

## **BRIEFING NOTES**

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| <b>NAME OF GROUP:</b>                   | PLANNING COMMISSION                                                                                                                                                                                                                                                                                                               |
| <b>DATE, TIME AND PLACE OF MEETING:</b> | Wednesday, June 13, 2012, 12:00 noon, Conference Room 113, County-City Building, 555 S. 10 <sup>th</sup> Street, Lincoln, Nebraska                                                                                                                                                                                                |
| <b>MEMBERS IN ATTENDANCE:</b>           | Leirion Gaylor Baird, Greg Butcher, Michael Cornelius, Wendy Francis, Chris Hove, Lynn Sunderman and Ken Weber (Dick Esseks and Jeanelle Lust absent). Marvin Krout, Steve Henrichsen, Sara Hartzell and Teresa McKinstry of the Planning Department; Brittany Behrens of County Attorney's office; and other interested parties. |
| <b>STATED PURPOSE OF MEETING:</b>       | Briefing by Planning staff on proposed AG Preservation Lots, text amendments to the County Zoning and Land Subdivision regulations.                                                                                                                                                                                               |

Sara Hartzell stated that the County Board had some suggestions regarding acreages in the County back in September 2012, when some language was added to the Comprehensive Plan. Staff started working on some background. This is the result of about six months of meetings. The language is the entirety of the four chapters that have been amended. The first changes are to area requirements. Staff took the opportunity to reorganize the code and make it clearer. This brings the language together in one place. AG preservation lots are noted. There were three goals going into this: maintain 1:20 density, maintain access control and preserve AG land. Staff wanted to be flexible and make sure we can track these and allow for future development.

Today there is a farmstead split option mainly for a farm. It must be at least five years old and meet minimum housing codes. This has been in the code for many years. Another option is grandfathered lots that were legal in 1979. Community unit plans are another option. One that was added in 2005 was two three acre parcels per 40 acre parcel, as long as there is at least 30 acres left over. The remaining large parcel must stay as farmland. This is done by final plat. There have only been about 15 of these done.

Francis wondered about ownership of the two, three acre lots. Hartzell replied that the owner could keep thirty acres and sell off the three acre lots to two different parties.

Francis believes the County Board approved this wanting to create more affordable lots in the county. She doesn't think this will be very marketable. In her experience, a shared driveway is not desirable.

Krout stated that this is just another option.

Hartzell stated that the County Zoning Resolution has been reformatted and renumbered, hopefully to make it easier. Conditions have been proposed for AG Preservation Lots. This chapter took the language for two threes per forty and started to expand it. It will maintain the overall density of one dwelling unit per twenty acres and limit it to four buildable lots. Three acres minimum is a requirement for a septic system to work. That correlates with Nebraska State law. The remaining land shall be placed in an unbuildable outlot that occupies a minimum of 75 percent. There is language for a shared driveway. 60 feet is the minimum easement width which corresponds to minimum right-of-way for a local road. The subdivider has to agree to dedicate 50 feet of right-of-way on any abutting section line road. The Planning Director has some ability to adjust the lot frontage. There are references to the design standards. Most of the noted deleted text was moved to another section of the code.

When looking at subdivision regulations, a couple of issues came up. There are currently permits that allow someone to subdivide land such as adjust a lot line. These are done administratively. This is put on record at the Register of Deeds office. The applicant must file deeds and surveys on the lots they want to create. A lot of applicants don't understand the process of filing the documents. There have been situations where as part of this process, an easement is required. It doesn't happen all the time, but there is no process currently to include the easement through the permit. The easement must be filed separately. This isn't always easy to do. Worse are the private easements. A private access easement is up to the permittee to file. She has talked to the County Board and explained that staff wants to make this process easier. Administrative final plats are now approved by the Planning Director. Staff is proposing to remove the language for county administrative subdivision permits, and adding language that a final plat can be filed under certain conditions and requirements, without having to file a preliminary plat. Some of the language is similar to existing city language.

Mike DeKalb stated that the city used to have administrative subdivision permits before they went to final plats.

Gaylor Baird isn't very sure what the efficiency is. Hartzell replied that a final plat allows the lots to be created where the permit only gives permission to create the lots. It also allows easements to be filed as part of the final plat. Right-of-way dedication is more streamlined and less complicated.

Hartzell continued that design standards have been added throughout. The Planning Director can waive the frontage requirement or lot width-to-depth ratio. A new section has been added to Design Standards for AG Preservation Lots.

Francis asked if an AG preservation standard would be a new designation on the map. Hartzell replied it will look like any other final plat.

Gaylor Baird wondered if there were concerns that these weren't very marketable, as Francis stated earlier. Hartzell replied that staff discussed this and the possibilities that landowners could subdivide by deed, one three acre per twenty acre parcel. Staff isn't going to encourage that, but there is a way around it.

Hove inquired if the term "shared driveway" is really referring to a shared roadway. Hartzell clarified that this refers to shared access to a county road.

Hartzell showed some examples of layouts for splitting off buildable lots.

Hartzell continued that currently, the CUP bonus calculation is 20 percent. This does not allow a bonus lot on 80 acres. The proposed language increases the bonus to 25 percent. The calculation method has been changed to round all final calculations over .50 to the next whole number. This also sets a minimum percentage of land preserved. Redundant language will be removed and it will also remove density reductions for smaller R zoned CUPs.

Krout stated that the County Board asked staff to remove language that required new county roads. They want applicants to have options. Staff has worked with the County Board on the language.

Gaylor Baird complimented staff on all the work that has been done on this.

The meeting was adjourned at 12:50 p.m.