



In Lieu of Directors Meeting

Monday, December 19th, 2022

I. City Council Agenda & City Clerk Advisories

- i. Public Comments on December 19th
- ii. There is no City Council meeting on December 26th Honoring Christmas
- iii. There is no City Council meeting on January 2nd Honoring New Year's

II. Directorial Advisories

- i. REVISED - BP221207 - 2 PC Action - Shelli Reid
- ii. 2nd Revised - BPC221207 - 3 PC Action - Shelli Reid
- iii. BP221213 - 1 AA Weekly Approvals - Jennifer McDonald

III. Constituent Correspondence

- i. Support of Text Amendments 22012, 22010, 22011 - Wachiska Audubon Society Board
- ii. For Your Consideration - Nancy Becker
- iii. comments re proposed flooding standards - Lorrie Benson
- iv. flood plain regulations - Clinton Neighborhood Organization
- v. LPSNRD Letter of Support: December 12 Council Meeting - Mark Lindemann
- vi. Proposed changes to floodplain protection - Rick Schneider
- vii. Fwd: Floodplain and Water Quality Protection Manual and Lincoln Municipal Code Updates - Gene Hanlon
- viii. Fwd: Support Flood Protections - Bethany Brunsman
- ix. Proposed 2022 Flood Protection Updates - Geri Cotter
- x. Flood and water quality protection - Thomas Pappas
- xi. Proposed Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code changes - Steve McConnell
- xii. Updated Flood Protection Plan - Lisa McConnell
- xiii. Flood Plan - Cathy Wilken
- xiv. Letter of Support for revised Flood and Water Quality Protection Manual - Mark Meyer
- xv. Halt Vaccine Passports - Mariann Malone
- xvi. floodplain rules - Bob Reeves
- xvii. Floodplain and Water Quality Protection Manuals and Lincoln Municipal Codes - Rosina Paolini

REVISED
****ACTION BY PLANNING COMMISSION****

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 7, 2022, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of *FINAL ACTION*. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

The Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing Plan@lincoln.ne.gov by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.

AGENDA

WEDNESDAY, December 7, 2022

[Commissioners Corr and Cruz absent]

Approval of minutes of the regular meeting held November 16, 2022. ****APPROVED: 6-1 (Ball abstained; Corr and Cruz absent)****

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE:

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 22024, to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, to add the "Union at Antelope Valley Redevelopment Project", a multi-family project with approximately 187 units, on property generally located at Antelope Valley Boulevard and K Street.
Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr, Cruz and Joy absent), Public hearing before the City Council is tentatively scheduled for Monday, January 23, 2023, 3:00 p.m.

ANNEXATION AND RELATED ITEMS:

- 1.2a ANNEXATION 22013, to annex approximately 14.68 acres, more or less, on property generally located at North 112th and O Streets.
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated November 22, 2022: 6-0 (Corr, Cruz and Joy absent). Public hearing before the City Council is currently pending.
- 1.2b COMPREHENSIVE PLAN AMENDMENT 22006, to amend the 2050 Lincoln-Lancaster County Comprehensive Plan to amend the Future Land Use plan from Urban Residential to Urban Residential and Commercial, on property generally located at North 112th and O Streets.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 6-0 (Corr, Cruz and Joy absent). Public hearing before the City Council is currently pending.
- 1.2c CHANGE OF ZONE 22036, from AG (Agricultural District) to R-3 (Residential District), on property generally located at North 112th and O Streets.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 6-0 (Corr, Cruz and Joy absent). Public hearing before the City Council is currently pending.
- 1.2d PRELIMINARY PLAT 22003, for a new Preliminary Plat, with two phases of development, and associated waivers, on property generally located at North 112th and O Streets. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated November 22, 2022: 6-0 (Corr, Cruz and Joy absent) Resolution No. PC-01835.

TEXT AMENDMENT:

- 1.3 TEXT AMENDMENT 22014, to amend Articles 4, 9, 13 and 18 of the Lancaster County Zoning Regulations and Section 4.07 of the Lancaster County Subdivision Regulations.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 6-0 (Corr, Cruz and Joy absent), as set forth in the revised conditions of the staff report as offered by staff dated November 21, 2022. Public hearing before the Lancaster County Board is currently pending.

SPECIAL PERMIT:

- 1.4 SPECIAL PERMIT 18004A, to allow for a CUP (Community Unit Plan), allowing 8 dwelling units, with an associated waiver to the storm water detention requirements, on property generally located at 4141 South 56th Street. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated November 22, 2022: 6-0 (Corr, Cruz and Joy absent) Resolution No. PC-01836.
- 1.5 PRE-EXISTING SPECIAL PERMIT 28E, amending the Union College pre-existing special permit to increase the allowed height above the underlying R-6, and R-4, Residential zoning limit of 35 feet to a maximum of 80 feet, on property generally located at 3800 South 48th Street. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated November 22, 2022: 6-1 (Joy declared a conflict of interest; Corr and Cruz absent) Resolution No. PC-01837.
- 1.6 SPECIAL PERMIT 22039, to allow for the expansion of the non-conforming use of the existing pole sign, on property legally generally located at 4231 Industrial Avenue. The Planning Commission action is final, unless appealed to the Lincoln City Council.
*** **FINAL ACTION** ***
Staff recommendation: Conditional Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated November 21, 2022: 6-0 (Corr, Cruz and Joy absent) Resolution No. PC-01838.

STREET & ALLEY VACATION:

- 1.7 STREET & ALLEY VACATION 22007, to vacate Sheridan Street east of S. Folsom Street adjacent Lots 1 and 2, Hofeling Subdivision on the north and Lots 232 and 233, I.T., on the south; generally located at 2400 South Folsom Court.
Staff recommendation: Conforms to the Comprehensive Plan
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 6-0 (Corr, Cruz and Joy absent). Public hearing before the City Council will be scheduled when the provisions 14.20 of the Lincoln Municipal Code have been satisfied.

2. REQUESTS FOR DEFERRAL

CHANGE OF ZONE AND RELATED ITEMS:

- 2.1a CHANGE OF ZONE 22035, from B-1 (Local Business District) to R-1 (Residential District) and B-2 (Planned Neighborhood Business District) and from R-1 (Residential District) to B-2 (Planned Neighborhood Business District), on property generally located at 2201 Old Cheney Road.
Staff recommendation: Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission granted the request on behalf of the applicant for a deferral, with Continued Public Hearing and Action scheduled on December 21, 2022.
- 2.1b USE PERMIT 22013, to allow for a Use Permit with an associated change of zone to B-2 (Planned Neighborhood Business District) and allow up to 75,000 square feet of commercial floor area, on property generally located at 2201 Old Cheney Road. The Planning Commission action is final, unless appealed to the Lincoln City Council.
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission granted the request on behalf of the applicant for a deferral, with Continued Public Hearing and Action scheduled on December 21, 2022.
- 2.1c SPECIAL PERMIT 22038, to allow for a CUP (Community Unit Plan) for up to 36 dwelling units, with associated waivers to the maximum block length and setback requirements, on property generally located at 2201 Old Cheney Road. The Planning Commission action is final, unless appealed to the Lincoln City Council.
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
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3. ITEMS REMOVED FROM CONSENT AGENDA: None

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

TEXT AMENDMENTS:

- 4.1 TEXT AMENDMENT 22013, amending Lincoln Municipal Code Sections 27.02.020 and 27.02.170 along with 27.62.080, 27.63.470, 27.63.730, 27.67.040, and 27.69.035 pertaining to the definitions of academies and private schools, 27.02.160 along with 27.06.100 concerning the definition of office and permitting health care facilities, non-residential in the office and commercial districts for the use group table, 27.63.010 and 27.63.020 related to general provisions for adjustments that can be made to regulations under special permits as already defined by each special permit type, 27.63.690 along with 27.67.040, 27.06.150 and 27.63.680 concerning removing community halls as permitted by special permit in AG zoning and allowing social halls in AG zoning through special permit, 27.67.040 Parking Requirements for hotels and motels removing accessory use requirement for parking, 27.72.080 Exceptions to the Front Yard Requirements concerning front yard setback where the average of existing setbacks is greater than the minimum zoning district requirement, and 27.72.120

Accessory Buildings for AG zoning district on lots 20 acre or more for accessory structure placement relative to the side lot line; and repealing Sections 27.02.020, 27.02.170, 27.62.080, 27.63.470, 27.63.730, 27.67.040, 27.69.035, 27.02.160, 27.06.100, 27.63.010, 27.63.020, 27.63.690, 27.06.150, 27.63.680, 27.67.040, 27.72.080, and 27.72.120 as hitherto existing.

Staff recommendation: Approval

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 7-0 (Corr and Cruz absent).

Public hearing before the City Council is tentatively scheduled for Monday, January 9, 2023, 3:00 p.m.

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO.**

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Adjournment: 1:23 p.m.

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Staff recommendation: Approval

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 7-0 (Corr and Cruz absent).

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NOT ON THE AGENDA, MAY DO SO.**

* * * * *

Adjournment: 1:23 p.m.

Memorandum

Date: December 13, 2022
To: City Clerk
From: Alexis Longstreet, Planning Dept.
Re: Administrative Approvals
cc: Shelli Reid, Planning Dept.

This is a list of City administrative approvals by the Planning Director from December 6, 2022, through December 12, 2022:

Administrative Amendment 22072 to rescind Special Permit #1126 was approved on December 8, 2022, to rescind the permit allowing a parking lot at the northeast corner of South 18th Street and K Street.

Administrative Amendment 22073 to rescind Special Permit #1212 was approved on December 8, 2022, to rescind the special permit allowing a parking lot at the northeast corner of South 18th Street and K Street.

Administrative Amendment 22074 to rescind Special Permit #289D was approved on December 8, 2022, to rescind the special permit allowing a parking lot as part of a private school at the northeast corner of South 18th Street and K Street

Wachiska Audubon Society

Southeast Nebraska Chapter of the National Audubon Society

4547 Calvert Street Suite 10 Lincoln NE 68506-5643
402.486.4846 office@WachiskaAudubon.org



Wachiska
Audubon Society

December 7, 2022

RE: Support of proposed Text Amendments 22012, 22010, 22011, all dealing with flood and water quality protection measures.

Lincoln City Council Members:

Wachiska Audubon is a local chapter of the National Audubon, and our office is in Lincoln. We own nine prairies and hold conservation easements on 23 properties in southeast Nebraska. We have over 320 members and many of those members reside in Lincoln. We support the Lincoln-Lancaster County Planning Commission's decision to approve updates to the floodplain regulations proposed by the city. We ask you to also vote, "yes".

National Audubon has done several significant peer-reviewed studies showing the connections between climate change and the health and very existence of many bird species. Since we understand that addressing the causes and effects of climate change is one of the biggest challenges now to all of us who respect the natural world, we were pleased to see the city's study of climate's effects on Lincoln in 2020 and the Council's adoption of the Climate Action Plan last year.

National Audubon urges us to speak up for environmental justice for all. Some developers say these proposed changes will make affordable housing more expensive. We say that we do not want anyone to be flooded out, especially low-income people. The Climate Study identified flooding as "one of, if not the most, important climate risks for the city." (p. 60). The Climate Action Plan calls for implementing the recommendations of the Salt Creek Resiliency Study (also called "the Olsson report").

Given that new flood maps from FEMA could be 5-8 years away, we believe that the information in the Climate Study and the policy directives adopted by the Council in the Climate Action Plan call for the city to adopt the updates to the floodplain regulations proposed by the city. This is a test of the Council's commitment to apply what we have come to understand about climate change. Understanding how dramatically a hotter and more unpredictable climate has changed our world lends urgency to this moment. Please do not delay.

We would ask that the Lincoln City Council support this proposal for increased water protection measures.

Thank you for your consideration,

Wachiska Audubon Society Board

From: [Nancy Becker](#)
To: [Council Packet](#)
Subject: For Your Consideration
Date: Thursday, December 8, 2022 7:53:08 AM

Dear City Council Members,

I am writing in support of the proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code and ask that this letter be part of the official record for the December 12th Public Hearing on this issue. I strongly urge you not to delay action on this issue as you have everything you need to make an informed decision and protect the health and safety of Lincoln households.

There are multiple reasons why you should approve the changes. The proposed changes were unanimously approved by the Lincoln-Lancaster County Planning Commission, and the City has already paid some money for the Final Salt Creek Floodplain Resiliency Recommendations Report. There has been stakeholder involvement throughout the process starting in 2017. Additional study will not provide any new information, only create more division.

You must remember, affordable housing must also be safe housing. The time to act is now!
Sincerely,

Dr. Nancy L Becker
6434 Rolling Hills Blvd.

From: [Lorrie Benson](#)
To: [Council Packet](#)
Cc: [Lorrie Benson](#)
Subject: comments re proposed flooding standards
Date: Thursday, December 8, 2022 8:06:38 AM

Lincoln City Council Members,

The First-Plymouth Congregational Church Climate Action Team supports the proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code. As people of faith we believe we're called to care for all God's people and planet. Put into action, this means protecting neighborhoods in Lincoln from increasing flooding threats. We note that when flooding occurs in Lincoln, it's usually people with fewer resources, and the city, who bear the financial and other burdens; more affluent individuals are much less likely to be harmed. It's not always easy to address environmental injustice, but in this case we can by adopting the proposed changes.

We ask that our comments be part of the official record for the December 12th Public Hearing on this issue. Thank you for considering our views.

Lorrie Benson, Chair
First-Plymouth Church Climate Action Team

From: [Bob Reeves](#)
To: [Council Packet](#); [Jon D. Carlson](#)
Subject: flood plain regulations
Date: Thursday, December 8, 2022 1:21:09 PM

Dear City Council Members:

At our Dec. 5 meeting of the Clinton Neighborhood Organization board, we voted unanimously to support the proposed flood plain regulations that would require buildings constructed in or adjacent to flood plains to be raised 2 feet above the highest expected flood level. We as a neighborhood believe these revised regulations are necessary to best protect the life and property of Lincoln residents.

Respectfully submitted,
Clinton Neighborhood Organization

From: [Mark Lindemann](#)
To: [Council Packet](#)
Cc: [Paul Zillig](#)
Subject: LPSNRD Letter of Support: December 12 Council Meeting
Date: Thursday, December 8, 2022 2:46:25 PM
Attachments: [image001.png](#)
[LPSNRD Support Letter F&WOP Manual- City Council.pdf](#)

Dear Council Members,

Please find the attached letter off support from the Lower Platte South NRD for the adoption of the revised Flood and Water Quality Protection Manual and the associated Text Amendments TX22012, TX22010, and TX22011. We appreciate your consideration of these improvements.

Thank You,

Mark Lindemann, PE
District Engineer
Lower Platte South NRD
P O Box 83581, 3125 Portia St.
Lincoln, NE 68501-3581
(402) 476-2729 office
(402) 480-2616 cell
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LOWER PLATTE SOUTH natural resources district

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December 9, 2022

Lincoln City Council
555 South 10th Street, Room 111
Lincoln, Nebraska 68508

RE: Text Amendments TX22012, TX22010, and TX22011

Dear City Council Members:

We appreciate the efforts of all those that participated and provided input during the process of developing these proposed improvements to current City Ordinances and Design Standards. We were impressed with the knowledge and expertise of the participants.

Rainfall, flood corridors, stormwater detention, best management practices, storm drainage, erosion and sediment control, and flood plain requirements are all very important to the NRD, we feel the proposed changes will benefit our community.

We think it's very important that we utilize the best information available as we identify our floodplains and make sure new developments are located out of the floodplain or adequately elevated. The NRD supports utilizing the best rainfall estimates and until new floodplain maps can be finalized we agree that an additional one foot of freeboard should be required to ensure no structures are allowed to be built, only to find out in a few years that they were not built high enough.

The City and NRD have partnered over the past 20 years to improve our stream corridors, and the NRD also supports additional protection of our stream corridors that is proposed. The current requirements have not done enough, we can do better. The proposed improvements to require setbacks to create stream buffer areas based on acres of drainage is a simpler method that will do a better job protecting all of our stream corridors.

The other changes are also important, post construction best management practices and erosion and sediment control practices make our community a better place to live. **The NRD supports all the proposed changes.**

Sincerely,

Paul Zillig
General Manager

cc: Deborah Eagan, NRD Chair

From: [Rick Schneider](#)
To: [Council Packet](#)
Subject: Proposed changes to floodplain protection
Date: Friday, December 9, 2022 12:18:18 PM

Dear Council Member,

I am writing to urge you to approve the proposed changes to floodplain protection that you will be discussing in your December 12th meeting. The current requirement of one foot of freeboard is inadequate given that it is applied to the current 100 year flood maps. These maps were developed based on climate data from more than 50 years ago. Recent changes in the climate have been well documented, particularly of note is the increase in frequency and intensity of short duration precipitation events. Climate modeling indicates that these changes will increase in the future. Thus, it is highly likely that the current 100 year floodplain map is outdated.

I understand that FEMA has begun the process to update the floodplain map but that it will take a number of years to complete. Once the floodplain map is revised, the one foot of freeboard requirement should again be adequate. But in the meantime, an interim requirement of two feet of freeboard is prudent to protect new structures in the floodplain.

Climate change is real and these changes will increase in magnitude going forward. Lincoln has shown itself to be very proactive in adopting the Lincoln Climate Action Plan. The change in floodplain protection is one concrete step in ensuring the resiliency of the city and maintaining a high quality of life for city residents.

Thank you for your consideration of this issue.

Rick Schneider
2926 Plymouth Ave.
Lincoln, NE 68502

From: [Gene Hanlon](#)
To: [Council Packet](#)
Subject: Fwd: Floodplain and Water Quality Protection Manual and Lincoln Municipal Code Updates
Date: Friday, December 9, 2022 4:33:42 PM

Am forwarding an email to you as I had this address wrong in the original email.

Gene Hanlon

----- Forwarded message -----

From: **Gene Hanlon** <gene.hanlon@gmail.com>
Date: Fri, Dec 9, 2022 at 4:31 PM
Subject: Floodplain and Water Quality Protection Manual and Lincoln Municipal Code Updates
To: <Tbeckius@lincoln.ne.gov>, <jbowers@lincoln.ne.gov>, <rmeginnis@lincoln.ne.gov>, <jraybould@lincoln.ne.gov>, Bennie R. Shobe <bshobe@lincoln.ne.gov>, <swashington@lincoln.ne.gov>, <citycouncilpacket@lincoln.ne.gov>

Dear City Council Member:

We are writing in support of the proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code and ask that this email be part of the official record for the December 12th Public Hearing on this issue (Agenda items 5h-5m). We strongly urge you not to delay action on this issue as you have everything you need to make an informed decision and protect the health and safety of Lincoln households. We also ask that you not approve any further amendments proposed by the development community.

Below are reasons why we believe you should approve the changes proposed by City Staff:

- The proposed changes were unanimously approved by the Lincoln-Lancaster County Planning Commission.
- The City has already paid \$262,000 for the “[Final Salt Creek Floodplain Resiliency Recommendations Report](#)” in August, 2020 by Olsson. The recommendations from this report are included in:
 - “Lincoln’s Vision for a Climate Smart Future” under the [Improve Protections for Lincoln Residents Section](#).
 - The City Council approved (Spring, 2021) “2021-2027 Climate Action Plan,” [Strategy 52](#).
 - The City Council approved (Fall, 2021) “2050 Comprehensive Plan” in Goal 8: Community Resiliency ([here](#)), and in Policy 21: Floodplain and Riparian Areas the recommendations are incorporated into the Action Steps ([here](#)).
- There has been stakeholder involvement in developing the proposed changes back to the fall of 2017:
 - Oct 2017 – Oct 2018: Drainage Criteria Manual Chapter by Chapter

Workshops with Stakeholder Groups

- Jan 2019 – Jan 2021 Salt Creek Floodplain Resiliency Study by Olsson and working Diverse Stakeholder Group
 - Oct 2018 – July 2021 Drafting of Drainage Criteria Manual with Ordinance Revisions
 - July 2021 – Nov 2021 Series of Stakeholder Meetings for Public Review of Ordinance Revisions
 - Nov 2021 – July 2022 Individual Stakeholder Meetings and Discussions on Possible Adjustments to Ordinance Revisions.
 - August 2022 - December 2022 28 ordinance revisions identified by the City in 2021. In 2022 the City adjusted or deleted 14 items as a result of stakeholder meetings with developers, engineers and builders.
- Additional study will not add anything new to what we already know –
 - Climate change is bringing more severe and intense rain events that can park over a sub-basin and drop 6 - 9 inches of rain;
 - That extreme rain events and flooding can not only cause significant economic and physical damage to public and private property but also loss of life.
 - The Salt Creek Levee system is not accredited by FEMA to protect residents in a 0.1% annual flood event;
 - Current floodplain maps across the country are out-of-date and it will take 5-8 years to update Lincoln's;
 - Floodplain corridors need to be widened; and
 - In current floodplain areas and adjacent areas the first floor of homes need to be at least 2 feet above the floodplain to meet current flood hazards to protect their homes.
 - Affordable housing must be safe housing. Builders have no responsibility once the house is sold, but homeowners and city taxpayers have the responsibility to clean-up after a flood event.

We have faith in the expertise and experience of City staff and their review of the issues. They have listened to the concerns of the development community and made concessions they thought were appropriate. The proposed changes are not everything we'd like to see, as more needs to be done, but we believe it to be an important first step. It's good that the City is taking this preventive action now rather than waiting to make changes following a future flood event. We would hate to see years from now, newly constructed neighborhoods having the same problems that North and South Bottoms are having today.

It is TIME TO ACT, not delay. Delay can be dangerous. It takes "political will" and a collective long-term vision to bring about the climate-smart improvements to our building and development standards to protect our health and safety. Please approve these floodplain regulation updates.

Respectfully,

Melissa Baker

Bluestem Sierra Club Chapter

Brian Hamsen, Becky Seth, Moni Usasz,
Citizens Climate Lobby

Clint Densberger, Foster Collins
Friends of Wilderness Park

Gene Hanlon
Green Sanctuary Committee
Unitarian Church of Lincoln

Lorene Ludy
Lincoln Friends Meeting

Bruce Johnson
Nebraska Elders Climate Legacy

Ken Winston
Nebraska Interfaith Power and Light

George Cunningham
Nebraska Sierra Club

Rachel Summers
Sustain UNL

From: [Bethany](#)
To: [Council Packet](#)
Cc: [Mayor](#)
Subject: Fwd: Support Flood Protections
Date: Saturday, December 10, 2022 9:35:40 AM

Hello City Council Members.

I'm writing in support of the updated flood protections in the Flood and Water Quality Protection Manual. These changes are a proactive way to protect people and property. Although they may slightly increase the cost of development, they will ultimately save property owners money. The changes are consistent with the Lincoln Climate Action Plan. I hope you will vote to support the changes.

Thanks,

Bethany Brunsman

7911 Red Oak Rd, Lincoln, NE 68516

402-202-2504

From: [Geri Cotter](#)
To: [Council Packet](#)
Subject: Proposed 2022 Flood Protection Updates
Date: Saturday, December 10, 2022 3:18:40 PM

Dear Members of the Lincoln City Council,

I would like to go on record as being in support of the proposed 2022 Flood Protection Updates and I ask that you, the members of the Lincoln City Council, join me in this effort.

According to the National Association of Homebuilders, in 2019, homeownership remained the largest asset on the balance sheet of homeowners. It accounted for more than 30% of household wealth for non-white and Hispanic/Latino households. In fact, across all racial and ethnic demographics, it was the largest asset.

By failing to implement the recommendations in the proposed 2022 Flood Protection Updates, you are asking some families considering the purchase of a home in the flood plain, to gamble with approximately 30% of their assets.

By implementing the new flood protection standards, this risk could be greatly mitigated, while still providing an affordable home. Consider that FEMA estimates one additional foot of freeboard adds between 0.25 and 1.5 percent to the total cost of construction. In addition, flood insurance would no longer be required. Nation-wide data shows every \$1 spent flood proofing saves \$4 - \$11 dollars in flood damages to property.

In other words, investing in flood protection measures up front can help to prevent costly damages and losses in the future. More importantly, however, implementing these measures can potentially save lives in the event of a flood.

The proposed Flood Protection Updates will provide peace of mind to all Lincoln residents and businesses, knowing that we are better prepared for a potential flood. This confidence contributes to the overall resiliency of the Lincoln community.

Please vote for the proposed 2022 Flood Protection Updates.

Sincerely,

Geri Cotter, 2111 Sewell Street, Lincoln, NE.

From: [Tom Pappas](#)
To: [Council Packet](#)
Subject: Flood and water quality protection
Date: Saturday, December 10, 2022 8:43:46 PM

Dear City Council Member:

I strongly support of the proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code and ask that this letter be part of the official record for the December 12th Public Hearing on this issue. I urge you NOT to delay action on this issue as you have everything you need to make an informed decision and protect the health and safety of Lincoln households. We also ask that you not approve any further amendments proposed by the development community.

I have faith in the expertise and experience of City staff and their review of the issues. They have listened to the concerns of the development community and made concessions they thought were appropriate. The proposed changes are not everything we'd like to see, as more needs to be done, but I believe it to be an important first step. It's good that the City is taking this preventive action now rather than waiting to make changes following a future flood event. We would hate to see years from now, newly constructed neighborhoods having the same problems that North and South Bottoms are having today.

It is TIME TO ACT, not delay. Delay can be dangerous. It takes "political will" and a collective long-term vision to bring about the climate-smart improvements to our building and development standards to protect our health and safety. Please approve these floodplain regulation updates.

Respectfully,

Thomas J. Pappas
4150 South St
Lincoln

From: [Steve McConnell](#)
To: [Council Packet](#)
Subject: Proposed Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code changes
Date: Sunday, December 11, 2022 9:02:50 PM

December 11, 2022

Dear Lincoln City Council members:

I am writing in support of the proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code and ask that this letter be part of the official record for the December 12th Public Hearing on this issue.

A changing climate makes flooding and other disasters more likely and unpredictable. Much study and consideration has been put into the proposed changes and I urge you to adopt these without delay.

Sincerely,

Steve McConnell

1400 N. 38th Street

Lincoln, NE 68503

From: [Lisa McConnell](#)
To: [Council Packet](#)
Subject: Updated Flood Protection Plan
Date: Sunday, December 11, 2022 10:55:58 PM

Dear Council Members,

I'm writing in support of updating the current flood protection plan for Lincoln. We need to be proactive in protecting homes in the flood plan. Please support the updated changes to protect our city and residents.

Thank you,

Lisa McConnell
1400 N. 38th St.
Lincoln, NE 68503

From: [Cathy Wilken](#)
To: [Council Packet](#)
Subject: Flood Plan
Date: Monday, December 12, 2022 9:01:12 AM

Dear Esteemed Members of the Planning Commission and City Council,

The Near South Neighborhood Association met on Monday, November 14, 2022, at which time, the association board reviewed and discussed the Planning Department's proposed strategies for flood protection, which are scheduled for presentation and action at your next meeting. Based upon the outdated flood plain maps presently used to support mediating measures, along with the science and data that clearly show the risk of flooding in Lincoln has substantially increased since the present rules were implemented, the Near South Neighborhood Association voted to support the proposed, updated strategies for flood protection.

While the greatest risk of flooding may be concentrated in relatively limited portions of Lincoln, **safe** and affordable housing is an issue that concerns all neighborhoods.

And housing that is susceptible to the ravages of floods is neither safe nor affordable. We believe that stakeholders have been given more than adequate opportunity to review the proposal and that further delay provides no benefit. As such, we respectfully request that you vote to recommend the proposed flood protections to the City Council for adoption. Thank you.

Sincerely,



www.nearsouth.org

From: [Mark Meyer](#)
To: [Council Packet](#)
Subject: Letter of Support for revised Flood and Water Quality Protection Manual
Date: Monday, December 12, 2022 12:15:34 PM
Attachments: [2022-12-12 Letter of Support.pdf](#)

Dear Mayor and City Council,

Attached please find my Letter of Support for the revised Flood and Water Quality Protection Manual for your review and use. If you have any questions, please let me know.

Thank you.

Mark Meyer, PE, CFM
President
Intuition & Logic Engineering, Inc.
(636) 777-3000 office
(314) 368-3335 mobile
www.IntuitionAndLogic.com



16253 Swingley Ridge Rd, Suite 100, St. Louis, MO 63017
636.777.3000



December 12, 2022

City of Lincoln
Mayor and City Council
555 South 10th Street
Lincoln, NE 68508

RE: Adopting the revised Flood and Water Quality Protection Manual and associated amendments to Lincoln Municipal Code


Dear Mayor and City Council,

I am writing in support of adopting the revised Flood and Water Quality Protection Manual and associated amendments to Lincoln Municipal Code. I am a Nebraska Professional Engineer and an expert in municipal stormwater management. The floodplain measures will increase resident safety and protection, and the minimum corridor measures will increase residential and commercial property value as well as esthetics and quality of life for current and future residents. Specifically, I recommend supporting the following agenda items:

- 22R-567 – Adopting the revised Flood and Water Quality Protection Manual
- 22R-568 – Text Amendment 220012
- 22-208 – Text Amendment 22010
- 22-209 - Text Amendment 22011
- 22-210 - Amending Lincoln Municipal Code Chapter 28.01
- 22-211 - Amending various sections of Lincoln Municipal Code Chapter 28.03

Thank you for the opportunity to present my support. If you have any questions or would like additional information, please do not hesitate to call me at 636-777-3000 or 314-368-3335.

Best regards,



Mark Meyer, PE, CFM
President

From: [City Clerk](#)
To: [Council Packet](#)
Subject: FW: Halt Vaccine Passports
Date: Tuesday, December 13, 2022 1:25:05 PM

From: Mariann Malone <dragoness411@gmail.com>
Sent: Tuesday, December 13, 2022 1:24 AM
To: City Clerk <CityClerk@lincoln.ne.gov>
Subject: Halt Vaccine Passports

Dear Ms. Phan,

You must act decisively to halt any type of Vaccine Passport because such control would directly threaten U.S. National Sovereignty and my right to Informed Consent.

G20 leaders signed a declaration to amend the International Health Regulations (IHR) at the 76th World Health Assembly, in May 2023, paving a way to Digital Vaccine Passports. President Biden signed this on Nov 21, 2022. The plan is for Vaccine Passports to be issued by World Health Organization (WHO) member states via the IHR:

Budi Sadikin, Indonesian Health Minister at G20 Summit on Nov 13, 2022: “Let’s have a digital health certificate acknowledged by WHO — if you have been vaccinated or tested properly — then you can move around. We will sub [this] into the next World Health Assembly as a revision to the IHR.”

Vaccine Passports would be a massive power grab, usurping federal and state authorities. We, the People, do not accept Vaccine Passports. You must reject them, as well.

Your sworn duty is to protect the U.S. from all enemies, foreign and domestic. To do so, you must immediately take effective action to stop the adoption of Vaccine Passports, social credit scores and any other intrusive, surveillance and control measures.

Members of the 117th U.S. Congress introduced bills to avert Vaccine Passports — HR.4126, S.1932 — withdraw the U.S. from the WHO — HR.7931 — and exit the United Nations (UN) — HR.7806.

I urge you to prioritize and support this and similar legislation to secure U.S. sovereignty and the rights of all men, women, and children; and to

1. Avert any type of Vaccine Passport
2. Prevent surveillance without court-ordered warrants
3. Withdraw the U.S. from the UN and all its subsidiary entities, including the WHO

Agenda 2030, Vaccine Passports, One Health, the Great Reset, the Internet of Bodies and continual surveillance pose the worst threats that our Nation has faced. Secret negotiations around the “Pandemic Treaty” and the IHR amendments (amendments which do not require Congressional

approval) would result in unacceptable tyranny.

The proposed U.S. amendments to the IHR would give the WHO Director General sole authority to declare Public Health Emergencies of International Concern (PHEICs) and “pandemics.” Secretive, unelected entities could then restrict travel, commerce, property ownership, communications, agriculture, medical practice, and individual speech in the U.S..

In a free society, behavioral control systems and surveillance, similar to the CCP’s social credit score system (<https://youtu.be/PVkWokLqPOg>) or controls through digital health records, declared “emergencies”, lockdowns, coerced and forced medical procedures, quarantine camps, and implanted transmission devices are unacceptable.

Now is the time for you to protect our national and personal sovereignty and our Federal and State Constitutions. Please send me your action plan to address this.

We, the People, anticipate your full support.

Yours in health and freedom,

Sincerely,
Mariann Malone
2423 NW 6th st
Lincoln, NE 68521
402-853-3875

From: [Bob Reeves](#)
To: [Council Packet](#)
Subject: floodplain rules
Date: Tuesday, December 13, 2022 3:18:31 PM

Dear City Council members:

I am a member of Clinton Neighborhood Organization. Last Monday our board voted unanimously in support of the change in floodplain regulations that include a requirement that construction in or adjacent to flood plains be raised two feet rather than one foot until new federal flood plain maps have been created based on current rainfall data.

The position of the neighborhood is still in support of this proposal. However, as an individual, after reading more about this issue, I have determined that it would be better to have a complete moratorium on all construction in and around currently-designated floodplains until the new maps are available.

I want to make it clear that my vote as a CNO board member still stands as in support of the new rules because the old rules are based on 60-year-old data. But my personal opinion is that it would be better to stop all construction in flood plains altogether until accurate information is available.

Sincerely,
Bob Reeves
3236 Dudley St.
Lincoln, NE 68503
402-464-1803

From: [Rosina Paolini](#)
To: [Council Packet](#)
Subject: Floodplain and Water Quality Protection Manuals and Lincoln Municipal Codes
Date: Wednesday, December 14, 2022 6:50:09 AM

Thank you City Council Members for your service and the opportunity to illustrate the erosion of the Salt Creek. As you look through the calendar you will notice similar illustrations as a reminder of one of the causes of Lincoln's flooding. The other cause is the development we allow in sensitive areas without appropriate buffers .

In 2012 we had a nasty drought, this year we are in a drought, the creek is lower with bigger islands of the Salt Creek banks in the middle of every turn in the creek beds. The bit of moisture we get is erased by high winds. When we get the rains like we had in 2020-2021, it will flood. Bank stabilization and dredging needs to happen now.

I listened to Bill Wayne, UNL Geologist, with a focus on the Salt Creek's characteristics and Dan Schlitt, whose father was the Deputy Engineer, U.S. Corp of Engineers who taught me to look for the patterns in the Salt Creek on our hikes in the late 70's. The last flood was 2014-15, 5 years later, the next high water event in 2020-21, note the photos I showed. I feel like we have less time this round; 3-5 years.

"ADVERSE IMPACT" will occur in a wave from 1st and Pioneer and 14th and Saltillo, the area of the Salt Creek that appears to have the most significant change in the creek bed. The creek can not hold the same quantity of water at whatever velocity it did in 2020, despite the few repairs completed in 2021-22.

The proposed changes to the Floodplain and Water Quality Protection Manuals and Lincoln Municipal Code are an important start and as with any regulation it is subject to update as more data and maps are provided. Salt Creek stabilization needs to start in concert with the adopted regulations.

Respectfully,

Rosina Paolini
1850 Dakota Street
Lincoln, NE 68502