

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, March 26, 2008, 11:45 a.m.
Room 206, County-City Building, 555 S. 10th Street,
Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Gene Carroll, Dick Esseks, Wendy Francis, Roger Larson and Lynn Sunderman. Leirion Gaylor Baird, Michael Cornelius and Tommy Taylor absent.

OTHERS IN ATTENDANCE: Marvin Krout, Ray Hill, Mike DeKalb, Steve Henrichsen, Brian Will, Sara Hartzell and Teresa McKinstry of the Planning Department.

STATED PURPOSE OF MEETING: **Rural Development in Lancaster County**

Mike DeKalb stated that the purpose of this briefing is to review the various aspects of acreage development and better understand the history and character. Prior to 1979, Lancaster County and City AG zoning was AA Rural and Public Use with one acre minimum lot size. Prior to 1980, a subdivision was not required for parcels more than five acres. Many one and five acre parcels were grandfathered in. The county road system was impacted.

There were challenges to future urban areas. The 1977 Comprehensive Plan proposed designation of AG, Rural Use and Urban Reserve areas. There were 62 square miles shown of Rural Use. The intent was to preserve agricultural land. There was Phase One, Two and Three. Remnants of the old areas can still be seen today. In 1979, the AG district was changed to 20 acre minimum lot size. The AGR district was changed to one acre and later changed to three acres. The three-acre AGR was done for Health Dept. reasons to accommodate septic systems and lagoons. The 20 acres was a nominal split. At the time, it was the smallest parcel that met the USDA and State of Nebraska definition of farm. The density kept the roads below the paving trigger. It eased the conflict between farmers and acreage owners.

Larson inquired what has to happen for a county road to be paved. DeKalb replied that the county does traffic counts. 400 or more trips per day is where paving is triggered.

DeKalb stated that population trends for Lancaster County show 155,272 people in 1960 to 275,665 in 2006. Lincoln's population increased 87.6% and small towns' population increased 195.9% in the same period of time. Other rural population decreased 24.9%. DeKalb stated that the current Comprehensive Plan population estimates are based on an assumption of 90% in Lincoln, 3% in small towns, 1% on farms and 6% in the rural areas.

Esseks inquired how the 6% was arrived at. DeKalb responded that number was based on past trends. DeKalb stated that there seems to be a trend of the closer to Lincoln you get, the more acreages there are. The far corners of the County have fewer acreages. He believes driving time, distance and proximity to Lincoln are factors. Building permits have varied over the years.

Francis wondered if impact fees could have impacted the building permit numbers. DeKalb believes that is an interesting question. Building permits are down in both the county and the city.

Esseks questioned if there is any indication that the acreages are out in the far reaches of the county to be beyond the build-through. DeKalb responded that when build-through was done, they weren't sure how people would react. He can't say if impact fees have impacted that one way or the other.

DeKalb stated that in 2003, staff did a potential acreage supply. There is a good supply of lots. In 2003 there was a 55-year supply of AGR at 85 units per year. It was concluded that there are plenty of development options.

When build-through was looked at, many things were considered. There are political and social issues, individual cost, land patterns, extension of infrastructure and change in services. There are the struggles of rural development and how you look at where they should be located. In the 1977 Comprehensive Plan, staff tried to minimize adverse impacts. Many different things were looked at such as waterways and floodplains, scale of ownership, significant tree masses and limits of fire protection. In 1987, the County Board adopted a policy on how to address a property when it was not in conformance with the Comprehensive Plan. A list of criteria was developed.

Environmental issues were identified in the 2025 Comprehensive Plan. There was a proposal on alternatives to how the county grows. Town hall meetings were held.

Performance scoring was looked at in 2003. A group was formed to rate where land is available for AGR development. There were 18 items: roads, water, existing development patterns, schools, soils, flood plain, environment, State or Fed endangered species, green space and parks, historic sites and trails, known pollution sites, feedlot and livestock, pipeline with 300', proximity to towns or service, conformance with other adopted towns, proximity to fire station, proximity to AGR zoned and proximity to areas shown in the Comprehensive Plan for acreages. A number of maps were produced showing the areas with the highest scores. This is still pending at the County Board.

Environmental factors such as soil, water quality and quantity were looked at. Soils in Lancaster County tend to have a high clay content and are productive for agriculture. The northern part of the county has a different makeup than the southern part of the county. Permeability, infiltration and run-off was looked at. There is a limited amount of drinking

water in the north due to saline soils and salt intrusion and south Lincoln has a slow infiltration rate.

There is limited rural water coverage in the county. Community water systems and SIDs are rare. The rest are wells. Groundwater is the primary source of water in Lancaster County. Almost 50% of the groundwater used in Lincoln is for domestic drinking water. 15% is for irrigation. There is a variety of how spotty water quality is.

Regarding the build-through site analysis, staff tried to get 10 to 20% of the site subdivided into one to three acre lots. Each acreage lot is set up for at least three future building sites. Development agreements were built into the subdivision.

Esseks asked if this currently applies to the city or county. DeKalb replied that build-through is city law in the three-mile jurisdiction.

DeKalb stated that in 2003, the Comprehensive Plan called for a Cost of Rural Services study. Duncan and Associates did the study. That study showed that farming pays for itself, acreages generally do not. The incorporated towns were estimated to be subsidizing the county at 5.6 million dollars. The primary pieces were paved roads and sheriff costs. It was recommended that major developments be concentrated on paved roads.

DeKalb stated that a new option could be created for AG clusters. It would allow off-site land within two to three miles as part of the outlot in calculating the lot yield. Staff went to the legislature three years ago. It doesn't have support and will probably die in committee.

Other zoning tools that have an impact are green belt taxation, easements, conservation and private covenants. Some states do a purchase of development rights. CRP lands for habitat, subdivision rules and infrastructure services are all other non-zoning tools.

Top ten things we wish acreage owners knew:

10. The properties surrounding your land will probably not remain the same;
9. Farmers often work around the clock;
8. Water, sewer, electric, telephone, gas and trash may be unavailable;
7. Residents of the county usually experience more problems when the weather turns unfriendly;
6. Animals, manure and farm chemicals may smell;
5. Your property doesn't guarantee that you or your guests can get to you;
4. If sewer is unavailable, the type of soil you have depends on what system you can use. Same thing goes with wells;
3. Fences don't necessarily show the property boundaries;
2. You need to be a good neighbor;
1. Emergency response time is longer for all services.

Larson questioned how we urbanize the band of acreages around the city. DeKalb replied that was the issue even in 1977. Urban sprawl was creating a problem. Build-through was

created. You can still have problems.

Larson has often thought that 20 acres was a tremendous waste of land. In many cases, the remainder of the 20 acres was just unfarmed land. He wondered if any of those people would have the opportunity to break the 20 acres up. DeKalb replied that you could do a farmstead split and have 15 acres left. There is the opportunity to have good utilization of your land when the city gets there.

DeKalb noted the Agriculture basics sheet he passed out to Commissioners. He thinks there is a phenomenon that Lancaster County has more farms than any other county in the state. There are many niche farms. Since 1987, those whose principal occupation was farming has actually risen from 39.8% to 45%. 20 acres and \$1,000.00 income used to be the standard. He thinks the standard today is probably just the \$1,000.00 income.

Sunderman asked how smaller communities in Lancaster County deal with cost of services. DeKalb replied that it widely ranges. Sprague has a nominal forty acres on AG district size, Bennet has a ten acre minimum and Firth has a one acre minimum.

Carroll would like to consider a consensus on rural acreages at the retreat.

Esseks would like DeKalb to address AG clustering. DeKalb thinks that AG clustering has had a significant impact. There is a 20 percent bonus as an incentive to use it.

The meeting concluded at 12:50 p.m.

Respectfully submitted,

Teresa McKinstry
Planning Department