

THE COMMUNITY PLANNER

CITY OF LINCOLN
NEBRASKA
MAYOR CHRIS BEUTLER

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director
Eugene W. Carroll, Chair
City-County Planning Commission
lincoln.ne.gov (keyword: planning)

555 South 10th Street
Suite 213
Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

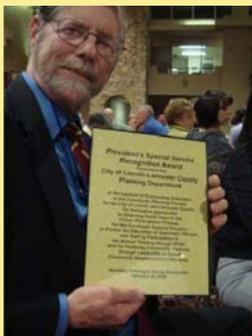
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Awards

The Planning Department has received several recent awards:

- The Edwin and Levina Lyman Environmental Stewardship award is given by the Wachiska Audubon Society for **"...longstanding efforts to incorporate environmental issues in community planning."**
- The Nebraska Planning and Zoning Association (NPZA) recognized the department for **"...outstanding dedication to the community planning process, innovative approaches to citizen participation, and support to training appointed officials and staff."**



- The NPZA also recognized Mike DeKalb, a veteran of more than 30 years in the Department, with the Mituso Kasamoto Excellence in Planning award for **"...outstanding service in development of community planning efforts and educational service"** to appointed officials and staff.

ANNUAL PLAN REVIEW

With the national and international economy in turmoil, it is an important time for you to participate in the Planning Department's annual review of a very important City document - the Comprehensive Plan for Lincoln and Lancaster County. The Planning Commission will consider the community's progress in meeting adopted goals using an annual report on community development indicators. The Commission also will consider possible amendments to adopted policies and review a new six-year City Capital Improvement Program.

Information will be available on the Planning Department Web site in late April. We'll brief the Planning Commission at its May 6 meeting, and public hearings are planned for May 13. The help of the public is greatly appreciated as we work to make the proper adjustments to keep our City strong and growing.

New Mining Standards

The City Council and County Board have approved changes to their respective zoning regulations that will provide more effective controls for future mining operations in the rural parts of the County. Those applying for special permits will be required to provide more specific information, such as reports on the potential groundwater impact. Reclamation plans will need to meet specified standards, and the reclamation must be guaranteed by bonds.



The process to develop these new standards involved contractors and their agents as well as rural residents concerned about problems with past operations. For more information, contact Mike DeKalb in our office or visit our Web site and click on "Review of Mining Standards."

EXPANDING non-standard buildings



The Planning Commission on April 8 will consider a proposed amendment to the zoning provisions regarding non-standard single-family and two-family dwellings in residential districts. A non-standard dwelling in this situation would be a building legally constructed under older zoning provisions or prior to zoning that does not meet the current standards for minimum front, side, and/or rear yard requirements. An example would be a home built just three feet from the side lot line instead of today's standard of five feet. Currently, the owner of that home would need a special permit to construct an addition that encroached into the five-foot side yard area to line up with his existing three-foot setback. Since this special permit requirement has been in place, no requests have been turned down or opposed by neighbors. This amendment would eliminate the special permit requirement for these additions.

For more information, contact Christy Eichorn or see the proposed amendment on our Web site at lincoln.ne.gov keyword: PATS. Click: selection screen and enter CZ09004.



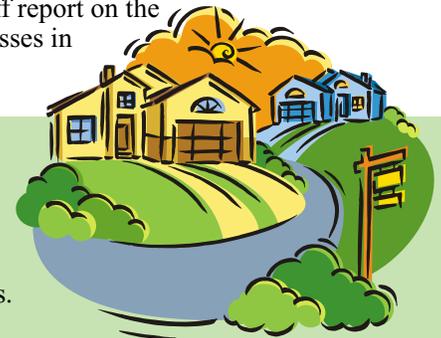
Home businesses in rural areas

Several months ago, the County Board asked our department to review options for expanding the kinds of home businesses that can be operated by residents on large lots in the unincorporated area. The report was presented at a recent meeting of the Board and officials of most of the villages in Lancaster County. The report reviews the current provisions in the County and summarizes the rules that six other counties have adopted to deal with home businesses.

If the County Board were to adopt a more permissive policy to encouraging business activity in the unincorporated area, staff recommends the following provisions:

- The activity should be limited to home occupations, with the resident on the land responsible for operating the business. That way, the resident is more likely to run the business in a way that does not disturb neighbors.
- The businesses should be approved on a case-by-case basis, by Special Permit, to allow for neighbors to be notified and to have a voice on the specific activities that should be allowed.
- Any business should be placed on a lot of appropriate size to provide a buffer to neighboring properties. The business also should be subject to specific conditions limiting the parameters for these uses, while allowing for other conditions to be tailored to the specific context of the land in question.

The Planning Commission discussed this issue at a workshop prior to the regular meeting of March 25. The City Council also will be briefed on this issue, since the three-mile extraterritorial zoning jurisdiction contains a good portion of the County's rural housing. For more information, contact Mike DeKalb or see the staff report on the department Web page (click on "Expanding Home Businesses in Rural Lancaster County").



Subdivision AMENDMENTS

The Planning Commission on March 25 approved several amendments to the City subdivision regulations. The proposals would:

- **Eliminate the 14-day waiting period** between the date of the Planning Director's approval of a final subdivision plat and the date when it can be recorded with the Register of Deeds. This time period has been in the code for decades for two reasons: to give staff time to assign addresses to lots that are needed for processing building permits, and to avoid complications that might arise if the Director's decision is appealed. It has been determined that the addressing issue can be handled, and the odds of an appeal are remote – staff has no recollection of an approved final plat ever being appealed, let alone overturned.
- **Allow access from lots to streets to be "indirect."** The current subdivision ordinance requires all lots to have frontage and access to a public or private street. This is commonly waived as a part of a use permit for developments in newer zoning districts, where access is provided to "pad sites" through common circulation/parking areas or access easements. In older districts, the subdivider would need to make a separate waiver request, approved by Planning Commission, to allow this arrangement. It is in the subdivider's interest to have an easier path to flexible solutions for access. It is in the City's best interest to use indirect access to reduce the number of driveways otherwise required on arterial streets. This amendment will allow for this kind of indirect access to be approved without an application to waive ordinance standards.
- **Allow waivers to stand when the Planning Commission overturns the staff recommendation.** The City Council currently must hear a waiver request when staff has recommended denial, even when the Planning Commission has voted to approve the request. This change will make it optional for staff to challenge the Planning Commission decision.

The amendments are expected to be on the City Council agenda for hearing and action April 13. For more information, contact Tom Cajka or see the proposed amendments on our Web site at lincoln.ne.gov keyword: PATS. Click: selection screen and enter MISC09003.