

City Council Introduction: **Monday**, February 6, 2012
Public Hearing: **Monday**, February 13, 2012, at **3:00** p.m.

Bill No. 12R-21

FACTSHEET

TITLE: **MISCELLANEOUS NO. 11007**, a text amendment to the City of Lincoln Design Standards, requested by the Director of Public Works & Utilities Department, to facilitate the adoption of the City of Lincoln Access Management Policy.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 01/25/12
Administrative Action: 01/25/12

STAFF RECOMMENDATION: Approval

RECOMMENDATION: Approval (7-0: Gaylor Baird, Butcher, Cornelius, Esseks, Hove, Lust, and Sunderman voting 'yes'; Francis and Weber absent).

ASSOCIATED REQUESTS: Text Amendment to LMC, Chapter 14.75 (12-13) and City of Lincoln Access Management Policy (12R-22)

FINDINGS OF FACT:

1. This is a request by the Public Works & Utilities Department to amend and remove sections of the City of Lincoln Design Standards related to driveway access for the purpose of approving the new Access Management Policy and procedures. This amendment repeals Chapter 4.00, Driveway Design Standards; amends Section 1, Chapter 1.00, Request for Waiver; and repeals Section 2.3 of Chapter 1.00.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.4, concluding that the proposed amendments to the City of Lincoln Design Standards are necessary to clear the way for the adoption of a new Access Management Policy that provides a comprehensive and cohesive single source of policy guidance for access management implementation. The staff presentation is found on p.5.
3. There was no testimony in opposition.
4. On January 25, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval (Francis and Weber absent).
5. This text amendment is associated with Bill #12-13, an amendment to Chapter 14.75 of the Lincoln Municipal Code, and Bill #12-R22, a resolution adopting the new City of Lincoln Access Management Policy, both of which do not require Planning Commission review and action; however, the Planning Commission was briefed on the new Access Management Policy in association with the amendment to the City of Lincoln Design Standards.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: January 31, 2012

REVIEWED BY: _____

DATE: January 31, 2012

REFERENCE NUMBER: FS\CC\2011\MISC11007

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 25, 2012 PLANNING COMMISSION MEETING

PROJECT #: Miscellaneous No.11007

PROPOSAL: The Public Works & Utilities Department has forwarded a request to amend and remove sections of the City of Lincoln Design Standards related to driveway access for the purpose of approving a new Access Management policy and procedure. The new Access Management policy will be adopted by the City Council once the Design Standards are amended. The proposal includes text amendments to the City of Lincoln Design Standards, to repeal Chapter 4.00, Driveway Design Standards, to adopt the City's Access Management Policy; and to amend Section 1, Chapter 1.00, Request for Waiver Procedure, and the repeal of Section 2.3 of Chapter 1.00, to clarify the repeal of Chapter 4.00.

LOCATION: Design Standards are applicable citywide and within the city's 3-mile extraterritorial jurisdiction.

CONCLUSION: The amendments to the Design Standards are necessary to clear the way for the adoption of a new Access Management policy that provides a comprehensive and cohesive single source of policy guidance for access management implementation.

RECOMMENDATION:

Approve amendments to the City of Lincoln Design Standards to facilitate the adoption of a new Access Management Policy by the City Council.

GENERAL INFORMATION:

DESIGN STANDARDS PROPOSED FOR AMENDMENTS:

As proposed, Chapter 4 Driveway Design Standards is to be repealed in its entirety. Chapter 1 Request for Waiver, Procedure is proposed to be amended by removing reference to Chapter 14.75 of the Lincoln Municipal Code in Section 1, and by removing Section 2.3 that explains the procedure to request a deviation to Design Standards for Driveways Under Chapter 14.75 of the Lincoln Municipal Code. (See the attached resolution for a detailed exhibit of the proposed amendments to the Design Standards)

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lincoln and Lancaster County Comprehensive Plan identifies the importance of effective access management by providing a transportation system that effectively moves people and goods around the community while limiting negative impacts on established neighborhoods and investments. (p.10.2)

Access management is referenced in the Comprehensive Plan in the discussion of different types of roadway classifications. (p. 10.14)

“The various functional classifications define the roadway’s general role, which can be summarized by the degree to which it provides access to adjacent properties or provides travel mobility from one part of the region to another.”

*“**Urban/Rural Interstates, Freeways and Expressways** are at the top of the classification hierarchy. These are roads capable of carrying large numbers of vehicles at higher rates of speed over long distances. Access to these roadways is strictly controlled. Vehicles can only get on or off these facilities at a few designated locations — typically at an interchange.*

***Principal Arterials** and **Minor Arterials** are at the next level of roadway classification. Arterials carry traffic between major activity and population centers. They may run for many miles across the City and County. Posted speed limits are generally in the 35 to 45 miles per hour range in urban areas, (higher in rural areas) with access provided at grade. Traffic signals as well as roundabouts are often used to regulate the flow of traffic at major intersections along arterials. Access is managed, although movement to and from adjacent property is sometimes allowed depending upon the character of the area and the uses being served.*

***Collector Streets** offer motorists a safe and convenient way to move from a neighborhood to the arterial street system. This next level of street classification is intended to “collect” traffic from residential or other destinations and move it to the higher order streets. Speeds are generally lower than arterial streets with direct access more liberally granted.*

***Local** or **residential** streets provide the greatest access. These streets provide very limited opportunities for through traffic; their primary function is to provide access to adjacent properties.”*

The Transportation Goals as set forth in the Transportation chapter of the Comprehensive Plan clearly identify efficiency, performance, connectivity, and safety, and its relationship to access control, as primary goals. (p. 10.24)

***“Goal 2:** Improve the efficiency, performance and connectivity of a balanced transportation system. (Weight 18)*

Efficiency, performance and connectivity of the transportation system imply multiple benefits to all users. An efficient system allows people to move from place to place in as direct a route as possible, allowing them to reduce the amount of time spent in travel, the distance that must be traveled, and the amount of time spent in congested traffic. Connectivity allows people to make route decisions based on current traffic conditions, road access, or desired stopping points. A transportation system that performs well allows users to choose multiple transportation modes and to move through those modes in an efficient and safe manner.

***Goal 4:** Provide a safe and secure transportation system. (Weight 9.8)*

All transportation improvements should be designed to be safe and secure. Visibility, access control, and separation of incompatible modes, either through buffers or grade separations, are some of the methods that can be employed to decrease conflicts and increase comfort.”

When discussing congestion mitigation efforts, the Comprehensive Plan is clear that “access to adjacent properties” is a key consideration when addressing potential impacts. (p. 10.51)

ANALYSIS:

1. The City of Lincoln has completed a multi-year effort to develop a new Access Management Policy that is comprehensive and contained in one document. This new document will be helpful in explaining the purpose and applicability of access management standards. Acknowledgment of the need for flexibility in applying the standards to the “built environment” as compared to new development is part of this new policy document. Also included is the process for requesting a deviation from the standards and the appeal process.
2. The City’s Design Standards need to be amended to allow the new Access Management Policy to be the sole location of access policy for the City. Reference to access policy and procedures to deviate from the policy therefore need to be removed from the Design Standards.
3. Along with approving the new Policy and removing these provisions from the Design Standards, the City Council is expected to take related action to amend by ordinance Chapter 14.75 of the Lincoln Municipal Code relating to Driveway Approaches and Curbs, to reference the new Access Management policy document and identify the new process for requests for deviations and appeals to that policy. The City Council will also need to adopt by resolution the new Access Management Policy.
4. Staff finds this request to amend the City’s Design Standards, in anticipation of the City Council adopting a new Access Management policy document, appropriate. Approval of these amendments is in conformance with the goals and policies of the Comprehensive Plan, with the understanding that a new policy document that also conforms to the Comprehensive Plan will be adopted.

Prepared by:

David R. Cary, AICP
Planner

DATE: January 12, 2012

APPLICANT: Miki Esposito, Director
Public Works & Utilities Department
555 S. 10th Street, Suite 208
Lincoln, NE 68508
402-441-7566

CONTACT: Randy Hoskins, Assistant City Engineer
901 West Bond Street, Suite 100
Lincoln, NE 68521
402-441-7711

MISCELLANEOUS NO. 11007

PUBLIC HEARING BEFORE PLANNING COMMISSION:

January 25, 2012

Members present: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius; Francis and Weber absent.

Staff recommendation: Approval.

There were no ex parte communications disclosed.

Staff presentation: **David Cary of Planning staff** explained that this is a request from Public Works & Utilities which repeals Chapter 4 of the City of Lincoln Design Standards, which relates directly to access, as well as amendments to Chapter 1 to coordinate that repeal. This is a step that needs to be taken in order for the next step, which is action by the City Council to approve the new Access Management Policy document, which is expected to happen in the next few weeks. This step is necessary to make sure we have one single document and location for the Access Management Policy. That new policy has been developing over a long period of time and included the private sector. This application is to amend the design standards to clear the way for adoption of the new Access Management Policy.

Esseks noted that the new “policy” is not in this proposal. He wanted to know why the Planning Commission is not making a recommendation on the new policy itself to the City Council. It appears that the Planning Commission is making a recommendation to clean up and create space for this new policy. Cary agreed. The Planning Commission is being asked to amend the Design Standards that have previously been used for access approvals. It takes that aspect out of the Design Standards so that the new policy adopted by the City Council is the sole location for the access management policies and standards.

Marvin Krout, Director of Planning, pointed out that the Planning Commission received a briefing on the new Access Management Policy and is welcome to offer comments informally. Any appeal of an access management issue will come to the Planning Commission. Krout further explained that most access management issues will be coming to the Planning Commission through special permits, PUD’s, plats, etc., which do talk about access. This policy will save a lot of time and in most cases, the Planning Commission will be part of the review process in establishing access through the proposals that come forward to the Planning Commission.

Lust asked for clarification of the documents attached to the staff report, the result of such clarification being that the “City of Lincoln Design Standards” will no longer deal with access management.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

January 25, 2012

Lust moved approval, seconded by Esseks.

Based on the briefing which the Planning Commission had, Lust congratulated everyone involved in coming up with the new policy. It was a great collaboration between city departments and people in the community. It is a great way for government to work.

Cornelius agreed.

Motion for approval carried 7-0: Esseks, Sunderman, Lust, Hove, Gaylor Baird, Butcher and Cornelius voting yes; Francis and Weber absent. This is a recommendation to the City Council.