

Comprehensive Plan Amendment No. 08011

RESOLUTION NO. A-_____

1 WHEREAS, the Planning Director, on behalf of Mark Hunzeker, has made
2 application to amend the 2030 Lincoln City-Lancaster County Comprehensive Plan to amend
3 various sections regarding the City’s policies on annexation and provision of infrastructure
4 concurrent with development; and

5 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
6 recommended approval of said proposed amendment.

7 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
8 Lincoln, Nebraska that the 2030 Lincoln-Lancaster County Comprehensive Plan be and the
9 same is hereby amended in the following manner:

10 1. Amend the legend on the “Urban Growth Tiers with Priority Areas” map
11 on page 21 to read as follows:

PRIORITY A -

“Identifies a future service area of approximately 20 square miles to serve with utilities in the next six years. The City’s ~~has developed and made public financial~~ water and wastewater utility plans for operations and growth and the 2006 CIP are based on a smaller serving the Priority A area. User fee increases and/or impact fees as projected for water and wastewater will require additional increases, or additional private financing if projects are added or staged earlier than previously identified.

~~Currently, there are not adequate funds to build needed road improvements within the city limits, much less serve Priority A or other growth areas. If~~ The City is committed to building needed improvements concurrent with development, ~~then~~ as well as maintaining the existing road network. However, this will require significant additional road funds will be needed, in addition to the proposed rate increases for water and wastewater.”

27 2. Amend the text under **PRIORITY AREA PLAN FOR TIER I** on page 24 to
28 read as follows:

“Setting Priorities

The top priority for infrastructure improvements is the existing city and areas that are currently under development. In order to provide for the

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1 orderly future growth of the city, additional land is identified in Tier I as the
2 next area for improvement. However, the community does not have the
3 financial resources, nor is it necessary, to provide urban services to all of
4 the Tier I area within the next few years. So within Tier I, the community
5 needs to prioritize areas for infrastructure improvements.

6 Priority A identifies a future service area of approximately 20 square miles
7 to serve with utilities in the next six years. Developer interest exists in
8 land in various areas which would require providing services to over 35
9 square miles—if financing were available. ~~Based. However, based on~~
10 population and growth projections, there is not a need for development
11 may begin on all of this much land in the near term. The City's ~~has~~
12 ~~developed and made public financial~~ water and wastewater utility plans
13 for operations and growth ~~and the 2006 CIP are based on a smaller~~
14 servicing the Priority A area. User fee increases and/or impact fees as
15 projected for water and wastewater will require additional increases, or
16 additional private financing if projects are added or staged earlier than
17 previously identified.

18 ~~Currently, there are not adequate funds to build needed road~~
19 ~~improvements within the city limits, much less serve Priority A or other~~
20 ~~growth areas. If~~ The City is committed to building needed improvements
21 concurrent with development, ~~then as well as maintaining the existing~~
22 road network. However, this will require significant additional road funds
23 ~~will be needed, in addition to the proposed rate increases for water and~~
24 ~~wastewater.~~

25 While there are financing limitations, the economic development area
26 north of Interstate 80, east of N. 40th Street, that drains into Little Salt
27 Creek, is designated as Priority A and will be provided with infrastructure
28 through Tax Increment Financing. However, an area along the South
29 Beltway, which naturally drains to the south of the South Beltway, should
30 remain Priority B or C until a sanitary sewer study concludes how this
31 larger area can best be served and financing is addressed.

32 ***Top Priority Area***

33 The top priority areas are those which are generally within the city limits
34 at the beginning of the planning period. There are still significant
35 infrastructure needs within the existing city and areas currently under
36 development. Some larger projects, such as Antelope Valley, will be
37 ongoing throughout the planning period and will require significant
38 infrastructure resources.

39 ***Priority A of Tier I***

40 Areas designated for near term development are generally contiguous to
41 existing development and should be provided first with basic
42 infrastructure within the next 6 years of the adoption of the Plan. Some of
43 the infrastructure required for development may already be in place. This
44 area includes some land already annexed, with City commitments to fund
45 infrastructure improvements, ~~but the land is still undeveloped and without~~
46 significant infrastructure in place yet. In conjunction with annexation, the

1 city should use other available zoning tools, such as residential density
2 and floor area bonuses, to encourage growth and development in these
3 areas. Some infrastructure improvements may be done in the near term
4 while others, such as road improvements that are generally more costly,
5 may take longer to complete. “

6 3. Amend the text for ***Principles for Priority Areas*** by amending the

7 following principles on page 25 to read as follows:
8

- 9 ♦ “The top priority for the City’s Capital Improvement Program (CIP)
10 is to maintain existing infrastructure, provide for new
11 neighborhood improvements and to complete needed
12 improvements for areas already under development.
- 13 ♦ Infrastructure funding to serve the growing community relies upon
14 adequate revenue from all sources, including gas tax allocation,
15 wheel tax, impact fees, and water and wastewater fees.
- 16 ♦ Infrastructure Initial urban improvements, such as electricity,
17 water, sewer, pedestrian facilities and roads, should be made
18 concurrent with development with public safety services provided
19 from existing facilities and other improvements phased in over
20 time as needs increase.
- 21 ♦ In order to implement the Plan Vision, infrastructure should
22 generally be provided in different directional growth areas,
23 depending upon limited financial resources and if there is
24 development interest in the area.
- 25 ♦ Funds for improvements in new major drainage basins to the
26 southwest and to the east should provide the opportunity for
27 development to begin in these areas within the next 12 years.
- 28 ♦ Development in the southwest should begin in the Priority A area
29 in the general vicinity of the intersection of Warlick Blvd. and
30 Highway 77. Further planning should proceed to identify initial
31 staging of infrastructure and development in this area.
- 32 ♦ The community should only approve development proposals that
33 can be adequately served by ~~at~~ the initial urban public facilities
34 such as electricity, water, sewer, pedestrian facilities and roads
35 and by all urban improvements and services in the long term.
36 Initially, public safety services and schools may provided to an
37 area by facilities that are more distant.
- 38 ♦ Generally, adequate infrastructure improvements should be
39 completed in all Priority A areas where there is development
40 interest prior to beginning infrastructure in Priority B areas.”

41 4. Amend the text for **GUIDING PRINCIPLES FOR FINANCING URBAN**

42 **INFRASTRUCTURE** by amending the following principle on page 148 to read as follows:

1 **“Minimize Impact on Those Who Are Not Developing Land:** As much
2 as possible, property owners should only be assessed or pay the
3 improvement costs at the time they seek approval of development
4 proposals or building permits. Financing mechanisms should ~~not impact~~
5 be sensitive to property owners in an area under development who don’t
6 want to develop their land at that time. ~~However, property owners are not~~
7 encouraged but should not encourage them to hold their property out of
8 development indefinitely.

9 It may be necessary to annex property and assess improvements costs to
10 property in the Future Service Limit, but not yet developing, in order to
11 develop the adjacent land. The community should grow in an orderly
12 compact fashion and therefore initial urban, infrastructure improvements
13 should be made in a proportionate and timely manner. Property owners
14 need to be educated about the growth and infrastructure plans to reduce
15 the elements of surprise and anger and to foster more informed personal
16 planning decisions.”

17 5. Amend the text under **CONCURRENCY POLICY** on page 153 to read as

18 follows:

19 “Public infrastructure — including transportation facilities, water, sewer,
20 parks, schools, and libraries – is essential to the health, safety, and
21 welfare of the community. ~~As the community grows, it is desirable that~~
22 these systems and facilities be developed In new growth areas, the most
23 essential public infrastructure (such as electricity, water, sewer,
24 pedestrian facilities and roads) should be made concurrently – that is, at
25 the same time – with that growth.

26 ~~If growth occurs without the development of adequate public~~
27 infrastructure, or the Other public infrastructure lags behind the in new
28 growth of the community, the quality of life in the whole community will be
29 diminished. Facilities may become overcrowded or overused. In the worst
30 case, essential public services might not be available, thereby threatening
31 the areas should be provided in proportion to initial need, with later
32 improvements added as growth proceeds. However, utilities must be
33 sized initially to serve long term needs. Developing public infrastructure
34 in this manner will protect the public health, safety and welfare of the
35 community while efficiently using capital improvement funds.

36 Conversely, infrastructure should not be built or developed if it is not
37 needed. Public resources are scarce and should be conserved and used
38 efficiently. Development of infrastructure beyond the needs of the
39 community is a waste of resources and is not beneficial to the community
40 as a whole. Thus, some improvements, such as park land, must be
41 obtained early in the process, but may not be fully improved until more
42 development occurs. Land for other services such as fire and police
43 stations or schools may also be obtained. This may also apply to road
44 improvements, which in early stages can be adequately served by two
45 lane, offset, paved streets, after obtaining the needed future urban right-

1 of-way, with additional lanes planned for but not developed till later when
2 traffic demand warrants.

3 The key to a successful community is the concurrent development of ~~the~~
4 ~~infrastructure with, proportionate to~~ the development and need of the
5 community- — a balance between the need for infrastructure and the
6 need to conserve resources.”

7 6. Amend the text under **ANNEXATION POLICY** on page 154 to read as
8 follows:

9 “Annexation policy is a potentially powerful means for achieving many of
10 the goals embodied in the Plan’s Vision. Annexation is a necessary and
11 vitally important part of the future growth and health of Lincoln. The
12 annexation policies of the City of Lincoln include but are not limited to the
13 following: _

14 The provision of municipal services shall coincide with the jurisdictional
15 boundaries of the City – in short, it is not the intent of the City of Lincoln to
16 extend utility services (most notably, but not necessarily limited to, water
17 and sanitary water services) beyond the corporate limits of the City.

18 The extension of water and sanitary sewer services shall be predicated
19 upon annexation of the area by the City. City annexation shall occur
20 before any property is provided with water, sanitary sewer, or other
21 potential City services.

22 To demonstrate the City’s commitment to the urbanization of land in Tier I
23 Priority A, the City should promptly annex land in Priority A which is
24 contiguous to the City and generally urban in character, as well as land
25 which is engulfed by the City. Land which is remote or otherwise removed
26 from the limits of the City of Lincoln will not be annexed; ~~land which is~~
27 ~~contiguous to the City and generally urban in character may be annexed;~~
28 ~~and land which is engulfed by.~~ Annually, the City should be annexed
29 review for potential annexation all property in Priority A in which basic
30 infrastructure is generally available or planned for in the near term.

31 Annexation generally implies the opportunity to access all City services.
32 Voluntary annexation agreements may limit or otherwise outline the
33 phasing, timing or installation of utility services (e.g., water, sanitary
34 sewer), and may include specific or general plans for the private financing
35 of improvements to the infrastructure supporting or contributing to the
36 land uses in the annexed area. The annexation of large projects may be
37 done in phases as development proceeds.

38 The character of existing residential areas should be respected as much
39 as possible during the annexation process. When low density “acreage”
40 areas are proposed for annexation due to the City’s policy, additional
41 steps should be taken to ease the transition as much as possible, such as
42 public meetings, advance notice and written explanation of changes as a
43 result of annexation. In general, many aspects of acreage life may remain
44 unchanged, such as zoning or covenants. However, any annexation of

1 existing residential areas will include some costs which must be the
2 responsibility of property owners.

3 Annexation to facilitate the installation of improvements and/or possible
4 assessment districts is appropriate if it is consistent with the annexation
5 policies of the Plan listed above. Plans for the provision of services within
6 the areas considered for annexation shall be carefully coordinated with
7 the Capital Improvements Program of the City and the County.

8 Each town in Lancaster County will have their own procedures for
9 annexation.”

10 BE IT FURTHER RESOLVED that any other references in said plan which may
11 be affected by the above-specified amendments be, and they hereby are amended to conform
12 to such specific amendments.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2008: _____ Mayor
