



LANCASTER COUNTY BOARD OF COMMISSIONERS
STAFF MEETING
THURSDAY, AUGUST 5, 2021
COUNTY CITY BUILDING
ROOM 112 - CITY COUNTY CHAMBERS
8:30 A.M.

Location Announcement of the Nebraska Open Meetings Act: A copy of the Nebraska Open Meetings Act is located on the wall at the back of the room.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR JULY 29, 2021

Documents:

[Staff Meeting Minutes 7.29.21.pdf](#)

2. 8:30 A.M. - BRIEFING ON TX21005

Steve Henrichsen, Development Review Manager, and Tom Cajka, County Planner, Lincoln-Lancaster County Planning Department

Documents:

[TX21005 STAFF REPORT, Etc..pdf](#)

3. 9:00 A.M. - PRUDENTIAL RETIREMENT SALE TO EMPOWER

Julie Klassen, Prudential Vice President, Key Accounts; Robb D. Craddock, Prudential Vice President, Investment Strategy; Crystal Vacura, Manager, West/Midwest Plans and Senior Counselor, Lancaster County

Documents:

[ITEM 3__Transaction Slides Client Final.pdf](#)

4. 9:30 A.M. - BOE PROCESS

Cori Beattie, Chief Deputy County Clerk; Cody Gerdes, Great Plains Appraisal, Inc.

5. 9:45 A.M. - COVID-19 UPDATE AND RESPONSE

- A. Workplace Response to COVID-19 Personnel Policy Bulletin**

6. ACTION ITEM

- A. Longevity Award for Angela Koziol, Business Manager,
Department of Corrections, pursuant to Resolution No. R-21-0040**

7. CHIEF ADMINISTRATIVE OFFICER REPORT

- A. Reappointment of Tracy Edgerton to the Lincoln-Lancaster
County Planning Commission for a term to expire on August 24,
2027**

Documents:

[CAO A__2021.07.29 County Board memo re Planning Commission
reappointment.pdf](#)

- B. Appointment of Jay Jarvis to the Lincoln-Lancaster County Board
of Health for a term to expire on April 15, 2024**

Documents:

[CAO B__Jarvis App.pdf](#)
[CAO B__JayJarvis_Resume_2021 .pdf](#)
[CAO B__2021.7.30 County Board memo re Board of Health appointment.pdf](#)

C. One and Six Meeting Dates

- 1. Evening of Thursday, October 7th**
- 2. Evening of Thursday, October 12th**

D. Tri-County Meeting

- 1. October 7th**
- 2. October 14th**
- 3. October 21st***

E. Tri-County Breakfast

- 1. Friday Morning, January 21, 2022**

8. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Chamber Coffee

Wednesday, August 4, 2021

Vest / Yoakum

B. JDAI Collaborative Meeting

Wednesday, August 4, 2021

Yoakum / Schorr

9. SCHEDULE OF BOARD MEMBER MEETINGS

A. Justice Council Meeting

Friday, August 6, 2021 @ 7:30 a.m.

Vest / Schorr / Derbin

B. Reducing Racial & Ethnic Disparities Committee

Friday, August 6, 2021 @ 12:00 p.m.

Yoakum

C. Youth Crisis Response Committee

Monday, August 9, 2021 @ 12:00 p.m.

Amundson

D. Public Building Commission

Tuesday, August 10, 2021 @ 1:30 p.m.

Amundson / Flowerday / Derbin

E. Lincoln - Lancaster County Board of Health

Tuesday, August 10, 2021 @ 5:00 p.m.

Flowerday

F. Lancaster County Mental Health Crisis Center Advisory Committee

Wednesday, August 11, 2021 @ 12:00 p.m.

Yoakum

G. Information Services Policy Committee (ISPC) Meeting

Wednesday, August 11, 2021 @ 1:00 p.m.

Yoakum

H. Lincoln Chamber of Commerce Legislative Summit

Thursday, August 12, 2021 @ 8:30 a.m.

All

I. Parks & Recreation Advisory Board Meeting

Thursday, August 12, 2021 @ 4:00 p.m.

Vest

J. Realtors Association Government Affairs Committee

Friday, August 13, 2021 @ 9:00 a.m.
Amundson / Schorr

K. Mutual Aid Meeting

Monday, August 16, 2021 @ 8:00 p.m.
Schorr

L. LIBA Elected Officials Forum

Tuesday, August 17, 2021 @ 7:30 a.m.
Schorr / Vest

M. City - County Common Meeting

Tuesday, August 17, 2021 @ 11:00 a.m.
All

N. Visitors Promotion Advisory Committee

Wednesday, August 18, 2021 @ 1:30 p.m.
Amundson / Derbin

10. EMERGENCY ITEMS

11. ADJOURNMENT

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY CITY BUILDING, 555 S. 10TH STREET
ROOM 112 - CHAMBERS
THURSDAY, JULY 29, 2021
8:30 A.M.**

Commissioners Present: Rick Vest, Chair; Deb Schorr, Vice Chair; Roma Amundson; Sean Flowerday and Christa Yoakum

Commissioner Absent: Deb Schorr, Vice Chair

Others Present: David Derbin, Chief Administrative Officer and Dan Nolte, County Clerk

Advanced public notice of the meeting was posted on the County-City Building bulletin board, and the Lancaster County, Nebraska, website and emailed to media on July 28, 2021, and published in the Lincoln Journal Star print edition and website on July 26, 2021.

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:33 a.m.

AGENDA ITEM

1. APPROVAL OF STAFF MEETING MINUTES FOR JULY 22, 2021

MOTION: Amundson moved and Flowerday seconded approval of the July 22, 2021, Staff Meeting minutes. Amundson, Yoakum, Flowerday and Vest voted yes. Schorr was absent. Motion carried 4-0.

2. COLA FOR UNREPRESENTED EMPLOYEES – Doug McDaniel, Director, Nicole Gross, Compensation and Classification Manager, and Amy Sadler, Human Resources Specialist, Lincoln-Lancaster County Human Resources

Doug McDaniel, Director, Lincoln-Lancaster County Human Resources, discussed various unrepresented employee classes affected by the COLA (cost-of-living adjustment). He recommended a 2.75% increase, noting that each 1% increase results in approximately \$250,000 in expenditure.

Consensus of the Board was to move this item to a Tuesday meeting for action.

McDaniel noted there is currently a low labor pool. He also indicated that following labor negotiations, Human Resources may be forwarding pay range adjustments to the Board for certain positions in the Unrepresented class due to concerns with salary compression and employee retention.

3. APPLICATIONS FOR THE RECREATIONAL TRAILS PROGRAM AND THE LAND AND WATER CONSERVATION FUND FOR WILDERNESS PARK PROJECTS (please see correlating Action Items A and B below) – Sara Hartzell, Park Planner II, Lincoln Parks and Recreation

Sara Hartzell, Park Planner II, Lincoln Parks and Recreation, provided information on the grant applications. She explained the land and water conservation grant will repair a connector bridge on the Jamaica Trail in Wilderness Park. The Great Plains Trails Network will also be providing funding for the project and other fundraising will be held.

The second grant will be funded by Federal Highway Administration dollars through the Recreational Trails Program. It will be utilized to place a bridge on a trail in Wilderness Park near Highway 77 and Roca Road. The grant will fund 80% of the project and the remainder will be covered by private fundraising and CIP funds from the City of Lincoln.

It was noted that both grants will be administered by the Nebraska Game and Parks Commission.

ACTION ITEMS

A. Letter of Support for City of Lincoln’s Land and Water Conservation Fund Application

MOTION: Flowerday moved and Amundson seconded to approve a letter of support for the City of Lincoln’s Land and Water Conservation Fund grant application. Flowerday, Amundson, Yoakum and Vest voted yes. Schorr was absent. Motion carried 4-0.

B. Letter of Support for City of Lincoln’s Recreational Trails Program Application

MOTION: Amundson moved and Yoakum seconded to approve a letter of support for the City of Lincoln’s Recreational Trails Program grant application. Yoakum, Flowerday, Amundson and Vest voted yes. Schorr was absent. Motion carried 4-0.

CHIEF ADMINISTRATIVE OFFICER REPORT

A. Reappointments to the Air Pollution Control Advisory Board (APCAB) for terms to expire September 1, 2024:

- 1. Joselyn Luedtke**
- 2. Tim Schultz**
- 3. Piyush Srivastav**

The Board voiced no concerns about the reappointments. David Derbin, Chief Administrative Officer, will place them on a Tuesday agenda for County Board action.

DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Emergency Medical System Oversight Authority Committee Meeting – Flowerday

No report was given.

B. Human Services Joint Budget Committee (JBC) Meeting – Schorr/Yoakum/Derbin

Yoakum said a process for distributing ARPA (American Rescue Plan Act) funds to non-profit organizations is being developed.

C. Monthly Meeting with Chair, Vice-Chair and Planning Department – Vest/Schorr/Derbin

Vest said the vote at the Planning Commission was 4-1 to support the change in zoning for solar farms, noting it takes five votes to advance. Therefore, the Planning Commission will be discussing the item again at its next meeting on August 4, 2021. Derbin noted 30x30 was also discussed.

OTHER BUSINESS

Kim Etherton, Community Corrections Director, appeared and discussed the previous day's graduation ceremony at the jail for recovery program recipients. This program encourages active engagement for substance recovery and an education component is involved. It is hoped that the participants will seek substance abuse treatment when they leave the jail.

Amundson exited the meeting at 8:56 a.m. and returned at 9:00 a.m.

4. SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT (SENDD) HOUSING REHABILITATION PROGRAM UPDATE – Ryan Bauman, SENDD; and Dennis Meyer, Budget and Fiscal Officer

Ryan Bauman, Housing Rehabilitation Specialist, SENDD, said there were nine applications for funding including ones from Malcolm, Waverly, Raymond and Sprague. Two applications were eliminated either because they were from Lincoln or due to exceeding income requirements. Two projects will be forwarded to the County Board for approval at an upcoming Tuesday meeting. One project includes some electrical upgrades and window replacements. The other is for electrical upgrades and a basement window.

Flowerday exited the meeting at 9:09 a.m. and returned at 9:12 a.m.

5. BUDGET UPDATE – Dennis Meyer, Budget and Fiscal Officer

Meyer informed the Board that he would be filing the proposed budget with the County Clerk's Office later today. He said the expense portion of the budget is \$246,000,000 and last year's was \$201,000,000. He noted that ARPA and CARES (Coronavirus Aid, Relief, and Economic Security) Act funds have impacted the budget and the cash reserve will initially be \$44,000,000. Meyer summarized various line items of the proposed budget. He said the 15-cent allocation for various political subdivisions will need further discussion. The public hearing on the budget will occur at the end of August and then the Board will take action.

Vest noted the significant COLA increase will impact the budget.

Meyer said the contingency fund will remain at \$2,000,000 and this can be used to cover COLA and health insurance increases.

6. COVID-19 UPDATE AND RESPONSE

No update was provided.

7. ACTION ITEM

- A. Letter of Support for City of Lincoln’s Land and Water Conservation Fund Application**
- B. Letter of Support for City of Lincoln’s Recreational Trails Program Application**

Items 7A-B were moved forward on the agenda.

8. CHIEF ADMINISTRATIVE OFFICER REPORT

- A. Reappointments to the Air Pollution Control Advisory Board (APCAB) for terms to expire September 1, 2024:**
 - 1. Joselyn Leudtke**
 - 2. Tim Schultz**
 - 3. Piyush Srivastav**

Item 8A (1-3) was moved forward on the agenda.

9. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

- A. Emergency Medical System Oversight Authority Committee Meeting – Flowerday**
- B. Human Services Joint Budget Committee (JBC) Meeting – Schorr/Yoakum/Derbin**
- C. Monthly Meeting with Chair, Vice-Chair and Planning Department – Vest/Schorr/Derbin**

Items 9A-C were moved forward on the agenda.

10. SCHEDULE OF BOARD MEMBER MEETINGS

Informational purposes only.

11. EMERGENCY ITEMS

There were no emergency items.

12. ADJOURNMENT

MOTION: Flowerday moved and Amundson seconded to adjourn at 9:26 a.m. Flowerday, Yoakum, Amundson and Vest voted yes. Schorr was absent. Motion carried 4-0.

Dan Nolte

Dan Nolte
Lancaster County Clerk





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 #21005	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE July 21, 2021	RELATED APPLICATIONS None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This application is to revise Article 14.003 Sections 14.003(b), 14.003c1 and 14.003c2 and Article 15, Section 15.007 of the Lancaster County Zoning regulations and Chapter 2 Definitions of the Lancaster County Subdivision regulations to allow Solar Energy Conversion System and all necessary appurtenances on an outlot within a Community Unit Plan.

JUSTIFICATION FOR RECOMMENDATION

The Comprehensive Plan encourages alternative and renewable energy sources. This text amendment would allow more agricultural areas to be used for solar energy throughout the County. The special permit needed for a Solar energy Conversion System should minimize impacts on surrounding areas where appropriate.

APPLICATION CONTACT

David Levy, 402-636-8310 or
dlevy@bairdholm.com

STAFF CONTACT

Tom Cajka, (402) 441-5662 or
tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed amendment meets the goals of the Comprehensive Plan to promote renewable energy as part of an overall strategy to diversify our energy sources and expansion of accessory wind and solar access to buildings and other land uses. The land could be converted to urban uses or return to agricultural use in the future.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.4 - The importance of building sustainable communities – communities that conserve and efficiently utilize our economic, social, and environmental resources so that the welfare of future generations is not compromised - has long been recognized. This concept has grown in importance with increased understanding of the limits to energy supplies and community resources, the likelihood that energy costs will continue to increase in the future, the climatic impacts of energy consumption, and the impacts on the physical and economic health of the community. LPlan 2040 describes a community that values natural and human resources, supports advances in technology, and encourages development that improves the health and quality of life of all citizens.

P. 1.5 - Efforts are made to attract new and expanding industries that serve the emerging markets for more sustainable products and services.

P. 2.6 - Agriculture is still a major factor in Lancaster County’s economy with about 90 percent of the land area of the county being used for agricultural production.

P. 2.7 - Acknowledge the fundamental “Right to Farm.” Preserve areas throughout the county for agricultural production by designating areas for rural residential development—thus limiting potential conflicts between farms and acreages.

P. 3.11- Preserve agricultural land within Tier I and Tier II areas, both to reduce conflicts in the future growth of Lincoln and to ensure available land for the production of food products that are important to the health and economic vitality of the community.

P. 5.4 - Agriculture is the dominant land use in Lancaster County, accounting for roughly ¾ of all land.

P. 7.2 - Encourage acreages to develop in appropriate areas and preserve farmland.

P. 7.12 - LPlan 2040 supports the preservation of land in the bulk of the County for agricultural and natural resource purposes. However, it recognizes that some parts of the County are in transition from predominantly agricultural uses to a mix that includes more residential uses. Balancing the demand for rural living and the practical challenge of integrating acreages with traditional land uses will continue.

P. 11.2 - Promote renewable energy sources.

P. 11.3 - Lincoln must develop a comprehensive strategy of fuel diversity and encourage conservation, alternative forms of energy and modern energy technologies.

P. 11.4 - Energy from renewable resources such as solar, geothermal, and wind technologies generally does not contribute to climate change or local air pollution and generally conserves nonrenewable resources.

P. 11.7 - Local government entities, including all local utilities, should strive to increase utilization of renewable energy sources such as wind power, hydropower, solar energy, biomass and geothermal energy.

P. 11.7 - Continue to encourage and expand wind and solar access to buildings and other land uses.

ANALYSIS

1. This text amendment is to allow Solar Energy Conversion System (SECS) and all necessary appurtenances on an outlot within a Community Unit Plan. A SECS shall mean any device, including, but not limited to, a solar panel or solar collector, which collects and converts solar energy to a form of usable energy.
2. A Community Unit Plan (CUP) found in Article 14 of the County zoning, allows in the AG-Agriculture District for the creation of lots that are less than 20 acres. Under the AG district the minimum lot size is 20 acres. In allowing smaller lot sizes, a percentage of the area must be left in an unbuildable outlot for open space or agriculture. In the AG District 50% of the CUP area is required to be in an outlot. If a dwelling unit bonus is granted, then 70% of the CUP area is required to be in an outlot.
3. A CUP in the AGR -Agriculture Residential District 20% of the CUP area is required to be in an outlot if a dwelling unit bonus is granted.
4. The 2040 Comprehensive Plan encourages renewable energy such as solar, geothermal and wind energy. This text amendment would help in locating those renewable energy sources in the county.
5. Currently an outlot within a CUP can only be used for open space or agriculture. This text amendment would allow for the option of allowing an outlot within a CUP to be used as open space, agriculture or for solar energy conversion system.
6. For clarification "common facilities" was also added as an allowed use in an outlot within a CUP. Common facilities could be items such as a picnic shelter, gazebo or playground equipment. This is allowed in CUP's under City zoning.
7. Article 15.007 was also amended to clarify that Solar Energy Conversion Systems are only allowed on outlots within a CUP. Other outlots, such as in AG Preservation, would not allow the Solar Energy Conversion System. This will allow for greater flexibility in citing SECS in the county.

8. While a SECS is not an agricultural use, it is a use allowed by special permit in the AG District. There are many uses allowed in the AG District by special permit that are not agricultural. These uses include, but are not limited to, campgrounds, veterinary facilities, schools, clubs, health care facilities and recreational facilities. This text amendment would allow the outlot to be converted to a SECS through a special permit, just like any other farm land.
9. Outlots within AG Preservation final plats are not included within this amendment. Those outlots are required to remain as open space or farm land. The applicant did not include AG Preservation in his text amendment as it does not impact his project. A text amendment for outlots within AG Preservation may be suitable in the future.
10. Chapter 2 Definitions of the Lancaster County subdivision regulations is also being amended to revise the definition of outlot found in Section 2.22. This change is similar to the zoning changes to allow a Solar Energy Conversion System on an outlot.
11. This text amendment is to only allow SECS. Other uses such as wind turbines would not be allowed on the outlot created through a CUP or AG Preservation. This issue may come up in the future and will need to be addressed at that time.

Prepared by

Tom Cajka, Planner

Date: July 13, 2021

Applicant: Salt Creek Solar, LLC
226 North Morgan St. #220
Chicago, IL 60607
info@rangerpower.com

Contact: David Levy
1700 Farnam St.
Omaha, NE 68102
402-636-8310
dlevy@bairdholm.com

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14.003. General Requirement

The owner or owners of any tract of land in the "R" Zoning District which is one acre or more in area, including and up to the center line of existing public rights-of-way abutting the tract of land, or in the "AG" Zoning District which is seventy-five (75) acres or more, or in the "AGR" Zoning District which is ten (10) acres or more in area, may submit to the Planning Commission a plan for the use and development thereof for residential purposes or for the repair and alteration of any existing residential development; provided, however, that the Planning Commission shall apply the standards contained in this chapter in consideration of all applications for community unit plans. The plan may propose a modification of height and area of regulations of the district in which the community unit plan is located. In the AG District for lots five (5) acres or less the height and area regulations of the AGR District shall apply unless modified by the Community Unit Plan. (Resolution No. [R-11-0023](#), March 29, 2011; Resolution No. [R-17-0040](#), May 30, 2017;)

- a. Community unit plans in the "AG" and "AGR" zoning district shall provide access to each residential lot from a private or public roadway; except in unique circumstances, no direct access for any residential lot to a County section line, or half section line, roadway is allowed. (Resolution No. [R-12-0058](#), July 24, 2012)
- b. In the "AG" zoning district, a minimum of fifty percent (50%) of the total area in the subdivision must be preserved as an ~~unbuildable~~ outlot to be used as open space, or for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto. (Resolution No. [R-12-0058](#), July 24, 2012)
- c. A dwelling unit bonus of up to twenty five percent (25%) may be granted under the following circumstances: (Resolution No. [R-12-0058](#), July 24, 2012)
 1. A community unit plan in the "AGR" zoning district where at least twenty percent (20%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto and community sanitary sewer facilities are proposed, or; (Resolution No. [R-12-0058](#), July 24, 2012)
 2. A community unit plan in the "AG" zoning district where at least seventy percent (70%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto or; (Resolution No. [R-12-0058](#), July 24, 2012)
 3. A community unit plan in the "AG" zoning district where at least fifty percent (50%) of the land is preserved as an unbuildable outlot, and that outlot includes: (Resolution No. [R-12-0058](#), July 24, 2012)
 - i. Green space, environmental resources or agricultural stream corridor areas as designated in the Future Land Use Maps of the Lincoln City - [Lancaster County Comprehensive Plan](#) which are permanently protected, or; (Resolution No. [R-12-0058](#), July 24, 2012)
 - ii. Areas which can be shown to be environmentally sensitive and in need of preservation, whether or not they are shown in the Plan, when the applicant shows a means for permanently protecting those areas. (Resolution No. [R-12-0058](#), July 24, 2012)

For purposes of calculating dwelling unit bonuses in community unit plans, any final dwelling unit calculation which is greater than or equal to fifty hundredths (0.50) shall be rounded up to the next whole number. (Resolution No. [R-12-0058](#), July 24, 2012)

15.007. Outlots, Permitted Use

Permitted Use

An outlot reserved for future building or occupancy after replatting and subdivision may be used for agricultural uses, open space and/or common facilities in all zoning districts until such replatting and subdivision occurs. Accessory buildings are not permitted on outlots reserved for future building or occupancy after replatting and subdivision.

An outlot reserved for agricultural uses, open space and/or common facilities may be used for such designated use. Buildings that are accessory to the use of an outlot reserved for agricultural uses, open space or common facilities shall be permitted in all zoning districts. (Resolution No. [R-13-0043](#), July 30, 2013)

Special Permitted Use

An outlot within a Community Unit Plan reserved for agricultural uses, open space, common facilities, and/or a Solar Energy Conversion System and all necessary appurtenances thereto may be used for such designated use.

Sec. 2.22. OUTLOT

A parcel of real property to be included in a final plat, having access to at least one public street or private roadway and reserved for future building or occupancy after replatting and subdivision, or reserved for agricultural uses, open space, common facilities (July 30, 2013, Resolution No. [R-13-0044](#))

An outlot within a Community Unit Plan shall mean a parcel of real property to be included in a final plat, having access to at least one public street or private roadway and, reserved for agricultural uses, open space, common facilities, and/or, notwithstanding any use restrictions contained in a final plat recorded on or before [FUTURE EFFECTIVE DATE], a Solar Energy Conversion System and all necessary appurtenances thereto.

David C. Levy

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June 23, 2021

BY HAND DELIVERY

Honorable Commissioners
Lancaster County
c/o Lincoln-Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, Nebraska 68508

Re: Application for Amendment to Lancaster County Zoning Regulations

Honorable Commissioners:

On behalf of Salt Creek Solar, LLC, I respectfully request Lancaster County amend its Zoning Regulations by adding the underlined text and striking the stricken text below:

14.003(b): In the "AG" zoning district, a minimum of fifty percent (50%) of the total area in the subdivision must be preserved as an ~~unbuildable~~ outlot to be used as open space, or for agricultural uses, common facilities and/or a Solar Energy Conversion System including all necessary appurtenances thereto.

14.003(c): c. A dwelling unit bonus of up to twenty five percent (25%) may be granted under the following circumstances:

1. A community unit plan in the "AGR" zoning district where at least twenty percent (20%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses, common facilities and/or a Solar Energy Conversion System including all necessary appurtenances thereto, and community sanitary sewer facilities are proposed, or;

2. A community unit plan in the "AG" zoning district where at least seventy percent (70%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses,

common facilities and/or a Solar Energy Conversion System including all necessary appurtenances thereto or;

15.007: Add a new paragraph as follows:

Special Permitted Use

An outlot within a Community Unit Plan reserved for agricultural uses, open space, common facilities, and/or a Solar Energy Conversion System and all necessary appurtenances thereto may be used for such designated use.

Lastly, please add the following to Section 2.22 of the Lancaster County Subdivision Regulations:

An outlot within a Community Unit Plan shall mean a parcel of real property to be included in a final plat, having access to at least one public street or private roadway and, reserved for agricultural uses, open space, common facilities, and/or, notwithstanding any use restrictions contained in a final plat recorded on or before [FUTURE EFFECTIVE DATE], a Solar Energy Conversion System and all necessary appurtenances thereto.

* * *

I enclose the necessary application form and a check for \$412. Please place this amendment on the Planning Commission's agenda for its July 21, 2021 meeting. Thank you.

Very truly yours,



David C. Levy

Enclosures

cc: Salt Creek Solar, LLC

14.003. General Requirement

The owner or owners of any tract of land in the "R" Zoning District which is one acre or more in area, including and up to the center line of existing public rights-of-way abutting the tract of land, or in the "AG" Zoning District which is seventy-five (75) acres or more, or in the "AGR" Zoning District which is ten (10) acres or more in area, may submit to the Planning Commission a plan for the use and development thereof for residential purposes or for the repair and alteration of any existing residential development; provided, however, that the Planning Commission shall apply the standards contained in this chapter in consideration of all applications for community unit plans. The plan may propose a modification of height and area of regulations of the district in which the community unit plan is located. In the AG District for lots five (5) acres or less the height and area regulations of the AGR District shall apply unless modified by the Community Unit Plan. (Resolution No. [R-11-0023](#), March 29, 2011; Resolution No. [R-17-0040](#), May 30, 2017;)

- a. Community unit plans in the "AG" and "AGR" zoning district shall provide access to each residential lot from a private or public roadway; except in unique circumstances, no direct access for any residential lot to a County section line, or half section line, roadway is allowed. (Resolution No. [R-12-0058](#), July 24, 2012)
- b. In the "AG" zoning district, a minimum of fifty percent (50%) of the total area in the subdivision must be preserved as an ~~unbuildable~~ outlot to be used as open space, or for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto. (Resolution No. [R-12-0058](#), July 24, 2012)
- c. A dwelling unit bonus of up to twenty five percent (25%) may be granted under the following circumstances: (Resolution No. [R-12-0058](#), July 24, 2012)
 1. A community unit plan in the "AGR" zoning district where at least twenty percent (20%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto and community sanitary sewer facilities are proposed, or; (Resolution No. [R-12-0058](#), July 24, 2012)
 2. A community unit plan in the "AG" zoning district where at least seventy percent (70%) of the land is preserved as an ~~unbuildable~~ outlot to be used as open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto or; (Resolution No. [R-12-0058](#), July 24, 2012)
 3. A community unit plan in the "AG" zoning district where at least fifty percent (50%) of the land is preserved as an unbuildable outlot, and that outlot includes: (Resolution No. [R-12-0058](#), July 24, 2012)
 - i. Green space, environmental resources or agricultural stream corridor areas as designated in the Future Land Use Maps of the Lincoln City - [Lancaster County Comprehensive Plan](#) which are permanently protected, or; (Resolution No. [R-12-0058](#), July 24, 2012)
 - ii. Areas which can be shown to be environmentally sensitive and in need of preservation, whether or not they are shown in the Plan, when the applicant shows a means for permanently protecting those areas. (Resolution No. [R-12-0058](#), July 24, 2012)

For purposes of calculating dwelling unit bonuses in community unit plans, any final dwelling unit calculation which is greater than or equal to fifty hundredths (0.50) shall be rounded up to the next whole number. (Resolution No. [R-12-0058](#), July 24, 2012)

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15.007. Outlots, Permitted Use

Permitted Use

An outlot reserved for future building or occupancy after replatting and subdivision may be used for agricultural uses, open space and/or common facilities in all zoning districts until such replatting and subdivision occurs. Accessory buildings are not permitted on outlots reserved for future building or occupancy after replatting and subdivision.

An outlot reserved for agricultural uses, open space and/or common facilities may be used for such designated use. Buildings that are accessory to the use of an outlot reserved for agricultural uses, open space or common facilities shall be permitted in all zoning districts. (Resolution No. [R-13-0043](#), July 30, 2013)

Special Permitted Use

An outlot within a Community Unit Plan reserved for agricultural uses, open space, common facilities, and/or a Solar Energy Conversion System and all necessary appurtenances thereto may be used for such designated use.

What was announced?

Empower Retirement and Prudential have entered into a definitive agreement for Empower to acquire Prudential's full-service retirement business, which includes:

- Defined Contribution*
- Defined Benefit
- Non-Qualified
- Stable Value tied to the full-service business
- Separate Account offerings
- Retirement Plan Strategies group of consulting actuaries

*Empower has also stated their intention to preserve select full-service solutions such as Prudential IncomeFlex Target® and Goalmaker, as well as caring for talent to continue the high-quality service you have come to rely on. We encourage you to listen to the Prudential [webcast](#) with guests from Empower, for more information.

The transaction is expected to close in the first quarter of 2022, subject to regulatory approvals and customary closing conditions.

About Empower Retirement

Empower Retirement is the second-largest retirement services provider¹ in the U.S. and is singularly focused on retirement, with expertise across all plan types, company sizes, and market segments. Empower Retirement recently added Personal Capital, a digital-first registered investment adviser and wealth manager able to deliver personalized advice, financial wellness, and professional -grade financial tools to millions of people.

¹Pensions & Investments 2020 Defined Contribution Survey Ranking as of April 2021.

What can you expect?

Prudential remains committed to our advisors, plan sponsors and participants, and to working closely with Empower Retirement to ensure business continuity and frequent communication through the transition process.

Between now and the transaction close, targeted for early 2022, you can expect:

- Business as usual, including digital upgrades
- No immediate changes to the way you interact with Prudential, your plan(s), or your account
- Same investments and investment options
- Same dedicated service you've come to rely on
- Scheduled webcasts

Leading up to, and through, the close of the transaction, additional communication and updates will be shared as deemed appropriate by our legal counsel, so as not to violate antitrust guidelines as well as relevant insurance and securities laws prior to closing.

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Retirement products and services are provided by Prudential Retirement Insurance and Annuity Company (PRIAC), Hartford, CT or its affiliates. PRIAC is a Prudential Financial company.

MEMO

TO: Lancaster County Board of Commissioners

FROM: Adelle Burk
Aide to the Mayor

DATE: July 29, 2021

RE: Reappointment to Lincoln-Lancaster County Planning Commission

Please consider approval of the following reappointment to the Lincoln-Lancaster County Planning Commission for a term to expire on 8-24-2027:

- Tracy Edgerton

If you have any questions, please contact me at 531-207-3471. Thank you for your consideration.

Application Form

Profile

Title

Jay
First Name

W
Middle Initial

Jarvis
Last Name

Email Address

Home Address

Suite or Apt

Lincoln
City

NE
State

68506
Postal Code

What City Council district do you live in?

District 2

Primary Phone

Alternate Phone

Telesis Inc.
Employer

Director of Operations
Job Title

Which Boards would you like to apply for?

Lincoln-Lancaster County Board Of Health: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I have worked in the hospitality industry my whole life. The last 30 years, owning and operating restaurants. I believe I have unique perspective of the current issues we are facing now and in the future.

Employment History

Telesis Inc. October 1990 - Current Co- Founder Lazlo Inc - Director of Operations

Education

Lincoln East High 1978 Culinary Institute of America - Continuing Education classes

Activities

Cycling, boating with family, travel

[JayJarvis_Resume_2021.docx](#)

Upload a Resume

Demographics

The City of Lincoln places tremendous value in maintaining a diverse group of representatives on our boards and commissions. Everyone is different, everyone is necessary and everyone has a valuable perspective to offer. We are committed to appointing diverse and talented individuals who reflect our community and whose differences enhance the services we provide to our residents.

Ethnicity

Caucasian/Non-Hispanic

Gender

Male

Sexual Orientation

Straight/Heterosexual

09/18/1960

Date of Birth

Jay Jarvis

Lincoln, NE

WORK EXPERIENCE

Telesis, Inc., Lincoln, NE

Director of Operations, Lazlo Inc., October 1990 – Present

Co-Founder, Lazlo Inc.

- Restaurant layout & design
- Menu & concept development
- Manager & staff development
- Lead a staff of 20 managers, 260 staff

COMMUNITY INVOLVEMENT

Nebraska Restaurant Association, Lincoln, NE

Board of Directors, 2014 – Present

President, January 2019 – January 2020

Lincoln-Lancaster County Health Department Advisory Board, Lincoln, NE

Food Advisory Committee, 2016 – Present

Juvenile Diabetes Research Association, Lincoln, NE

Board of Directors, 2002 – 2008

HONORS & AWARDS

Restaurateur of the Year, *Nebraska Restaurant Association, 2014*

Nebraska Environmental Leadership Award for Business and Industry, *Lincoln-Lancaster County, 2008*

Established Entrepreneurial Company of the Year Award, *University of Nebraska-Lincoln Center for Entrepreneurship, 2006*

Waste Reduction and Recycling Environmental Award, *Lincoln-Lancaster County Health Department & Lincoln Public Works and Utilities Department, 2004*

Downtown Business Leadership Award, *Downtown Lincoln Association, 2001*

Enterprising Gambler Award, *Lincoln Independent Business Association, 1998*

MEMO

TO: Lancaster County Board of Commissioners

FROM: Adelle Burk
Aide to the Mayor

DATE: July 30, 2021

RE: Appointment to Lincoln-Lancaster County Board of Health

Please consider approval of the following appointment to the Lincoln-Lancaster County Board of Health for a term to expire on 4-15-2024:

- Jay Jarvis

Mr. Jarvis' application and resume are attached for your review.

If you have any questions, please contact me at 531-207-3471. Thank you for your consideration.