

City Council Introduction: **Monday**, April 7, 2008
Public Hearing: **Monday**, April 14, 2008, at **1:30** p.m.

Bill No. 08-39

FACTSHEET

TITLE: MISCELLANEOUS NO. 08004, requested by the Director of Planning, to amend Title 26 of the Lincoln Municipal Code (the Land Subdivision Ordinance) to clarify and establish a deadline for the expiration of applications for final plats and to delete the requirement to provide a soil survey with an application for a preliminary plat.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/26/08
Administrative Action: 03/26/08

RECOMMENDATION: Approval (6-0: Sunderman, Carroll, Esseks, Taylor, Larson and Francis voting 'yes'; Cornelius and Gaylor Baird absent).

FINDINGS OF FACT:

1. The purpose of this proposal to amend Section 26.11.060 is to clarify and define how and when final plat applications are placed on pending and how they will expire if conditions are not satisfied. The current language, approved last year, only allows plats to expire when the applicant has specifically requested that the plat be placed on pending.
2. The purpose of this proposal to amend Section 26.15.020 is to remove the requirement that a soils survey be submitted with an application for preliminary plat.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2, concluding that the expiration date will allow incomplete applications to become null and void automatically after a certain period of time. The soils analysis was not useful. Deleting the requirement reduces time and cost in preparing and processing preliminary plat applications.
4. On March 26, 2008, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On March 26, 2008, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval (Cornelius and Gaylor Baird absent).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: March 31, 2008

REVIEWED BY: _____

DATE: March 31, 2008

REFERENCE NUMBER: FS\CC\2008\MISC.08004 Text

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MARCH 26, 2008 PLANNING COMMISSION MEETING

PROJECT #: Miscellaneous No. 08004

PROPOSAL: Clarify and establish a deadline for the expiration of applications for final plats. Delete the requirement of providing a soil survey with an application for a preliminary plat.

CONCLUSION: The expiration date will allow incomplete applications to become null and void automatically. The soils analysis was not useful. Deleting the requirement reduces time and cost in preparing and processing preliminary plat applications.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Sections 26.11.060 and 26.15.020, City of Lincoln Land Subdivision Ordinance

HISTORY:

March 12, 2007: City Council approved MISC#06012 which provided that all applications which have been placed on pending by the subdivider shall automatically expire one year thereafter unless the subdivider requests the application be removed from pending prior to the expiration date.

ANALYSIS:

1. The amendment to 26.11.060 clarifies and defines how and when final plat applications are placed on pending and how they will expire if conditions are not satisfied. This amendment will allow 93 incomplete and/or inactive final plat applications to be voided automatically, which was the intent when MISC#06012 was approved last year.
2. The amendment to 26.15.020 removes the requirement that a soils survey be submitted with an application for a preliminary plat. Various departments and members of the development community were contacted for comment. There were no objections to eliminating the requirement. Soil information will still need to be provided when on-site water or sewer systems are being proposed, as specified in 26.15.015(h)(2).

Prepared by:
Brandon M. Garrett, AICP
Planner

DATE: March 14, 2008

APPLICANT: Marvin Krout, Planning Director
Lincoln/Lancaster County Planning Department
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Lincoln, NE 68508

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MISCELLANEOUS NO. 08004

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

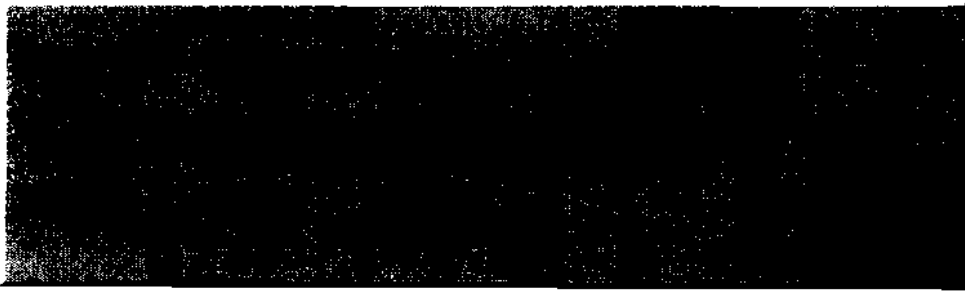
March 26, 2008

Members present: Carroll, Esseks, Francis, Larson, Sunderman and Taylor; Gaylor Baird and Cornelius absent.

The Consent Agenda consisted of the following items: **USE PERMIT NO. 137A, ANNEXATION NO. 08002, CITY MISCELLANEOUS NO. 08004 and COUNTY MISCELLANEOUS NO. 08005.**

Ex Parte Communications: None

Larson moved to approve the Consent Agenda, seconded by Sunderman and carried 6-0: Carroll, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'; Gaylor Baird and Cornelius absent.



Status of Review: No Rev Req

Reviewed By Building & Safety

Terry Kathe

Comments:

Status of Review: Approved

02/25/2008 11:24:01 AM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Brandon Garrett DATE: February 25, 2008

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Subdivision Code
EH Administration MISC #08004

The Lincoln-Lancaster County Health Department has reviewed the miscellaneous application and does not object to the proposed subdivision code changes.

Status of Review: Active

Reviewed By Planning Department

BRANDON GARRETT

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Public Works - Development Services

ANY

Comments:

Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:



Benjamin J Higgins/Notes
02/20/2008 10:07 AM

To Brandon M Garrett/Notes@Notes
cc Chad E Blahak/Notes@Notes, Devin L
Biesecker/Notes@Notes
bcc
Subject MISC08004 review

Brandon

Watershed Management has no comments to the proposed amendments to the subdivision code.
thanks

Ben Higgins
Watershed Management
Public Works and Utilities
City of Lincoln, NE
(402) 441-7589