

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
MAYOR'S CONFERENCE ROOM
TUESDAY, FEBRUARY 22, 2000
9 A.M.**

Commissioners Present: Kathy Campbell
Larry Hudkins
Linda Steinman
Bernie Heier
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Don Thomas, County Engineer
Larry Worrell, County Surveyor
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 ADDITIONS TO THE AGENDA

None were stated.

**2 DISCUSSION: LAND USE UNDER THE COUNTY ZONING
REGULATIONS - Mike DeKalb, Planning Department**

Campbell asked Mike DeKalb, Planning Department, to describe zoning in bordering counties.

DeKalb summarized zoning for bordering counties as follows:

- Butler County (None)
- Cass County - Updated April, 1999
 - Agriculture (A) District
 - 40 acres for all permitted uses
 - 3 acres of residential acreage development approved by Special Permit
 - Transitional Agriculture (TA) District
 - 20 acres minimum lot size
 - 3 acre provision for residential

- Residential (R-1) District
 - 3 acres for residential dwellings
 - 10,000 acres for subdivision
- Gage County (Interim zoning, 5 acre minimum lot size while developing a comprehensive plan, zoning & subdivision requirements)
- Johnson County (None)
- Otoe County - Updated in 1991
 - Agriculture Open Space District
 - Residential use as an accessory to agricultural
 - 20 acre minimum lot size, 2 acres for farmstead prior to 1977
 - Rural Residential
 - 2 acre minimum lot size
- Saline County
 - Agriculture Open Space (AO) District
 - Single family dwelling permitted
 - Minimum lot area of 2 acres
- Saunders County - Updated April, 1997
 - Agriculture (A-1) District
 - 20 acres for a farm or a single family dwelling
 - Existing farmstead split-off at 2 acres
 - Single family residence can be allowed on 10 acres by Special Permit (only one per 40 acres) . A second residence for family may be allowed at 2 acres. The first lot must be part of a "40" for pre-existing homes; the second lot must be at least 10 acres in a "40" if it is not a pre-existing residence, all subsequent lots for residential uses must be 20 acres.
 - Transitional Agriculture (TA-1) District
 - 3 acres (if sewer) or 5 acres for a single family dwelling
- Seward County
 - Agriculture Farming (A-1) District (as of February, 1998)
 - 40 acres may be split into 2 parcels, the smallest of which shall be no less than 5 acres
 - One additional lot may be approved in each 1/4 section where unusual circumstances are found by the County Board
 - Transitional Agriculture (TA) District
 - 40 acres for permitted uses
 - 5 acres for new parcel, by conditional use, or by short plat
 - 3 acres for existing farmstead
 - Residential (R-1) District
 - 3 acres/dwelling with well and septic
 - 12,000 square feet if community sewer and water

DeKalb said all of the bordering counties are trying to manage growth and the larger acreage sizes are an attempt to manage growth spreading out from the urban counties.

DeKalb also reported the following regulations for the community agriculture districts:

- Bennet
 - Agriculture (A-1) District
 - 10 acre lot size
- Ceresco (Not Available)
- Crete
 - Agriculture Open Space (AO) District
 - 1 acre lot size
- Davey
 - Agriculture Exclusive (AGX) District
 - 39 acre minimum lot size
- Denton
 - Agriculture Residential (AGR) District
 - 3 acre minimum lot size
- Firth
 - Agriculture (A) District
 - 4 acre minimum lot size
- Hallam
 - Agriculture Exclusive (AGX) District
 - 39 acre minimum lot size
 - Agriculture Residential (AGR) District
 - 5 acre minimum lot size
- Hickman
 - Agriculture Exclusive (AGX) District
 - 40 acre minimum lot size
 - Agriculture Residential (AGR) District
 - 5 acre minimum lot size
- Lincoln
 - Agriculture (AG) District
 - 20 acres, farmstead split to 1 acre, clustering allowed
 - Agriculture Residential (AGR) District
 - 3 acre lot size, clustering allowed
- Malcolm
 - Agriculture (A) District
 - 4 acre minimum lot size
- Panama
 - Agriculture Exclusive (AGX) District
 - 39 acre minimum lot size
 - Agriculture Residential (AGR) District
 - 5 acre minimum lot size

- Raymond
 - Agriculture (A-1) District
 - ½ acre minimum lot size
- Roca
 - Agriculture Exclusive (AGX) District
 - 39 acre minimum lot size
 - Agriculture Residential (AGR) District
 - 5 acre minimum lot size
- Sprague
 - Agriculture Exclusive (AGX) District
 - 39 acre minimum lot size
 - Agriculture Residential (AGR) District
 - 5 acre minimum lot size
- Waverly
 - Suburban (S-3) District
 - 10 acre minimum lot size

DeKalb reported that recent court action related to location of a plumbing and heating business in Raymond resulted in a finding that the existing Comprehensive Plan is unenforceable.

Hudkins and Heier commented on agricultural values and said many farmers can not afford to continue their farm operations. They questioned the right of local government to deteriorate farmers' assets by limiting acreage development.

Steinman said she believes spread out acreage development is counterproductive and results in a deterioration of services.

In response to a question from Campbell, DeKalb estimated that the County has a 20-35 year supply of area for acreages, depending on assumptions such as 100-125 new dwelling units per year. He added there are a number of "sweet spots", areas suitable for acreage development, in the eastern and western sections of the County.

Workman expressed concern that "little cities" are being created in the County through clustered development. He said he feels the County Board could maintain greater control of acreage development through density requirements, rather than the utilizing "20 acre rule".

Campbell remarked that not everyone moving from the city to the country is seeking isolation and clustered development is a solution for those individuals.

Campbell remarked that one size does not fit all anymore. She said there are certain areas of the County that have infrastructure in place and where acreage development in the 1-5 acre range would be appropriate. Other areas would be costly to the County in terms of providing infrastructure.

Roads

Campbell asked Don Thomas, County Engineer, about his department's monitoring of traffic entering the county.

Thomas said these roads have been impacted the greatest:

- Denton Road, west from Denton (400 or more cars per day)
- Old Cheney Road, east from Lincoln (300 or more cars per day)
- Fletcher Avenue, east from Lincoln (400 or more cars per day)
- Bluff Road, east from Waverly (300 or more cars per day)
- 162nd Street north of Highway 6th (400 or more cars per day)

Heier suggested monitoring of traffic on 84th to 148th Streets on Van Dorn to determine the impact of relocation of Lincoln Benefit Life to a new building at 84th & Van Dorn.

Heier also stated his belief that traffic counts increase once a road is blacktopped. He questioned whether the County Board has sufficient input into the process of deciding which roads will be improved.

Campbell said the Board will be receiving an update on traffic counts and the One and Six Year Road and Bridge Improvement Program in April which will provide an opportunity for additional input.

Larry Worrell, County Surveyor, explained how driveway access is determined, noting safe stopping distance is a problem in many areas. He said clustered development helps to alleviate this problem, as access to the development is through one driveway.

The Board set April 4th as the date of the next two-hour worksession on land use issues. A dialogue with Kathleen Sellman, Planning Director, is scheduled for the first hour, with additional discussion planned with Don Thomas, County Engineer, and Allan Abbott, Public Works/Utilities Director.

3 EMERGENCY ITEMS AND OTHER BUSINESS

Campbell said she was disappointed to learn that the Planning Department does not intend to dedicate a planner to the Stevens Creek area, despite direction from the City Council and County Board to do so.

DeKalb said a number of factors have contributed to the Planning Department's change in priorities, including a mandatory update of the transportation plan portion of the Comprehensive Plan, hiring of a new Planning Director, and election of a new Mayor.

Campbell agreed to follow-up on the matter with Kathleen Sellman, Planning Director, and Coleen Seng, City Council.

The Board requested periodic updates on the transportation element of the Comprehensive Plan.

4 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk