FACTSHEET

TITLE: TEXT AMENDMENT NO. 17013 - 
Amend Titles 26 and 27 of the Lincoln Municipal 
Code relating to (CAD) Computer Aided Design/Drafting 
Standards for Subdivision Submittal as maintained 
by the Public Works and Utilities Department.

BOARD/COMMITTEE: Planning Commission

APPLICANT: David Cary, Planning Department 
Director

RECOMMENDATION: Conditional Approval (9-0: 
Beckius, Joy, Edgerton, Finnegan, Harris, Washington, 
Hove, Corr and Scheer voting ‘yes’)

STAFF RECOMMENDATION: Conditional Approval.

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:
This is a request to modify the Title 26 Subdivision and Title 27 Zoning of the Lincoln Municipal Code (LMC) to 
include the requirement that CAD (computer-aided design/drafting) files be submitted for certain subdivision and 
zoning applications. Specifically, final plat drawings will be required to be submitted using CAD files. For preliminary 
plats, use permits, planned unit developments and community unit plans, CAD files will only be required to be 
submitted for the boundary survey and street centerline information.

DISCUSSION/FINDINGS OF FACT:
1. This text amendment request appeared on the Consent Agenda of the Planning Commission on December 
6, 2017; however, it was removed from the Consent Agenda for public hearing.

2. The staff recommendation of approval is based upon the “Analysis” as set forth on p.2, concluding that 
requiring a CAD file will allow for automated checking of many of the manual processes currently in place. 
Many City and County agencies already have CAD standards as part of their submittal process, and 
subdivision files very much lend themselves to this process as well. It is intended to help improve internal 
review, and thus should help provide a better, more publically accessible product in a faster timeframe. 
This should benefit both internal public systems, and also the development community and the public at 
large. The staff presentation is found on pp. 28-29.

3. Testimony on behalf of the applicant is found on p. 29. One person spoke in favor of the proposal, which 
can be found on p.29. There was no testimony in opposition of this proposal. To access the public 
comments and all other documentation on this proposed special permit, go to the following link 
www.lincoln.ne.gov and insert PATS as the keyword. Click on the “Selection Screen” and “featured Links”, 
type in the application number (i.e. SP17022); click on “Search”, then “Select” and go to “Related 
Documents”.

4. On December 6, 2017, the Planning Commission voted 9-0 to recommend conditional approval of this text 
amendment, as set forth in the staff report dated November 21, 2017.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

REVIEWED BY: David R. Cary, Planning Director

DATE: December 18, 2017

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan calls for City and County to expand the information technology infrastructure, and to endorse efforts that integrate information technology into the delivery of services to the community. The Plan also encourages both the integration and enhancement of technology to facilitate efficiencies for the public, the development community, and local government. This text amendment is consistent with the goals of the Comprehensive Plan, helps the City and the County operate more efficiently, and helps provide the public and development community with better information and services.
KEY QUOTES FOR THE 2040 COMPREHENSIVE PLAN

Pg 11.23 - Information Technology - The City of Lincoln and Lancaster County promote the integration of information technology throughout the community by their use of technologies in the business of local government. Examples of such activities include: City and county departments, in partnership with other agencies, have created an extensive system of digital geographic information that includes hundreds of layers of information on features such as natural resources, topographic features, land use, structures, floodplains, jurisdictional boundaries, and infrastructure. A broad assortment of digital imagery — i.e., photographs, permit and property information — is also included in this GIS information base.

Pg. 11.24 - Strategies for Information Technology
- Support efforts to maintain, expand, and upgrade the community’s information technology infrastructure.
- Further the cooperation between the City and County and local universities and colleges in applying information technology throughout the community.
- Endorse the on-going cooperation of City, County, and State governments to integrate information technology in the delivery of their services to the community.
- Investigate means for expanding the maintenance, development, and application of Geographic Information Systems data among public and private sector users.

ANALYSIS

1. This is a request to modify the Title 26 Subdivision and Title 27 Zoning of the Lincoln Municipal Code to include the requirement that CAD (computer-aided design/drafting) files be submitted for certain subdivision and zoning applications. Specifically, final plat drawings will be required to be submitted using CAD files. For preliminary plats and community unit plans, CAD files will only be required to be submitted for the boundary survey and street centerline information.

2. At the time of application for a preliminary plat, final plat, or community unit plan, the appropriate CAD file will be submitted in addition to the PDF files. The CAD standards are already in place and available online at the County/City website. A copy of the standards is attached.

3. The intent is to improve the timeliness and accuracy of the updates to the City and County digital representation of legal lots, rights-of-way, and property ownership. This information is used by all levels of government, the development community, and the public at large.

4. Reviewing agencies will be able to overlay CAD files in existing mapping systems and conduct reviews with digital accuracy. This is in contrast to the current system where the ability to overlay does not exist, and as a result the high level of electronic accuracy cannot be achieved as with CAD submittal.

5. Several meetings were held among staff and affected members of the development community to discuss this issue. The original proposal was to require digital submittal for all applications. During the last meeting among staff and members of the development community held on October 11, 2017, it was the consensus of those in attendance to revise the proposal to the one reviewed by this report. However, the original proposal to require all applications to include a digital submittal will be reviewed again with the development community at some future date.

6. An amendment to accomplish the same goal is also in process to amend the Lancaster County Zoning and Subdivision Regulations. The intent is for both Lancaster County and the City of Lincoln to adopt and adhere to the same standards.

Prepared by

Brian Will, Planner
November 21, 2017

F:\DevReview\TX\17000\TX17014 CAD Standards.bjw.docx
The following amendments are proposed for both Lancaster County and the City of Lincoln Zoning and Subdivision Regulations.

They are being proposed to do two things: First, to require boundary surveys and street centerlines for submittals for preliminary plats, use permits, planned unit developments, community unit plans to be submitted consistent with the CAD File Submittal Standards.

Second, to require final plats to be submitted consistent with the CAD File Submittal Standards.

COUNTY

County Subdivision Regulations

Preliminary Plat
7.02(f) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Lancaster County Engineer.

Final Plat
8.05(c) CAD submittal Standards
(a) A Computer-Aided-Design (CAD) file representing all information being submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Lancaster County Engineer.

County Zoning Regulations

Community Unit Plan
14.013(p) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Lancaster County Engineer.

CITY

LMC Title 26

Preliminary Plat
26.15.030(e) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Public Works and Utilities Department.

Final Plat
26.19.031 CAD submittal Standards
(a) A Computer-Aided-Design (CAD) file representing all information being submitted shall that complies with the CAD Standards for Subdivision Submittal maintained by the Public Works and Utilities Department.
LMC Title 27

Use Permits
27.64.010(c) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Public Works and Utilities Department.

Community Unit Plan
27.65.070(p) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Public Works and Utilities Department.

Planned Unit Development
27.60.020(c) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD Standards for Subdivision Submittal maintained by the Public Works and Utilities Department.
Overview

The City of Lincoln/Lancaster County has adopted geographic information system (GIS) technologies to store, manage and maintain geospatial-related data. The majority of the private engineering community utilizes computer aided design/drafting (CAD) tools for the creation of data such as subdivisions, water systems, storm drains, rights-of-way, pavement edges, etc. It is the goal of the City/County to expedite the review process by applying standards to the submittal of CAD and GIS data.

This document shall be considered the Standard for which contractors submitting data shall abide by. Data that does not adhere to these standards may be rejected by the City of Lincoln as inappropriate for use.

CAD\GIS Data Standards - Coordinate System

All geospatial data shall be submitted in the following Lancaster County Low-Distortion coordinate system, more defined as follows;

- Projection: Transverse (UTM)
- Units: U.S. Survey Feet
- Spheroid: GRS80
- Datum: NAD83
- Scale Factor: 1.000054615
- Central Meridian: -96 41 17
- Projection Origin: 40 15 00
- False Northing – meters: 0.0
- False Easting – meters: 50000
- Vertical Datum: NAVD88

CAD\GIS Data Standards - Format

Geospatial data shall be submitted in a format compatible with the City of Lincoln/Lancaster County’s GIS system. Acceptable formats are as follows;

1. ESRI Geodatabases (file or personal)
2. MicroStation .DGN (v8 and above)
3. AutoCAD .DWG
CAD Layering/Level Standard Naming Convention

The Layer-Level Naming standards listed below are a subset of the City of Lincoln\Lancaster County CADD standard specific to the submittal of subdivision plats, located at:

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Annotation Layer Names

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CAD File Submittal - Accuracy

All references to accuracy of the subdivision plat shall refer to the Lincoln Municipal Code, Chapter 26.19, as well as the County Zoning Regulations. Links to these are provided below;

and
**CAD File Submittal - Supplemental Information**

**Line work Details:**

All line work shall be represented by single part line segments consisting of a starting point, and an ending point only. Multiple vertex polylines are not allowed.

**Annotation Details:**

Each segment included in the submittal shall be dimensioned to the 1/100th of a foot (X.XX'), and shall be denoted as either a Platted Distance or a Measured Distance. This shall be defined as placing a (M) for ‘measured’, or a (P) ‘platted’ behind the corresponding distance.

For example - 131.49'(P) 131.58'(M) or 131.50 (M&P)

Note: All Curve Data shall consist of information regarding any curve on a property, boundary, or centerline. Curve data shall include all of the following;

a. Radius
b. Angle
c. Tangent
d. Length
e. Chord Distance
f. Chord Bearing

All points must be stored as a “POINT” feature, or a “Block Reference” or a “Cell” with the insert point of the feature being the centroid.

**CAD File Submittal - Template Files for Download**

A listing of files which can be downloaded and used as templates is found below;

City2DSubdivision.dgn – MicroStation V8 seed file
City2DSubdivision.dwg – AutoCAD v2013 template file
City2DSubdivision.prj - ESRI Projection File
City2DSubdivision.zip – zip file containing an ESRI File Geodatabase

All files can be found at – http://lincoln.ne.gov/cad_standards/
AN ORDINANCE amending Sections 26.15.030, 26.19.031, 27.60.020, 27.64.010, and 27.65.070 of the Lincoln Municipal Code to provide provisions to implement Computer-Aided-Design (CAD) Standards for Preliminary Plats, Final Plats, Use Permits, Community Unit Plans, and Planned Unit Developments; and repealing Sections 26.15.030, 26.19.031, 27.60.020, 27.64.010, and 27.65.070 as hitherto existing.

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

Section 1. That Section 26.15.030 of the Lincoln Municipal code be amended to read as follows:

26.15.030 Additional Required Information.

Accompanying the preliminary plat submittal, the following information shall be submitted in a statement from the subdivider:

(a) Any interest the subdivider has in the land surrounding the preliminary plat and the nature of such interest;

(b) All requests to be submitted to the city for use permits, special use permits, planned unit developments, changes of zone, and vacations which are required to complete the development;

(c) The name, telephone number, and mailing address of the subdivider, any other person the subdivider may want informed of the preliminary plat process, and any person authorized to act on the subdivider's behalf;
(d) All deviations from this title and the adopted design standards shall be set forth, reasons given for each deviation, reasons given on how the proposal meets the intent of this title, and why the proposal should be accepted.

(e) A Computer-Aided-Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that comply with the CAD Standards for Subdivision Submittals maintained by the Public Works and Utilities Department.

Section 2. That Section 26.19.031 of the Lincoln Municipal Code be amended to read as follows:

26.19.031 Data Required on a Final Plat.

(a) The final plat shall be accurately and legibly drawn and shall show the following:

(1) All survey and mathematical information with sufficient linear, angular, and curve data necessary to locate all existing and placed monuments and stakes, and to locate and retrace all lots, blocks, and parcels within the subdivision, and the boundary of the subdivision. Where the land being subdivided abuts on an existing plat, the distances, angles, and bearing of all common lines and the street centerline points shall be shown and any differences in measurements so noted.

(2) All dimensions on the final plat shall be to the nearest one-hundredth (.01) of a foot with such other information necessary to reproduce the final plat on the ground.

(3) Lot, outlot, and block lines. All such lines shall be shown and dimensioned.

(i) Where such lines are curved at street intersections, the length of tangents shall be shown.

(ii) Where such lines abut curvilinear streets, chord or arc distances shall be shown and noted.
(iii) All angles of deflection or bearings of such lines other than those which are at right angles to the centerline of a street or on a radial line of a curved street.

(4) Lot, outlot, and block identity. Within each block all lots shall be numbered in sequence, beginning with the number one and continuing consecutively throughout each block with no omission or duplication. All blocks shall be numbered in the same manner. Outlots shall be assigned an alphabetical letter beginning with the letter "A" and continuing consecutively through the alphabet. The proposed use of the outlot shall be designated on the plat.

(5) Areas to be dedicated or reserved for public use. For streets, private roadways, and other public ways within and adjacent to the subdivision, the location, name, centerline, centerline radius, length, and interior angle of horizontal curves, tangent length, and width. All areas shall be located and identified which are to be dedicated or reserved for public use, including park land and other public areas. All such parcels shall be outlots except streets dedicated to the public. A clear distinction shall be made as to which parcels are to be dedicated to the public from those parcels to be privately owned but reserved for public use.

(6) Location, width, and purpose of all required easements for storm drains, overland stormwater flow routes, flood corridors, detention/retention facilities, wastewater collectors, water mains, other public utilities, and other easements for public use.

(7) The elevations of any building or structure along flow routes indicating that no opening in the building or structure is subject to flooding at the post development flow route elevations.

(8) The location and identification of all section corners, section lines, monuments and stakes found and placed. The boundary lines shall be located in reference to
existing official monuments. Describe the stakes, monuments, or other evidence used to
determine the boundaries of the subdivision.

(9) The number of acres, the total number of lots and outlots within the
subdivision, and the lot area in square feet for each lot and outlot.

(b) The following data shall be shown on each sheet of the final plat:

(1) The name of the subdivision. The use of first (1st), second (2nd), third (3rd),
etc., for additions or subdivisions shall be made in sequence but only if the final plat is located
adjacent to a plat with the same name.

(2) Scale.

(3) North arrow.

(4) Sheet number and the total number of sheets comprising the final plat.

(5) The name and number of the preliminary plat upon which the final plat is
based. This information shall appear directly beneath the name of the final plat.

(c) A blank space at the top of the first page which is at least two and one-half inches
by six and one-half inches in size.

(d) A Computer-Aided-Design (CAD) file representing all information being
submitted shall comply with the CAD Standards for Subdivision Submittals maintained by the
Public Works and Utilities Department.

Section 3. That Section 27.60.020 of the Lincoln Municipal Code be amended to read as
follows:

27.60.020 Requirements.

(a) General Requirements.
(1) The City or owners of any tract of land, at least three acres in size, may apply for a planned unit development designation in any district except the AG Agriculture and AGR Agricultural Residential districts.

(2) All regulations of the underlying zoning district shall apply, except as provided herein and/or specifically modified by the City Council through the adoption of a development plan.

(3) The maximum residential density of a planned unit development shall be determined in accordance with the City of Lincoln Design Standards for community unit plans. Planned unit developments which comply with the City of Lincoln Design Standards for Density Bonuses may receive dwelling bonuses per those standards.

(4) Signs shall conform to Section 27.69.340, unless modified by the City Council.

(5) All development must meet the intent and spirit of the comprehensive plan.

(b) Development Plan Requirements.

(1) The applicant shall submit a development plan for the proposed planned unit development.

(2) The development plan may propose and the City Council may approve any permitted use, conditional permitted use, or special permitted use allowed under the zoning code. Notwithstanding any regulation to the contrary, a separate special permit or use permit is not necessary to permit any such use.

(3) The development plan may propose and the City Council may approve area, height, sign, parking, landscaping, screening, traffic access and setback regulations for the
project as a whole or for subareas or components of the project different from those within the underlying zoning district. In making its determination regarding approval of such proposed standards or restrictions, the City Council shall consider the character and scale of the proposed development as it relates to other uses and structures both within the district and outside the district, the character and scale of similar development within the area of the proposal, and consistency with other adopted plans or standards. The City Council may impose alternate or additional area, height, parking, landscaping, screening, traffic access, and setback regulations as necessary to protect and enhance areas within or adjacent to the planned unit development and to ensure compliance with the comprehensive plan and protect the health, safety, and general welfare.

(4) The development plan shall address the site-related impact and needs of the proposed development on existing and proposed street and utility systems. The City Council may impose conditions, restrictions, or standards as appropriate to achieve the intent of this ordinance, and require dedication of necessary rights-of-way or easements. In making its determination regarding such conditions, restrictions, or standards, the Council shall consider the adequacy of existing or adjacent facilities, the timely provision of adequate facilities, the impact of the proposed development on existing and/or planned facilities, and the overall cost to the community.

(5) Where any portion of the total land area of a land use within the planned unit development is proposed to be adjacent to the perimeter of the planned unit development and such land use is not permitted in the adjacent zoning district, then the development plan must address how the proposal will mitigate any negative impacts. The City Council may impose
additional standards and requirements for perimeter treatment to protect adjoining properties
from adverse effects, and to achieve an appropriate transition of land uses and densities.

(6) For planned unit developments proposed over parcels in substantially
developed areas, the development plan must include appropriate standards and regulations to
assure that new development or renovations are in the scale and character of the existing
neighborhood and are sensitive to adjacent properties with respect to height, scale, use and form
of the surrounding neighborhood, including, but not limited to the following; land uses
(including limitations on allowed uses), design standards for new construction (related to the
scale and character of the surrounding neighborhood), height, parking, and setbacks, including
both minimum and maximum setbacks.

(c) A Computer-Aided-Design (CAD) file representing only the planned unit
development boundary survey and street centerlines shall be submitted that comply with the
CAD Standards for Subdivision Submittals maintained by the Public Works and Utilities
Department.

Section 4. That Section 27.64.010 of the Lincoln Municipal Code be amended to read as
follows:

27.64.010 Procedures and Requirements.

(a) Application: Applications for a use permit under this chapter for development in the O-
3, R-T, B-2, B-5, and I-3 zoning districts shall be filed by the owner in writing with the
Planning Department on a form provided by the City. Upon filing the application, the
City Council shall refer the application to the Planning Commission for its consideration
and final action as provided in subsection (g) below.
Preliminary plan: The Planning Director may require a preliminary plan that may include the following information:

(1) Boundary survey and gross acreage;

(2) Contour lines at intervals not to exceed five feet based on NAVD 1988. Spot elevations on 100-foot grid shall be required to fully indicate the topography on flat land;

(3) Street right of way;

(4) Utility easements;

(5) Adjacent land use and zoning classifications;

(6) Location of structures on property to be removed;

(7) Vicinity map;

(8) Date prepared, scale, and north point;

(9) Schematic and location of existing buildings;

(10) Parking areas and capacity;

(11) Open space for residential uses (except in the R-T District);

(12) Use of buildings, such as retail, service, restaurant, office, residential, and other uses;

(13) Height of buildings;

(14) Location of existing trees and proposed landscape plan;

(15) Proposed vehicular and pedestrian circulation system including egress and ingress;

(16) Building and parking setback lines;

(17) Grading plan;
(18) On-site and off-site water and sanitary sewer improvements;
(19) On-site and off-site drainage and storm sewer improvements;
(20) Location of proposed free-standing signs;
(21) Cross-section for paving of parking lots and sidewalks;
(22) In the B-2 and B-5 districts, proposed name of the shopping center;
(23) Name, address, and telephone number of developer; certified record owner or
owners and addresses; and legal description of the proposed use permit area,
including the number of acres.

(c) A Computer-Aided-Design (CAD) file representing only the use permit boundary survey
and street centerlines shall be submitted that comply with the CAD Standards for
Subdivision Submittals maintained by the Public Works and Utilities Department.

(d) Environmental performance standards: Any applicant for a use permit under the
provisions of this section shall comply with environmental performance standards
relating to noise, emission, dust, odor, glare, and heat as shall be from time to time
established by various municipal departments and approved by resolution of the City
Council.

(e) Environmental impact statement and market analysis: If any application for a change of
zone to the B-5 Planned Regional Business District or for a use permit in the B-5 district
under the provisions of this section substantially deviates from the Comprehensive Plan
in terms of location or size, as determined by the Planning Director, the applicant shall
submit an environmental impact statement and a market analysis in accordance with
Chapters 3.05 and 3.10 of the City of Lincoln Design Standards for Zoning Regulations
which shall serve as a guide to the Planning Commission for evaluation of such applica-
tion in terms of need, desirability, supportability, and its implications for the overall
growth of the community.

Planning Commission review: The Planning Commission shall hold a public hearing
upon such application and shall consider the effect of the proposed use upon the
surrounding neighborhood, the community as a whole, and other matters relating to
public health, safety, and general welfare.

Planning Commission action: After holding at least one public hearing, the Planning
Commission shall proceed to give final consideration to the application. The Planning
Commission shall impose such conditions as are appropriate and necessary to ensure
compliance with the Comprehensive Plan and protect the health, safety, and general
welfare in the issuance of any such use permits. Such conditions may include an increase
in the minimum parking and yard requirements and decrease in the maximum height
restrictions set forth in this chapter. Lots fronting on private roadways may be permitted.
Unless expressly modified by the terms of the use permit, all regulations of the applicable
R-T, O-3, B-2, B-5, or I-3 District shall apply. The Planning Commission may require
that certain conditions be fulfilled by the applicant in conjunction with approval of the
use permit applied for which may include the requirement that applicant grant additional
right of way in accordance with the Comprehensive Plan. The Planning Commission may
also require the execution of a written agreement with the city relating to the installation
of public improvements by the applicant, together with the execution of performance
bonds or provision of other appropriate surety relating thereto. The installation of all
public improvements shall be accomplished in compliance with existing city standards as
provided by ordinance or by departmental publications approved by resolution of the City
Council. In the event the Planning Commission fails to act upon the application within ninety days from the date of the Council’s referral of the application to the Planning Commission, the applicant may file a written request with the Planning Director requesting the Planning Commission to take final action on the application. If the Planning Commission fails to take such final action within thirty days following the Planning Director’s receipt of the written request, the Planning Director shall schedule the application on the City Council’s agenda for public hearing and final action.

Appeal of Planning Commission action:

(1) Any council member, the Mayor, any aggrieved person, or any person or group officially designated to participate in the administration of this title may appeal any action of the Planning Commission to the City Council by filing notice of appeal with the Planning Director within fourteen days following the action of the Planning Commission.

(2) Upon receipt of the appeal by the City Council, the council shall hold a public hearing thereon within thirty days from the date of appeal. Notice of the public hearing shall be given as provided in Chapter 27.81.

(3) In exercising its appellate jurisdiction, the action appealed from shall be deemed advisory and the City Council may, after public hearing, in conformity with the provisions of this title make such decision as ought to be made.

Adjustment: Upon request of the applicant, the City Council may, after report and recommendation of the Planning Commission, adjust the minimum subdivision requirements, minimum parking, height and lot requirements, sign regulations for location, height, and area of a sign, and specific I-3 use regulations set forth in Title 26.
and Title 27 provided the public welfare and interest of the City and surrounding area are protected and the general interest and spirit of the regulations are preserved and provided further that in the R-T district, the maximum height of a building shall not exceed the height of the tallest residence on the same and facing block fronts. The Planning Commission shall hold a public hearing upon the requested adjustment at the same time that it hears the application for the use permit and shall make a report to the City Council regarding the effect the proposed use and adjustment has upon the surrounding neighborhood, the community as a whole, and other matters relating to public health, safety, and general welfare. Upon receiving a report from the Planning Commission, the City Council shall take final action upon the use permit and the adjustment.

Amendment: The Planning Director is authorized to approve amendments to the use permit provided that:

(1) A request for amendment is filed with the Planning Director and, if appropriate, accompanied by a plot plan showing all pertinent information;

(2) Minor increases in the number of dwelling units or total floor area originally authorized by the Planning Commission or City Council may be approved if such increases will not cause a significant adverse impact on the public infrastructure, existing development within the use permit, and adjoining properties. Minor increases shall not exceed more than fifteen percent (15%) cumulative additional dwelling units or total floor area;

(3) Amendments shall preserve the intent and spirit of the approved development plan;

(4) Amendments shall not violate any regulation set forth in this title;
(5) No change is made to the applicable setback, yard, or height requirements for lots along the perimeter of the use permit;

(6) Minor internal changes to the applicable setback, yard, or height requirements may be made within the use permit if they conform to the intent of the approved use permit and do not adversely impact existing development within the use permit;

(7) Any amendment not in conformance with this paragraph shall be submitted to the Planning Commission in the same manner as a formal application for use permit.

Building permits, certificates of occupancy, and certificates of compliance: Upon the approval of a use permit as provided for under this section, building permits and certificates of occupancy may be issued. Certificates of compliance shall not be issued until there has been compliance with all conditions of a use permit and subsequent amendments within each phase of development of a use permit.

Preexisting uses: An existing use of a type permitted in this chapter which was lawfully established in this district on the effective date of this title shall be deemed to have received a use permit as herein required and shall be provided with such permit by the Director of Building and Safety upon request, and it shall not be a nonconforming use; provided, however, for any enlargement, extension, or relocation of such existing use, an application in conformance with this section shall be required.

If an application for a use permit located within a flood plain is granted approval by the city, it shall not be necessary for the applicant to make an application for a special permit to be approved by the City Council as required by Resolution Nos. A-55150, A-56382, and A-57540. It shall be presumed that the applicant has received all such approvals as
may be required by the foregoing resolutions by virtue of the city granting approval to the
use permit.

Expiration of Application. All applications for a use permit which have been placed on
pending by an applicant shall automatically expire and become null and void one year
thereafter. At least thirty days before the date of expiration, the Planning Director shall
cause notice of expiration to be sent to the applicant by regular United States mail,
postage prepaid. Said notice shall advise the applicant that the application shall
automatically expire unless prior to the expiration date, the Planning Director receives a
request from the applicant to remove the application from pending and reschedule the
matter on the Planning Commission or City Council agenda as appropriate.

Section 5. That Section 27.65.070 of the Lincoln Municipal Code be amended to read as
follows:

27.65.070 Form of Community Unit Plan in the R-1 through R-8 Zoning Districts and AG
and AGR Zoning Districts Not Within BTA Overlay District.

A final plot plan shall be accurately, clearly, and legibly drawn on tracing cloth or mylar in
a sufficient size and scale to show the details of the plan clearly and shall contain the following
information

(a) A surveyor’s certificate certifying to the accuracy of the boundary survey shown
thereon, and a certificate for showing the Planning Commission’s approval or disapproval,
including the date and resolution number;

(b) Date prepared, north point, scale of plot plan, and location of section lines and
section corners;
(c) Contour lines at intervals not to exceed five feet based on NAVD 1988. Spot elevations on a 100-foot grid shall be required to fully indicate the topography on flat land;

(d) Locations, name, tangent lengths, centerline radius of each curve and its interior angle and width of all proposed and existing streets, highways, private roadways, and other public ways within and adjacent to the development;

(e) Locations and widths of all existing and proposed easements for drainage, sewers, and other public utilities and, if appropriate, access easements;

(f) Location, width, and direction of flow of all watercourses in and adjacent to the community unit plan, including the limits of the floodplain and floodway as defined in Chapters 27.52 and 27.53;

(g) The location and size of all existing and proposed sanitary and storm sewers, culverts, water mains, fire hydrants, and existing power lines and other underground structures or cables within the tract of land and adjacent streets;

(h) All lot lines, building setback lines for all lots, dimensions of all lot lines and building envelope lines. Chord distances shall be shown for lot lines abutting curvilinear streets;

(i) Lot numbers shall begin with the number (1) and shall continue consecutively through a block with no omission or duplication. Blocks shall be numbered in the same manner. Letters shall be used to designate outlots in alphabetical order;

(j) Proposed areas for parks and playgrounds. Any parcels other than streets which are to be dedicated or reserved for public use shall be clearly shown and said parcels shall be designated as outlots and assigned an alphabetical designation;

(k) The location of all proposed and existing sidewalks, walkways, and other pedestrian ways;
(l) Location, height, and use of proposed and existing buildings with an indication as to whether an existing building is to be removed or to remain, and signs, if any, in accordance with the provisions of Chapter 27.69;

(m) A certified accurate boundary survey showing sufficient linear, angular, and curve data to determine the bearing and length of all boundary lines of the community unit plan. Where the tract of land abuts on an existing plat, the distances, angles, and bearing of any common lines shall be shown and any differences in measurement noted. The total calculated acres within the boundaries of the community unit plan shall be shown;

(n) The following data shall be shown on each sheet of the community unit plan:

1. The name of the community unit plan;
2. The name, address, and telephone number of the person or company responsible for preparation of the community unit plan;
3. North arrow, scale, date;
4. Sheet number and the total number of sheets comprising the community unit plan.

(o) Accompanying the community unit plan, the following information shall be submitted to the Planning Department with the number of copies requested by the Planning Director:

1. Name, address, and telephone number of developer;
2. Certified record owner or owners and their address;
3. Legal description of the proposed community unit plan, including the number of acres;
4. Statement of present zoning and proposed use or uses of the property;
(5) Profiles along the centerline of the proposed streets and private roadways which show the existing ground surface elevations and the proposed street grades including the length of vertical curves between changes in grade with the profiles for stub streets ending at the boundary of the community unit plan to be extended 300 feet beyond the limits of the community unit plan into subdivided and unsubdivided land;

(6) The proposed method of providing sanitary sewer service to the area;

(i) If a public wastewater works or community wastewater works is established, the size and location of all proposed sanitary sewers, the proposed manhole locations, any necessary extension to the existing public system or to the proposed community wastewater works, and the location of the proposed community wastewater works;

(ii) If the use of an on-site wastewater treatment system is permitted, pursuant to Section 26.27.040 of the Lincoln Municipal Code, plans for the proposed disposal system and its location on each lot must be shown. If a septic tank system is proposed, soil and percolation data and plans which show the location of one main subsurface disposal field for each lot which is proposed to be served by a septic tank system shall be shown.

(7) The proposed method of providing an adequate potable water supply;

(i) If a public, or community water system, or rural water district is used, the location and size of all proposed water mains, the proposed hydrant locations, and any necessary extension of the proposed system to existing water mains or to a proposed community well, the location of the proposed community well, and the type of water treatment to be used;

(ii) If a community water system other than a rural water district is proposed, data on the quantity and quality of the water shall be obtained from a test well within the immediate vicinity of the proposed water supply well. If an individual water well system for each
lot is proposed, data on the quantity and quality of the water shall be obtained from test wells
which shall be drilled on the ratio of one to each ten acres on a grid system. The results of these
preliminary tests shall in no way be construed to guarantee the quantity or quality of water to
individual lots in the proposed community unit plan and the data obtained from these tests shall
not be used to imply that an adequate quantity or acceptable quality of water is available in the
proposed community unit plan.

(8) A drainage study prepared in accordance with the current storm sewer design
standards of the city on file with the City Clerk. The following items must be included in the
drainage study:

(i) A map showing the drainage area and resulting runoff from any land
lying outside the limits of the community unit plan which discharges storm water runoff into or
through the community unit plan;

(ii) A map showing all internal drainage areas and resulting runoff;

(iii) Proposals as to how the computed quantities of runoff will be handled;

(iv) A copy of the drainage computations.

(9) A map or an aerial photograph showing the proposed streets, private roadways,
driveways, parking areas, buildings and lots which includes the location, and identifies, by
common name, all existing trees within the area of the community unit plan. Single trees which
are three inches in caliper or larger measured five feet above the ground must be shown.
However, if five or more trees are located so that each is within approximately ten feet of the
edge of another tree, they will be considered a tree mass and the outline of the tree mass may be
shown with a list of the common names of the trees which are within the tree mass. If the above-
stated procedure is followed, the individual location of each tree within the tree mass is not
necessary. An indication shall be made on the map showing which trees or tree masses are to
remain and which trees or tree masses are to be removed;

(10) A vicinity sketch showing the general location of the community unit plan in
relation to existing streets, section lines, and city limits;

(11) Site grading plan showing existing and proposed contour lines with intervals at
no greater distance than five feet, and if necessary, spot elevations showing complete proposed
grading of the community unit plan. Also, cross-sections may be required showing existing and
proposed ground lines and buildings. Information as to where fill will be obtained and the
amount of the fill shall be included if all or part of the property is located within the floodplain as
defined in Chapters 27.52 and 27.53. If the proposed location from which said fill is obtained is
later to be changed, the developer shall inform the Public Works and Utilities Department of the
location of the proposed new borrow area and obtain approval thereof from the Director of
Public Works and Utilities;

(12) All deviations from the provisions of this chapter shall be fully set forth and
reasons given for said deviations;

(13) In the event that said real property is located within a floodplain, the developer
shall comply with all requirements pertaining to floodplains contained in the Lincoln Municipal
Code and applicable state statutes.

(p) A Computer-Aided-Design (CAD) file representing only the Community Unit
Plan boundary survey and street centerlines shall be submitted that comply with the CAD
Standards for Subdivision Submittals maintained by the Public Works and Utilities Department.

Section 6. That Sections 26.15.030, 26.19.031, 27.60.020, 27.64.010, and 27.65.070 of
the Lincoln Municipal Code as hitherto existing be and the same is hereby repealed.
Section 7. This ordinance shall be published, within fifteen days after the passage hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the official bulletin board of the City, located on the wall across from the City Clerk’s office at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of passage and such posting to be given by publication one time in the official newspaper by the City Clerk. This ordinance shall take effect and be in force from and after its passage and publication or after its posting and notice of such posting given by publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

Approved this ___ day of ____________, 2017:

Mayor
TEXT AMENDMENT NO. 17013 AND
COUNTY TEXT AMENDMENT NO. 17014

TEXT AMENDMENT NO. 17013, TO AMEND TITLES 26 AND 27 OF THE LINCOLN MUNICIPAL
CODE FOR CAD (COMPUTER AIDED DESIGN/DRAFTING) STANDARDS FOR SUBDIVISION
SUBMITTAL. December 6, 2017


Staff recommendation: Approval.

AND

COUNTY TEXT AMENDMENT NO. 17014, TO AMEND THE LANCSTER COUNTY ZONING AND
SUBDIVISION REGULATIONS FOR CAD (COMPUTER AIDED DESIGN/DRAFTING) STANDARDS
FOR SUBDIVISION SUBMITTAL. December 6, 2017


Staff recommendation: Approval.

There were no ex parte communications disclosed.

Staff Presentation: Brian Will of the Planning Department stated these two items are
identical changes moving forward to either City Council or County Board, if approved today.
Under the amendment, CAD files will be required as part of application submittal for
preliminary plats, final plats, special permits, use permits, and CUPS. As it is today,
electronic submissions are PDF files which are difficult to modify. The CAD file will provide a
usable file that can be overlayed and commented upon as part of the review process.

Pam Dingman, County Engineer, said that she and David Young, Public Works Department,
have been collaborating on this for two years, along with the Planning Department and the
County Assessor. This is a modern and efficient way to handle the plats. Currently, paper
copies of plans might go back and forth several times to make sure things are correct, which
is important for legal boundaries. They are entered and reentered several times along the
way and in some cases, they have to be corrected with an affidavit. This new process will
significantly reduce review time.

David Young, Public Works, said that in 2012, the City and County task force looked for
opportunities to work together by using the same software and standards and to share the
agreements and costs. By doing the review with electronic files, we hope to go from a 14-day
process to a 1-day process. Omaha currently uses this system.
Finnegan asked if the development community had input. Dingman said yes, and there are a couple here today to speak. Young added that there is no other change to the process other than accepting the electronic documents.

Hove asked if the cost of implementation has been budgeted for. Dingman said this is an effort to create more efficiency within the existing system, so it is up to staff to find efficiencies. Overall, it will amount to a cost savings.

**Proponents:**

1. Brad Marshall, Olsson Associates, said Olsson Associates has been working with the County and City on CAD standards and very much appreciates the involvement of the development community as they submit many documents. This is an upgraded system and will make it easier and faster. Personnel time will also be saved. A test run of the system went very smoothly.

Corr asked if this causes any changes to current practices. Marshall said it does not create much work. As consultants, each firm has their own standards and practices. Everyone has been cooperative to make sure it is not too difficult for each to meet practice standards.

Washington mentioned concerns about the potential for loss of proprietary information. Marshall said that from a business perspective, everything we do could be proprietary so we worked carefully deciding what information will be shared.

There was no testimony in opposition.

**Staff Questions:**

Washington asked if there are any developers who do not submit drawings, whether CAD or PDF files. She wondered if hand-drawn plans are ever submitted. Will said not for the types of applications these rules would apply to.

Washington asked what steps staff will take to make sure the City and County do not give out proprietary information to others. Will said that issue was specifically addressed. The text says that only final plat and boundary survey will be shown.

Washington noticed the staff note that a bigger proposal will come forward in the future. Will said there are other issues that will be revised. Young said this is the first, incremental step and it will allow issues to be solved as they come up.

**TEXT AMENDMENT. 17013**

**ACTION BY PLANNING COMMISSION:** December 6, 2017

Finnegan moved for approval, seconded by Corr.

Washington expressed her appreciation for the small steps being taken to save money.

Corr thanked staff and developers for working together and investing so much time. This will be a valuable tool.

Scheer expressed his appreciation for the incremental steps being taken.
Motion carried, 9-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Joy, Washington, and Scheer voting ‘yes’.

Note: This is a recommendation to the City Council.

TEXT AMENDMENT. 17014
ACTION BY PLANNING COMMISSION: December 6, 2017


Note: This is a recommendation to the County Board.