

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA**

IN THE MATTER OF ADOPTING )  
MINIMUM ROAD STANDARDS FOR )  
ROADS IN UNINCORPORATED AREAS ) RESOLUTION NO. R-19-0051  
PURSUANT TO NEB. REV. STAT. § )  
39-1501(5) )

WHEREAS pursuant to Neb. Rev. Stat. § 39-1501(5), the Lancaster County Board of County Commissioners ("Board") has adopted minimum standards for roads in unincorporated areas, as embodied in Resolutions Nos. 2929 (1975); 3039 (1975); 3650 (1981); 4693 (1990); R-99-1398 (1999); and R-05-0009 (2005) ("past resolutions");

WHEREAS, the Board now wishes to adopt revised minimum standards for roads in unincorporated areas; and

WHEREAS, the Board also wishes to repeal those past resolutions;

NOW, THEREFORE, BE IT RESOLVED by the Board, in regular session assembled in the County-City Building in Lincoln, Lancaster County, as follows:

1. The Board hereby adopts as minimum standards for roads in unincorporated areas pursuant to Neb. Rev. Stat. § 39-1501(5) those standards provided in the document entitled "Minimum Road Standards for Maintenance in Unincorporated Areas," which document is attached hereto as Exhibit A and is incorporated herein by this reference; and
2. The following Resolutions are hereby repealed:
  - a. Resolution No. 2929 (1975);
  - b. Resolution No. 3039 (1975);
  - c. Resolution No. 3650 (1981);
  - d. Resolution No. 4693 (1990);
  - e. Resolution No. R-99-1398 (1999); and

f. Resolution No. R-05-0009 (2005).

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019.

\_\_\_\_\_  
for PAT CONDON  
Lancaster County Attorney

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**MINIMUM ROAD STANDARDS**

**FOR MAINTENANCE IN UNINCORPORATED AREAS**

1. The Minimum Road Standards for Maintenance in Unincorporated Areas (“Standards”) apply to roads that are dedicated to the public and are located in unincorporated areas of Lancaster County, Nebraska (“County”).
2. Before the County shall maintain any such road, any person, corporation, partnership, or any other entity, desiring the County to maintain such road shall apply to the County to request the County to maintain such road as provided herein.
3. Before the County shall maintain any such road, the applicant shall fully satisfy these Standards.
4. All such roads shall be inspected by the Engineer or the Engineer’s designee, who shall issue certificates for all phases of construction showing compliance or non-compliance with the Standards. The County Engineer shall be notified by the applicant at the beginning and end of each phase of construction, and a written application for maintenance of any such road shall be made by the applicant to the County Engineer. Upon the applicant’s completion of construction or improvements of roads, the delivery of the certificate described herein, documentation from the applicant that the costs of any road improvements have been paid by applicant, and final certification of by the County Engineer to the applicant of conformity of the road to the Standards, the County Engineer shall certify in writing to the County Board that the road for which application has been made conforms to the Standards.
5. Except as provided herein, all roads shall conform to the standards set by the Nebraska State Board of Public Roads Classification: Table 001.03F National Functional Classification Local, the typical cross section of which is set forth in Attachment A to this Exhibit, which Attachment A is attached hereto and incorporated herein by this reference.

Roads that were graded to the typical cross-section acceptable for maintenance by the County before March 4, 1975, need not be reconstructed to comply with the typical grading cross-section set forth above in order to satisfy the requirements of this Paragraph.

6. Right-of-way on such roads shall be dedicated, and the minimum width of such right-of-way shall be, in conformance with Chapter 4 of the Land Subdivision Resolution of the County of Lancaster, Nebraska, as amended.
7. All roads shall be designed for a minimum motor vehicle speed of thirty (30) miles per hour.
8. The maximum grade of all roads shall be seven (7) percent. The minimum grade shall be five-tenths (5/10) percent.
9. All traffic control devices, including but not limited to traffic signs, shall be erected in accordance with the current Manual On Uniform Traffic Control Devices and approved in writing by the County Engineer.
10. All across-the-road drainage structures shall be constructed based on computations using one of the following methods:
  - a. The Rational Method;
  - b. The SCS Method; or
  - c. Regression Equations and prevailing hydrologic guidance approved by the County Engineer.

Within watersheds under 100 acres, roadway draining structures shall be designed for a minimum 10-year storm frequency. Within watersheds over 100 acres, roadway drainage structure shall be designed for a minimum 25-year storm frequency. Notwithstanding the foregoing, the County Engineer may require that higher storm frequencies be used.

In no case shall the design headwater elevation exceed the proposed shoulder elevation.

11. Construction procedures for roads covered by these Standards shall conform to the requirements for Class II Embankment, as set forth in the State of Nebraska Standard Specifications for Highway Construction.
12. All roads shall be surfaced as follows:
  - a. When roads are located within a Platted Area where the average lot sized shall be one half (1/2) acre, or where there are two (2) or more dwelling units per acre, such roads shall be surfaced, and shall include

curb and gutter structures, in accordance with the City of Lincoln Standards and Regulations for Residential Streets; or

- b. When roads are located within a Platted Area where the average lot size is less than three (3) acres, but more than one half (1/2) acre, such roads shall be hard-surfaced with a type of material and thickness as specified by the County Engineer; or
- c. When roads are located in areas that do not meet the criteria of Paragraphs 12.a or 12.b above, those roads shall be surfaced with three (3) inches of crushed rock embedded as specified in the State of Nebraska Standard Specifications for Highway Construction plus one (1) inch of gravel as specified in the State of Nebraska Standard Specifications for Highway Construction.

Roads falling within the criteria of Paragraphs 12.a, 12.b, or 12.c above may be surfaced in a manner that exceeds the minimum standards set forth in Paragraphs 12.a, 12.b, or 12.c, provided that either:

- a. The surfacing complies with all of the minimum standards applicable to any area of higher density; or
- b. The surfacing is approved in advance in writing by the County Board, following a review and recommendation by the County Engineer;

All roads within any Platted Area shall utilize the same type of surfacing throughout the Platted Area unless the County Engineer approves in writing a deviation from this requirement.

For purposes of these Standards, "Platted Area" means the area within either:

- a. a preliminary plat; or
- b. a community unit plan;

that has been approved by the Lincoln-Lancaster County Planning Commission.

13. The following requirements apply to all roads:

- a. Except as provided herein, the County shall not accept any road for maintenance until the Platted Area within which the road is located meets the following requirements:

- i. For a Platted Area where the average lot size is one-half (1/2) acre or less, or where there are two (2) or more Dwellings per acre, the Platted Area shall have completed and occupied Dwellings on at least:
    1. twenty (20) lots within the Platted Area; and
    2. eighty (80) percent of the lots within the Platted Area.
  - ii. For a Platted Area where the average lot size is two (2) acres or less, but greater than one-half (1/2) acres, the Platted Area shall have completed and occupied Dwellings on at least:
    1. ten (10) lots within the Platted Area; and
    2. seventy (70) percent of the lots within the Platted Area.
  - iii. For a Platted Area that does not meet the criteria of Paragraphs 13.a.i or 13.b.ii above, such Platted Area shall have completed and occupied Dwellings on at least:
    1. six (6) lots within the Platted Area; and
    2. sixty (60) percent of the lots within the Platted Area.
  - iv. Calculations for determining the number and percentage of completed and occupied Dwellings in a Platted Area for purposes of this Paragraph 13 shall disregard a Dwelling on any lot that has access to a County road that is presently being maintained by the County, notwithstanding that the Dwelling is within the Platted Area.
- b. However, for a Platted Area that:
- i. Does not meet the requirements of Paragraph 13.a above; but
  - ii. Contains a Through Street;
- roads in that Platted Area may be accepted for County maintenance, provided that all other requirements of the Standards are satisfied. The County shall not accept for maintenance any roads in a Platted

Area that do not physically connect to an existing road currently maintained by the County.

- c. For purposes of these Standards, “Through Street” means a road contained in a Platted Area that physically connects to both:
  - i. A road maintained by the County; and
  - ii. Another road maintained by the County.
- d. For purposes of these Standards, “Dwelling” shall have the meaning ascribed to it in the 1979 Zoning Resolution of Lancaster County, as amended.
- e. Roads that were dedicated prior to the adoption of this Resolution need not be reconstructed to comply with the requirements of this Paragraph and shall conform to the requirements in effect at the time the roads were dedicated.

14. Notwithstanding the County’s acceptance of roads for maintenance, mowing and trimming of the seeded portion of all roads at all times shall be the responsibility of the adjacent landowner. Seeding mix and widths along roads shall be in conformance with the requirements of the State of Nebraska Standard Specifications for Highway Construction.

15. The County’s acceptance of roads for maintenance shall not relieve any developer of any guarantees or agreements made by the developer in conjunction with the platting of any subdivision in, or addition to, the County.

16. References to any State of Nebraska publication within these Standards shall be construed to refer to the publication in effect at the time that a Platted Area has been approved by the Lincoln-Lancaster County Planning Commission.

