

DOUGLAS COUNTY PLANNING COMMISSION

3015 MENKE CIRCLE
OMAHA, NE 68134

August 10, 2005
6:00 p.m.

The meeting was called to order by Vice Chair Lanoha with roll call vote.

Members Present: Bob Bruhn, Michael Gerdes, Luke Janke, Joe Roberts, and Milo Vacanti.

Members Absent: Barbara Hayes, Bob Boozer, and Anne Houlihan.

Other County Officials and Staff Present: Barb Frohlich and Kent Holm (Douglas County Environmental Services).

Motion by Commissioner Janke, seconded by Commissioner Gerdes to approve minutes of the June 8th, 2005 meeting.

Voting Yes: Bruhn, Gerdes, Janke, and Lanoha.

Voting No: None

Abstain: Joe Roberts and Milo Vacanti (not present at July meeting).

APPLICATION G-12-05

REQUEST: Amendments to Douglas County Zoning Regulations-Add language: Section 7 Agriculture Farming 1 (AF-1), B. Permitted Conditional Uses, **17. Wireless Telecommunications Facilities.**; Section 8 Agriculture Farming (AF-2), B. Permitted Conditional Uses, **9. Wireless Telecommunications Facilities.**; Section 16 Industrial (M-1) District, **B. Permitted Conditional Uses, 1. Wireless Telecommunications Facilities.**; Section 17 Industrial (M-2) District, B. Permitted Conditional Uses, **48. Wireless Telecommunications Facilities.**

APPLICANT: Douglas County Environmental Services

Ms. Frohlich presented this application with the following comments:

1. Current regulations allow radio and television towers and transmitters as permitted conditional uses in Agricultural Farming 1 and Agricultural Farming 2 zoning districts.
2. Proposed language is based on the Wireless Telecommunications Facilities section that was recently enacted.
3. The proposed language clarifies the language for Agricultural Farming zoning districts and also permits wireless telecommunication facilities as permitted conditional uses in Industrial (M-1) and Industrial (M-2) zoning districts.

Commissioner Gerdes stated he had been to the property and that Mr. Iske has made very good progress. He would like to see Mr. Iske given an additional 90 days to clean up the property. Ms. Frohlich concurred that 90 days would be fair.

Mr. Iske stated that he was planning on constructing another building and had put a lot of effort into cleaning up the property.

Commissioner Lanoha suggested that Mr. Iske find a way to screen his property from the highway with possibly an earthen berm. Mr. Iske stated he planned to plant trees in the future.

Motion by Commissioner Gerdes to give Mr. Iske 90 days to complete cleanup of his property, seconded by Commissioner Vacanti.

Ms. Frohlich stated that staff would continue to inspect the property periodically and work with Mr. Iske.

Voting Yes: Bruhn, Gerdes, Janke, Lanoha, Roberts, and Vacanti.

Voting No: None.

Abstain: None.

Discussion – Comprehensive Plan – RDG

Marty Shukert, RDG Planning & Design, made the following presentation on the progress of updating the Comprehensive Plan:

1. In June and July, interviews were done with stakeholders who have a specific issue or interest in the area of Douglas County outside the municipal jurisdictions.
2. A public open house was held in Valley to obtain comments and priorities from members of the public.
3. A roundtable meeting was also held to primarily meet with people from the City of Omaha.
4. A meeting will be held with people from Bennington and Elkhorn to talk about their specific priorities.
5. An inventory of environmental features that have constraints and requirements for planning was done by colleagues from Conservation Design Forum (CDF).
6. The topic area that was most frequently mentioned in the interviews was development in the floodplain after completion of sand and gravel extraction. This was a surprise since much of the area outside of the municipal jurisdictions is in fact floodplain.
7. Despite the presence of Union Dike and its level of protection from the Platte River, flooding can still occur and is largely due to ice jams.
8. The Platte River floods to the east because of the topography and the Elkhorn River is actually lower in elevation.
9. New floodplain mapping is being completed that will identify flood events that are the result of ice jams.

10. Normally the Platte River does not flood from rain but from ice jams in the spring.
11. Many people believed ultimately that development in the floodplain is possible but regionally there are better locations for development where development is easier to do and more marketable.
12. The second area of discussion involved resource extraction. There is a clear boundary between the two river beds where sand and gravel is found on the west side and on the east side there is no sand and gravel.
13. Became aware of an organization, PACE (Planning Aggregate Community Environment). Its members are people involved in the sand and gravel mining. Focuses on environmental and community interests by thinking initially about the resulting development when sand and gravel extraction is completed.
14. Completed gravel pits are traditionally developed as residential areas and most people believed that should continue to be permitted in an updated Comprehensive Plan.
15. Another area of interest was water resources. There are conflicting points of view on the effect of MUD's well field on water table levels in water related communities.
16. MUD believes the well fields will have minimal effect while others including developers believe it will have substantial effects.
17. By January of 2006, it will be determined based on a study whether or not the Lower Platte River basin is fully appropriated. If so, when new development takes place utilizing wells for the water source, it will have to be determined if that capacity will have to be taken offline in order to compensate for the new wells.
18. Many people believe the study will determine the Platte is fully appropriated.
19. OPPD is mandated to provide service to new developments and individual customers. The district is currently updating its 30 year plan.
20. Their biggest problem is identifying sites for new transmission stations and corridors to extend lines to accommodate continued growth.
21. Wastewater is probably the most significant constraint to development in the western part of the county.
22. The Natural Resources District has concerns about the number of septic systems permitted and their influence on water quality. They are also concerned about package treatment plants and the effect of single point discharges from new developments.
23. Some jurisdictions like Bennington and Omaha are strongly opposed to developments utilizing private septic systems.
24. Another concern is that roads need to be upgraded but in such a way that maintains some semblance of rural character.
25. Consideration has been given to the idea of a beltway that would extend and serve western and northern Douglas County. This would be a way to link Highway 36 and Interstate 80 and also extend down into Sarpy County.
26. Residents believe that developers should be required to pave and improve roads to their developments and bear the costs.
27. Many participants believe that rural areas outside of city cores should maintain rural character. Should be a level of openness and differentiation in the

- environment that means development in the rural county should not be like conventional suburban development.
28. Conservation easements encourage people to donate sensitive open space to nonprofit organizations but are difficult to get in Nebraska because there is no reduction in property value and ultimately taxes. This does not encourage people to consider conservation easements. There are federal incentives but not local incentives.
 29. Specific legislation is need to identify specific areas where a conservation easement would result in a reduction in property value and taxes.
 30. There are not enough wetland banks in the area to accommodate growth demands in the metropolitan area for remediation.
 31. There is continued demand for lake development but the development community believes they should be in areas where sand and gravel has been mined. A project similar to West Shores would be very expensive and should not be replicated.
 32. Environmental features around these lakes should be viewed as amenities to be incorporated into the development so that prairies, drainage ways, stands of tress, and streams should be preserved.
 33. The people who attended the public meeting are concerned about development and don't want to be told what will happen with their land. They want to be in control from a permissive and restrictive point of view.
 34. They also like the character of the area and don't want to see it change. They do not want to see higher density development in the areas where they live.
 35. The City of Omaha projects that the area of Douglas County in the Papio Watershed above the Elkhorn River ridge will be fully built out within a 20 to 25 year period. If a lower density growth occurs, that build out could shorten to 15 years and the full population potential within Douglas County would not be reached.
 36. The City of Omaha believes that area should be developed in an urban pattern similar to that in northwest Omaha to realize full population potential.
 37. Development policy agencies and municipalities suggest that estate type development does not generate enough tax dollars to be self sustaining.
 38. If the county is landlocked and can't grow, it means a restriction on property tax dollars.
 39. The City of Omaha's policy has been to deny acreage developments and require developers to pay for infrastructure.
 40. As the City of Omaha's urban growth boundary moves closer to the city's jurisdiction, developers can buy land for less in the county and avoid city fees and improvements.
 41. The City of Omaha planning staff believes that the arterial street improvement fee should be extended to the entire county.
 42. Many comments that there needs to be more mixed use developments and commercial development incorporated into designs.
 43. Valley representative commented that the construction of the sewer service along Highway 275 to Fremont positions Valley for future growth. Future residential development will follow completion of sand and gravel extraction.

44. Sarpy County believes that north/south connections for transportation should be a regional concern. An interchange at 180th Street and Interstate 80 will be an important project for that kind of link.

Commissioner Roberts asked Mr. Shukert to explain comments on water issues made by Conservation Design Forum.

Mr. Shukert stated Conservation Design Forum is the associate firm on the comprehensive plan project. Their specialty is identifying how to design developments in ways that are environmental responsible. They will be very involved in plans that take some of the more abstract ideas and show how items such as storm water management and preserving plant communities, habitat, and vegetation can be implemented.

Commissioner Roberts asked about a comment made that if MUD pumps their maximum of 100 million gallons a day, that there is a possibility that lakes in our area will drop nine feet. Mr. Shukert responded that he believed someone attending the developer's meeting made that comment; that it was not part of RDG's studies. He noted there is disagreement about impact on lakes. MUD studies indicate minimal impact and others believe the levels will drop significantly.

Commissioner Vacanti commented that property overlooking the Platte Rivers is very beautiful and very expensive. Mr. Shukert agreed that this property is not suitable for conventional subdivision development.

Mr. Shukert continued his comments:

46. The study will look at slopes and details of the environment to determine what is appropriate in specific areas.
47. Pointed out the patterns of development that are occurring: areas where gravel pit lakes are located, the Bennington area, and areas around Valley and southwest of Waterloo.
48. More specific parts of the plan will look at the overlays of the environmental features to determine what is appropriate in different places.
49. Conservation Design Forum's field inspections identified the following:
 - a. Remnant habitats in the Elkhorn River bluffs of natural habitat and plant communities.
 - b. Believe natural communities along waterways should be identified and priorities set for conservation management.
 - c. Many ravines are in poor condition, have non-native vegetation and not very strong habitat management.
 - d. Development in the upland areas should preserve views and the natural character of the county.
 - e. New waterways created by resource extraction can provide opportunities for natural habitat as well as residential development.

- f. The MUD well fields may also provide an opportunity for wild life and habitat expansion.

Based on the stakeholder input and other findings, Mr. Shukert presented what he termed “First Principles” that should be considered in the update of the Plan.

1. The County should protect and act as a steward for the environment and natural resources. The areas that are special, whether they are hills or wetlands or streams, should be through various policies maintained and preserved as opposed to being plowed over and fully developed.
2. The County through the comprehensive plan will preserve and enhance the unique character of the rural jurisdiction. Even though we are in an urban area there should be some room to breathe, some variety, some maintenance of rural character.
3. Development within the large floodplains of the Platte and Elkhorn Rivers, the area that is west of the ridge, should be limited to lake development around resource extraction sites. We believe (as it seems the development community does) that water related development should be focused around those areas where sand and gravel extraction activities take place. The areas where sand and gravel does not exist really should not be developed because of economic feasibility and lack of demand. The infrastructure costs for developments not located around sand and gravel extraction has been very high.
4. The remaining floodplain areas that are not within the sand and gravel extraction areas will stay in agricultural or open use except for those areas that will be non-residential. There are areas where the economic feasibility of elevating the property above floodplain level makes better use of areas along Highway 275 and along the sewer line that runs between Valley and Fremont.
5. Old sand and gravel resource extraction sites should incorporate creation and habitat preservation as well as housing. This seems to be the same perspective of the industry and interests that are associated together under the PACE group.
6. Large lot acreage development should occur only in those areas that will not accommodate future development with urban services. Septic or individual self-contained systems should be permitted in the areas where the extension of sewer service is feasible or will happen in the future. These are areas of development that should maintain rural character or use conservation development techniques.
7. Development should incorporate innovative and conservation development techniques where development gets clustered into those areas on a site that are relatively less vulnerable and in exchange for that, the hillsides and environmentally sensitive areas are maintained as open space

8. Development in the rural county should incorporate stormwater management techniques that reduce conventional storm sewer rapid discharge and instead make use of surface drainage on site, retention, on site distribution and absorption and even aquifer recharge.
9. A standard should be established to preserve a specific percentage of open area within all developments in the rural county to protect environmentally sensitive areas and maintain a sense of openness and rural character.
10. Significant drainage ways within the county should remain as green spaces that are incorporated into storm water management system. Rather than tube or pave over drainage ways, those surface conduits should be preserved, maintained and improved to become part of the regional storm water management systems as well as part of habitat corridors, trail corridors, and overall greenway elements.
11. Local transportation systems should provide continuity among developments. So rather than channel every piece of traffic out to Highway 36 or out to 180th or 156th, there should be a level of continuity much as the city of Omaha's policies that allows for local connections from one development to another without resorting entirely to the arterials.
12. Major transportation corridors should be multi-modal and include pedestrian and non-motorized vehicles. Corridors should also incorporate green street elements as well, such as street and roadway landscaping. The Federal Transportation bill just passed includes a substantial amount of money, approximately 6 million dollars, that has been dedicated to the development and construction of the trail system in western Douglas County. The trail system funding will provide us with a really powerful implementation tool to be able to truly realize principle #12 rather having it be a series of colored lines on a map in the comprehensive plan.
13. Environmental features such as open space, streams, trails should be integrated into the design of new residential developments.
14. Policy should be developed and legislation passed that allows for county assessment policy to encourage conservation easements in specifically designated resource conservation areas. It's not particularly fair to tell a property owner you can't develop your property but we are not going to change your assessment. Overall assessment policy changes may very well require state legislation to encourage the donation of conservation easements within specific resource areas. This is a very important element in being able to implement the policy of maintaining openness, rural character and preserving significant environmental characteristics.

Mr. Shukert continued his comments stating the 14 principles were concluded from the participation process. A very interesting thing that we found was that the interests of many parties, with the notable exception of rural residents who don't want to see any

change at all and like the environment that they are in, are consistent in the belief that there should be a distinctive form of development in the county that preserves the quality of the environment. There was also consistency among various parties that development should occur where sand and gravel resources are located and the remainder of the floodplain should remain as open space or agricultural use. We believe a plan can be developed that represents a shared vision and preserves unique environmental areas. Commissioner Roberts asked for clarification about the funding for the trails project. Mr. Shukert stated that project received funding of 5.6 million dollars and Congressman Terry was a supporter of the project.

Commissioner Lanoha commented that it appears the principles are on the right track in proposing conservation development ideas. There are a lot of beautiful areas left in the county and to have “cookie cutter type” development and large acreage development wouldn’t be good for the future of the county.

Commissioner Vacanti asked why the City of Omaha’s perspectives were part of the process. Mr. Shukert explained that the perspectives of all the municipalities are an important part of the process. All the municipalities want to maximize population and maximize tax revenues within their jurisdictions. The City of Omaha’s perspective is that if we don’t maximize population within the buildable parts of our areas, the population is going to move somewhere. It will move to rural areas where population will be dispersed. As a result, development will be less efficient and stress on transportation systems will be greater because people have to drive more miles to get to destinations. The City of Omaha is looking at future development from a regional perspective. The Sarpy County Comprehensive plan recognizes that when Douglas County is build out, Sarpy County becomes the location for development with urban services. Sarpy County has a lot of capacity to accommodate population. The Comprehensive Plan for Sarpy County anticipates the extension of sewers where it is economically feasible. The City of Omaha would like to see denser growth taking place in a more contiguous way around communities whether it be Omaha, Bennington, Valley, Blair, Fort Calhoun, or in Sarpy County.

Announcements:

Ms. Frohlich announced there would be a meeting next month and also a committee meeting for the comprehensive plan before the planning commission meeting.

RDG will be conducting planning workshops on September 14 and 15 at the Environmental Services offices.

Meeting adjourned at 7:00 p.m.

Minutes approved September 14, 2005.