

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

COUNTY TEXT AMENDMENT NO. 17009:            )  
TEXT AMENDMENT TO THE LANCASTER        )  
COUNTY ZONING RESOLUTION, TO AMEND    ) RESOLUTION NO. R-17-0045  
ARTICLES 4, 5, AND 13, AS PROVIDED IN    )  
ATTACHMENT A                                    )

WHEREAS, pursuant to Neb. Rev. Stat. § 23-114, the Lancaster County Board of County Commissioners (“Board) is authorized to make amendments to the 1979 Zoning Resolution of Lancaster County, which are consistent with the County’s Comprehensive Plan and after receipt of specific recommendations from the Lincoln/Lancaster County Planning Commission (“Planning Commission”);

WHEREAS, Applicant Michael Williams (“the Applicant”) has requested a text amendment to the Lancaster County Zoning Resolution to amend Articles 4, 5, and 13 of the Lancaster County Zoning Resolution. These revisions include amending the AG and AGR chapters of the Lancaster County Zoning Regulations by moving certain uses such as, but not limited to, dog kennels, churches, cemeteries, and group homes from permitted uses and conditional permitted uses to special permitted uses under Article 13, as provided in Attachment “A,” attached hereto and incorporated by this reference;

WHEREAS, the Lincoln-Lancaster County Planning Department has recommended denial of this amendment concluding that many of these uses have been in the County Zoning regulations since 1979 and a few since 1968. For close to 40 years these uses have not been an issue in the County. The newest use, wind energy conversion systems, was added in 2008. The Applicant gives no reason or justification as to why the uses should be changed from permitted

uses and conditional uses to special permitted uses. The uses proposed to be changed should remain as currently allowed in the County Zoning Resolution;

WHEREAS, on May 24, 2017, after public hearing, the Planning Commission voted 8-0 with 1 abstention to recommend denial of said text amendment;

WHEREAS, on June 13, 2017, the Board conducted a public hearing regarding said text amendment; and

WHEREAS, on June 13, 2017, the Board during a public meeting voted to DENY the proposed text amendment;

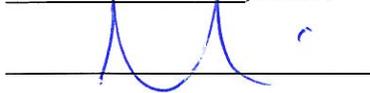
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that the amendments to Articles 4, 5, and 13 of the Lancaster County Zoning Resolution, as provided in Attachment "A," are hereby DENIED.

DATED this 13 day of June, 2017, in the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM

this 13 day of  
June, 2017.



Deputy County Attorney

for JOE KELLY  
Lancaster County Attorney



**BRINKMAN ABSENT**

ATTACHMENT A

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Ref: Change the text of the Lancaster County Building Zone regulation / District codes

I would like to have the following changes made to Article 4 "AG" Agricultural District and to Article 5 "AGR" Agricultural Residential District and place the Article 13 Special Permit requirement for both of these Districts.

The text changes for Article 4 "AG" Agricultural District are areas follows:

- 1) Move 4.003 permitted uses items and place them in section 4.007 Permitted Special Uses section, and ensure that these items have to adhere to Article 13
  - c) Dog breeding establishment and kennels
  - e) Public uses
  - g) Churches
  - l) Wind energy conversion systems (WECS)
- 2) Move 4.005 Permitted Conditional Uses items and place these items in section 4.007 Permitted Special Uses section, and ensure that these items have to adhere to Article 13 Special Permit
  - a) Cemeteries, including mausoleums subsection 1 thru 2
  - b) Any public building or premises of any depart of a governmental agency not included in Section 4.003 (e) above
  - d) Group homes:
  - e) Public Uses
  - f) Wind energy conversion system (WECS) and the subsection 1, thru 4
  - h) Family airfield and all the subsections 1 thru 10
  - i) Domestic shelter and all of the subsections 1 thru 3

The text changes for Article 5 "AGR" Agricultural Residual District are areas follows:

- 1) Move 5.003 permitted uses items and place them in section 5.007 Permitted Special Uses section, and ensure that these items have to adhere to Article 13
  - c) Public Uses
  - d) Churches
  - f) Airports
  - h) Wind energy conversion systems (WECS)
  
- 2) Move 5.005 Permitted Conditional Uses items and place these items in section 5.007 Permitted Special Uses section, and ensure that these items have to adhere to Article 13 Special Permit
  - a) Cemeteries, including mausoleums subsection 1 thru 2
  - b) Pet cemeteries
  - d) Group Homes and all the subsection 1 thru 3
  - e) Wind energy conversion system (WECS) and the subsection 1, thru 4
  - g) Domestic shelter and all of the subsections 1 thru 3  
Group homes:

If you have any questions or concerns, would like to clarify, or get a better understanding of what this application is wanting to accomplish please feel free to contact me either by phone (402-660-7718 or email ([michaelgrantwilliams@hotmail.com](mailto:michaelgrantwilliams@hotmail.com)))

Thank you for your time in this matter

Sincerely

Michael G Williams