

COUNTY BOARD SUMMARY REPORT

REVISED

TO : County Clerk: Attn: Monet McCullen

FROM : David R. Cary, Director of Planning 

RE : **County Text Amendment 19009**
(Amend Article 13 Special Permit, Section 13.014 and Article 16 Sign, Section 16.003 of the Lancaster County Zoning Regulations regarding special permits for campgrounds and general provisions for signs)

DATE : January 14, 2020

1. On December 4, 2019, the Planning Commission held a public hearing on County Text Amendment 19009.
2. Attached is the Planning staff report that includes the proposed text amendment for **County Text Amendment 19009**, as submitted by Kent Seacrest on behalf of David and Jolene Queen, to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs.
3. The staff recommendation is based upon the Analysis as set forth on pp.1-3, concluding that the proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility. The staff presentation is found on p.7.
4. Testimony on behalf of the applicant and by the applicant can be found on pp.7-8. Testimony in support is found on pp.8-9. Testimony in opposition is found on p.9.

To access all documentation on this application, including the public comments, click on the following link www.lincoln.ne.gov and (Keyword = PATS). Click on the "Selection Screen" under "Featured Links", type in the application number (i.e. TX19009); click on "Search", then "Select". Go to "Related Documents".

5. Planning Commission discussion with staff is found on pp.9-11. Applicant rebuttal is found on pp. 11-12. Based on the discussion of the Planning Commission relative to the allowable length of stays at a campground, the County Attorney recommended revising the language of Section 13.014, Item C of the proposed text of the Lancaster County Zoning Regulations as identified on Page 4 of this report. The highlighted and stricken text on Page 4 reference the Planning Commission's recommendation.
6. On December 4, 2019, following considerable discussion, the Planning Commission voted 5-3 (Ryman-Yost, Finnegan, Campbell, Scheer and Corr voting 'yes'; Al-Badry, Edgerton, and Beckius dissenting; Joy absent) to recommend approval of this text amendment as amended by removing the word "consecutive" from Item C. of Section 13.014.

The Planning staff is scheduled to brief the County Board on this amendment at their regular staff meeting on Thursday, January 16, 2020, at 10:00 a.m., in Room 113 of the County-City Building, 555 South 10th Street, Lincoln, Nebraska. The public hearing before the County Board has been scheduled for Tuesday, January 21, 2020, at 9:00 a.m., in Room 112 of the County-City Building, 555 South 10th Street, Lincoln, Nebraska.

County Board Summary Report
RE: Text Amendment 19009
Campgrounds/Special Permit Provisions

If you need any further information, please let me know (402-441-6365).

cc: County Board
Jenifer Holloway, County Attorney's Office
Tom Cajka
David Queen

Ann Ames, County Commissioners
Kerry Eagan, County Commissioners
Kent Seacrest
Mike Eckert



AS REVISED AND ADOPTED BY PLANNING COMMISSION FOR APPROVAL ON 12/4/2019

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 #19009	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE December 4, 2019	RELATED APPLICATIONS SP#19051

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This proposed text amendment was submitted by Kent Seacrest on behalf of David and Jolene Queen to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs.

JUSTIFICATION FOR RECOMMENDATION

The proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility.

APPLICATION CONTACT

Kent Seacrest, 402-432-9600 or kent@sk-law.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text is in conformance with the Comprehensive Plan by establishing conditions for campgrounds that help encourage recreational activities in the County, while still protecting the surrounding properties.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 5.2 - Lancaster County benefits from many quality of life factors that attract both employers and employees. Lancaster County provides a wide range of art, entertainment, and recreation opportunities. All of these assets should be emphasized to encourage economic development.

P. 5.4 - Agriculture is the dominant land use in Lancaster County, accounting for roughly ¾ of all land. While this land is largely considered “undeveloped,” it is still an important economic factor in the county’s future. Agriculture’s impact on the local economy goes beyond the sale at the end of production. Farms of all sizes make purchase of goods and services in the city and county throughout the year, which contributes to the local tax base and sustain growth for other business in the agriculture industry.

p. 9.3- Public and private partnerships are important in the development of recreational opportunities and the preservation of environmental resources that bring a high quality of life to the City and County.

P. 12.4 - Agricultural land is principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures.

ANALYSIS

1. This proposed text amendment is to add conditions for campgrounds. Campgrounds are allowed in the AG District by special permit. Currently, there are no conditions listed for the special permit.

2. Proposed conditions to Section 13.014 for a campground are:

- a. The campground shall have a minimum of 40 camp sites and shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable codes and regulations.

These services are typical of most campgrounds. Requiring a minimum of 40 campsites prevents allowing a property to have a few cabins or recreational vehicle pads. The number provides flexibility in the size of campgrounds. The applicant informed Planning that the average number of campsites in Nebraska is around 70.

- b. A front yard setback of fifty (50) feet and side and rear yard setbacks of sixty (60) feet shall be maintained on the campground.

The proposed setbacks will provide a buffer to adjacent properties. The zoning regulations for the AG District for all uses require a 50' front, 60' side and 100' rear yard setback. A 60' setback on the side and rear lot lines provides a sufficient setback to adjacent properties and provides for a uniform setback. The Planning Commission could require screening from the campground to adjacent properties if deemed appropriate.

- c. No campground may be occupied by the same person or persons for more than thirty (30) ~~consecutive~~ days.

However if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and an office, up to thirty-five (35) percent of the campground sites may be occupied for no more than 180 ~~consecutive~~ days.

Campgrounds are typically for persons staying less than 30 days. There are situations where a person may need to stay for more than 30 days. This could include a worker that does not live in the area and is on a project that lasts more than 30 days or someone who parks a recreational vehicle and leaves it during the football season. Other situations could include someone building a house and needs a temporary place to live. Or is visiting a family member for an extended time. The support facilities are required, if the campground allows stays over 30 days. The number of campsites for stays up to 180 days is limited to 35% when the support facilities are included. The support facilities provide for a full service campground that will provide needed amenities for campers wanting an extended stay.

- d. Signs are allowed within the front yard setback.

Allowing signs in the front yard setback will allow greater visibility for travelers. Most users of the campground are not from the area and allowing the sign closer to the street will help in locating the campground.

- e. The campground shall take access to and from a paved public road.

Requiring campgrounds to take access to a paved road will eliminate dust from vehicles impacting adjacent properties. It will also reduce maintenance costs to the public that would be needed with a gravel road.

- f. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County Attorney, Director of Building and Safety Department or the Director of the Planning Department upon request.

This will allow county officials to respond to any complaints filed by reviewing the campgrounds records on length of stay.

- g. One dwelling unit or a campsite occupied by the owner or caretaker year round is permitted.

Often times a campground will have someone live on site year round. This will allow the owner or caretaker to have a permanent residence at the campground.

3. The City of Lincoln zoning ordinance has a special permit for campgrounds with conditions. The conditions listed in the special permit served as the starting basis for this amendment.
4. A search of applications for campgrounds revealed that there have been 3 applications for campgrounds in the County. All 3 applications were withdrawn for varying reasons including costs and lack of water. The City has had 4 applications and three were withdrawn. The one remaining special permit in the City is Camp A Way at Interstate 80 and Superior Street. This special permit was approved in 1966.
5. This text amendment also includes a minor change to Article 16 for signs. Currently signs are not allowed within any setback per Section 16.003a. The proposed text would allow signs in a required yard (setback) if it is specifically stated elsewhere in the zoning regulations.

Prepared by

Tom Cajka, Planner

Date: November 25, 2019 Revised December 4, 2019

Applicant: David and Jolene Queen
200 Campers Circle
Lincoln, NE 68521
402-476-2282
davidlqueen@gmail.com

Contact: Kent Seacrest
1128 Lincoln Mall, Suite 350
Lincoln, NE 68508
402-432-9600
kent@sk-law.com

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13.014. Campground

Campground may be allowed by special permit in the AG zoning district under the following conditions:

a. The campground shall have a minimum of 40 campsites and shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable codes and regulations.

b. A front yard of fifty (50) feet and side and rear yard of sixty (60) feet shall be maintained on the campground.

c. No campground may be occupied by the same person or persons for more than thirty (30) consecutive days.

However if the campground provides recreation and support facilities including but not limited to a swimming pool, convenience goods shop, and office up to thirty-five (35) percent of the campground campsites may be occupied by the same person or persons for no more than 180 consecutive days in any calendar year.

d. Signs are allowed within the front yard setback.

e. The campground shall take access to and from a paved public road.

f. All campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make said records available to the County upon request.

g. One dwelling unit or a campground site occupied by the owner or caretaker year round is permitted.

16.003. General Provisions

No sign or part thereof shall be erected or maintained in any zoning district except in conformance with the provisions of this article.

a. No sign shall be erected or maintained in a required yard, except as otherwise provided, encroach upon or overhang any adjacent property, or any other land or public right-of-way.



SEACREST & KALKOWSKI, PC, LLO

KENT@SK-LAW.COM | DANAY@SK-LAW.COM

November 21, 2019

REVISED LETTER

Mr. David Cary, Director of Planning
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Room 213
Lincoln, NE 68506

RE: County Special Permit Application and Text Amendment for a Campground per County Zoning Regulation 13.014, generally located at the southeast corner of Hwy 77 and Davey Rd.

Dear Mr. Cary:

On behalf of Dave and Jolene Queen we submit the enclosed application for the proposed "Lincoln Capital Campground", a special permit for a campground located on 45.49 acres on the southeast corner of Hwy 77 and Davey Road. The Queens are the current operators and owners of the Camp A Way campground facility located at 200 Campers Circle in Lincoln. This Camp A Way location is operated under a lease with the City of Lincoln as the landowner. The City of Lincoln has provided the Queens with a generous lessor notice that the City desires to reuse the land for a different purpose upon lease expiration and therefore we are requesting this special permit to relocate the Camp A Way facilities at our proposed location.

With our application we are proposing to construct and operate their independent, family oriented RV Park and Campground to the 45.49 acres along the east side of Hwy 77 and south of Davey Road. The site plan shows the proposed layout for the campground that would be developed in at least two phases. Proposed capital improvements and guest amenities would include the following:

- Up to 240 camping sites with full water and electric services/hook-ups. Types of camping sites would include traditional RV/camper sites, tent sites, and specialty camping facility such as "glamping" tent platforms, tipis, covered wagons, recreation park trailers designed to look like log cabins, etc.
- Management and Operational facilities will include: Registration & check-in office/store, maintenance workshop, two wells, sanitary sewer lagoons, a storm shelter and two signage locations along Hwy 77. The site plan includes a proposed caretaker dwelling unit.
- Campground Amenities for paid guests may include: Swimming pools and play ponds, playground facilities, volleyball, horseshoes and basketball play areas, dogs run area,

kitchen, laundry, bathroom & shower facilities, a propane filling station, dump station and internet services.

Access to the proposed Campground will be off of Davey Road approximately 250' east of Hwy 77. The applicant is proposing to pave Davey Road to County asphalt standard between Hwy 77 and the Campground entrance as shown on the site plan. Two groundwater wells will be utilized for the potable supply and a sanitary sewer pipe network will be installed to each camp site (excluding tent sites) and the management facilities to deliver wastewater directly to a common lagoon treatment facility. For your convenience a complimentary groundwater well study of the surrounding aquifer levels is included with this application.

Lastly, in order to permit extended stays at the campground for up to 180 days, we have been working with Planning and County legal staff on the necessary terms and conditions needed to allow this maximum length of stay at this site. Accomplishing this requires a proposed text amendment to the county code that is attached with this letter.

In conjunction with this submittal the following information is enclosed:

Use Permit Application
County Use Permit Review Fee: \$988.00
Health Department Review Fee: \$445.00
Text Amendment Review Fee: \$412.00

I hope this information and site plan provides you with adequate information to review this application. Please contact me with any questions you may have.

Sincerely,



KENT SEACREST
For the Firm

Enclosures

cc: Dave & Jolene Queen
Mike Eckert, Civil Design Group

TEXT AMENDMENT 19009

TEXT AMENDMENT 19009, AMENDING ARTICLE 13 SPECIAL PERMIT, SECTION 13.014, AND ARTICLE 16 SIGNS, SECTION 16.003 OF THE LANCASTER COUNTY ZONING REGULATIONS, REGARDING SPECIAL PERMITS FOR CAMPGROUNDS AND GENERAL PROVISIONS FOR SIGNS.
PUBLIC HEARING: December 4, 2019

Members present: Al-Badry, Campbell, Edgerton, Finnegan, Ryman Yost, Scheer, Beckius and Corr; Joy absent.

Staff Recommendation: Approval

There were no ex parte communications disclosed.

Staff Presentation: Tom Cajka, Planning Department, stated this proposed text amendment submitted by Kent Seacrest on behalf of David and Jolene Queen to amend the Lancaster County Zoning Regulations by adding conditions to Article 13.014 for campgrounds and amending Article 16.003 for signs. This proposed text amendment is to add conditions for campgrounds. Campgrounds are allowed in the AG District by special permit. Currently, there are no conditions listed for the special permit. The proposed conditions will better define what a campground is, provide appropriate conditions, and establish a minimum number of sites for a facility.

Corr stated that the City code has a minimum width for the roads in this type of area, and asked if there was a reason that the road width was not added to the text amendment proposed. Cajka stated that campgrounds are self-contained and self-sufficient, and the designer would design for this type of vehicle. Corr inquired asked about screening with adjacent properties if deemed appropriate, and if this would this be a case-by-case basis or something that would be added now with the text amendment. Tom said this would be case-by-case. Corr wondered if she was correct that signs not allowed in setbacks or any other portion of the code now. Cajka said correct.

Applicant:

Kent Seacrest, 1128 Lincoln Mall, Suite 105, came forward on behalf of the Queen Family, and stated campgrounds have been in the text amendment since 1978 or even longer, but there is not one standard. Working with the city on this text amendment to come up with the right standards to protect the people. He stated one question would be why 35 percent could stay beyond the 30 days. We have seen with this type of facility that there are construction workers that will not be in town for long, or family members are coming to visit to take care of needs, and there are some people that just need someplace for a short time while they are building their new house. Other campsites save 40 percent for those longer stays. We will be providing this with real amenities, store, bathroom, and several others amenities onsite for the campers.

Beckius inquired why they feel that the amenities at the campground help facilitate a longer stay. Seacrest stated that some of this is just for the traffic, and this helps so that they do not need to leave the campsite, making it easier for the camper. Beckius inquired if there would be anything to stop an owner from renting out the camper that they own. Seacrest stated that they could it would need to fit within the 35 percent. Beckius asked of the owner could buy a RV and rent it out. Seacrest explained that there would be a home allowed for an owner or caretaker. He stated that there is not anything now that would stop the owner from renting an RV out; they would need to fit within the 35 percent and they would need to move the camper after the 180 days.

Edgerton stated with regards to the 35 percent, the current laws for the applicants current site, which is within the City does not have that opportunity, is that correct. Seacrest said that it is stated in the city code about the 30-day limit. Edgerton inquired what the rational was for the difference between the city and a rural area on the 35 percent longer stay. Seacrest stated that he does not see the difference, but the industry that is growing and there is a need.

Ryman Yost inquired about a storm shelter that will be included, and asked if it was required. Seacrest stated that he did not think that I was a requirement, but that it should be.

Corr inquired about making the records available and asked if there was a reason that their text amendment has more detail than the cities. Eckert said that they listed what they thought would be the appropriate agencies requests.

Dave Queen, 13611 US Hwy. 34, came forward and stated that they are looking for a new area because their lease will be running out in 2025. They have been looking for a new site for the couple of years when they found this one. Camping is affordable and enjoyed by all levels of households. This is another great reason to visit the City and the County. He stated that they do not rent RV's by the month. He shared that while we need the text start-ups and the data centers we also need recreational opportunities for visitors and our community. He stated that 93 percent of their reservations stay less than 7 days and 97 percent stay one month or less. There are several reasons that there might be a need for extended stays and some of those reasons might be construction workers, traveling nurses, house built, campers here for the football games and natural disasters.

Proponents:

1. **Lynn Deshon, 19519 N. 14th Street, Davey**, came forward and stated that she is in support of the storm shelter for this site and safety and the general store. She stated that the store would help minimize the traffic and campers needing to go to town and getting on and off Hwy 77. She stated that she does not want a 6-month trailer park, but does say that she does understand when campers would need to stay longer than the 30 days.

Opponents:

1. **Marlene Tracy, 17500 N 84th Street**, came forward as part of a group Concerned Citizens for the Protection of Rural Life. She stated that she was in opposition and submitted written comments (see Exhibit #3). Beckius asked if she has been in contact with anyone from the Planning Department. Tracy said yes, Tom.
2. **Becky Keep, 8601 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #4).
3. **Phyllis Larsen, 17575 N. 70th Street**, came forward in opposition and submitted written comments (see Exhibit #5).
4. **Martha Minchow, 8181 Davey Road**, came forward in opposition and submitted written comments (see Exhibit #6).
5. **Carol Sherman, 6305 Agnew Road**, came forward in opposition and submitted written comments (see Exhibit #7).
6. **Phil Pfeiffer, 15746 N. 56th Street**, came forward in opposition stating that he is seven blocks from the proposed site. He stated that the restriction of 30 days should be per person, per unit and per year total. He stated that he feels that 180 days is too long and he feels that the record keeping should be very detailed.
7. **Christopher Hall, 3525 Cedar Street, Davey**, came forward in opposition and submitted written comments (see Exhibit #8). Edgerton asked the location of his property. Hall stated that it would be on the southeast end.
8. **Karen Kurbis, 17500 N. 84th Street**, came forward in opposition and submitted written comments (see Exhibit #9). (Petition in opposition was handed in Exhibit #10)
9. **Rick Ronhovde, 16555 N. 70th Street**, came forward and stated that the fencing should be required.
10. **Denise Kaiser, 5590 Davey Road**, came forward and stated that she does not want them to place a sign on her property and that is not why they purchased their property.

Staff Questions:

Beckius asked Mr. Cajka to describe the process that he has gone through with the applicant and other parties to develop the text amendment. Cajka most of the text amendments are proposed by an applicant and then there is discussions about what the applicant is wanting. In this case, we did look at what the city had as a starting point with these suggested changes, and then conditions can be added. Beckius inquired if Cajka has concerns with the text amendment as proposed if a party ran the RV equivalent of a short-term housing unit. Cajka stated based on what there is that would be allowed. He stated they were trying to avoid this and that is why it says campground and not campsite. Beckius asked about campground/site language that was used. Cajka stated if it said 35 percent of the campground could be occupied for more than 180 days, then it would include the entire campground and they want the 35 percent to be just the campsites. Beckius stated that a person could stay in the campground all year as long as they move sites. Cajka explained with the way it is worded someone could stay for 180 consecutive days, move out for a day and then move back in. Beckius asked would they need to move out of the campground or campsite. Cajka stated campground.

Corr stated that they could not go from one campsite to another campsite. Cajka said no.

Edgerton said that they could leave, drive around for a day and then come back in. Tom said yes, with the way that it is written.

Beckius said no person can occupy the campground for more than 30 days, however, if the campground meets certain requirements, as proposed in this text amendment, then a person could stay there for up to 180 days. **Jenifer Holloway, County Attorney's Office**, said correct. Beckius inquired about the language where the first sentence relates to campgrounds and the second relates to campground sites. He asked what stops a person from moving from a campsite to another campsite within the same campground. Holloway explained that there is a distinction for the campground as a whole verses a campsite. The intent of including the word site was to specify the 35 percent of the sites. The campground wording is specifically used so that they could not hop from site to site.

Ryman Yost stated if it said that for no more than 180 consecutive days within the campgrounds, would that work. Beckius stated that he did not know if that is what the county is proposing. Cajka stated that they are proposing that you could stay up to 180 days if the campgrounds has the amenities, and after 180 days you need to leave the campground.

Corr inquired if there was anything in the code that defines mobile home verses a recreational vehicle. Tom stated that there is a definition for mobile home in the zoning code, but he did not think there was a definition for recreational vehicle. Corr stated that part of the concern is that they do not want it to be a trailer park, so how do you differentiate between the two. Cajka stated that a trailer park is for permanent residence and trailer parks are not allowed in AG District zoning district code.

Scheer inquired about the conditions of this text amendment and stated that currently there are no conditions, and asked if that was correct. Cajka said that is correct. Scheer asked if as they went through the process of making conditions, was there reasons that they are different or could they be the same. Cajka said that the planning staff is always looking at zoning code and the municipal code to make changes when needed. He further explained that this code is for the county, but if someone wanted to do a RV Park in the city, we might look at the city's code then. Scheer asked about screening or fencing around the area on a case-by-case basis. Cajka said that they would not object to either.

Al-Badry asked for clarification on the setbacks. Cajka stated that currently in the AG District for all uses it is a 50-foot front yard setback, 60-foot side yard setback and 100-foot rear yard setback. Front yard setback applies to any lot line that sits adjacent to a street; corner lot would have two front yard setbacks. The rear yard was reduced to 60-foot to have it uniformed all the way around, except along the street.

Corr inquired about why the current City code does not apply in the County. Cajka stated that the City code covers Lincoln and the 3 miles beyond the City limits. The County code covers everything outside the 3 miles.

Finnegan asked if they could guarantee that all operators will follow the rules. Cajka said that he could not guarantee on any special permit that they are going to follow the conditions. Finnegan

stated that it was said twice that is why something was not added in. Cajka said that was on the access roads, but with the internal items they will not want to develop something that no one will come to.

Beckius inquired why having these amenities then it makes it allowable to have a longer stay. Cajka stated if you added these requirements, there may be less campgrounds wanting to do this and it provides amenities for the people staying there.

Applicant Rebuttal:

Seacrest stated that you cannot do everything by zoning text and that is why there is special permits. The property owners want to do this correctly. He stated that there really was not a radical difference with what the applicant proposed and what the staff proposed. Various departments have reviewed this text amendment and you do not have them expressing concern; they felt that it was reasonable. With the density, they are only proposing 240 sites and it could be over 700, because with the number of acres, it could be a greater density. He stated that they have discussed the text amendment and they would be willing to say that no person or persons can stay in the campground more than 180 days a year.

Campbell asked if they would be willing to accept fencing and screening as part of the requirements. Seacrest said depends, but they would prefer to use the massive tree mass that is on the property and they do not think this area needs a fence. He further stated that they would be willing to place a fence where it is appropriate and the fence maybe should be done at the special permit stage.

Beckius asked why the applicant wants to do this text amendment instead of getting a special permit. Seacrest said that they wanted to do this the proper way and that it needs to be done right. The standards need to be appropriate.

Ryman Yost stated that there was conversation about difference with camper and mobile home and asked about the mobile home language. Seacrest said that he could not quote the definition, but it would be skirting and things of this nature and that protection is already in the code.

Corr asked about skirting in the RV park. Queen stated this is something that they might do in the winter or for a couple of months. Typically they will wrap something around the bottom. He further stated that they do have rules on this being done and how long it can be left on. Corr asked if they check IDs. Queen said that they do get credit card information and other personal information, although they do not ask to see driver license. He stated that they want to do the right thing.

Beckius inquired if they would be receiving something from the County Attorney. Holloway offered some proposed text to help clarify that the same person or persons cannot be there for 180-days, and further stated that she feels the word consecutive should be removed for the 180-days and the 30-days.

Edgerton stated to do that and remove consecutive language from both of the sections, what that means is the typical less than 30-day-camper would not be able to come back as often as they might otherwise. Holloway stated as an example if someone wanted to go camping every weekend they

would not be able to do this because there are 52 weeks in a year and that would be 52 times. There are cons with doing it this way and you cannot have the language to do it both ways.

Campbell moved to close the public hearing on this item, seconded by Scheer carried 8-0: Al-Badry, Campbell, Edgerton, Finnegan, Ryman Yost, Scheer, Beckius and Corr voting 'yes'; Joy absent.

TEXT AMENDMENT 19009

ACTION BY PLANNING COMMISSION:

December 4, 2019

Scheer moved approval as amended to revise the proposed text to remove the word "consecutive" from 13.104, Item C. Seconded by Campbell.

Scheer stated that he is in favor of the motion because today there are no conditions for campgrounds in the county. Today, we are in the process of adding a baseline of conditions for special permits, which is required for any campground in the county. On a case-by-case basis, the Commission can add conditions when needed because each case is different.

Campbell shared that he totally concurs with Scheer about putting rules in place for a campground in the county.

Edgerton stated that she appreciates that and that this particular applicant has impeccable intentions and has been working in this area and has a great track record. She further stated that these amendments have been put forward to be a broad set of conditions and agrees that they are more than what is in place now, but is unsure if they go far enough to protect the AG district area landowners and will be voting no.

Beckius stated that he will be voting no as well and not because the applicant helped with the drafting. He further stated that he does appreciate that we are going from zero to some regulations. A broader conversation with a broader coalition of community citizens of Lancaster County would be helpful. They have the ability to put conditions on with the special permits, which they can and will do. He feels there needs to be a broader discussion.

Henrichsen came forward wanting to clarify what was being voted on. He stated that the County Attorney provided the Commission some text and referred to other text. Scheer stated with the County Attorney's comments that explained what the intent of that was. Henrichsen stated that the applicant was not given any rebuttal time on that condition and does not agree with the change that was verbally suggested by the County Attorney. He further stated that it adds another element to it, which puts a different limitation on the applicant and those are two different sections. Holloway came forward and stated that when you get to the discussion phase, the Commission does not need to give them a chance for rebuttal.

Corr wanting to clarify that Scheer was taking the word consecutive out. Scheer said that was correct.

Al-Badry stated that she would echo what Edgerton and Beckius have stated and that this should be a wider community conversation. She thanked the applicant for bringing this forward.

Ryman Yost stated that regarding the consecutive stay portion, because there are people that return to the same place every weekend, so if passed as introduced then the special permit allows something different to that so that people could stay for more than 30 total days. Scheer assumed that they could get a waiver.

Finnegan stated that she is going to support this because there is nothing in place now, and she feels they need a starting point. She further stated that she feels it would be good to talk with others on this.

Corr said that she agrees and that this is a good starting point and that they need to form a task force for more detail and viewpoints.

Motion carried 5-3: Campbell, Finnegan, Ryman Yost, Scheer and Corr voting 'yes'; Al-Badry, Beckius and Edgerton voting 'no'; Joy absent.

CPR Life (Citizens for the Protection of Rural Life)

plan@lincoln.ne.gov
Lincoln-Lancaster County Planning Department
555 S 10th St, Room 213
Lincoln, NE 68506

RE: Lancaster County Zoning Regulations Article 13.014, Campgrounds

My name is Marlene Tracy. I have resided at 17500 N. 84th Street for twenty nine years. The proposed campground access on Davey Road is part of my daily travels

When did Lancaster County start allowing the attorney for a developer to write county zoning ordinances? It appears that this is the case with TX91009.

The special permit application for the campground was submitted in April of this year. Our 1st notification was an informational meeting on October 11th. Had we known about this sooner, we could have been involved with the development of the zoning conditions. Considering the time of the year and the fact that the Queens have an established campground with a lease for years to come we would propose the consideration of a campground task force.

A task force allows residents to provide input into the creation of zoning ordinances that lack any specific requirements, and allows for collaboration of planners, developers, and concerned residents. It appears the county is not being proactive with development issues in the county. This has created problems for well over a decade in issues that CPR Life has been involved in. There is no action taken until a special permit application is filed, resulting in unnecessary conflict with all involved. Examples that come to mind are the following:

- Special permit application for a drag strip which was ultimately denied/withdrawn. During the process a Motorsports Task Force was established to assist the County Board in addressing the complex issues involved with motorsports facilities. Two of our CPR Life neighborhood members served on this task force.
- Special permit application for soil mining permits. A Soil Mining Task Force was created to discuss such issues as oversight/enforcement of conditions placed on such proposals, development of regulations, inspection fees, development of stringent re-seeding and vegetative guidelines. Again, a member of CPR Life served on the task force.

In response to The November 25, 2019 staff report by Tom Cajka, the members for the group CPR Life would like to offer the following proposals for Lancaster County Zoning Regulations Article 13.014 Campgrounds. Since Mr. Cajka has commented that the applicant's proposal was fashioned after the current Lincoln City Municipal Code 27 Zoning, Chapter 27.63 Special Permits, and Article 27.63.270 Campgrounds, we are proposing that the County adopt all the current language found in this Article. It appears that Mr. Seacrest and Dave and Jolene Queen have chosen to PICK from the current Municipal Code the items that promote their application of an RV Park near Highway 77 and Davey Road in northern Lancaster County. We, the concerned citizens residing in northern Lancaster County (CPR Life), would like the entire current language in the Municipal Code to be the basis of the establishment of campgrounds throughout Lancaster County and not just address the wishes of the applicant.

As noted by Mr. Cajka the current Camp A Way facility is exempt from the municipal code due to being created prior to the 1979 Comprehensive Plan. The Lancaster Event Center is a public entity, and as such, does not have to abide by any campground municipal code. The development of the campground language for 13.014 needs to set the county wide standard for decades to come.

We, CPR Life, would like to propose adoption of the current municipal code language for 13.014, along with the following modifications:

Lancaster County Zoning Code Section 13.014 Campgrounds

Campgrounds for tents, tent-trailers, and recreational vehicles may be allowed by special permit in the AG and AGR zoning districts under the following conditions:

- a. **Each campsite shall contain at least 2,500 square feet.** The campsite shall be so designed that the required 2500 square feet can be enclosed within a rectangle of which one side shall not exceed three times any other side. *(It is up to the Planning Department to add the minimum of 40 campsites as desired).*
- b. The campground shall be supplied with a water supply and sewage disposal facilities, including washing (laundry), toilets, and similar facilities, all of which meet all applicable county codes and regulations.
- c. A side yard of fifty feet and a front yard of 100 feet shall be maintained on the campground; provided, however, that the 100 foot front yard requirement may be waived if the front yard abuts on a public street which has a right of way width of 200 feet or more. **Screening required from the campground to adjacent properties.**
Incorporate the AG district definition of 100 feet for rear yard setback.
- d. The access to public roads and highways shall be paved or surfaced in a similar manner to the adjacent public roads, and shall be approved by the county.
- e. Access roads shall be provided to each campsite and all access roads shall have a minimum unobstructed width of fourteen feet for all one-way roads, and twenty feet for all two-way roads.
- f. **No campground may be occupied by the same person or persons more than thirty days in any one calendar year.**
- g. **No mobile homes shall be located in any campground, except as provided for in ~~Section 27.83.010 (d) (5)~~ Add applicable county code reference.**
- h. **All special permits issued under this section are temporary and valid during the period that the campground and associated facilities comply with the provisions of this title and all other applicable ordinances and regulations.**
- i. All Campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make records available to any county official upon request. **An annual report is to be filed with Building and Safety or applicable County department. This report should be available for public access.**

Modification of additional proposed conditions:

- j. Signs, **non-lighted**, are allowed within the front yard setback.
- k. One **non-trailer** dwelling unit or a campsite occupied by the owner or caretaker year round is permitted.

In addition, we would like to propose adding the following:

- l. **All persons who reside at the campground must have a background check for sex offenders, and must be reported to the appropriate authorities.**
- m. **No skirting shall be allowed on said camping trailers or recreational vehicles.**

CPR LIFE

(Citizens for the Protection of Rural Life)

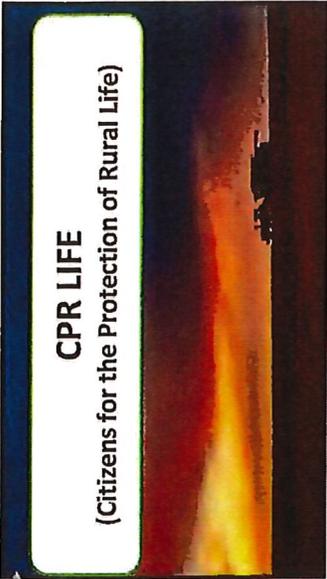


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Printed Name	Signature	Address	Email address	Phone #
Brian P. Campbell	<i>Brian P. Campbell</i>	6030 DAVEY RD	brianpc@campbellelectricsinc.com	402-450-4687
Cassie Campbell	<i>Cassie Campbell</i>	6030 Davey Rd	Cassie.L.Campbell@hotmail.com	402-430-2157
Denise Montan	<i>Denise Montan</i>	6045 N. 134th St.	denisc@bestcoservices.com	402-430-1907
Sandy Schachenmeyer	<i>Sandy Schachenmeyer</i>	14900 Country Lane Lincoln Mo		785-2285
Kent Simpson	<i>Kent Simpson</i>	6160 Rock Creek Rd	chopperflyinhigh@yahoo.com	402-217-3098
Lauren McLane	<i>Lauren McLane</i>	4307 29th Ave PL, Kearney NE	lmpolme@comcast.net	
Amber Simpson	<i>Amber Simpson</i>	11160 Rock creek Rd	amandahansen2@yahoo.com	(402) 617-1896
Cindy Kaiser	<i>Cindy Kaiser</i>	3530 Elm St. Davey NE	Kaiser0930@windstream.net	402-785-2946
Karen Edstrom	<i>Karen Edstrom</i>	3540 Elm St Davey NE	trapspt35@aol.com	402-785-2525
Mary J Sayers	<i>Mary J Sayers</i>	13932 S Cottonwood Dr Olathe KS		402-430-2328
Shirley Pries	<i>Shirley Pries</i>	10020 Raymond Rd Lincoln NE 68517	spriess863@aol.com	402-786-7363



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Printed Name	Signature	Address	Email address	Phone #
Tasak Huk	<i>[Signature]</i>	800 W Davey Rd		402-7855601
Rogere Isaacson	<i>[Signature]</i>	8701 Davey Rd		402-7855325
Sherry Isaacson	<i>[Signature]</i>	8701 Davey Rd		402-7855325
Gary Larsen	<i>[Signature]</i>	17575 N. 70th St		402-7855325
Phyllis Larsen	<i>[Signature]</i>	17575 N. 70th St		402-416-3508
Gary Carol Sherman	<i>[Signature]</i>	6305 Agnew Rd, Berea, NE 68017	cavalisherman@gmail.com	402-890-9850
Christoph Hall	<i>[Signature]</i>	3525 Cedar St Davey Ave 68336	Christoph.Hall17@gmail	612-44-2468
Hannah Dovel	<i>[Signature]</i>	1240 Peach St. Lincoln NE 68502	hannahdove@gmail.com	(402)570-9244
Rogere Isaacson	<i>[Signature]</i>	7401 Davey Rd Berea, NE 68017		
David W. Nielsen	<i>[Signature]</i>	7100 Raymond Road Lincoln, NE 68517	dave.nielsen82@gmail.com	402
Jerry L. Minchow	<i>[Signature]</i>	8181 Davey Rd. Lincoln, NE 68517		560-0106

CPR LIFE

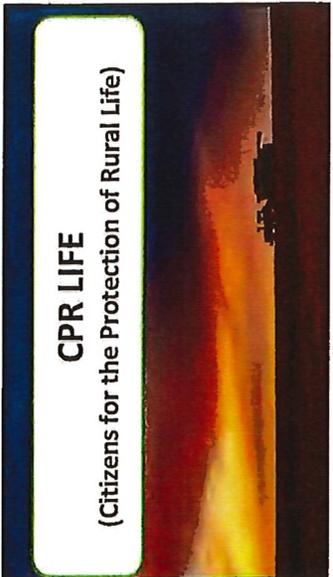
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Printed Name	Signature	Address	Email address	Phone #
Rebecca A. Campbell		1430 208th Dr. Seward, NE 68434	beckypca2766@gmail.com	402-644-2766
WALTER R. CAMPBELL		1430 208th Dr. Seward NE 68434	wuff.campbell11@gmail.com	402-644-8873
Natalie Campbell		4115 Vim St Loca NE 68430	nataliecampbell2012@gmail.com	402-803-9173
James Campbell		4115 Vim Street Loca NE 68430	theportovino@hotmail.com	402-803-9172
JOHN D. SCHERNIKAW		635 S STEVENSON CARTERSVILLE, NE 68331	john.schernikaw@gmail.com	402-450-0292
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Gregory Zabka		2229 Arvo Rd. Seward, NE	just.brednick@comcast.net	402-644-3485
Jack Brednick		1411 205th Dr. Seward NE	dbank1@gmail.com	402-641-2057
Doug Barker		1444 208th Dr Seward NE	ldoehring@aol.com	402-324-1366
Lee Doehring				

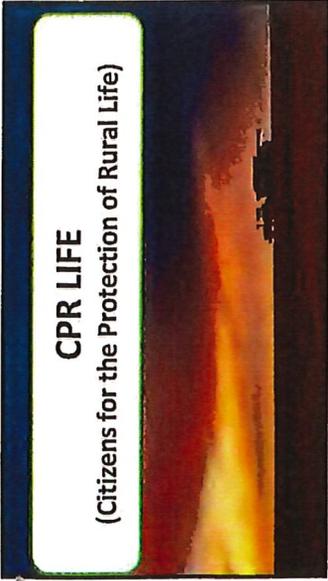


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Printed Name	Signature	Address	Email address	Phone #
Diane Black	<i>Diane Black</i>	4707 Rock Creek Rd		540-8944
Chris Knoche	<i>Chris Knoche</i>	6000 Rock Creek Rd		523-0387
ATTIE FORNER	<i>Attie Forner</i>	17600 NBX		560-4101
RICH FORNER	<i>Rich Forner</i>	"		432-7557
Herman Knoche	<i>Herman Knoche</i>	6000 Rock Creek Rd	dknoche@gmail.com	785-7585
Darlene Knoche	<i>Darlene Knoche</i>	6000 Rock Creek Rd		785-7558
Jim Oldfield	<i>Jim Oldfield</i>	214 Oak St Curlew		840-3959
Lazy Hole Camp	<i>Lazy Hole Camp</i>	1362 Bennett Ave Curlew, NC	Chakenkamp@comcast.com	(100) 802-7862
Mary Sloug	<i>Mary Sloug</i>	1302 Garnett Ave Curlew, NC	" "	402-802-7862
David Hanson	<i>David Hanson</i>	2355 Ash Grove Rd. Curlew, NC	" - - -	898 402-5760
Louis Ronhorde	<i>Louis Ronhorde</i>	14555 N 70th Huntersville, NC	ronhorde1961@aol.com	402-429-8233



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Printed Name	Signature	Address	Email address	Phone #
Rebecca Keep	<i>Rebecca Keep</i>	8601 Davey Rd Lincoln NE 68517	takeepster@gmail.com	402-456-9189
MARILYN KAHLER	<i>Marilyn Kahler</i>	3635 CEORC DAVEY NE		4131 785-3565
JOHN MURE	<i>John Mure</i>	7449 DAVEY RD LINCOLN NE 68517		307-680-4895
CAPTAIN GIBSON Craig & Renee Schnieder	<i>Captain Gibson</i>	7449 Davey Rd. LINCOLN NE 68517 380 E m Davey ne 68336	craig&reneeschnieder.net	307-622-8977
DRAB ALLEN	<i>Drab Allen</i>	3640 Maple Box 113 Davey		402 435 7235
Martene Tracy	<i>Martene Tracy</i>	1500 N 34th St Lincoln NE 68517 6333 Rock Creek	giggy1759@aol.com	402-304-2579
Scott Johnson	<i>Scott Johnson</i>	CASSO NE 68517		408-560-9582
CRAIG STEED	<i>Craig Steed</i>	17330 N 84 68517		
Teri Nielsen	<i>Teri Nielsen</i>	17330 N. 84th St		
PAM HUCK	<i>Pam Huck</i>	800 W Davy Rd		402 785 5611

CPR LIFE

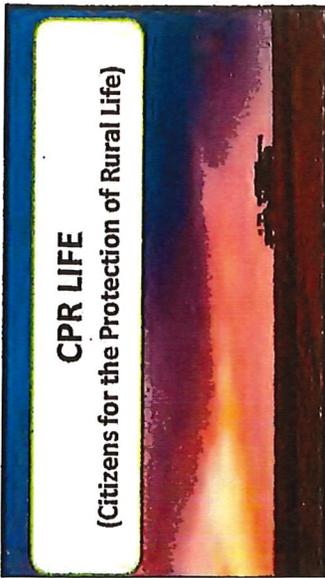
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Printed Name	Signature	Address	Email address	Phone #
John Byhr	<i>John Byhr</i>	638 ^{Vulpago, NE 68065} Ave SW	---	402-784-2245
Tom Neal	<i>Tom Neal</i>	1767 ^{Wichoo, NE 68066} Co. Road F	---	402-277-0560
Lynn Maxson	<i>Lynn Maxson</i>	421 Beech Box 71 ^{Ceresco, NE}	68017	402-665-6201
Erma Walter	<i>Erma Walter</i>	112 N 3 rd ^{Peru, NE}	68017	402-665-213
Mary Trudy	<i>Mary Trudy</i>	6495 ^{Little Salt} Circle	68017	402-785-2545
Brian Roland	<i>Brian Roland</i>	109 Laura Lane ⁶⁸⁰¹⁷	---	402-665-2335
LANA TILSON	<i>Lana Tilson</i>	^{VA} 10141 RISO 123 N PINE ST	---	402-890-0170
TACK JOHNSON	<i>Tack Johnson</i>	21305 NB 70th	---	402-310-8866
KEVIN STARK	<i>Kevin Stark</i>	634 DAVEY ROAD, DAVEY NE ⁶⁸⁰³⁴	Davey 37290 ^{WINDSTREAM.NET}	402-785-7295
LAMMY STARK	<i>Lammy Stark</i>	324 Co. Rd-19, CERESCO NE 68017	---	402-781-2253
PAT STARK	<i>Pat Stark</i>	324 Co. Rd 19, CERESCO NE 68017	---	402-784-2283



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Printed Name	Signature	Address	Email address	Phone #
KELYN NIGHTENGALE	<i>[Signature]</i>	1205 S. 37th St Lincoln, NE 68510	jknightengale@se@gmail.com	402-314-9035
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Amy Hunt	<i>[Signature]</i>	6850 NW 7th St Lincoln NE 68521	sparkygj19@hotmail.com	402-217- 09103
DENISE NEVERVE	<i>[Signature]</i>	4609 Grassing Rd City 68576	denise.neverve@gmail.com	402- 430-9913
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Alex Sedoris Sr	<i>[Signature]</i>	4116 Lenox Ave Lincoln NE 68510	---	402-580-0461
Alex Sedoris Jr	<i>[Signature]</i>	4116 Lenox Av Lincoln NE 68510	---	402-304-1540
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Corie Gorton	<i>[Signature]</i>	2818 H Rd, Sutherland, 68416	60213333@yahoo.com	402-269-5091
Nicole Tietz	<i>[Signature]</i>	115 Snowvunen Circle Palmyra NE 68418	nikc:mane689@yahoo.com	402-429-8884

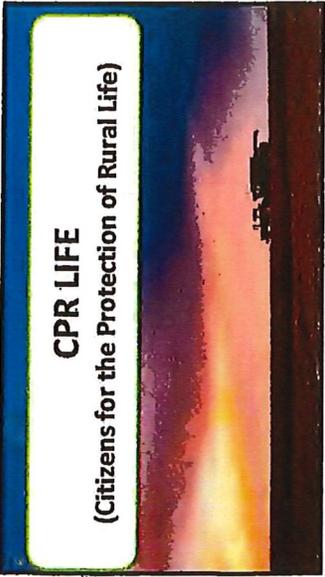


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Jeremiah Durkin	<i>[Signature]</i>	761 N Sycamore Wichoo NE 68066	jeremiah@chob.com.net	402-587-9176
Sarah Goggin	<i>[Signature]</i>	211 Curtis Wichoo NE 68066	sgoggin@home.com	402-525-7442
Joni Durkin	<i>[Signature]</i>	761 N Sycamore Wichoo, NE 68066	jidurkinsech@att.net	402-729-7750
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Jill Rattovec	<i>[Signature]</i>	2420 31 RD Brainard, NE 68026	jill.rattovec@aol.com	402-641-3583
Sandy Schachermayer	<i>[Signature]</i>	14900 Country Lane Lincoln, NE 68517	sandydovone68@gmail.com	402-318-2464
James Marsh	<i>[Signature]</i>	125 Camden St, Ceresco, NE 68017	jmarsh5457@windstream.net	402-665-5487
Judy White	<i>[Signature]</i>	19030 NW 112th Raymond Ceresco	Judy.white1947@aol.com	402-340-6614
Tammy Norton	<i>[Signature]</i>	705 3rd South St	innnorton@hotmail.com	402-860-2242
Krista Zobel	<i>[Signature]</i>	13050 N 14th Daymond Ceresco	Krista.zobel@gmail.com	402-440-6687



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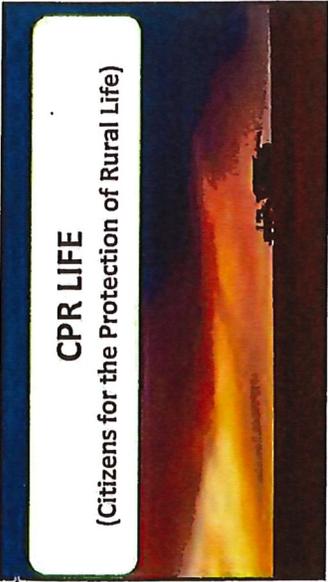
Printed Name	Signature	Address	Email address	Phone #
	<i>[Signature]</i>	704 Pine Ceresco NE		
	<i>[Signature]</i>	704 Pine Ceresco NE		
	<i>[Signature]</i>	1520 CA-B Ceresco		
	<i>[Signature]</i>	20655 N. 80th Ceresco	saeichmeier@hotmail.com	
	<i>[Signature]</i>	705 S. 3rd St., Ceresco	imnorlen@hotmail.com	
	<i>[Signature]</i>	209 W. Pine St. - Ceresco NE	Pattin19@gmail.com	402-318-2820

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Printed Name	Signature	Address	Email address	Phone #
Ben Kaiser	<i>Ben Kaiser</i>	5590 Davey Rd Ceresco NE 68017	28kaiser@gmail.com	402-525-7046
Brian Kaiser	<i>Brian Kaiser</i>	5590 Davey Rd Ceresco NE 68017	bkaiser1@gmail.com	402-518-0145
Phil Pfeiffer	<i>Phil Pfeiffer</i>	15740 N 50 St Lincoln, NE 68514 17800 110 8444	philpfeiffer@gmail.com	402-429-3181
Kay Mellen	<i>Kay Mellen</i>	Lincoln, NE 68512		402-785-2081
Timothy J. Kubisek	<i>Timothy J. Kubisek</i>	18507 N 70th St Ceresco, NE 68017	t.j.kubi69@gmail.com	402-550-2502
Doug & Elaine Swanson	<i>Doug & Elaine Swanson</i>	5507 Davey Rd. Ceresco, NE 68017	Doug Swanson Ford@gmail.com Elaine Swanson	402-430-3334 402-525-6803
Martha Mischew	<i>Martha Mischew</i>	8181 Davey Rd. Lincoln 68517	martyminchow@hotmail.com	402-785-7585

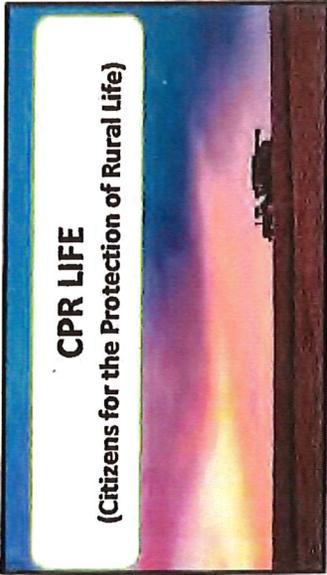


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Printed Name	Signature	Address	Email address	Phone #
Cheryl Sloop	<i>Cheryl Sloop</i>	474 C.R. 17 Ceresco ne 68017	-	402-405-3505 402-405-3505
Torie bidfield	<i>Torie Oddquist</i>	Ceresco ne		402-416-8874
Brian Prohaska	<i>Brian Prohaska</i>	Ceresco ne		402-432-9618
Theresa Tyrby	<i>Theresa Tyrby</i>	6495 Cattle Salt Co	theresatyrby@gmail.com	

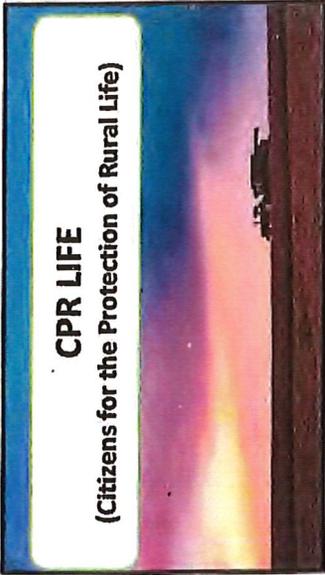


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Printed Name	Signature	Address	Email address	Phone #
Tony Fisher	<i>Tony Fisher</i>	5601 Agnew Rd Ceresco 68017		402 785-2031
Christina M Fisher	<i>Christina M Fisher</i>	5601 Agnew Road Ceresco NE 68017		(402) 785-2031
Alexandra M. White	<i>Alexandra M White</i>	19030 NW 112 Ayrton Rd, NE 68428		402-416-8216
Martin Gestdes	<i>Martin Gestdes</i>	3500 West LITTLE SALT RD Vermilion NE 68065		402-525-1712
Gary Otto	<i>Gary Otto</i>	1430 CORLA Ceresco Nebra. 68017		402-450-7073
Alex L. Lowell	<i>Alex L. Lowell</i>	4821 Tomashook Ln 68516		402-580-1758
ARNOLD D. LOWELL	<i>Arnold D. Lowell</i>	444 WEST EYE CERESCO 68017		402-580-1767



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Printed Name	Signature	Address	Email address	Phone #
Allen N Naprstek	<i>Allen Naprstek</i>	8005 W. Litke Salt Rd		402-326-0799
Caroline Naprstek	<i>Caroline Naprstek</i>	Waparouso NE 68065 8005 W Litke Salt Rd Ceresco NE 68017		402-326-0799
Kent Hansen	<i>Kent Hansen</i>	21205 No. 84th		402-432-2010
Chris Subrtka	<i>Chris Subrtka</i>	751 South 3rd Box 172 Ceresco NE 68017		402-429-8531
John Anderson	<i>John Anderson</i>	P.O. Box 155 Ceresco NE		402-430-1572
Mark Egan	<i>Mark Egan</i>	1555 Davey Rd Davey NE 68338		402-450-9200

Testimony in opposition to TX19009

My name is Becky Keep and I live at 8601 Davey Road,
Lincoln.

I am here today to speak in opposition text amendment 19009
creating campgrounds under AG zoning in Article 13.014.

While I don't believe campgrounds belong in AG or AGR at all,
I will go on and address subparagraphs a. and b. of the proposed
ordinance. The proposed language in a. calls for a minimum 40
campsites with a water supply and sewage disposal, etc., and b.
provides for the setbacks to be 50' front and 60' rear. This is
wholly inadequate.

Campgrounds in AG zoning should be given the same
conditions as the City campground ordinance in Article
27.63.270, subs a-c. Since campgrounds in both cities and rural
areas can have similar population density and proximity to
neighboring homes, the Municipal ordinance could easily be

applied in rural areas as well. Why create a second set of regulations with no other rationale other than it's what a special permit applicant is asking for?

I also suggest that you include additional language in .b to provide screening from adjacent property, as described in the staff report. Our reason for screening is aesthetics, highway safety, and adjacent farming activity. Thank you.

TITLE 27 ZONING

Chapter 27.63 SPECIAL PERMITS

27.63.270 Campgrounds.

Campgrounds for tents, tent-trailers, and recreational vehicles may be allowed by special permit in the AG and AGR zoning districts under the following conditions:

- a. Each campsite shall contain **at least 2,500 square feet**. The campsite shall be so designed that the required 2,500 square feet can be enclosed within a rectangle of which one side shall not exceed three times any other side.
- b. The campground shall be supplied with a water supply and sewage disposal facilities, including washing, toilets, and similar facilities, all of which meet all applicable city codes and regulations.
- c. A side yard of fifty feet and a **front yard of 100 feet** shall be maintained on the campground; provided, however, that the 100-foot front yard requirement may be waived if the front yard abuts on a public street which has a right-of-way width of 200 feet or more.

Ordinance Text Amendment #19009

Dec. 4, 2019

My name is Phyllis Larsen and I live at 17575 N 70th St, Lincoln. I'm interested in the proposed ordinance text amendment. Much of the verbiage has been developed by the special permit applicant. This approach is sure to meet business needs, but not necessarily public needs.

Rather than create a whole new set of rules, I propose using the ones currently in place in Lincoln's Municipal Code 27.63.270. County campgrounds can have just as dense a population and just as much impact on neighboring homes as those in the city. So if the Municipal code is working in Lincoln, it should work in the county, too.

I'm especially interested in this part of the Municipal Code.

"No campground may be occupied by the same person or persons for more than 30 days in any calendar year. "(part f.)

This succinctly specifies the amount of time someone can spend in a campground and prevents it from becoming a mobile home park with long term residents who simply want cheap housing.

A 30-day rule is also consistent with County Zoning Regulation 2.004.

It defines a Campground as a parcel of land intended for temporary occupancy by a tent, tent trailer, or recreational vehicle. **Temporary occupancy** are the key words here. Anything more than that and the campground becomes a residence.

Campgrounds being used as residences is a well documented trend all over the country—especially for temporary construction workers. A recent headline in the Omaha World-Herald said "They Aren't Camping, it's Home." It describes temporary construction workers who choose to live in RVs rather than pay for extended stay motels.

https://www.omaha.com/special_sections/outlook/they-aren-t-camping-it-s-home/article_051b2b21-4c85-5d23-a720-4ff2531e68b3.html

But why allow people looking for cheap, long term housing to take up residence on land that's zoned for agriculture? Why create a densely populated trailer town thinly disguised as a recreation campground? It stresses area resources and is contrary to the county's Comprehensive Plan. The plan specifically mentions preservation of ag land over and over. It's in sections 2.7, 5.5, 5.4, 7.12, 7.2, 12.4 and so on.

If campgrounds truly are a "parcel of land intended for temporary occupancy," as defined in County Zoning, then the Lincoln Municipal Code is a good model. The Code's 30-days in a calendar year rule is exactly what we need.

Please protect rural neighborhoods just as much as those in Lincoln. We need your support to create an ordinance that prevents not encourages creation of densely populated trailer towns with long term residents. 30-day stays are enough in a recreational campground.

Thanks for listening.

My name is Martha Minchow. I live at 8181 Davey Rd. Our family owns land within 1 mile as well as across the road from this proposed site.

Pulling from the Text Amendment #19009, under Key Quotes from the 2040 Comprehensive Plan, P.5.4- the last sentence states:“ Farms of all sizes make purchase of goods and services in the city and county throughout the year, which contributes to the local tax base and sustain growth for other business in the agriculture industry.”

I would like to share one example that shows how important this is.

Let’s take into account just the purchase of one tractor tire for \$1700-\$2000. That one purchase generates around \$93-\$110 in taxes, which allows a business to remain open and offer employment to numerous individuals. These employees will then be using their salary to make other purchases which will in turn generate even more tax dollars.

Whenever land is taken out of agricultural production, there will be an impact on our economic health.

Will our county recoup a similar amount of return on ‘purchases of goods and services in the city and county...’ from the visitors at the campgrounds?

P. 12.4 In part states: “...Agricultural land may be in transition to more diversified agribusiness ventures”

Tell me how a campground is a ‘more diversified agribusiness venture’?

In conclusion, under Lincoln Municipal Code, Title 27 Zoning, Chapter 27.63 Special Permits, 27.63.270 Campgrounds, there are nine conditions listed. Why are these being modified? It would seem that the developers of the site at Highway 77 and Davey Rd. are tailoring these conditions to meet their wishes. Do you really desire to have these altered conditions to be the standard for all future campgrounds in AG and AGR districts?

Thank you. Do you have any questions?

Planning Commissioner,

I am Carol Sherman and I speak today on behalf of my husband Gary & myself. We live on our farm at 6305 Agnew Rd. I speak in opposition to the suggested text for TX#19009.

The Lincoln Municipal Code, Title 27 Zoning, Chapter 27.63 Special Permit, 27.63.270 Campgrounds.

We urge you to adopt the above Lincoln code as written, for use in Lancaster County for Campgrounds. There is no need to change any of the language or pick only part of it and change other parts as suggested in TX#19009..

Thank You,

Carol J Sherman

Testimony—Ordinance Text Amendment #19009

Dec. 4, 2019

My name is Christoph Hall and I'm a fourth-generation farmer. I live in Davey and farm the land adjoining the special permit application area.

I'd like to address this part of the proposed text amendment: "A front yard setback of fifty (50) feet and side and rear yard setbacks of sixty (60) feet shall be maintained on the campground."

In Lancaster Zoning Article 4.017, Height and Area Regulations are addressed.

Resolution R-18-0078 specifies that land zoned as Ag district requires a front yard of 50 feet, 60 feet on the sides and 100 on the back yard.

The staff report on this amendment says "a 60' setback on the side and rear lot lines provides a sufficient setback to adjacent properties." I disagree and support having at least 60 feet on the sides and 100 feet on the back for safety reasons.

This campground is described as being family friendly. People may decide to go exploring not knowing the boundaries and not knowing the inherent dangers. For example, have you ever touched an electric fence?

Or picture this. I'm driving a 15,000 pound, 16 foot wide combine through corn that's about 7 feet tall. It's thick—you can't see through it. The combine is filled with 5 tons of grain. It's noisy and dense dust is in the air. It's all part of harvest season. Then a child darts out in front of me and there's no way I have time to stop.

Or imagine sitting outside your RV as a tractor applying anhydrous ammonia drives past. Farmers are trained in safety measures but in certain environmental conditions, the gas can drift. You should know that exposure can irritate the skin burn your throat and lungs, and burn your eyes, causing temporary or permanent blindness.

Safety and liability are real issues here. How about adding this safety measure to the ordinance?

In Iowa, commercial campground zoning says: "Rear and/or side yards shall be screened from adjacent property by a planting screen not less than ten feet in width and six feet in height or by a fence, wall, berm or other comparable means."

(<https://www.boonecounty.iowa.gov/home/showdocument?id=355>)

Requiring a fence and other barriers between campground users and adjacent properties sounds like a good idea. I encourage you to add it to the proposed text amendment. Also please increase the setbacks to at least 100 feet.

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My name is Karen Kurbis. I have resided on the road less traveled at 17500 N. 84th Street for twenty nine years. My daily commute to work goes past the proposed campground access on Davey Road. I am a member of CPR Life (Citizens for the Protection of Rural Life). Our members reside in various parts of the county and we have been corresponding with our counterparts in northwest Lancaster County in regards to the campground text amendment.

I am opposed to the proposed language in the Text Amendment TX91009. I consider this to be a watered down version of the Lincoln Municipal Code for Campgrounds. It appears to be focused more on the current special permit application desires than a comprehensive county wide ordinance.

Several items were left out that I consider significant.

- **No mobile homes shall be located in any campground.** *I have visited several campgrounds in an effort to more fully understand the nature of the campground. I found too many RVs that gave the flavor of a trailer park. Skirting made of various materials from green indoor/outdoor carpeting, Styrofoam, plywood, cloth, and plastic landscape materials were seen at Camp A Way, Pine Grove, and the Gretna KOA campgrounds.*
- **All special permits issued under this section are temporary and valid during the period that the campground and associated facilities comply with the provisions of this title and all other applicable ordinances and regulations.** *We have witnessed too many times the start-up of special permits followed by failure to follow the conditions of the special permit. Without this guideline we have little recourse to engage the county offices in following up on non-compliance.*
- **All Campground operators shall keep accurate records as to the length of time a person stays in the campground, and shall make records available to the county upon request.** This should be modified to include "An annual report will be filed with Building and Safety or other applicable County Department. This report should be available for public access.

My lack of faith in the county oversight can be demonstrated in several examples but I will limit it to one of the soil mining special permits. SP08017 originated in 2008, but the site was not opened and in accordance with the conditions the permit expired. It was renewed in 2009 and again in 2013 for a 3 year period. As a member of the Soil Mining Task Force I am aware that one of the conditions is that the land must be 'reclaimed' and top soil redistributed on the land. As part of the mining process, the top soil is removed from the surface and collected in storage area berms during the mining process. As you will see in the photo taken a few weeks ago, the topsoil was never returned to the land and consequently the land reclamation was not completed.



On March 3rd of 2016 there was a Rega Engineering Group request to Tom Cajka, Planner, to close out permit & subsequent release of performance bond.

On March 4th of 2016 there was a Memorandum from Tom Cajka (Planning Dept.) to Rick Peo (City Attorney Office) stating “enclosed letter signed by a licensed engineer states that the **requirements have been met....**Please release the \$9,870 performance bond”.

On March 10th of 2016 there is an Order signed by David Cary (Planning Director) to release “\$9,870 to **guarantee the final reclamation plan** as required for Special Permit No 08017B as the **final grading and drainage have been satisfactorily completed**”.

Why is the planning department releasing performance bonds when the conditions of special permits are not completed?

The availability of access to the length of stay is really our only opportunity to monitor the compliance of the campground stays. In a conversation with Tom Cajka prior to Thanksgiving, Marlene Tracy inquired who was going to monitor the length of stays and he smiled and said “the neighbors”. Unfortunately we have seen too many special permits approved and the county fails to do any monitoring to insure the conditions are followed. At the informational meeting with the Queens on October 11th, I expressed this concern with Tom Cajka and he insisted that there are processes in place to ensure compliance. I responded that is not the standard that we have witnessed and mentioned the soil mining site on Hwy 77 near Bluff Road. This is soil mining site that he signed off on.

I use the soil mining permit as an example of why the public should be entitled to access campground length of stay reports. Once a soil mining permit is issued, there is no further monitoring unless initiated by public complaint. I have no faith that this proposed special permit would be any different.

I would like to propose that campground annual reports, or others as requested by the county, contains the camper’s name, a unique number assigned to the camper for all their future visits, RV license number (this would eliminate the potential to game the system by registering under a different name), campsite number,

date of arrival, and date of departure. If campgrounds provided this information in a spreadsheet the county could easily remove the camper's name and provide the rest of the data for public access.

Another neighbor mentioned the potential for a task force. I believe that this special permit application should be delayed to consider the potential of a task force or at least spend more time to enhance the proposed text amendment. As a prior member of the Motorsports Task Force and the Soil Mining Task Force, I would appreciate the opportunity to serve on a Campground Task Force should the County Board authorize one.

Thank you for your time.