

City Council Introduction: **Monday**, September 10, 2007  
Public Hearing: **Monday**, September 17, 2007, at **1:30 p.m.**

Bill No. 07R-169

## **FACTSHEET**

**TITLE:** MISCELLANEOUS NO. 06007, requested by the Director of Parks & Recreation, **and MISCELLANEOUS NO. 07006**, requested by the Director of Planning, by amending Chapter 2.35, Design Standards for Street Trees; and by amending Chapter 3.50, Design Standards for Screening and Landscaping.

**STAFF RECOMMENDATION:** Approval.

**ASSOCIATED REQUEST:** Change of Zone No. 07043 (07-141)

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 08/15/07  
Administrative Action: 08/15/07

**RECOMMENDATION:** Approval (8-0: Sunderman, Strand, Taylor, Carroll, Cornelius, Esseks. Larson and Carlson voting 'yes'; Krieser absent).

### **FINDINGS OF FACT:**

1. These proposed text amendments to the City of Lincoln Design Standards were heard by the Planning Commission at the same time as an associated amendment to the Zoning Ordinance (Change of Zone No. 07043 - 07-141). The amendments to the Design Standards are combined into one resolution for Council action.
2. These proposed text amendments to the Design Standards would:
  - A.. Remove the street tree list and language that describes the transporting and planting of plant material to allow the Director of Parks & Recreation to make changes to these requirements administratively.
  - B. Add new language designating the location of street trees.
  - C. Delete Chapter 3.95 because it is a requirement of the Land Subdivision Ordinance.
  - D. Clarify the requirements for screening and landscaping.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-4. The staff presentation is found on p.5.
4. There was no testimony in opposition.
5. On August 15, 2007, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Krieser absent).

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** August 31, 2007

**REVIEWED BY:** \_\_\_\_\_

**DATE:** August 31, 2007

**REFERENCE NUMBER:** FS\CC\2007\MISC.06007 and MISC.07006+ text

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for AUGUST 1, 2007 PLANNING COMMISSION MEETING**

**PROJECT #:** Miscellaneous No.06007

**PROPOSAL:** Amend Chapter 2.35 and delete Chapter 3.95 of the City of Lincoln Design Standards.

**CONCLUSION:** The proposed changes will remove unnecessary language from Chapter 2.35 and remove duplication by deleting Chapter 3.95. This will allow the Director of the Parks & Recreation Department to make changes that would have required public hearing at both Planning Commission and City Council.

<b><u>RECOMMENDATION:</u></b>	Approval
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**ANALYSIS:**

1. The amendment to Chapter 2.35 will remove the street tree list and language that describes the transporting and planting of plant material. The Director of the Parks Department should be able to make changes to these requirements administratively.
2. New language was added to Chapter 2.35 designating the location of street trees from items such as stop signs, light poles, fire hydrants and storm sewer inlets.
3. The proposed changes will help streamline future changes to the street tree list or planting requirements by allowing the Director of Parks & Recreation Department to make those changes.
4. Chapter 3.95 is a duplication of Chapter 2.35 and therefore is being deleted. Chapter 3.95 is under design standards for zoning regulations. The installation of street trees are a requirement of the subdivision ordinance, not the zoning ordinance.

Prepared by:

Tom Cajka  
Planner

**DATE:** July 16, 2007  
**APPLICANT:** Lynn Johnson, Director of Parks & Recreation Department  
2740 "A" St.  
Lincoln, NE 68502  
(402) 441-7847

**CONTACT:** same as applicant

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 1, 2007 PLANNING COMMISSION MEETING

**PROJECT #:** Miscellaneous No.07006

**PROPOSAL:** This is a request to amend Chapter 3.50 of the City Design Standards for screening and landscaping.

**CONCLUSION:** The proposed changes do not require any additional landscaping above what is required today. The purpose of these proposed changes are to clear up any confusing language.

<b>RECOMMENDATION:</b>	Approval
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## **GENERAL INFORMATION:**

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

Urban Forest– This feature refers to the trees and other woody plants that have been planted or grow naturally within the limits of the communities in Lancaster County. Though many may not consider the urban forest to be part of the “natural environment” it represents a significant community investment —exemplifies in Lincoln being a “Tree City”– with its elimination or neglect having substantially detrimental consequences. Pg. 53

Kitchen Window- Every home and place of work is surrounded by some sort of green space. This includes planted vegetation, birds, animals, etc. At the lowest level, green space is the view from each and every window. That view should be an enjoyable one. Pg. 55

Make “green space” an integral part of all environment–“Green space” can come in a wide variety of forms. The policies of the Comprehensive Plan should strive to incorporate such uses in the full range of urban and rural landscapes. Pg. 56

It is recognized that trees, both occurring naturally and planted and managed, are essential to the quality of life of residents and the character of the community. Pg. 139

## **HISTORY:**

March 20, 2006      Miscellaneous #04015 to amend the City Design Standards including Chapter 3.50, Design Standards for Screening and Landscaping, was approved by the City Council.

## **ANALYSIS:**

1. The intent of the proposed changes is to help clarify the requirements for screening and landscaping. This includes such requirements as what is to be shown on a landscape plan and how the reduction for screening a parking lot is figured.

2. Section 7.1(d) was amended to add language for determining how the reduction in screening is calculated on private streets. The current language allows a reduction in required screening if the parking lot is located 35 feet or more from the lot line. Some developments were approved with the lot line at the center of the private street. This allowed an unintended consequence of granting a reduction to screening for those lots with lot lines at the center of the street.
3. Section 7.1(e) has been added to help clarify where parking lot screening is not required.
4. Section 7.5 identifies how screening is treated when the property abuts an alley.
5. In Section 7.6 ornamental grasses and ornamental trees have been added as approved material for screening and landscaping. Ornamental grasses and trees will give the designer more variety to choose from. If ornamental trees are used in lieu of deciduous shade trees, the ornamental trees are credited ½ of a deciduous shade tree.

Prepared by:

Tom Cajka  
Planner

**DATE:** July 17, 2007

**APPLICANT:** Marvin Krout, Director of Planning  
Lincoln-Lancaster County Planning Department  
555 s. 10<sup>th</sup> St. Suite 213  
Lincoln, NE 68508

**CONTACT:** Tom Cajka, Planner  
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**CHANGE OF ZONE NO. 07043,  
MISCELLANEOUS NO. 06007 AND MISCELLANEOUS NO. 07006**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

August 15, 2007

Members present: Sunderman, Larson, Carroll, Strand, Esseks, Taylor, Cornelius and Carlson; Krieser absent.

Ex Parte Communications: None.

Staff recommendation: Approval.

Staff presentation: **Tom Cajka of Planning staff** presented this proposal which basically moves some provisions out of the Zoning Ordinance and places them in the Design Standards, such as the 6' landscape standard to allow adjustments without going to the Board of Zoning Appeals. The amendment to add the note to the parking matrix was inadvertently omitted when the parking matrix was recently amended.

The amendments to the Design Standards have to do with street trees and planting street trees, deleting the provisions having to do with how you plant the tree, how deep the hole, etc. This is more of a Parks issue where they have their own standards and the thought is that those standards should be able to be amended without going through a text change. It should be left to the horticulturist. There is also some language added about where a street tree is to be located.

With regard to the amendment to Section 3.5 of the Design Standards, Cajka advised that a major change to landscaping and screening requirements was done over a year ago and since then, the staff has found that some of the language needed to be clarified. These amendments are an attempt to make some of those clarifications, i.e. what needs to be included in a landscape plan, etc.

The amendments to Section 7.1 add the provisions being removed from the Zoning Ordinance by Change of Zone No. 07043. It does not change the requirements, but merely moves them into the Design Standards. Language is also added to clarify how to do screening along an alley.

Esseks inquired whether there has been any type of advisory committee that has considered these issues. Cajka stated that the staff did send the proposed changes to the development community. **Lynn Johnson, Director of Parks & Recreation**, advised that there is a Community Forestry Advisory Board which provides guidance on street trees. These amendments essentially make that process administrative, but Parks does use that advisory board in the review process. Johnson also pointed out that different street tree species are being added almost annually. There is a beetle that has devastated the ash population in other areas of the country and Johnson is hoping to address that in Nebraska by providing for a mix in the species on any given street. The staff wants to do things proactively and these amendments will allow Parks to make those changes more quickly and administratively.

There was no testimony in opposition.

**CHANGE OF ZONE NO. 07043**

**ACTION BY PLANNING COMMISSION:**

August 15, 2007

Strand moved approval, seconded by Larson and carried 8-0: Sunderman, Larson, Carroll, Strand, Esseks, Taylor, Cornelius and Carlson voting 'yes'; Krieser absent. This is a recommendation to the City Council.

**MISCELLANEOUS NO. 06007 AND MISCELLANEOUS NO. 07006**

**ACTION BY PLANNING COMMISSION:**

August 15, 2007

Carroll moved approval, seconded by Larson and carried 8-0: Sunderman, Larson, Carroll, Strand, Esseks, Taylor, Cornelius and Carlson voting 'yes'; Krieser absent. This is a recommendation to the City Council.