the AG and AGR in the three mile area . The subdivision ordinance amendments reflect the shadow plat and plat improvements. The Design Standard amendments reflect a new local urban/rural street.
2. The attached Figure #1, from the consultant report, reflects the concept of providing initial acreage lots and streets with a built-in transition to smaller lots and cross streets.
3. Figure #2 shows a local example of a conventional three acre subdivision with individual water and sewer.
4. Figure #3 shows that same subdivision with a “shadow plat” of future lots and streets.
5. Figure #4 shows the current three mile ETJ of Lincoln; this ordinance would effect the AG and AGR zoned areas in the three mile area, including all Growth Tiers.

6. Figures # 5 and 6 show existing situations of three and four acre acreage lots in the area of city growth.
7. Implementation is expected to enhance the ability of the City to grow into an acreage area as well as promote better information and flexibility to future homeowners. The technique will likely increase the cost of acreage development in the three mile area, although the proposed amendments do provide a density bonus to compensate for this cost. However, most importantly, this technique should reduce cost, time and effort for future conversions to new urban densities.

Prepared by:

Mike DeKalb, AICP  
441-6370, [mdekalb@ci.lincoln.ne.us](mailto:mdekalb@ci.lincoln.ne.us)  
Planner  
August 31, 2004

**APPLICANT:** Marvin Krout, Director  
Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
(402) 441 - 7491

**CONTACT:** Mike DeKalb  
Lincoln/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
441-6370

Dennis Bartels  
Lincoln Public Works and Utilities  
531 Westgate Blvd. Suite 100  
Lincoln, NE 68528 - 1563  
441 - 7589

**CHANGE OF ZONE NO. 04044,  
MISCELLANEOUS NO. 04008  
and  
MISCELLANEOUS NO. 04011,**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

September 15, 2004

Members present: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand;  
Pearson absent.

Staff recommendation: Approval.

Ex Parte Communications: None

Proponents

**1. Mike DeKalb** of Planning staff presented the proposal for “build-through” acreage standards as called for in the Comprehensive Plan. The consultant’s final report came out in March 2004 and is available on the Web site. The Planning Department formed the “Acreage Resource Group” to assist with three of the acreage studies, which included, among others, the County Engineer, Public Works & Utilities, land use attorneys, engineers, farmers, residents of acreages close to the City that had been annexed; and real estate developers. These individuals were invaluable in assisting the staff.

The Planning Department held briefings for the City-County Common in late 2003 and early 2004; did some coordination with other city departments; and held a number of public information meetings and open houses.

The proposed amendments to Title 27 establish the “build-through” overlay district, which applies to AG and AGR zoning within the 3-mile city jurisdiction. The district provides for a “shadow plat” for future smaller lots; provides for easements for existing and future lots; provides and requires pre-grading of the streets and drainage areas; includes the requirement for agreements for no protest to future annexation and assessments; includes future utility easements; the current bonus package is modified to allow 20% for preservation of future development land and an additional 20% for community sewer to cluster down to smaller lots.

The proposed amendments to Title 26 reflect the “shadow plat”, with calculation of the grading and drainage and rough grading must be in place.

The proposed amendments to the Design Standards amend the rural public street design standards, requiring concrete paving if paved and revises the typical cross-section of the street. A public street can be gravel or concrete paving; there is still the option of asphalt paving for private streets in community unit plans.

Marvin confirmed that these amendments will go on to the City Council and they apply out to Tier III. DeKalb clarified that the proposed amendments apply to the city 3-mile jurisdiction.

Marvin noted that there are some AG to AGR requests sitting on the Planning Commission's pending list. How do we treat those? DeKalb explained that for changes of zone to AGR, the approach had been the point system as opposed to build-through. The point system is being evaluated by the County Board at this time. There are also items on the pending list that mention the build-through and this gives the opportunity for those developers to address build-through in their applications. Those applications submitted after adoption of the build-through would be held to the new standard. If an AGR area comes in with a plat, these design standards would apply.

Larson inquired as to the meaning of "rural local street". DeKalb stated that the basic cross-section drawing actually reduces the crown of the road, so that when the concrete is put in place, the curb and gutter can be put in and it becomes a city cross-section.

Bills-Strand expressed concerns about the requirement for "rough" grading and "pre-grading" of all streets and drainageways. DeKalb explained that if the street is shown on the plat and the city gets an easement and it is pre-graded, it is hoped that the developer would not put structures on that street. The intent is that they can use it as part of their open space, but if there is some cut, you get the rough cut in place so that the fence lines aren't in the wrong place and so that a big tree is not put in the right-of-way. Bills-Strand inquired when it is assumed we will be out to Tier III. DeKalb stated that Tier I is considered to be 25 years, Tier II 25-50 and Tier III is beyond 50. Bills-Strand believes the overall concept is wonderful, but it is the grading issue that concerns her. If we are going to make the developer grade the street, she believes they should be able to enjoy and utilize the acreage the way they want. DeKalb explained that the Acreage Recourse Group and the staff were trying to find a balance utilizing the full three to four to five acres and provide protections for the future, the point being that the Comprehensive Plan not only calls for development of build-through, but we will get there someday. This preserves that road right-of-way for the future.

DeKalb believes that the more likely scenario after adding the second 20% bonus is that we will see clustering with smaller lots with a community system or an AG area with 3-acre lots clustered together. The open lot set aside minimizes the grading. We're trying to find a balance.

With regard to Tier II and Tier III, Bills-Strand inquired as to how our road standards have changed in the last 10 years and what the staff anticipates will change in the next 25 years. Might we have a complete different standard 30 years from now? DeKalb responded, stating that there have been changes to the standards on mile sections in major roads. The standard that applies here is local streets. He does not expect the local street standards to change significantly in the future.

Dennis Bartels of Public Works offered that the majority of local streets are basically the 27' wide street and have been in place for at least 25 years. He believes the local streets were similar even before that time.

## Testimony in Support

**1. Bob Benes, Aspen Builders**, testified that he is both in support, but has concerns about the grading requirements. He is working on some acreage projects and in most scenarios it should work fine, but there are going to be those exceptions. As long as there is the opportunity to apply for exceptions, he does not see a problem. If a 3-acre lot is platted on a shadow plat for 3 one-acre lots and you have the build-through process in place, Benes is unclear whether it will be required that that homeowner build on a, b or c according to the shadow plat, or if the homeowner can purchase a 3-acre lot and put his lot where he wants. If the shadow plat goes through, it could be more expensive to put the improvements in.

**2. Brian Carstens** testified in support but agreed with the grading concerns. The proposal suggests that if you lay out 3-acre lots, you have to show three 1-acre buildable lots. If you do the cluster with the community system, you lay out 1-acre lots. If you have already taken it down to the 1-acre lots to begin with, mathematically you should have more dwelling units on the entire parcel and he sees that causing more grading problems. He suggested striking the last sentence on page 148 in Section 27.65.075(b)(1):

...For acreage community unit plans using community wastewater systems with a one acre maximum lot size, the future final plot plan shall provide an average area per family equal to the lot area per family required in the R-3 Residential District, or a maximum gross density of 3.25 units per acre.

There was no testimony in opposition.

## Staff questions.

Carlson inquired of staff whether a waiver to the grading requirement can be requested and granted. DeKalb stated that an applicant could ask for waivers and modifications to the process. However, once the community unit plan and preliminary plat are in place, and the subdivider requests to replat, it is more difficult than today. This does have the ability to adjust but it is more difficult. The intent is that you pre-design to match your topography and if you need adjustments or amendments at that time, the waivers are still available.

DeKalb further explained that the intent is that a house not straddle lots. Larson asked whether you have to put your house on one of the pre-platted one-acre shadow lots if you buy a three-acre lot. And Bill-Strand inquired whether the septic and the well have to be on that lot. DeKalb stated that the septic and well will be on the same lot, but it won't be on the shadow plat because the shadow won't be activated until the city services get there.

Carlson inquired whether the three shadow plats have to be the same size and same layout. DeKalb stated that they do not.

With regard to Mr. Carstens' proposed amendment, DeKalb explained that the intent is to try to match the urban densities. The 3.25 units per acre is a target. Today on the edge of town, the average subdivision under R-3 is running 3-4 units per acre. Another way of looking at it is that in



an existing built city, you're getting six units on 2.1 acres. So you're not as dense as the existing city, but we would like density designed into the shadow plat about the same as in the typical detached residential lot in the city today. The lots could be modified to reflect the topography.

If a person bought one of the three-acre lots, Larson wondered whether a house could be built spread across two of the shadow lots. DeKalb stated that the regulations are designed to discourage that. An amendment and modification to the CUP can be requested and a revised plat can be done, but it is not designed to be done easily.

If a person built on one of the shadow lots and then the shadow plat was approved, Larson wondered whether someone else could buy the other three lots and build one house. DeKalb indicated that they could not straddle the lots. When the city services get there it should be set up to go directly to a final plat.

Bills-Strand is concerned whether this will work in the market. These acreage subdivisions are very large and expensive homes. If they want to buy a one-acre site and you can only put your house on 1/3 of that, that's not the house that is being built on these acreages today. If they put a \$180,000 - \$250,000 house on it, the price of the lot is going to be a very large percentage of the overall price. When you are only working with one-acre to begin with, and now take it down to R-3 density, those acreage subdivision houses are not going to fit on that 1/3 acre. That's not the market. That's not what's happening. DeKalb stated that his experience with the acreages is that there is all of the above – large lots, large houses, as well as smaller lots and average type houses. It would take some thought to come up with some revised language. DeKalb suggested that if the developer is going for that niche in the market, they would create larger lots and ask for modification and waivers to accommodate the development.

Marvin stated that we're building 100 acreage units per year county-wide. Those 100 units are in Tier I and Tier II and some in Tier III, and some are outside, but we could probably surmise that a higher percentage will want to be in the city. We're trying to capture the bulk that we're talking about. We are talking about a very small percentage of homes being in Tier III. DeKalb believes that one-half to two-thirds were occurring in the 3-mile area.

Sunderman inquired why everything goes back to the community wastewater system. It seems like we should encourage the community wastewater plan to begin with. DeKalb offered that the "3-acre" is kind of a magic number with the Health Department. We are retaining the option of having an either/or situation. What we envision is that the community system would be built to city standards. Sunderman indicated that he has problems with a three-acre lot going down to one-acre, but if we are going straight to the one-acre lots and you have a community system, why take it down further? DeKalb indicated that it goes back to the consultant study and how to convert acreages to a city lot size. It was determined that it is too far of a leap, so they broke it into thirds.

Carlson suggested that nothing says that you have to do that. It just says you should show how it could be done. When you are talking about community sewer, the one you are trying to target is the one lot line to lot line – cluster is much less an issue. DeKalb added that when the city picks up that sewer line we want to get some reasonable utilization as far as taps and so on. The developer can ask for modifications.

Bills-Strand wondered whether the R-3 could be changed to R-1 in the sentence that Brian Carstens suggested be stricken. She wants to protect the large homes. DeKalb indicated that amendment could be made by the Commission and staff would not object. If this amendment is made, however, the 3.25 units per acre should be adjusted accordingly.

**CHANGE OF ZONE NO. 04044**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

September 15, 2004

Marvin moved approval, seconded by Carlson.

Bills-Strand moved to amend to change the language in Section 27.65.075(b)(1) on page 18, line 20, to R-1 (instead of R-3), to adjust the maximum gross density of 3.25 units per acre accordingly and to amend any other language throughout the ordinance necessary to accomplish this amendment, seconded by Carroll and carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent.

Bills-Strand moved to amend Section 27.65.075(a)(2) on p.18, such that the grading for the future streets not be required for the current subdivision, but that the future streets be dedicated or easements granted, with the final rough grading not to be done in Tier II and III, but only required in Tier I, seconded by Sunderman.

Marvin stated that he will vote against this amendment. We are dealing with such a small number of lots in the overall scheme of things. The number of units that might be built in Tier III that is covered under the 3-mile limit could be 5-10 homes a year, and he does not see the value of providing a special exemption.

Carlson stated that he will also vote against the amendment. If there is a special topography, the developer can try to work around it. The grading avoids problems of tearing out trees, etc. in the future.

Bills-Strand noted that the Comprehensive Plan refers to balancing strong consumer demand for country style living, and she believes the owners should be able to put bushes and trees on the land knowing that there is an easement in place.

Motion to amend carried 5-3: Larson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Carroll, Marvin and Carlson voting 'no'; Pearson absent.

Main motion, as amended, carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent.

**MISCELLANEOUS NO. 04008**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

September 15, 2004

Marvin moved approval, seconded by Carroll

Rick Peo of City Law Department suggested that there should be similar amendments to Title 26 to be consistent with the Commission's prior action on the amendments to Title 27.

Bills-Strand moved to amend to reflect the amendments made by the Commission to Title 27 in Change of Zone No. 04044, seconded by Sunderman.

Carlson believes that this is a big change from the original proposal.

Motion to amend carried 5-3: Larson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Carroll, Marvin and Carlson voting 'no'; Pearson absent.

Main motion, as amended, carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent.

**MISCELLANEOUS NO. 04011**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

September 15, 2004

Carlson moved approval, seconded by Marvin and carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent.

# FACT SHEET

## BTA

### Build Through Acreages

Zoning, Subdivision and other standards

#### BACKGROUND

- The adopted 2025 Comprehensive Plan states that no new "urban acreages" should be permitted unless they are developed based on standards for a "build through" model, including provisions for future splits, a lot layout and various agreements (page F 71).
- The City contracted with the consulting firm of RDG - Shukert in early 2003 to provide suggested language to implement the Comprehensive Plan policy. The Consultant conducted four open houses for public input and completed his report in March of 2004.
- The Planning Department formed the Acreage Resource Group (a group of local citizens of expertise) to assist the department and the consultants in our efforts to develop the acreage studies.
- The Planning Department conducted briefings of the City County Commons in late 2003 and early 2004 as well as a town hall meeting on all the acreage reports in November of 2003.
- The Planning Department has co-ordinated with the City Attorney, County Engineer and City Public Works and Utilities Department, to develop a package of draft ordinance revisions to the zoning, subdivision and design standards to reflect a Build Through standard.
- The tentative schedule is to have at least the zoning and subdivision text changes to the Planning Commission in September of 2004.

## Build Through Regulations and Standards

Zoning - 27.65; 27.83 (new build through overlay district)

The proposed changes to the Zoning ordinance would create a new BTA/Build Through overlay district that would apply to all AG and AGR land located outside the city limits and within the three mile jurisdiction of the city. The overlay would require:

- ✓ a "shadow" plat of future lots at at least 1/3 the lot size,
- ✓ all easements for the existing and future lots
- ✓ pre grading of all streets and drainage ways
- ✓ agreements of no protest for future annexation, assessment and urbanization in the area,
- ✓ easements and location of major utility and road easements on the future urban outlot.
- ✓ the current bonus package for a cup is modified to allow 20% for preservation of future development land and an additional 20% for community sewer in the AG.

Subdivision - 26.15, 26.23, 26.27

The subdivision ordinance will include amendments that:

- ✓ allow the "shadow plat" to be treated as an approved preliminary plat and remain in effect with the BTA overlay zoning vs expiring in ten years.
- ✓ All information and improvements required in a preliminary plat would be required for a Build Through CUP.
- ✓ Grading and drainage must be calculated.
- ✓ Rough grading must be in place.

Design Standards - 2.20

The City Design standards for rural streets will be amended to:

- ✓ require concrete paving if paved.
- ✓ revise the typical section of a rural local street

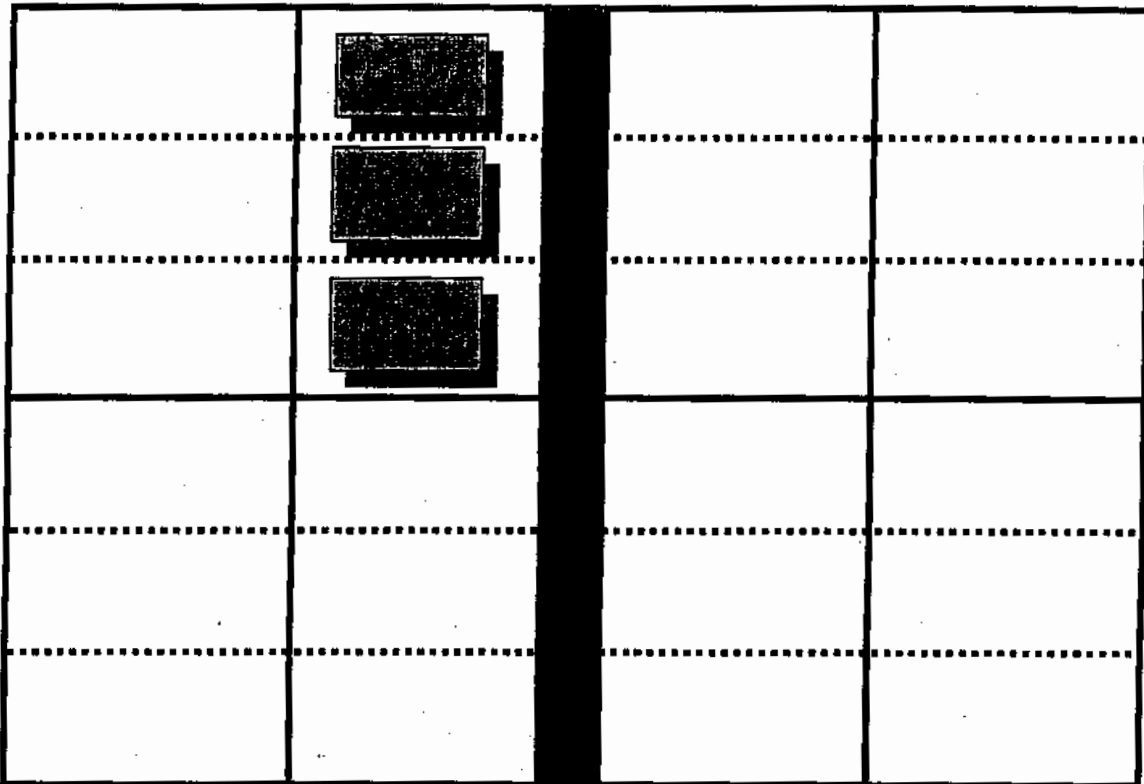
August 13, 2004

F:\FILES\PLANNING\acreages\FACT SHEET\BTABuild Through Acreages Zoning.mvd.wpd





# BTA

## Build Through Acreages

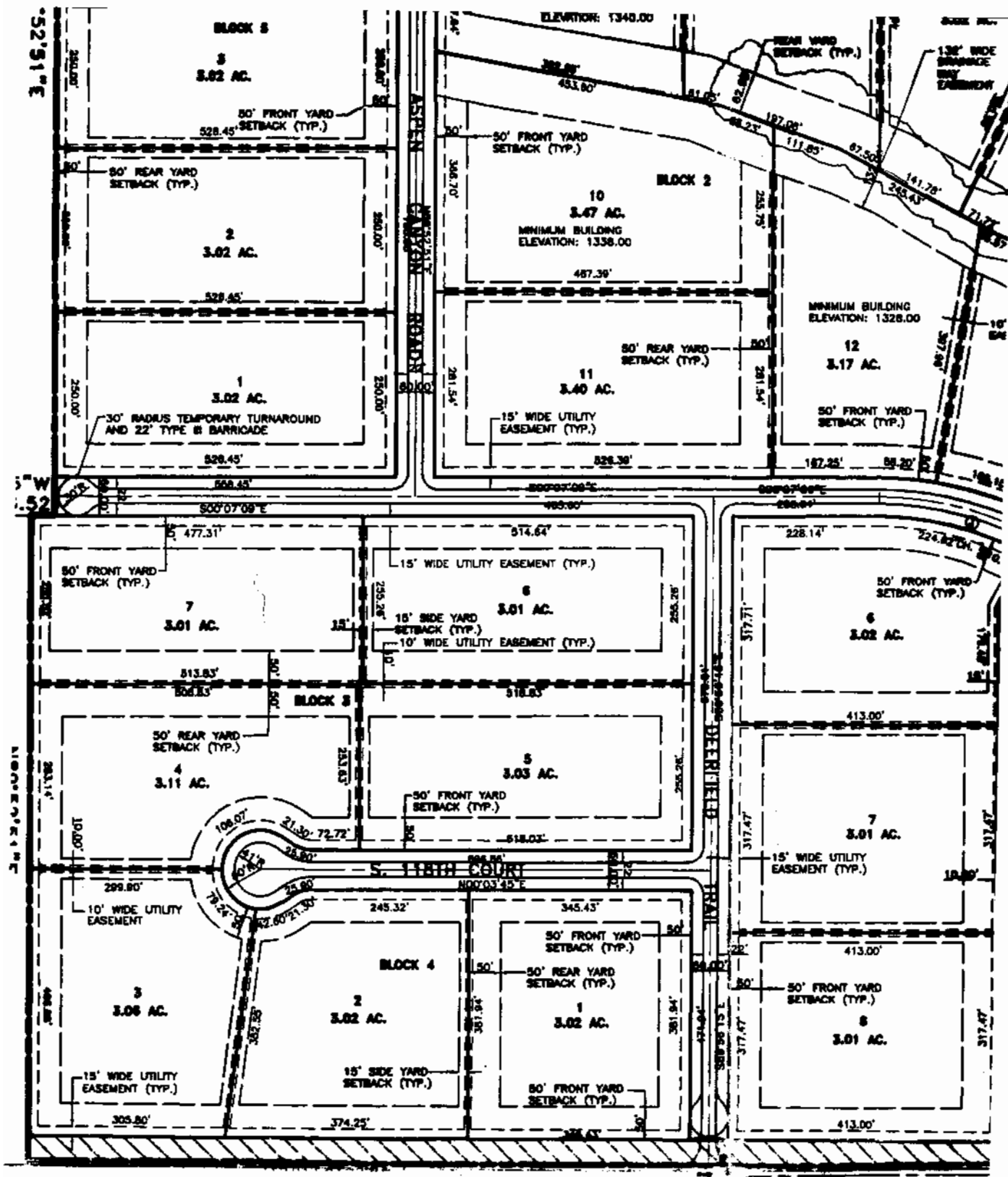
Street



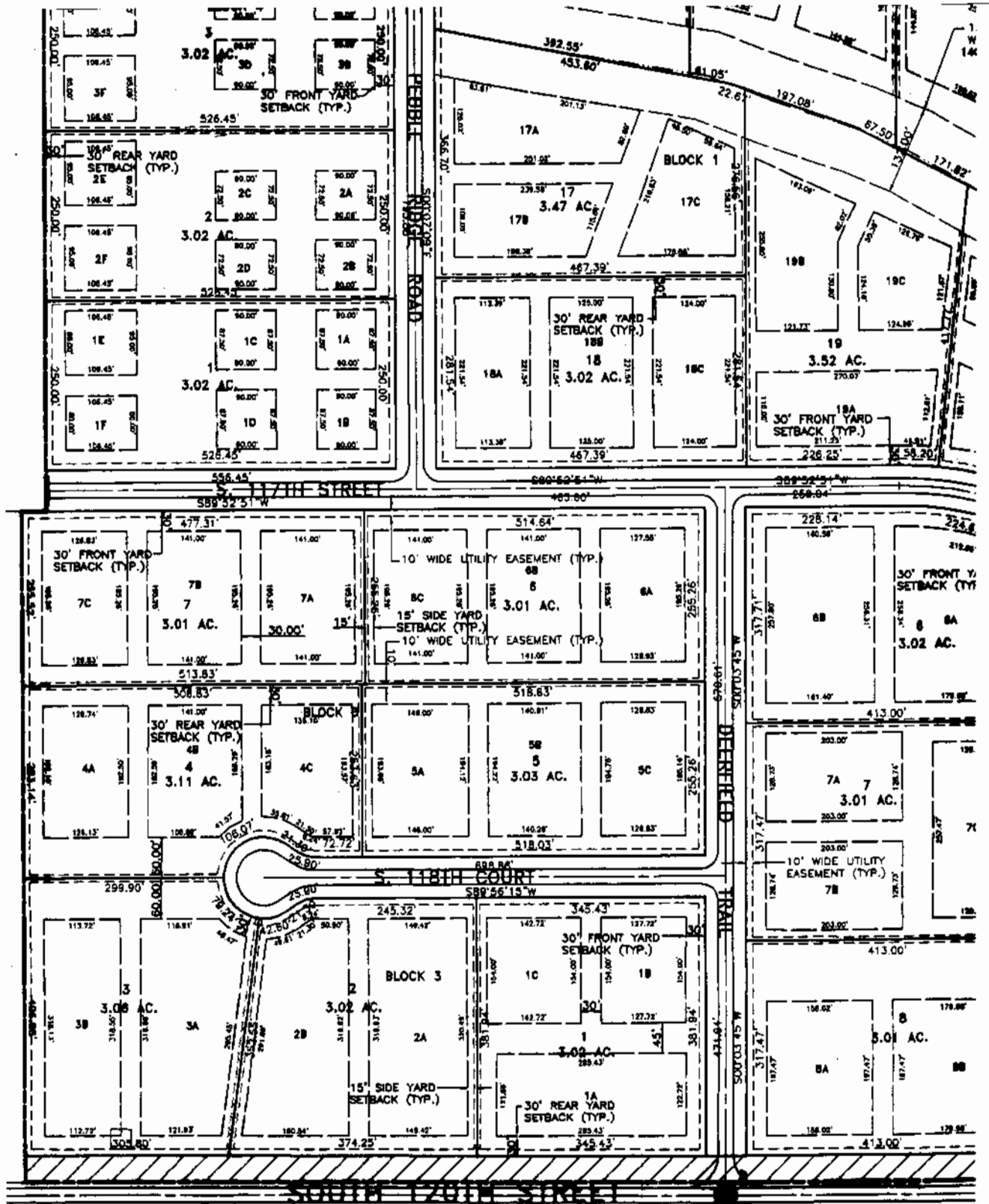
Street

-  Initial Acreage Lot Lines
-  Transitional Lot Lines
-  Future Street Right-of-Way,
-  Initial Possible Building Envelopes  
(shown on one acreage lot)

**Figure 1**  
**The Concept**

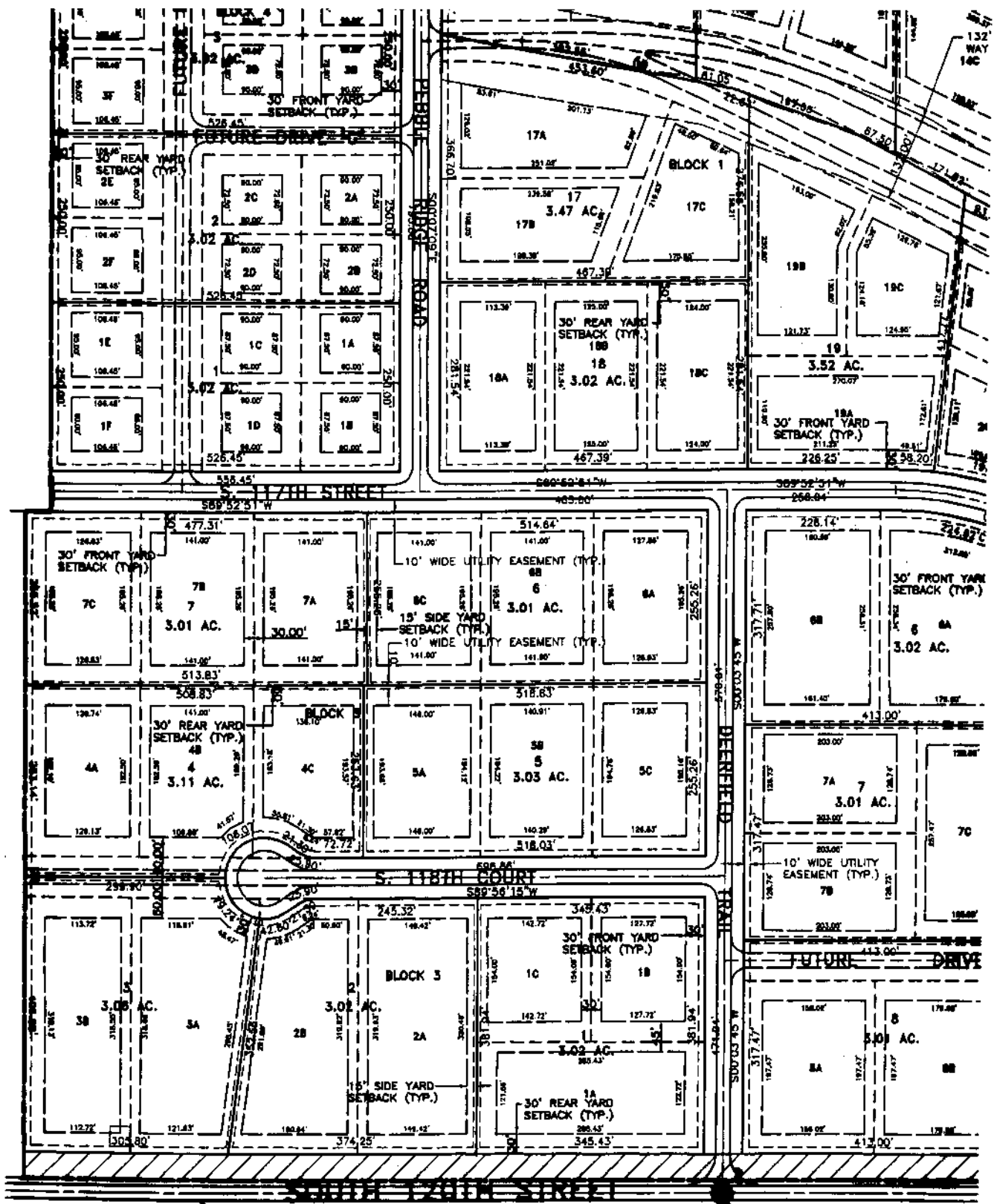


**Figure 2**  
**Straight subdivision of 3 acre lots**



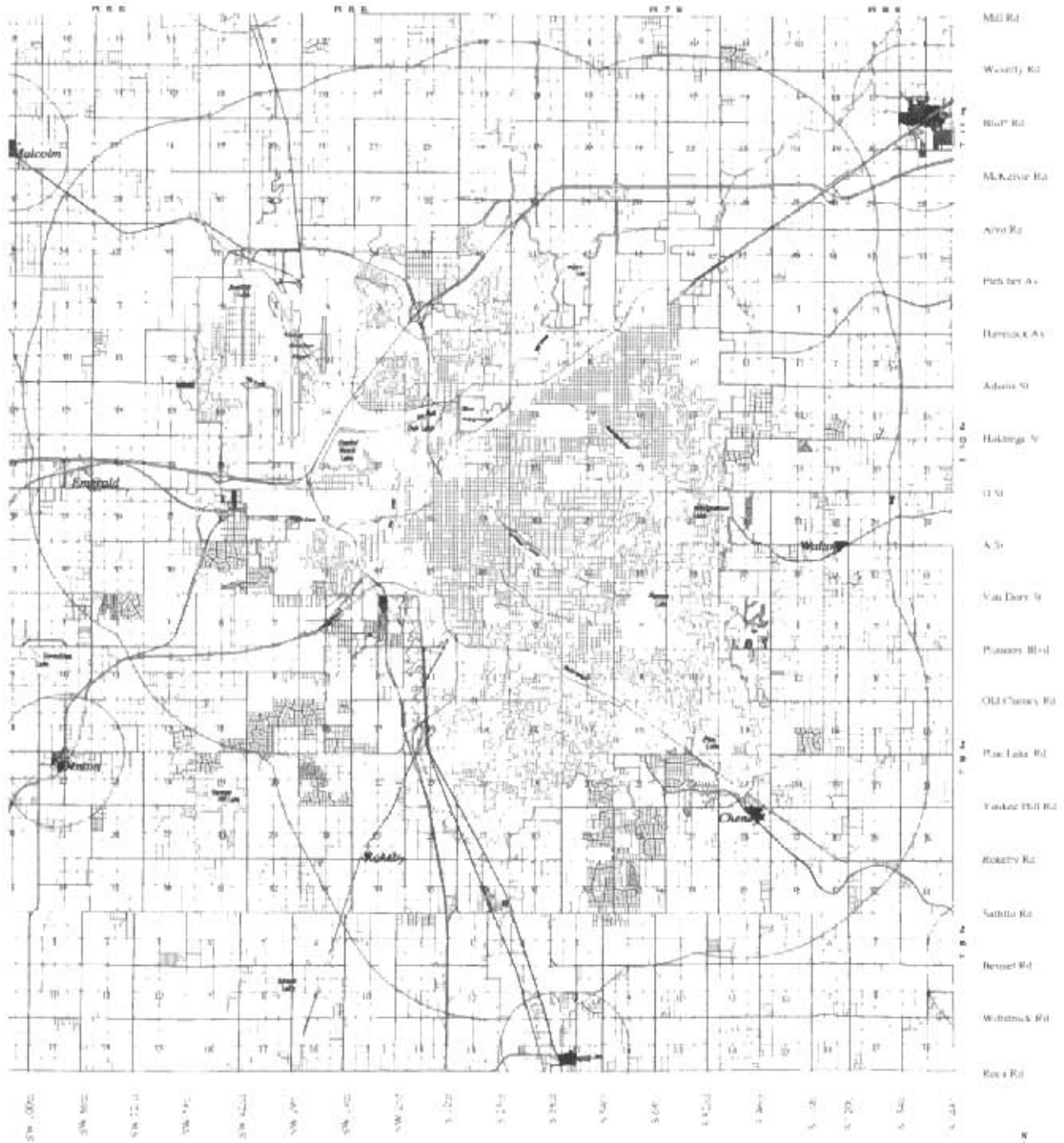
**Figure 3 a**  
**Building sites on acreage lots**





**Figure 3 b**  
**Urbanized lot and street configuration**

# LINCOLN'S THREE MILE JURISDICTION



## LEGEND

- Lincoln City Limits
- Lincoln's Three Mile Jurisdiction
- - - One Mile Jurisdiction for Cities and Villages
- Township Boundary

Note: This map is intended to show as accurately as possible the relationship between the City's three mile jurisdiction and platted lots. It is not intended to be construed as survey accurate in any manner.



**Figure 4**  
Applies to the three mile

Colonial Acres  
 South 56<sup>th</sup> and north of Pine Lake Road

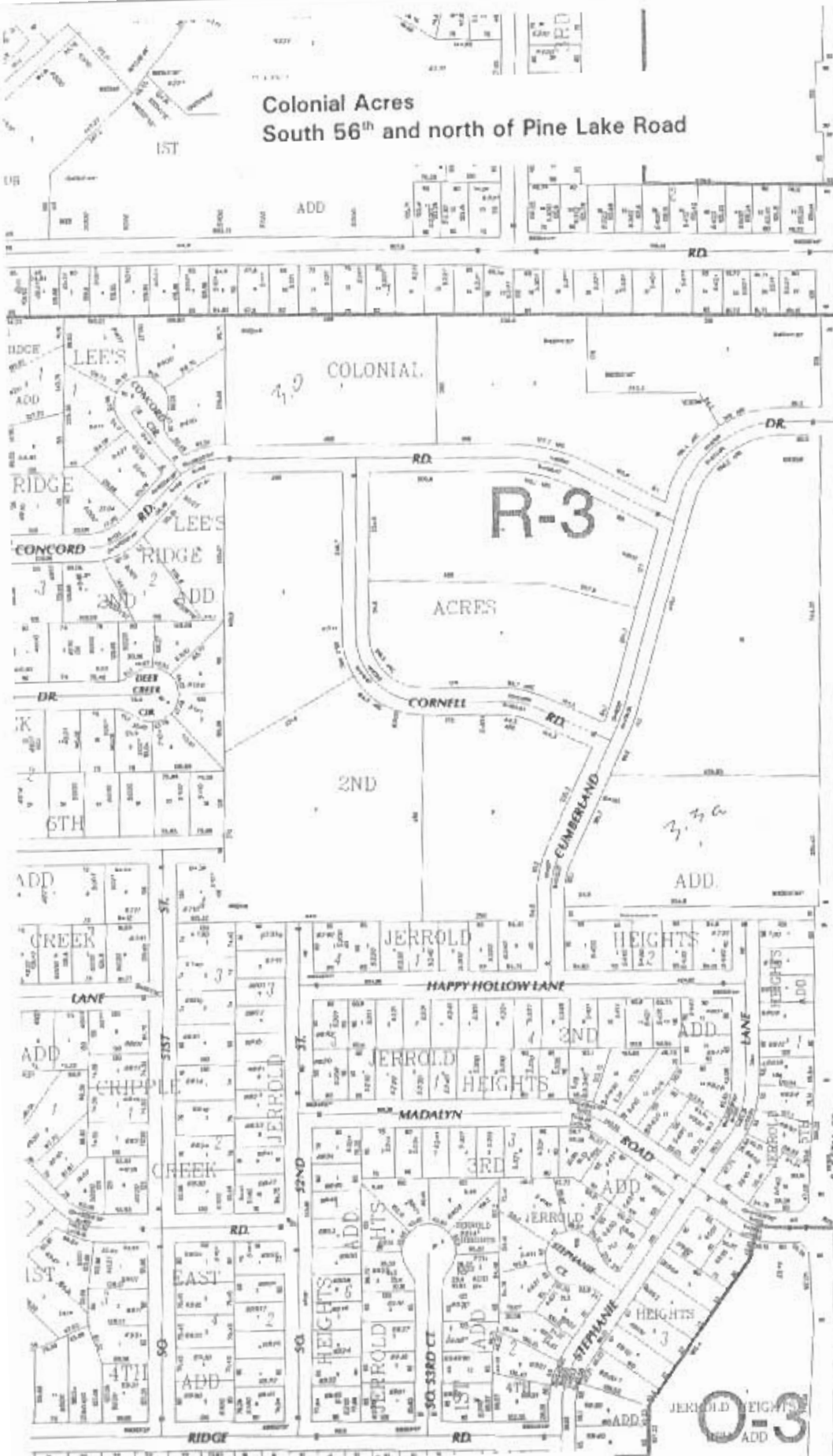


Figure 5  
 Example of three acre lots surrounded by City lots

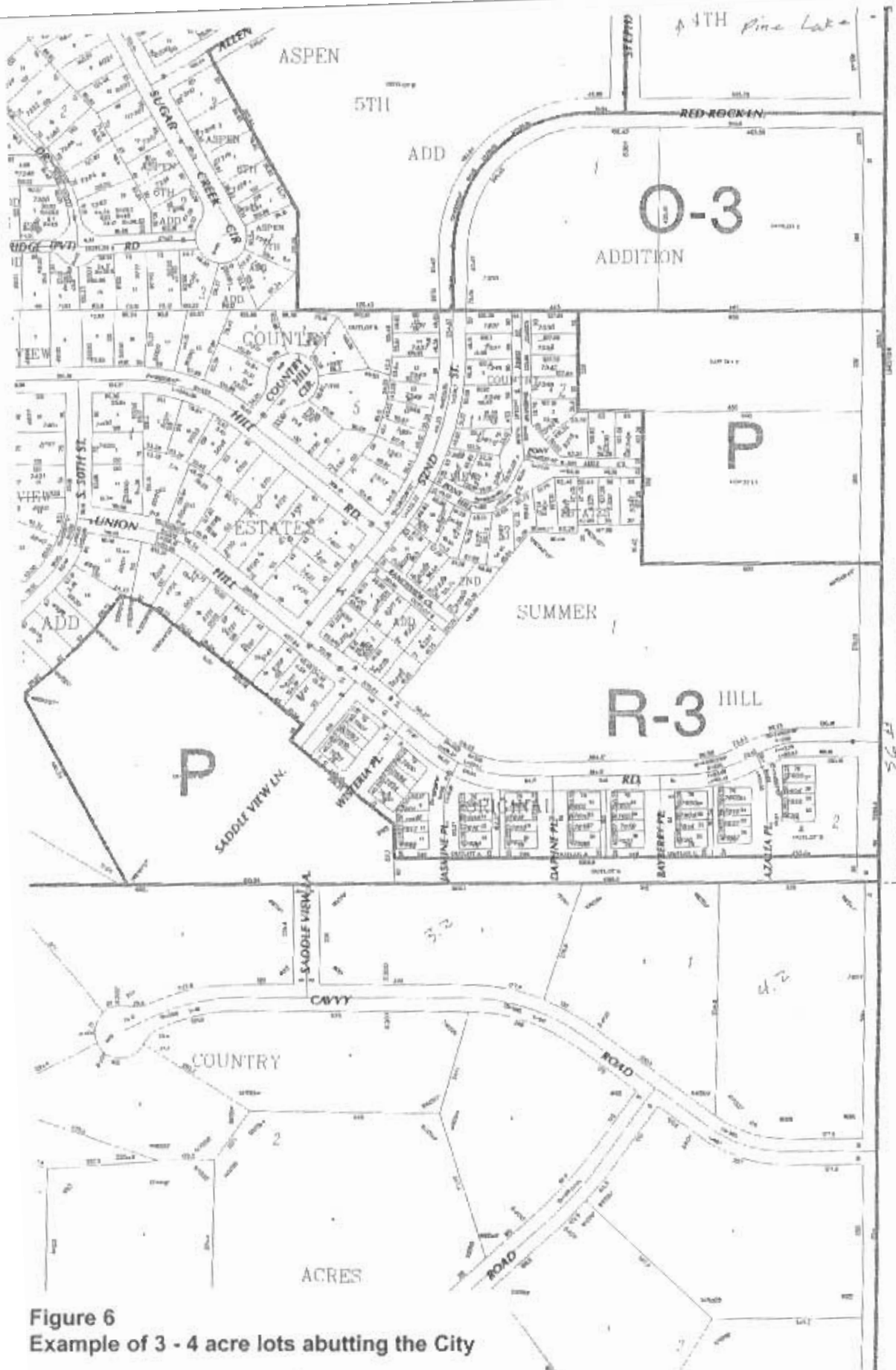


Figure 6  
 Example of 3 - 4 acre lots abutting the City

Country View Estates  
 South 56<sup>th</sup> Street, South of Pine Lake Road