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## MEMORANDUM

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**TO:** City Council, County Board

**FROM:** Marvin Krout 

**SUBJECT:** **Draft 2040 Comprehensive Plan - Additional Public Comments and Proposed Amendments**

**DATE:** October 13, 2011

**CC:** Mayor Beutler

### **Public Comments**

Attached are two additional public comments received since the preparation of the October 4 , 2011 Factsheet, together with a letter from the Lincoln-Lancaster County Board of Health supporting the vision and goals in the Plan.

### **Proposed Amendments**

At the October 3, 2011 Common meeting, the Planning Department briefed the City Council and County Board on the draft LPlan 2040 and seven proposed amendments. The purpose of this memo is to update you on the status of those amendments and to provide a document for your reference and for the public in advance of the joint public hearing on Tuesday October 18. Amendments 1- 4 are considered to be minor staff-recommended text amendments which we are requesting be made when the City Council and County Board take action on the Plan in October. While these amendments were proposed subsequent to Planning Commission action on the draft Plan, the Commission discussed these topics at workshops during and since their hearings, and did not express any concerns regarding Amendments 1- 4.

Amendments 5B, 6B, and 7 are more substantial revisions proposed by the County Board that must be reviewed by the Planning Commission before action can be taken. Rather than delay the adoption of the 2040 Plan, the Planning Department has requested that the County Board take action to approve the draft Plan in October with the proposed staff amendments, based on a schedule for bringing Amendments 5B, 6B, and 7 back before the County Board for consideration in January 2012.

The Planning Department intends to work with the City and County Attorneys as appropriate to prepare Amendments 1- 4 in legislative format for the County Board and City Council's scheduled action on October 25 and October 31, respectively. Here is a description of the amendments, noting which are in the jurisdiction for City and/or County:

**Proposed Amendment #1 - Jurisdiction: City and County**

This is an amendment to remove the financial and project prioritization details from the Transportation chapter of the Comprehensive Plan since those details are not appropriate for a policy/guidance document. These federally-required details will remain in the MPO Long Range Transportation Plan (LRTP). This amendment also clearly establishes the Transportation chapter and the MPO LRTP as two separate but compatible documents.

**Proposed Amendment #2 - Jurisdiction: City**

This is an amendment to revise a strategy regarding maintenance of street trees to continue the long-standing policy of planting street trees within the public right-of-way, while recognizing the increasing resources that will be required as the City grows.

**Proposed Amendment #3 - Jurisdiction: City and County**

This is an amendment to strike four new references to “highly productive farmland” in the Vision & Plan, Environmental Resources and Neighborhoods & Housing chapters. This language was added by the Planning Commission, but after review there is concurrence that the current language that refers only to prime farmland is most appropriate because there is no definition for “highly productive farmland.”

**Proposed Amendment #4 - Jurisdiction: City and County**

This is an amendment to strike a reference to all proposals for new acreage development being considered at one time as part of the annual review. The County Board previously took action to omit this language from the 2030 Plan, but due to an apparent drafting error that resulted in a conflict between City and County resolutions, the language was inadvertently left in and carried forward to the draft 2040 Plan.

**Proposed Amendments # 5B, 6B, and 7- Jurisdiction: County**

As described above, these amendments represent more substantial revisions proposed by the County Board that are required to be reviewed with a public hearing before the Planning Commission before action can be taken:

**# 5B:** Change reference to “build-through” standards to refer only to areas within the City’s jurisdiction and not in the County jurisdiction.

**# 6B:** Change reference to maintaining a density of 1 dwelling unit per 20 acres in agricultural areas not designated for acreages to refer only to areas within the City’s jurisdiction and not in the County’s jurisdiction.

**# 7:** Change the land use designation of the “Bennet Corner” bounded by S. 148<sup>th</sup> Street, S. 162<sup>nd</sup> Street, Hooper Ave and Highway 2 to Commercial and/or Industrial.

Amendments 5B, 6B and 7 are **not** attached, because they must first have a public hearing before the Planning Commission and are proposed to be considered separately by the County Board in January 2012.

If you have questions, please contact me at [mkrou@lincoln.ne.gov](mailto:mkrou@lincoln.ne.gov)/402-441-6366 or Nicole Fleck-Tooze at [ntooze@lincoln.ne.gov](mailto:ntooze@lincoln.ne.gov)/402-441-6363.