

Omaha Master Plan
Mike Fahey, Mayor Report #277

Urban
Development
Element



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Introduction

The Need for a Policy

In the period since World War II, this country has experienced unprecedented rates of both economic and physical growth. Omaha has experienced its share of this growth. During the period from 1980 to 1990, our county population has increased from 397,000 to 416,000. At our present growth rate of 2,800 to 3,300 persons per year, we will have to provide services and facilities for an additional 61,000 people by 2010.

For the most part, Omaha's past growth has been positive and healthy for both the city as a whole and its residents. It has resulted in increased employment, educational, cultural, recreational, business, and industrial opportunities for everyone in the metropolitan area. In addition, most of the new residential development built during this period has been in the form of high quality, reasonably priced, fully improved neighborhoods with a full complement of paved streets, city sewers, parks and utilities.

However, this past growth has presented the city with potential problems. Our expansion in the last 30 years has resulted in a doubling of the city's size and the consequent doubling of its service area. In the natural course of suburban development, many parts of the inner-city have been partially or wholly abandoned and ignored, while scattered tracts of land inside of our developing fringe have been left vacant and unproductive. This situation not only results in the unnecessary waste of valuable natural resources, but also in a costly and inefficient urban service system.

Changing conditions in both the public and private sectors have begun to compound the adverse social and financial costs of this inefficiency. In recent years, many new homes have become larger and include amenities which have placed the price of new housing beyond the reach of many of our citizens. This reduces opportunities for low- and moderate-income housing in suburban areas. In the public sector, the rising cost of basic government services, coupled with the need to renew and repair aging facilities in older areas while providing additional services to newly developing areas, has begun to weigh heavily upon the City's limited financial resources.

These conditions have brought Omaha to a benchmark in its development cycle. In order to continue to provide the high quality of public services the people of Omaha have come to expect and to ensure that our future new development will sustain the high standards of the past, the City must begin to explore areas in which cost efficiencies may be achieved.

In response to these circumstances, both the public and private sectors must re-examine old practices and policies with an aim toward welding a new partnership responsive to the changing times. Our choice is not growth or no-growth. The challenge facing us is how to best accommodate the growth that will naturally occur in order to maintain our high quality of urban life in a cost efficient and environmentally sensitive manner.

Purpose

The Urban Development Policy, in combination with the Concept Element of the City's Master Plan, establishes a sound management system designed to achieve greater economy in the growth cycle. The system is intended to encourage the continued development of high quality suburban areas while preserving and redeveloping our existing neighborhoods by providing City government with a more orderly method of allocating its limited capital resources. In conjunction with this policy, the Concept Element calls for reversing the causes that have traditionally led to patterns of deterioration, and states that it is important that Omahans can find affordable housing throughout the city.

The policy also creates a firm foundation upon which future planning, by both the City and other government agencies, can be based. The coordination attained through this planning will then provide a continuity to the hundreds of day-to-day decisions made by both the private and public sectors which, in one way or another, affect the eventual character of urban development.

The policy itself contains three parts that, when taken together, will stimulate a balanced development pattern which is responsive to the normal functioning of the market place. The Central City Section (Zone A, Zone B, Zone C) presents a series of actions the city will undertake to stabilize existing sound neighborhoods and outlines a system of incentives City government will offer to encourage private redevelopment of abandoned or undeveloped areas. The Suburban Section (Zone of Present Development, Zone of Future Development) presents a method for timing and sequencing the extension of municipal services into newly developing areas in a manner that will ensure their full development at the most reasonable cost and with the least amount of natural resource depletion. The Exurban Section (Ponca Special Development Zone, Elkhorn Special Development Zone) presents performance standards to ensure that in environmentally sensitive areas and areas where urban services are not expected to be provided, development is done in an appropriate manner.

Guidelines and standards used to implement the Policy are set out in an Environmental Section and a Financial Section.

Goals and Concepts

The Concept Element states:

Goals

Manage the growth of the city.

- Be pro-active rather than reactive regarding development.
- Establish a contiguous and compact pattern of growth.

Create healthy and diverse neighborhoods throughout the city.

- Reverse deterioration in older areas of the central city.
- Conserve existing stable neighborhoods.
- Encourage private investment.

Protect our natural systems and environmental quality.

- Protect the city's natural systems.
- Ensure that development is sustainable and can be supported by the natural environment.
- Preserve and protect sensitive natural features.

Provide public services efficiently and equitably.

- Ensure that those who benefit help pay for the city services they receive.
- Ensure that sanitary sewers are extended in an orderly fashion.



Country Club Neighborhood

Concepts

- Policies which emphasize higher density development, adaptive reuse, and infill will be used to reduce farmland and energy consumption, increase access to natural features, reduce flooding, and improve water quality. The expansion of the city will be regulated to prevent wasted services and loss of resources.
- The City will ensure that policies and programs are in place to create healthy and diverse neighborhoods and affordable housing for all of the city's residents in all areas of the city.
- Mechanisms to monitor and programs to maintain housing stability and neighborhood viability will be utilized by the city to ensure the preservation of the existing housing stock and to prevent detrimental changes to the neighborhoods.
- The long term effects of development on the environment and the finite nature of natural resources will be considered in all City projects, as well as in all private development. Emphasis will be placed on maintaining the health of environmental systems and protecting natural features at the initial stages of design for development.
- Regulations, incentives and policies for the preservation, protection and re-establishment of sensitive natural features will be developed and enforced. Emphasis will be placed on the modification of development proposals to accommodate and protect natural features rather than modification of natural features to accommodate development. When modification of a natural feature is allowed, mitigation procedures and penalties will be utilized to compensate for the damage and/or loss.
- All public services must be located in a way which supports and promotes the city's desired pattern of growth and redevelopment.
- The City of Omaha will ensure that all areas of the city are served by adequate, well-maintained infrastructure and public services. Services and facilities will serve both existing and anticipated development in an efficient, equitable, and cost-effective manner. Those who benefit from city services will be required to pay for the services they receive.

Central City Program

The Policy

The Urban Development Policy defines the Central City area as that portion of Omaha bounded by the Missouri River on the east, Interstate 680 on the north, Interstate 680/80 on the west, and Harrison Street on the south (See Map 1-Urban Development Zones in the Appendix). This area presents two major problems for sound, economical, well-balanced urban development. The first is the large amount of vacant, undeveloped land located within these boundaries which receives a full range of city services but produces relatively little in tax revenue. The second is the problem of aging, affecting not only the housing stock of the area but also the public facilities serving the Central City neighborhoods.

The area east of 42nd Street presents, on one hand, the most severe urban development problems and, on the other, the greatest redevelopment potential. This is the portion of the city which has suffered the most from deterioration and abandonment. Permit data between 1988 and 1992 for the area east of 42nd Street shows an average net loss of approximately 130 housing units annually, with 1990 census data indicating a vacancy rate over 11%. Between 42nd and 72nd Streets, maintenance and preservation of existing sound neighborhoods is the primary issue. The major problem affecting sound urban development between I-680 and 72nd Street is the substantial amount of vacant and under-used land which was skipped over in the initial development of this area.

Although problems throughout the Central City area are similar, the causes differ between various sections. In order to provide appropriate incentives to attack the differing causes, the Central City area was subdivided into three zones. Within each of these zones a specific set of incentives will be offered to obtain a particular development objective.

The boundaries used to define the three Central City zones should be considered as general guidelines which group areas with similar problems and not as definitive limits to the range of incentives which will be offered in a given area. Success of the Central City Program requires that the boundaries remain flexible enough to allow the application of incentives based upon development objectives and not on specific boundaries.

It should also be noted that the City, through the Planning Department, will make every effort to organize and participate with community clubs and organizations in the implementation of the Central City Program. Although this City service is available to all residents of Omaha, the highest priority will be placed on providing technical planning assistance to Central City neighborhoods.



Infill Development

Objectives and Incentives

Zone C

This is the western-most zone of the Central City area. It is bounded by I-80/680 on the west and 72nd Street on the east. (See Map 1-Urban Development Zones in the Appendix)

The objective of the Urban Development Policy in this zone is to in-fill those vacant areas which receive a full range of urban services and bring them into productive use.

In addition to encouraging expanded use of the City's present Planned Unit Development and Cluster Subdivision Ordinances, the incentives offered in Zone C include:

- a. favorable consideration of higher density residential development proposals and of higher intensity office/commercial development in designated mixed-use areas
- b. waiver of the subdivision application fee for new development proposals
- c. waiver of interceptor sewer fees



Abrahams Branch Library

Zone B

This zone is located in the central portion of the Central City area, bounded generally by 72nd Street on the west and 42nd Street on the east. (See Map 1-Urban Development Zones in the Appendix)

With the exception of some in-fill development required on the northern and southern edges of Zone B, the major thrust of the Central City Program in this zone is the maintenance and preservation of the existing sound neighborhoods located in this area.

In order to effectively achieve this objective the City will, in addition to the incentives provided in Zone C, offer the following:

- a. more stringent zoning enforcement to prevent and eliminate illegal land uses
- b. repair, renewal, and replacement of aging public facilities
- c. installation of new public facilities in areas inadequately served
- d. a general upgrading of all city services
- e. waiver of the building permit fee for new housing construction
- f. waiver of the minimum size requirement for Planned Unit Developments
- g. economic development programs and incentives, including Tax Increment Financing and Enterprise Zones, in limited areas designated according to established criteria
- h. waiver of zoning ordinance setbacks and other design criteria when necessary for the purpose of maintaining appropriate neighborhood character in infill projects



Benson Branch Library

Zone A

This is the eastern most zone of the Central City area, bounded on the east by the Missouri River and by 42nd Street on the west. (See Map 1-Urban Development Zones in the Appendix)

The primary objective of the Central City Program in this zone is to arrest the spread of blight, stabilize and/or increase declining population densities, and restore appropriate tax revenues from this area.

In addition to the incentives provided in Zones B and C, within this zone the City will become an active participant in the redevelopment process. This participation will include:

- a. land acquisition, packaging and cost write down
- b. installation and/or redevelopment of public improvements such as streets, sewers, sidewalks, and parks and recreation facilities
- c. other incentives outlined in the City's Community Development Element and the Catalog of Programs
- d. targeting programs to specific areas for optimum effectiveness
- e. give preference to projects in identified mixed-use areas when using public funds



South 24th Street

In addition, the City will participate in sponsorship of future legislation such as tax incentives, site value taxation, neighborhood improvement districts, etc. and continue to develop new programs which will provide additional incentives to stabilize, revitalize and redevelop the entire Central City area. Other plans and programs are used to determine more specifically where these programs and incentives are applicable. Community Development Block Grant Funds will be used to supplement, not replace, other City funds which would ordinarily be utilized for improvements. The City will promote growth and infill through Capital Improvement Program funding to ensure that continuing rehabilitation and new facilities are provided in Zone A.

Suburban Program

The Policy and Objectives

The Suburban portion of this Urban Development Policy, together with the concepts, objectives and guidelines of the Concept Element, is designed to promote sound, well-balanced suburban development in the most efficient, economical and environmentally sensitive manner. The Program has a series of objectives related to the goals from the Concept Element, stated at the beginning of this element:

1. Pro-actively manage the growth of the city in order to:
 - a. establish a contiguous and compact pattern of growth;
 - b. promote the orderly extension of public services and utilities;
 - c. ensure the timely pay-off of Sanitary and Improvement District debt to allow for the annexation of S&IDs within 15 years;
 - d. promote efficient mass transit route development and accommodate mass transit in new development;
 - e. encourage the conservation of natural resources.
2. Create healthy and diverse neighborhoods throughout the city by:
 - a. equalizing the level of public services throughout the entire city;
 - b. preventing an insular type of life style dependent totally upon the auto;
 - c. preventing unnecessary pollution and ensuring that environmental problems are minimized in all areas of the city;
 - d. promoting the development of affordable housing through the use of incentives in the form of reduced development fees for such housing.



Suburban Development

3. Provide public services efficiently and equitably and ensure that those who benefit from public services pay for those services in order to:
 - a. improve the allocation of limited capital resources;
 - b. increase the efficiency and effectiveness of facility planning and construction by all governmental units;
 - c. more accurately anticipate and estimate future capital needs;
 - d. more effectively utilize the existing service and facility infrastructure;
 - e. utilize a benefit fee and/or cost apportionment mechanism which will ensure that new development is served by adequate facilities, and that the cost of those services is paid by those who benefit;
 - f. utilize equitable apportionment of costs and debt for facilities such as stormwater improvements in drainage basins.

4. Protect our natural systems and environmental quality by:
 - a. preserving important natural and man-made resources for the benefit of the entire community;
 - b. preventing a deterioration in water quality or depletion of water supply;
 - c. ensuring that costs associated with the development of sensitive lands and mitigation of any damage are paid by those who benefit;
 - d. ensuring that development decisions are based on sound analysis of the full range of environmental implications.

Implementing Mechanism

In order to achieve these objectives, the suburban area has been divided into two zones, based upon detailed study of the following:

- a. existing sewer service areas;
- b. existing water service areas;
- c. existing gas service areas;
- d. existing electrical and telephone service areas;
- e. existing fire station service areas;
- f. distances from major employment centers;
- g. distances from existing developed areas;
- h. location of existing and proposed major park and recreation facilities;
- i. location of existing and proposed major transportation facilities;
- j. topography and future sewer drainage areas.

These Zones are the Zone of Present Development and the Future Development Zone, with specific development criteria established for each zone.

Zone of Present Development

This is the area where most new housing construction and new conventional subdivision platting is presently taking place. This is also the area to which most new service linkages are being extended. Further development within this Zone is encouraged.

Development proposals for this Zone must meet the requirements of the City's present zoning and subdivision regulations. Development proposals must show that they will be served by adequate infrastructure initially, and that there are adequate provisions for improving and upgrading facilities as needed in the future.

Mixed-use areas proposed in the Zone of Present Development must provide detailed development plans, a build-out schedule, and a schedule for public improvements within the mixed-use area.

In addition, future applications for subdivisions located in the Zone of Present Development will undergo the following reviews:

a. Environmental Assessment

An analysis will be prepared by the City Planning Department to determine, in general terms, the proposed subdivision's impact upon both the natural and man-made environment. Part 1 of the Environmental Section (page 20) lists the impact categories to be used in the Environmental Assessment.

b. Master Plan Conformance

A review will be conducted of the proposed land uses, development densities, and specific design to ensure that the proposed development is in conformance with the intent and the concepts and objectives of the

City's Master Plan. Development proposals must show that adequate on-site and off-site infrastructure and public services are existing or are programmed in Capital Improvement Programs or other specific development plans.

c. Financial Analysis

The City shall establish a set of "Source and Use of Funds" guidelines to establish the apportionment of development costs between private, special assessment and general obligation financing and to analyze the ratio of general obligation debt to projected total valuation. The "Source and Use of Funds Guidelines" must be kept on file by the City. Development projects will be reviewed in accordance with the "Source and Use of Funds Guidelines". Benefits to the development from existing and programmed public improvements and facilities must be reflected in costs associated with the proposed development.

Development costs must be allocated according to State Statutes governing S&IDs which read as follows: "The cost of such improvements in the [sanitary and improvement] district which are within the area of the zoning jurisdiction of any municipality shall be assessed to the full extent of special benefits to the property, to the same extent as the costs of such improvements are assessed in such municipality." A summary of the present City financing methods is contained in Part 1 of the Financial Section (page 25).

Subdivision agreements are also required with the subdivision application. Subdivision agreements control the manner and extent to which public funds may be expended to serve an area by identifying the improvements to be made and their cost, the beneficiaries of the improvements, and the resulting allocation of those costs, as set out in these guidelines.

The results of these three analyses will be provided to the Planning Board and City Council for use in their deliberations regarding the acceptability of a subdivision proposal.



Commercial Development

Future Development Zone

The Future Development Zone is composed primarily of raw farm land devoid of any existing municipal services or facilities. For this reason, standard subdivision development of this area is strongly discouraged until the land is included in the Zone of Present Development. However, development of lots ten acres or larger will be permitted. As set out in the Concept Element, “transfer of development rights” within a parcel by the application of cluster subdivision provisions will be encouraged in this area. The intent is to allow for the creation of smaller lots in one portion of the property in exchange for a prohibition on further development on the remainder of the property.

As future suburban development takes place and the boundary between the Zone of Present Development and the Future Development Zone is adjusted, in accordance with the provisions of this policy, this area will be opened to normal urban density subdivision development under the procedures outlined above. When the city’s three-mile jurisdiction is extended, land which is brought into the Omaha jurisdiction will be zoned as an Agricultural District.

Until such time as property within this zone is reclassified and placed in the Zone of Present Development, property owners will be permitted and encouraged to rezone their property to an “agricultural use only” classification. This rezoning will allow them to take advantage of reduced property tax assessments under the provisions of the State Greenbelt Law (State Statute 77-1343).



Northwest Omaha Development

Boundary Adjustments

A periodic review will be made of the Present Development Zone boundary at the time of the update of the Sanitary Interceptor Sewer Element-Papillion Creek Watershed and/or South Papillion Interceptor Sewer Plan. The review will analyze historical data, current trends, projected needs, and the availability of infrastructure. This information will first be used to program sanitary sewer extensions and other public improvements and facilities needed to meet projected growth demand. The growth analysis combined with the programmed sanitary sewer extensions and other public improvements shall provide a basis for determining the extent to which the Zone of Present Development boundary should be extended.

Based upon the analysis of these factors and information gathered at a public hearing, the Planning Board will make a recommendation to the City Council which will then take appropriate action to determine the extent, if any, which the Zone of Present Development boundary should be relocated. When such boundary adjustments are made, the final location of the adjusted boundary will be based upon the same criteria that were used to establish the initial boundary location proposed in this policy. The Zone of Present Development boundary will always correspond to the outer boundaries of the watersheds served by existing and programmed sanitary sewer extensions.

The outer boundary of the Future Development Zone will always correspond to the city's three-mile zoning jurisdiction line. When adjustments are made to this boundary due to annexations, the outer limit of the Future Development Zone will automatically be adjusted accordingly.

Variations

Variations for standard subdivision development within the Future Development Zone may be granted by the City Council in the same manner as normal subdivision approval is granted. Applications for a variation will be made with the City Planning Department and will be subject to the same reviews as all proposed subdivisions in the Present Development Zone. Procedures and criteria for variations are outlined in the Appendix.

Exurban Program

The Policy and Objectives

The extreme northeastern section of Douglas County, generally consisting of lands falling within the Ponca Creek Watershed, a portion of the Deer Creek watershed, and an area in the western portion of the Mill Creek Watershed, contains a preponderance of steep slopes, wooded hillside and ravine areas, and soils that are prone to severe erosion. The Elkhorn River watershed in the western portion of Douglas County shares those characteristics to a lesser degree and contains river-deposited soils with unique development limitations.

Due to these watersheds' complex ecological make-up, a disturbance in one area could have major implications throughout the entire watershed. In addition, these areas are unlikely to receive full urban services in the foreseeable future. Specifically, the extension of the municipal sanitary sewer system into these watersheds is not feasible from a public cost standpoint. Also, there is no storm sewer network serving these areas; consequently, storm water runoff is typically handled through surface based systems (open drainage, retention and detention). Development must depend on the carrying capacity of the natural systems to avoid problems with drainage and sewage treatment and to minimize damage to the environment. As a result, normal urban development densities are not appropriate.

In such areas where growth management is more related to environmental issues than to the timing and sequencing of municipal services, neither a Zone of Present Development nor a Future Development Zone designation has been found to be appropriate. The Policy therefore designates these areas, the Ponca Special Development Zone and the Elkhorn Special Development Zone, as Exurban Zones. Further development within these zones will be permitted, providing that specified objectives and performance standards are met, based on the carrying capacity of these areas' natural systems.

The Exurban policy has two primary objectives:

1. To ensure that environmentally sensitive areas are developed in an appropriate manner in order to:
 - a. preserve important natural and man-made resources for the benefit of the entire community;
 - b. prevent a deterioration in water quality or depletion of water supply;
 - c. ensure that costs associated with the development of sensitive lands and mitigation of any damage are paid by those who benefit; and
 - d. ensure that development decisions are based on sound analysis of the full range of environmental implications.
2. To ensure that appropriate infrastructure is planned and provided in order to:
 - a. protect public health and safety;
 - b. improve the allocation of limited capital resources;
 - c. increase the efficiency and effectiveness of facility planning and construction by all governmental units; and
 - d. more effectively utilize the existing service and facility infrastructure.

Implementing Mechanism

In order to achieve these objectives, the Exurban Zone was based upon the following:

- a. existing and planned sewer service areas;
- b. watershed boundaries;
- c. topography, soils, and vegetation.

As in the Zone of Present Development, development proposals in these Exurban Zones must satisfy all City zoning and subdivision regulation requirements. Permanent development proposals will be limited to residential, open space, and convenience mixed-use centers only. Land use assessment will be performed on these proposals in a manner identical to proposal assessments in the suburban area. In addition, zoning, subdivision and special use permit applications in this Zone will be reviewed and evaluated using the following special standards:

a. Environmental Performance Standards Assessment

An analysis prepared by the City Planning Department to determine the functional impact of the proposed development on-site and off-site, based upon environmental performance criteria established for sewage disposal, water supply, solid waste disposal, erosion, runoff, site hazards, and the preservation of existing terrain, vegetation, and other unique features. A copy of the objectives developed for these environmental criteria is contained in Part 2 of the Environmental Section.



Heron Haven at 120th and West Maple Road

b. Development Cost Assessment

An analysis prepared by the City Planning Department of development related costs, including the cost of environmental protection alternatives available to the developer, the cost of the proposed development to adjacent or proximate property owners (in terms of diminished property development capability), and the cost of the proposed development to the community at large (in terms of both public services and resource depletion).

The Planning Department will work closely with developers to determine appropriate development solutions. The results of this work effort and the assessments will be provided to the Planning Board and City Council for use in their deliberations regarding the acceptability of a development proposal.

Boundary Adjustments

The outer boundary of the Exurban Zones will always correspond to the city's three-mile zoning jurisdiction line. When adjustments are made to this boundary due to annexations, the outer limit of the Exurban Zones will automatically be adjusted accordingly.

Environmental Section

Part 1, Environmental Assessment Impact Categories

Environmental assessments are to be conducted for all development proposals in the Zone of Present Development and the Exurban Zones. An analysis which determines the development's impact on the natural and man-made environment must include the following:

1. Land development
 - a. Conformance with comprehensive plans
 - b. Compatibility and urban impact
 - c. Slope
 - d. Erosion
 - e. Soil suitability
 - f. Hazards and nuisances, including site safety
 - g. Energy consumption
2. Noise
 - a. Effects of ambient noise on project and contribution to community noise levels
3. Air quality
 - a. Effects of ambient air quality on project and contribution to community pollution levels



Street Improvements

4. Environmental design and historic values
 - a. Visual quality--coherence, diversity, compatible use, and scale
 - b. Historic, cultural, and archaeological resources

5. Socioeconomic
 - a. Demographic/character changes
 - b. Displacement
 - c. Employment and income patterns

6. Community facilities and services
 - a. Educational facilities
 - b. Commercial facilities
 - c. Health care
 - d. Social services
 - e. Solid waste
 - f. Waste water
 - g. Storm water
 - h. Water supply
 - i. Public safety--police, fire, emergency medical
 - j. Open space and recreation--open space recreation, cultural facilities
 - k. Transportation

7. Natural features
 - a. Water resources
 - b. Surface water
 - c. Floodplains
 - d. Wetlands
 - e. Unique natural features and agricultural lands
 - f. Vegetation and wildlife

Part 2, Environmental Objectives for the Exurban Zones

Ponca Special Development Zone and Elkhorn Special Development Zone

Environmental performance standards are based upon important community-wide health, safety and welfare goals designed to protect natural processes. Simply stated, such standards prescribe overall environmental objectives rather than specifying how one must proceed to meet these objectives. The use of performance standards is particularly appropriate in the Exurban Zones. Because these areas are environmentally unique in the City's planning jurisdiction, typical urban style development will encounter a diversity of ecological problems associated with the alteration of sensitive lands. At the same time, any extension of the municipal sewer system into the watershed is unlikely in the foreseeable future. It is therefore critical that development proposals for the area be guided by a comprehensive set of objectives aimed at maintaining the complex ecological balance.

Performance standards, because they identify end goals rather than the means to the end, provide an additional element of flexibility in the overall development process. For example, it is expected that Exurban Zone development proposals will generally be of a low-density character. However, the objectives defined for this area do not preclude higher densities in certain situations if measures are taken to mitigate any adverse environmental impacts generated as a result of such density increases. Similarly, the soil types in these areas are many and varied, and a number of these could create potential problems relating to construction and septic tank disposal fields. Where soil problems are overcome through proper design, development on marginal soils will not be prevented. Finally, certain subdivision or zoning regulations may be waived in cases of improved objective attainment. One likely example involves the 10% maximum street grade permitted by Omaha's subdivision regulations. Street grades exceeding the 10% maximum may be allowable in the area for short distances where this produces a more environmentally sensitive overall design.

The following objectives, based in part on the University of Delaware "Christina Basin Study", provide a framework for performance criteria analysis in the Exurban Zones. Except in cases involving specific guidelines identified for sewage disposal, water supply, and land use, Planning Department reviews conducted for development proposals in this area will be founded on these comprehensive environmental objectives.

PERFORMANCE STANDARD OBJECTIVES

1. Erosion - to prevent gully and sheet erosion, siltation of existing waterways, loss of productive soils (farmland, timberland, pastureland, etc.), deterioration or damage of man-made structures, damage to wildlife habitat, and to promote the rapid establishment of protective vegetation.
2. Sewage disposal - to provide for approved treatment of sewage effluent by selecting systems suitable for the density and type of development proposed and which are compatible with the natural characteristics of the site. This is done in order to protect the general health by preventing the pollution of existing surface and subsurface water supplies.
3. Solid waste disposal - to protect water quality and the general health by providing for environmentally-safe disposal of solid wastes generated by each development.
4. Water supply - to provide for adequate quantity and quality of water to meet the needs of the project and to prevent adverse effects on existing water supplies by the new development.
5. Site hazards and cost - to ensure that construction activities and design solutions result in safe, cost efficient improvements providing an adequate level of protection for the general population.
6. Slopes - to preserve and protect the unique nature of the areas rugged terrain by minimizing grading operations, and preventing excessive grade changes.
7. Vegetation - to preserve and protect the visual character and important ecological diversity of the area's forest, prairies, and wetlands.
8. Runoff - to maintain runoff volumes and peaks in developing areas at or near predevelopment levels in order to prevent flooding downstream and to stabilize stream channels and banks to withstand any increases in runoff caused by upstream development.
9. Other unique features - to preserve and protect sites of known archeological, historical, or geological value.

SPECIFIC GUIDELINES

1. The Metropolitan Utilities District system should be tapped if service is available at a cost comparable to typical subdivision developments. Additionally, community water systems are preferred over individual wells.
2. Community-based sewage disposal systems requiring limited maintenance are preferred over individual treatment systems. Lots where on-site systems will be used must have adequate space for an alternate backup system.
3. Open space, residential developments and limited convenience commercial uses will be the predominant type of land use inasmuch as the terrain does not lend itself to intensive site development.
4. Street design may have minor variances from subdivision standards and Public Works street design standards where this produces a more environmentally-sensitive overall design. For example, less right-of-way width, short distances of grade over 10% or waiver of sidewalks may be appropriate, provided that public safety and welfare are not compromised.



Woodland Hills Park

Financial Section

Part 1, City Improvement Financing Practices

The following is a summary of the methods the City has used to finance major public improvements inside the corporate limits of the city. Certain kinds of infrastructure are defined by categories, based on function and degree of public benefit, along with the explanation of financing methods.

Sanitary Sewers

The sanitary sewer system is divided into three categories: interior sewers, outfall sewers and interceptor sewers. Interior sewers pick up waste water from individual property connections and carry it to larger outfall or interceptor sewers. Outfall sewers are lines designed to connect one or more S&IDs to the interceptor sewers. Interceptor sewers in turn carry the waste water to the treatment plant and are defined and mapped in the City's sanitary interceptor sewer master plans.

Interior Sewers

The cost of interior sewers is specially assessed against the properties which can be served by the interior sewer.

Outfall Sewers

Construction of outfall sewers is usually financed through general obligation bonds.



Westward Development

Interceptor Sewers

Interceptor sewers inside the City may be financed by a number of means including general fund revenue, general obligation bonds, sewer revenue bonds financed by the sewer use fee and federal grants. Interceptor sewers serving S&IDs are financed through the Interceptor Sewer Fund. An S&ID issues general obligation bonds to pay the per lot interceptor sewer connection fees required at the time of final platting, and the S&ID is then reimbursed when a building permit is obtained for construction on a lot.

Storm Sewers

Storm sewers inside the City may be paid from the general fund revenue and from general obligation bonds. That portion of a storm sewer which drains private property is paid for privately or specially assessed. If storm sewers are built beyond City standards, the difference in cost is paid privately. Occasionally, costs may be shared by the City and the benefited property owner. In these cases, the financing is handled by contract between the City and the property owner.

Major Arterial and Minor Arterial Streets

The cost of major arterial and minor arterial street improvements may be paid from any combination of private funds, general funds, general obligation bonds, highway revenue bonds, highway user fees, County funds, State aid, and by Federal aid for street construction.

Collector Streets

Collector streets connect local streets to the arterial street system. Where these streets are paved 25 feet wide, the cost is specially assessed in the same manner as local streets. Where these streets are paved wider than 25 feet, the cost of the 25 feet of paving is specially assessed and the cost of the extra width up to 40 feet, storm sewers, and intersection paving is usually paid through general obligation bonds. When a request is made to pave a collector street wider than 40 feet, it is the policy of the City to require the cost of the additional width to be privately funded.

Local Streets

The City's policy is to specially assess the cost of local streets against the benefited property. The cost of intersections is paid through general obligation bonds, and the cost of storm drainage facilities associated with the paving project is paid out of general obligation bond funds. When a request is made to pave a local street wider than 25 feet, it is the policy of the City to require the cost of the additional width to be privately funded.

Regional Parks and Recreation Facilities

These facilities may be funded through general fund revenues, general obligation bonds, State and Federal matching funds and private donations.

Community and Neighborhood Parks and Recreation Facilities

These facilities may be financed by general fund revenue, general obligation bonds, State and Federal matching funds, and private donations. In a few instances, the City has furnished materials and neighborhood clubs and organizations have provided the labor for park development projects. Amenities and facilities which are beyond City standards, and private parks may be specially assessed or paid for privately.

Private Recreation and Open Space

Private recreation areas and improvements located within a subdivision or development must be paid for and maintained privately. Common areas which primarily benefit adjacent lots and are not designed for public recreation must be financed privately or specially assessed.

Linear Trail Corridors

Linear trails which are part of the City's trails plan may be financed out of general obligation bonds and matching Federal, State and NRD funds. Trails which are not part of the City's plan are financed privately.

Sidewalks

The City's policy is to specially assess the total cost for sidewalks to the benefited property. In the case of double frontage lots along major streets where the main access to the property is from the local streets, it is assumed that the property only benefits from the sidewalk along the local street. The property is not assessed for the second sidewalk along the major street.

Libraries

The cost of libraries may be financed through general fund revenue, general obligation bonds, and private donations.

Fire Stations and Police Stations

Fire stations, police stations, and related equipment are financed from general fund revenue and general obligation bonds.

Water Service, Gas Service, and Electrical Service

The City does not participate in the cost of installing water service, gas service, or electrical service except for the direct cost of servicing a City-owned facility.

Policy Evaluation

The degree of this Urban Development Policy's success and the success of the Concept Element must be measured in terms of the extent to which their stated objectives, goals, concepts, objectives, and guidelines have been achieved. In order to monitor the effects of the Policy and the Concept Element in reaching those objectives a review, timed to coincide with the periodic Boundary Adjustment Recommendation, will be prepared. This evaluation will measure the following success indicators:

1. the extent of development and redevelopment of older neighborhoods;
2. the degree of participation and activity of neighborhood organizations;
3. the continued development of sound suburban subdivisions;
4. the degree of coordination between the various City departments in stimulating urban redevelopment and continued suburban development;
5. the extent to which full utilization of potential funding from regional, State and Federal sources has been achieved;
6. the progress toward adoption of a regional Urban Development Policy that is compatible with the City of Omaha's Policy, and
7. changes identified through the neighborhood needs assessment established in the Concept Element.

Appendix

Procedures and Criteria for Future Development Zone Variances

The following provides the basis for evaluating specific requests for a variance from Future Development Zone specifications, as well as outlining the procedural process for requesting such waivers:

1. Since one of the major objectives of the Urban Development Policy is to prevent leapfrog development, every reasonable, equitable effort should be made to prevent the development of small lot size subdivisions in the Future Development Zones, except where “transfer of development rights” are used to cluster smaller lots in one portion of the property in exchange for a prohibition on further development on the remainder of the property, resulting in an overall density of ten units per acre or less.
2. Applications for subdivision of lots creating a higher density than one housing unit per ten acres located in the Future Development Zone should not be accepted by the Planning Department for processing or review unless a variance has previously been approved by the City Council.
3. Requests for variance should be made in writing to the Planning Director stating the reason or reasons why the Urban Development Policy requirement should be waived.

The Planning Director will transmit the request to the Planning Board and City Council for their appropriate actions in the same manner as any Master Plan Referral.

4. In considering the request for waiver, the Planning Director, the Planning Board, and the City Council should inquire whether one or more of the following criteria can be met:
 - a. The applicant can show that he has made a bona fide application for subdivision approval prior to the effective date of the Urban Development Policy or amendments thereto, and, therefore, should be entitled to have his plat considered in accordance with the regulations prevailing at the time he submitted his plat.
 - b. The applicant can show that there is a factual defect in the delineation of the Future Development Zone boundary line in the area of his proposed plat.
 - c. The applicant can show that sewers have been constructed or are included as “Programmed Construction Projects” in the current Sanitary Interceptor Sewer Element of the City’s Master Plan, and that there have been substantive changes in the availability of other necessary utilities which would directly serve his proposed plat.
 - d. The applicant can show that approval of the request would further another important Master Plan objective which might offset any detrimental Urban Development Policy effect.

- e. The applicant can show that the approval will allow division for settlement of an estate between family members so that ownership will be continued uninterrupted for not less than one generation.

A variance should not be granted if a small lot subdivision could be achieved by the use of “transfer of development rights” within a parcel by the application of cluster subdivision provisions, or on land which has previously been set aside through the use of “transfer of development rights.” The intent is to allow for the creation of smaller lots in one portion of the property in exchange for a prohibition on further development on the remainder of the property.

- 5. If (a) the party requesting the variance can demonstrate clearly that one or more of the above criteria do pertain to his request, and if (b) the Planning Board and City Council can reasonably conclude that the disadvantages to the City of granting the waiver are minor enough to justify granting equitable relief to the applicant, then the waiver should be granted. However, if both conditions cannot be met, the waiver should be denied and further action be not considered until changing circumstances shall warrant a new request for waiver.
- 6. If a variance is granted by the City Council, such approval, together with any conditions which the City Council may have attached, shall be transmitted to the Planning Director and shall be his authorization to accept an application for subdivision approval in accordance with Chapter 53 of the Omaha Municipal Code.

Master Plan as a Guide

The Omaha City Charter establishes the master plan as a general guide for the physical development of the city. Deviations from the Plan may be allowed by the Planning Board or City Council as deemed necessary to further another important master plan objective.

Amendments to the Urban Development Element

- Approved by Ordinance (No. 34341) October 1997
- Amended by Ordinance (No. 34568) June 1998
- Amended by Ordinance (No. 35010) August 1999
- Amended by Ordinance (No. 35394) December 2000
- Amended by Ordinance (No. 36043) September 2002
- Amended by Ordinance (No. 36081) November 2002
- Amended by Ordinance (No. 36368) August 2003
- Amended by Ordinance (No. 36983) March 2005
- Amended by Ordinance (No. 37931) December 2007

