

**SUBSTITUTE**  
ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE amending Title 26 of the Lincoln Municipal Code relating to  
2 the Land Subdivision Ordinance by amending Section 26.23.040 to modify the minimum right-  
3 of-way width for major streets and to provide typical cross-section figures for streets having a  
4 width 120 feet and 130 feet; by amending Section 26.27.090 to provide that trees shall be planted  
5 in the public right-of-way provided there is sufficient space as determined by the Parks and  
6 Recreation Department; and repealing Sections 26.23.040 and 26.27.090 as hitherto existing.

7           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8           Section 1. That Section 26.23.040 of the Lincoln Municipal Code be amended to  
9 read as follows:

10   **26.23.040   Street and Other Public Way Widths.**

11           (a)   The width of all rights-of-way shall conform to the widths prescribed herein and  
12 shall be determined pursuant to the comprehensive plan.

13           (b)   The minimum right-of-way widths shall be as follows:

<b>Classification</b>	<b>Width</b>
15 <del>Urban major streets</del> . . . . .	80 feet
16 <del>(Streets and roads shown on the</del>	<del>(except when more right-of-way is</del>
17 <del>future urban street and road network</del>	<del>shown or described for such streets</del>
18 <del>map in the comprehensive plan).</del>	<del>in the comprehensive plan or less</del>
	<del>right-of-way is required on the</del>
	<del>building line map.)</del>
19 <u>Major streets</u>	<u>As shown or described for such</u>
	<u>streets in the Comprehensive Plan*</u>

1 Nonurban major streets ..... 100 feet  
2 (Streets and roads shown on future  
3 county street and road network map  
4 in the comprehensive plan).  
5  
6 Collector streets ..... 72 feet  
7  
8 Local streets:  
9 Commercial, business, or industrial  
10 zoning district ..... 66 or 72 feet  
11 (In accordance with design standards)  
12 Residential ..... 60 feet  
13  
14 Cul-de-sacs:  
15 Residential ..... 60-foot radius  
16 Commercial, business, or industrial ..... 66- or 72-foot radius  
17 (In accordance with design standards)  
18  
19 Alleys ..... 20 feet  
20  
21 Pedestrian ways ..... 5-foot easement for the sidewalk  
22  
23 Bikeways ..... 20-foot easement  
24  
25 \* The typical cross sections for major streets having a width of 120 feet and 130 feet are set  
26 out in Figures A, B and C at the end of this chapter.

21 Section 2. That Section 26.27.090 of the Lincoln Municipal Code be amended to  
22 read as follows:

23 **26.27.090 Trees.**

24 Trees shall be planted along both sides of all streets and private roadways within the  
25 subdivision and on the side of the streets and private roadways which abut the subdivision. The  
26 trees shall be planted in the public right-of-way, except provided there is sufficient space, as  
27 determined by the Parks and Recreation Department. ~~along major streets in which case the trees~~  
28 ~~shall be planted on the private property abutting such major streets.~~ Notwithstanding the above,

1 the tree requirements are not required in that part of a subdivision located outside the city limits  
2 where all lots contain an area of one or more acres.

3 Section 3. That Sections 26.23.040 and 26.27.090 of the Lincoln Municipal Code  
4 as hitherto existing be and the same are hereby repealed.

5 Section 4. That this ordinance shall take effect and be in force from and after its  
6 passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2006:  _____ Mayor
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