

COUNTY BOARD FACTSHEET

TO : County Clerk: Attn: Kelly Lundgren
FROM : David R. Cary, Director of Planning
RE : **County Text Amendment No. 17018**
(Amend Article 18 of the Lancaster County Zoning Resolution – Airport Zoning)



DATE : December 20, 2017

1. This text amendment and the associated City of Lincoln Text Amendment No. 17017 appeared on the Consent Agenda of the Planning Commission on December 6, 2017.
2. Attached are the Planning staff report (pp.1-6) and the minutes of the Planning Commission (p.7) on **County Text Amendment No. 17018**, requested by the Lincoln-Lancaster County Planning Director, amending Article 18 of the Lancaster County Zoning Resolution relating to Special Height and Use Near Airports to amend the Airport Zoning Map and making other miscellaneous changes. The proposed revisions are found on (pp.4-5).
3. The staff recommendation of approval is based upon the Analysis as set forth on (pp.2-3), concluding that these changes are necessary updates and corrections to the airport zoning and should be approved.
4. On December 6, 2107, the Planning Commission agreed with the staff recommendation and voted 8-0 (Scheer absent) to recommend approval. The Planning staff is scheduled to brief the County Board on this item at their regular staff meeting on Thursday, January 4, 2018, at 9:45 a.m., in Room 113 of the County-City Building, 555 South 10th Street, Lincoln, Nebraska.

If you need any further information, please let me know (402-441-6365).

cc: County Board
David Derbin, County Attorney's Office
Pam Dingman, County Engineer

Ann Taylor, County Commissioners
Brian Will, Planning
Kerry Eagan



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT
 FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER
Text Amendment #17018

FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
December 6, 2017

RELATED APPLICATIONS
Text Amendment #17017

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a set of minor corrections to Article 18 of the County Zoning Resolution on Special Height and Use Regulations Near Airports, and the Airport Zoning Map. The text changes involve two minor wording updates. The map changes include updating the runway end elevations in accordance with the approved Airport Layout Plan and resulting changes in the Shaded Area and airport zone boundaries.

JUSTIFICATION FOR RECOMMENDATION

These changes are necessary updates and corrections to the airport zoning and should be approved.

APPLICATION/STAFF CONTACT

Rachel Jones, (402) 441-7603 or
rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed amendments are required for proper implementation of the airport zoning restrictions for building and structure height as noted in the Comprehensive Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 10.19 - Existing Airports and Airfields

The Lincoln Airport is the major air facility servicing Lincoln, Lancaster County and the region. It provides an important transportation link to national and international markets. It is located in the northwestern part of Lincoln, with access provided by Interstate and State highways. The City of Lincoln's Airport Environs Noise District and Airport Zoning Regulations have been established to ensure a balance between airport operations and the surrounding land uses. These regulations govern uses and structural characteristics compatible to the airport operations and minimize negative impacts on surrounding residents.

P. 10.39 - Airport and Airfields - 2040 Needs

The Lincoln Airport will continue to be the principal airport facility serving the Lincoln Metropolitan Area, Lancaster County, and a significant portion of the region in the southeast area of the State.

P. 10.71 - Airports and Airfields

Lincoln Municipal Airport is governed by the Lincoln Airport Authority (LAA). The LAA is part of the MPO and participates in its activities; however, planning for airport facilities is done in a separate process.

Strategies:

- Maintain compatible land uses and zoning within the 60 DNL and 75 DNL noise contour lines.
- Continue to enforce zoning restrictions for building and structure height in the approach and turning zones.

ANALYSIS

1. Revisions to the City airport zoning height permit regulations and accompanying changes to the Airport Zoning Map were approved in June 2017 with Text Amendment #17004.
2. The proposed text changes to the County airport zoning regulations include removing a gender specific reference and reflecting the consolidation of the former Nebraska Department of Aeronautics as a division within the new Nebraska Department of Transportation effective July 1, 2017.
3. The same text changes are proposed with the related Text Amendment #17017 to Chapter 27.59 of the City Zoning Ordinance.
4. The proposed Airport Zoning Map changes include:
 - Changes to runway end locations and elevations in accordance with the approved Airport Layout Plan for the Lincoln Airport. All runway end locations changed. Based on revised locations, three runways had a change in elevation (Runways 14, 32 and 35). The primary reason for runway end changes has been relocation of runway thresholds over the years. The changes in runway elevation range from decimals of a foot to a maximum of 3 feet.
 - The runway end changes necessitated corresponding changes to the boundaries and elevations of the Shaded Area, Turning Zones, and Approach Zones for the three runways as well as corrections to the elevation markings.
 - Correct lengths of several 50:1 Slope Approach Zones. All of said zones that climb off the end of the runways should be 7,500 feet in length but some were too long.
 - Correct the look of the 150' Maximum Height Approach Zone segments to end at three miles from the end of the operation zone as described in the regulations, rather than continuing them out to the turning zone boundary. This change is most clearly seen on the Runway 32 and 35 approaches.
5. These changes should have no significant effect on development. The elevations for Runways 14 and 32 slightly increased and therefore raised the maximum heights for structures. The elevation for Runway 35 was the only runway end elevation that decreased (by 3 feet) resulting in a lowering of the maximum structure heights by 3 feet. Any existing structures affected by this change would be considered legal nonconforming and could be continued and reconstructed so long as the height of the structure is not increased over its preexisting height, as

described in the regulations on nonconforming airport zoning height, Section 27.59.080 of the City Zoning Ordinance and Article 18.008 of the County Zoning Ordinance. The changes are unlikely to affect any but the tallest structures such as cellular and broadcast towers.

Prepared by

Rachel Jones, Planner

Date: November 26, 2017

Applicant/Contact: Lincoln-Lancaster County Planning Department
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ATTACHMENT B

ARTICLE 18

SPECIAL HEIGHT AND USE REGULATIONS NEAR AIRPORTS

18.007. Airport Hazards.

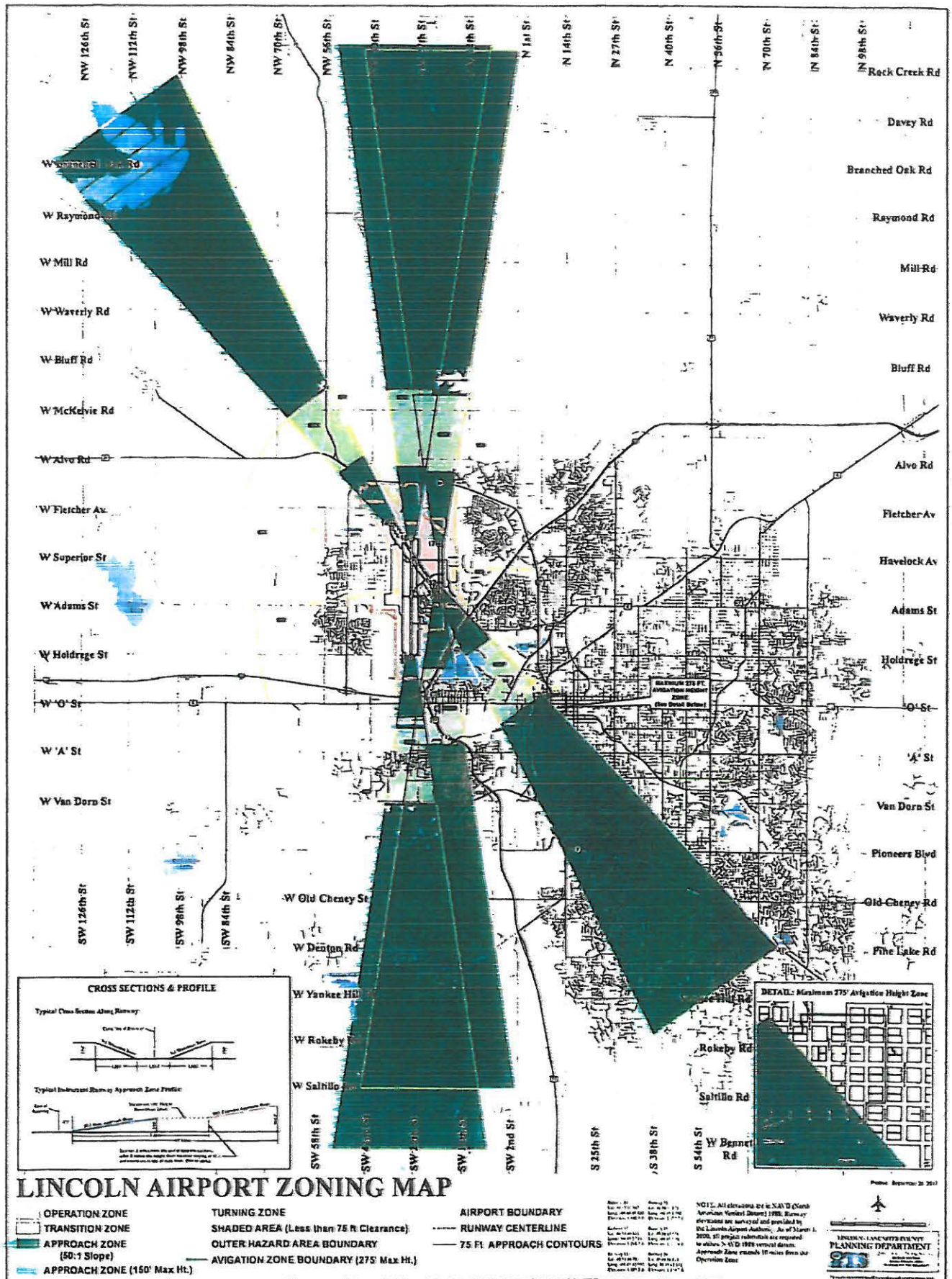
a) The Building Official shall examine or cause to be examined any structures or trees, reported to ~~him~~ the Building Official as an airport hazard within the airport hazard area, and if such is found to be an airport hazard as defined in Section 18-002, and is not otherwise approved or authorized by this Article, it shall be the duty of the Building Official to give the owner of the property where such airport hazard exists written notice thereof, and to take such measures as are necessary and authorized by law to eliminate or alleviate said airport hazard. For the purpose of aiding the Building Official to determine whether the existence of any such reported structures or trees constitute an airport hazard, the Building Official may in each case request a written report from the ~~State Department of Aeronautics~~ Division of Aeronautics of the State of Nebraska ~~Department of Transportation~~ under the provisions of Neb. Rev. Stat. § 3-108 and § 3-113 to advise whether or not an airport hazard, as defined in this Article, exists.

b) Notwithstanding any other provisions of this ~~Title~~ Resolution, no use may be made of land within any zone established by this Article in such a manner as to create electrical interference with radio communication between the airport and aircraft, make it difficult for fliers to distinguish between airport lights and others, result in glare in the eyes of fliers using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, take-off, or maneuvering of aircraft.

18.009. Marking of Non-conforming Structures.

ATTACHMENT B

1 Whenever the Building and Safety Department shall determine that a specific non-
2 conforming structure or object exists and has existed prior to the passage of these regulations and
3 within the zoned area hereinbefore described at such height or in such a position as to constitute
4 a hazard to the safe operation of aircraft landing at or taking off from said airport or airfield, the
5 owner or owners and the lessor or lessors of the premises on which such structure or object is
6 located shall be notified in writing by the said official, and shall within a reasonable time permit
7 the marking thereof by suitable lighting or other signals designated by the said agency and based
8 on the recommendations of lighting officials or ~~the Nebraska Department of Aeronautics the~~
9 Division of Aeronautics of the State of Nebraska Department of Transportation.



LINCOLN AIRPORT ZONING MAP

- OPERATION ZONE
- TRANSITION ZONE
- APPROACH ZONE (50:1 Slope)
- APPROACH ZONE (150' Max Ht.)
- TURNING ZONE
- SHADED AREA (Less than 75 Ft. Clearance)
- OUTER HAZARD AREA BOUNDARY
- AVIGATION ZONE BOUNDARY (275' Max Ht.)
- AIRPORT BOUNDARY
- RUNWAY CENTERLINE
- 75 Ft. APPROACH CONTOURS

NOTE: All elevations by the NAD 83 North American Vertical Datum of 1988. Survey elevations are surveyed and provided by the Lincoln Airport Authority. As of March 1, 2020, all project submissions are required to utilize NAD 1983 vertical datum. Approach Zone extends 10 miles from the Operation Zone.

COUNTY TEXT AMENDMENT NO. 17018

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

December 6, 2017

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Joy, and Washington; Scheer absent.

The Consent Agenda consisted of the following items: TEXT AMENDMENT NO. 17013, COUNTY TEXT AMENDMENT NO. 17014, TEXT AMENDMENT NO. 17017, COUNTY TEXT AMENDMENT NO. 17018, TEXT AMENDMENT NO. 17020, ANNEXATION NO. 17023, CHANGE OF ZONE NO. 07063B, CHANGE OF ZONE 17033, PRELIMINARY PLAT NO. 17005, SPECIAL PERMIT NO. 1219N, SPECIAL PERMIT NO. 17041, COUNTY SPECIAL PERMIT NO. 17043, PRE-EXISTING USE PERMIT NO. 3AH, AND USE PERMIT NO. 140F.

Scheer declared a Conflict of Interest on Change of Zone No. 17033 and Preliminary Plat No. 17005, and recused himself from voting on the Consent Agenda.

Hove and Finnegan disclosed that they read an article in the Lincoln Journal Star regarding Pre-Existing Use Permit No. 3AH.

Text Amendment No. 17013, Text Amendment 17014, Text Amendment No. 17020, Special Permit 1219N, and County Special Permit No. 17043 were removed from the Consent Agenda to have separate Public Hearing.

Vice-Chair Corr called for a motion.

Hove moved approval of the remainder of the Consent Agenda, seconded by Beckius and carried, 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Joy, and Washington voting 'yes'; Scheer absent.

Note: This is FINAL ACTION on Special Permit No. 17041 and Preliminary Plat No. 17005 unless appealed by filing a letter with the City Clerk within 14 days. This a recommendation to the City Council or County Board on all remaining items.