

**CITY OF PAPILLION  
MAYOR AND CITY COUNCIL REPORT  
MAY 16, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
Approval of Ordinance No. 1996 to amend Chapter 170 (Subdivision of Land), Article V (Subdivision Design Standards) to provide for access management and subdivision through route regulations and to provide for an effective date. The applicant is the City of Papillion. (Access Management Amendment)	Ordinance #1996 (Introduction)	Travis Gibbons, CFM Planning Director

**SYNOPSIS**

The purpose of ordinance amendment is to establish the standards for access points to minor and major arterial streets and collector streets within the City of Papillion’s zoning jurisdiction. Standardization of access points will provide for a safe, efficient, and reliable network of arterial and collector streets with the City of Papillion’s zoning jurisdiction as the City grows. Further, access management is necessary to balance traffic safety and efficiency with reasonable access to property.

The specific changes include:

- 1) Expanding § 170-15 (General guidelines for subdivision layout) to add subsections (K) – (M) related to access control points, access point management, and spacing and alignment of intersections.
- 2) Supplementing § 170-16(A) with subsection (6) to add through route requirements for new subdivisions.
- 3) Updating § 170-16(E) to add requirements related to intersection design, traffic signal placing, access spacing requirements, and access control.
- 4) Adding the following figures and table to supplement the code additions:
  - a. Figure 170-16(A)(6) – Subdivision Through Routes
  - b. Figure 170-16(E)(5) – Access Spacing
  - c. Table VI – Intersection Hierarchy

Chapter Three of the Comprehensive Plan establishes the goals related to the development of an integrated transportation system. These goals include:

- 1) Providing for the safe and convenient movement of all residents of Papillion.
- 2) Assuring that the transportation system is adequate to meet the demands placed upon it.
- 3) Using the transportation network to support desirable patterns of community development.
- 4) Providing mobility for people who are not using automobiles.
- 5) Encouraging a balanced growth pattern that distributes traffic in ways that safeguard the city’s transportation system.

The proposed ordinance amendment will help meet these goals by establishing the standards for access points to minor and major arterial streets and collector streets within the City of Papillion’s zoning jurisdiction and by encouraging through routes within subdivisions. This will ensure safe and convenient movement for residents while assuring that the transportation system is adequate for current and future traffic needs.

**FISCAL IMPACT**

Not applicable.

**RECOMMENDATION**

Approval.

On 04/26/23, the Planning Commission unanimously recommended approval of Ordinance #1996.

**BACKGROUND**

The Planning Department currently uses the access management policies for the City of Omaha and Sarpy County as a guide for making recommendations related to access management. Based upon input from the development community, staff is recommending that such policies be incorporated into Chapter 170 to ensure consistent application of the access management regulations.

**ATTACHMENTS:**

Ordinance #1996

Legislative Tracked Changes

04/26/23 Planning Commission Staff Report

04/26/23 Planning Commission Minutes

**ORDINANCE NO. 1996**

**AN ORDINANCE TO AMEND ARTICLE V (SUBDIVISION DESIGN STANDARDS) OF CHAPTER 170 (SUBDIVISION OF LAND) OF THE PAPIILLION MUNICIPAL CODE HAVING TO DO WITH ACCESS MANAGEMENT AND SUBDIVISION THROUGH ROUTES; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

WHEREAS, the adoption of regulations related to subdivisions and public street dedications are authorized by Nebraska State Revised Statutes § 19-916 through § 19-921; and

WHEREAS, the City Council of the City of Papillion has received a recommendation from the Papillion Planning Commission concerning the proposed changes and additions as set forth in this Ordinance.

BE IT ORDAINED by the Mayor and City Council of the City of Papillion, Nebraska, as follows:

Section 1. That § 170-15, General guidelines for subdivision layout, of Article V Subdivision Design Standards be amended to read:

**§ 170-15. General guidelines for subdivision layout.**

Subdivisions shall be designed to comply with the following overall performance objectives:

- A. Avoidance of disturbance or other adverse effects on ground water and aquifer recharge.
- B. Reduction and minimization of cut and fill.
- C. Avoidance of unnecessary impervious surfaces.
- D. Prevention of flooding and encroachment of water onto other real properties outside the boundaries of the applicable subdivision, except for facilities designed as part of a regional or community-wide stormwater management system that is intended to account for such flooding and encroachment of water from such subdivision.
- E. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision, and the minimizing of cul-de-sacs over three hundred and fifty feet (350').

- F. Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic, drainage, and utilities.
- G. Preservation of natural drainage patterns.
- H. Reduction and minimization of the number of multiple frontage lots.
- I. Avoidance of lots that access arterial or collector streets.
- J. Provision for ADA accessible facilities.
- K. Establishment of access control based on future development and projected traffic needs.
- L. Minimization of the number of access points to reduce the number of potential conflicts to promote public safety.
- M. Proper spacing and alignment of intersections to reduce the number of potential conflicts to promote public safety.

Section 2. That § 170-16, Streets and alleys, of Article V Subdivision Design Standards, be amended to read:

**§ 170-16. Streets and alleys.**

The arrangement, character, extent, width, grade, and location of all streets shall conform as near as possible to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

A. Overall roadway system design.

- (1) The roadway system shall be designed to permit safe and orderly movement of vehicular and pedestrian traffic to meet, but not exceed, the needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape; and to present an attractive streetscape.
- (2) The roadway system shall conform to the City's Comprehensive Plan. For streets not shown on the Comprehensive Plan, the arrangement of such streets shall provide for the logical extension of existing streets and streets shown on the Comprehensive Plan.

- (3) The internal street network of a subdivision should provide for logical, continuous extensions of streets to and from adjacent subdivisions, both existing and those yet to be platted.
  - (4) The roadway system shall provide adequate traffic flow through a subdivision and provide at least two (2) routes from each lot within the subdivision to the rest of the City, except as explicitly permitted by the City Council and any governmental agency with jurisdiction over the applicable roadway system. Additionally, the roadway system should be designed to discourage through traffic from using local streets and local traffic from using arterials.
  - (5) The roadway system shall provide an internal street network that creates a high level of connectivity as defined in the Comprehensive Plan.
  - (6) The roadway system shall provide through routes within subdivisions that allow direct and continuous access to the adjacent arterial and collector street network. Such through routes shall be direct in nature with continuous access that allows easy navigation between the arterial and collector street network. At least three (3) north-south and three (3) east-west through routes shall be provided per mile unless the City Engineer and Planning Director determine that through routes are not feasible due to topography, environmental sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Such through routes shall be generally located at the quarter ( $\frac{1}{4}$ ) and half ( $\frac{1}{2}$ ) mile intersections with the adjacent streets as depicted on Figure 170-16(A)(6). The half ( $\frac{1}{2}$ ) mile routes shall provide the most direct routes between the adjoining arterial and collector streets. Alternate routes that provide through routes at locations other than the quarter ( $\frac{1}{4}$ ) or half ( $\frac{1}{2}$ ) mile; provided that the City Engineer and Planning Director determine that such alternate route is required due to topography, environmental sensitivity, human conflicts, or other condition as deemed appropriate by the City Engineer and Planning Director.
- B. Street extensions. The roadway system, including the internal street network, of the proposed subdivision shall provide for the continuation or appropriate projection of streets and alleys already existing in areas being subdivided. Where, at the determination of the City Council, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the City Council deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius of at least fifty feet (50') or an equivalent means as authorized by the City Engineer. The roadway system, including the internal road network, of the proposed subdivision shall provide for extending

existing roads, but in no case shall a road extension be of less width than the minimum width required in these regulations based on the road classification.

- C. Dedication of right-of-way for new streets. The dedication of right-of-way for new streets measured from lot line to lot line shall meet the right-of-way requirements as provided in Table II of these regulations. All points of access to all streets classified as arterial or collector streets shall be subject to the approval of the City Council. Marginal access streets may be required by the City Council for subdivisions fronting on arterial streets.
- D. Dedication of right-of-way for existing streets. Subdivisions platted along existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum street width requirements set forth in these regulations. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one (1) side of an existing street, one-half (1/2) of the required right-of-way width, measured from the centerline of the existing roadway, shall be dedicated.
- E. Intersections.

(1) Intersection design.

- (a) Conflicts at intersections shall be minimized.
- (b) Adequate stopping sight distances shall be provided, as deemed necessary by the City Engineer, to allow drivers to react to potential conflicts and stop.
- (c) Adequate intersection sight distances shall be maintained to provide opportunity for a driver who is waiting at an access point to enter or cross the street,
- (d) An area upstream and downstream shall be provided from any access point where drivers will need to change speed, brake, or maneuver should a vehicle turn onto the street.
- (e) Appropriate spacing shall be provided to eliminate interference between two or more vehicles attempting to enter the street at the same time.
- (f) The function area necessary to minimize congestion shall be provided in the area extending upstream and downstream of the physical intersection (including the longitudinal limits of the auxiliary lanes).

(2) Street intersections. Streets shall intersect as nearly as possible at an angle of ninety degrees (90°), and no intersection shall be at an angle of less than seventy-five

degrees (75°) unless specifically approved by City Council. Street curb intersections shall be rounded by a radius of at least twenty-five feet (25') for residentially zoned lots and thirty-five feet (35') for all other zoning districts. When the smallest angle of street intersection is less than seventy-five degrees (75°), the City Engineer may require curb radii of greater length. In all cases, the intersection radii shall not reduce the sidewalk width to less than five feet (5') and shall allow for PROWAG compliant ramps which adhere to the standard City curb ramp details. As necessary, property lines at such street corner shall be chamfered or otherwise set back sufficiently to permit such curb, sidewalk, and curb ramp construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access within seventy-five feet (75') of the right-of-way of such arterial street.

- (3) Driveway intersections. Driveways shall align with adjacent driveways or streets to the maximum extent possible in order to prevent offset intersections. For non-residential use type classifications, a minimum of one hundred and fifty feet (150') between driveways shall be required. When a driveway is located across from and between two other driveways that are on the opposite side of the street and unable to align, such driveway should be equally spaced between the opposing driveways.
- (4) Traffic Signal Placing. Traffic signal placing shall be permitted at no closer than one thousand three hundred and twenty feet (1,320') to maximize signal progression, capacity, and speed.
- (5) Access Spacing Requirements.
  - (a) Spacing Required. Full access to minor and major arterial may be permitted at quarter ( $\frac{1}{4}$ ) mile, half ( $\frac{1}{2}$ ) mile, and one (1) mile intervals. The preferred spacing for between two full access intersections is one thousand three hundred and twenty feet (1320'); however, a minimum spacing of one thousand two hundred feet (1200') is required. Right-in, right-out access may be permitted at the eighth ( $\frac{1}{8}$ ) mile interval. The preferred spacing between a full access intersection and a right-in, right-out intersection is six hundred and sixty (660'); however, a minimum spacing of five hundred feet (500') is required. Such spacing requirements are depicted on Figure 170-16(E)(5).
  - (b) Interim Measures Permitted. Interim access control measures may be permitted until the City Engineer determines that development warrants more restrictive control to provide for public health, safety, and welfare. For example, full access may be temporarily permitted at the eighth ( $\frac{1}{8}$ ) mile when an arterial street is not yet improved to its ultimate profile.
- (6) Access Control – Intersection Hierarchy. The hierarchy of intersections shall be established in Table VI. Connecting street classifications that are more than one level above or below in the hierarchy shall be avoided unless the City Engineer and Planning Director determine that such connection is required due to topography,

environmental sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Private access shall only be permitted to connect with local streets; provided, however, that shared private access may be permitted to higher classification streets upon the determination by the City Engineer that such connection is appropriate for public health, safety, and welfare.

- F. Street jogs. Street jogs with centerline offsets of less than one hundred and fifty feet (150') shall be prohibited.
  
- G. Cul-de-sacs. Cul-de-sacs shall be prohibited unless the City Engineer and Planning Director determine that a cul-de-sac is required due to topography, environmental sensitivity, geometry, or other condition as deemed appropriate by the City Engineer and Planning Director. Cul-de-sacs shall not be longer than four hundred feet (400') and shall be provided at the closed end with a turnaround having a diameter at the outside of the pavement of at least seventy-five feet (75'), except such turnaround in industrial and commercial areas shall be one hundred feet (100') in diameter. The length of a cul-de-sac shall be measured from the centerline of the intersecting street to the center point of the closed end turnaround of the cul-de-sac.
  
- H. Street names. Streets shall be named in a manner that is consistent with the naming conventions established for the Douglas-Sarpy County metropolitan area, including the numbering of north-south streets.
  - (1) Names in alignment. Proposed streets in alignment with existing streets shall bear the names of such existing streets.
  
  - (2) No duplication. The name of a proposed street that is not in alignment with an existing street shall not duplicate the name of any existing street within the Douglas-Sarpy County metropolitan area.
  
  - (3) Name change at curvature. Whenever a street alignment changes direction more than sixty degrees (60°) without a return to the original alignment within a distance of five hundred feet (500'), the name of the street should be changed at the point of curvature.
  
  - (4) Cul-de-sac naming. A cul-de-sac street serving not more than four lots shall take the name of the intersecting street.
  
  - (5) Approval by the City Council required. The proposed names of all streets shall be subject to the approval of the City Council prior to such names being assigned or used.



(6) Similar sounding streets. Street names shall be easy to pronounce, spell, and read to reduce confusion. Similar sounding street names, although spelled differently, shall be avoided (EXAMPLE: Lee and Leigh). In addition, the same street name should not be given a different or multiple street types (EXAMPLE: “Main” should not be “Main Street” in some places and “Main Road” in other places).

(7) Vanity street names. Streets named after the subdivision shall be prohibited.

I. Horizontal and vertical street curves.

(1) A tangent of a length to be determined by the City Engineer shall be introduced between reverse curves on all streets. Where there is a deflection angle of more than ten degrees ( $10^\circ$ ) in the alignment of a street, a curve with a radius adequate to ensure safe sight distance shall be made.

(2) All vertical curves shall be designed to meet the American Association of State Highway and Transportation Officials (AASHTO) stopping sight distances/headlight distance required based on design speed.

J. Street grade and elevations.

(1) All streets shall be designed so as to provide for the discharge of surface water from the pavement and from the right-of-way by grading and drainage. The minimum street grade shall not be less than seven-tenths of one percent (0.7%). Streets that would be subject to inundation or flooding shall not be approved. Profiles or elevations of streets shall be furnished by the subdivider. Street grades shall conform to the minimum requirements provided in Table I of these regulations.

(2) Accessible crosswalks shall be identified, and street grades shall be adjusted accordingly to meet PROWAG requirements.

K. Private streets. There shall be no private streets platted within a subdivision.

L. Alleys.

(1) When required. Alleys may be required to give access to the rear of all lots used for commercial and industrial purposes. Alleys shall not be required in residential areas except in cases where the subdivider provides evidence of the need for alleys that is satisfactory to the City Council.

(2) Design. Alley intersections and sharp changes in alignment shall be avoided, but, where necessary, corners shall be cut off sufficiently to permit safe vehicular movement. Dead-end alleys shall be avoided where possible, but if unavoidable,

shall be provided with adequate turnaround facilities and signage at the dead end, as determined by the City Council.

- (3) Maintenance. Maintenance and snow removal of alleys shall not be the responsibility of the City.

M. Other right-of-way easements.

- (1) Easements for utility rights-of-way shall be not less than five feet (5') in width and whenever possible shall be provided along the rear and side property lines. See Table IV.
- (2) When a subdivision is traversed by a watercourse, drainageway, channel, or stream, a stormwater easement or drainage right-of-way shall be provided with adequate width for both waterflow and maintenance operations. The total width of any such easement shall be sufficient to accommodate a one hundred (100)-year storm event, calculated for a fully developed upstream drainage basin. The minimum width of such easement shall be established by the Papillion Creek Watershed Management Policies and the Southern Sarpy Watershed Management Policies, as applicable. Parallel streets, parkways, walkways, or bridges may be required in connection with such drainage easement.

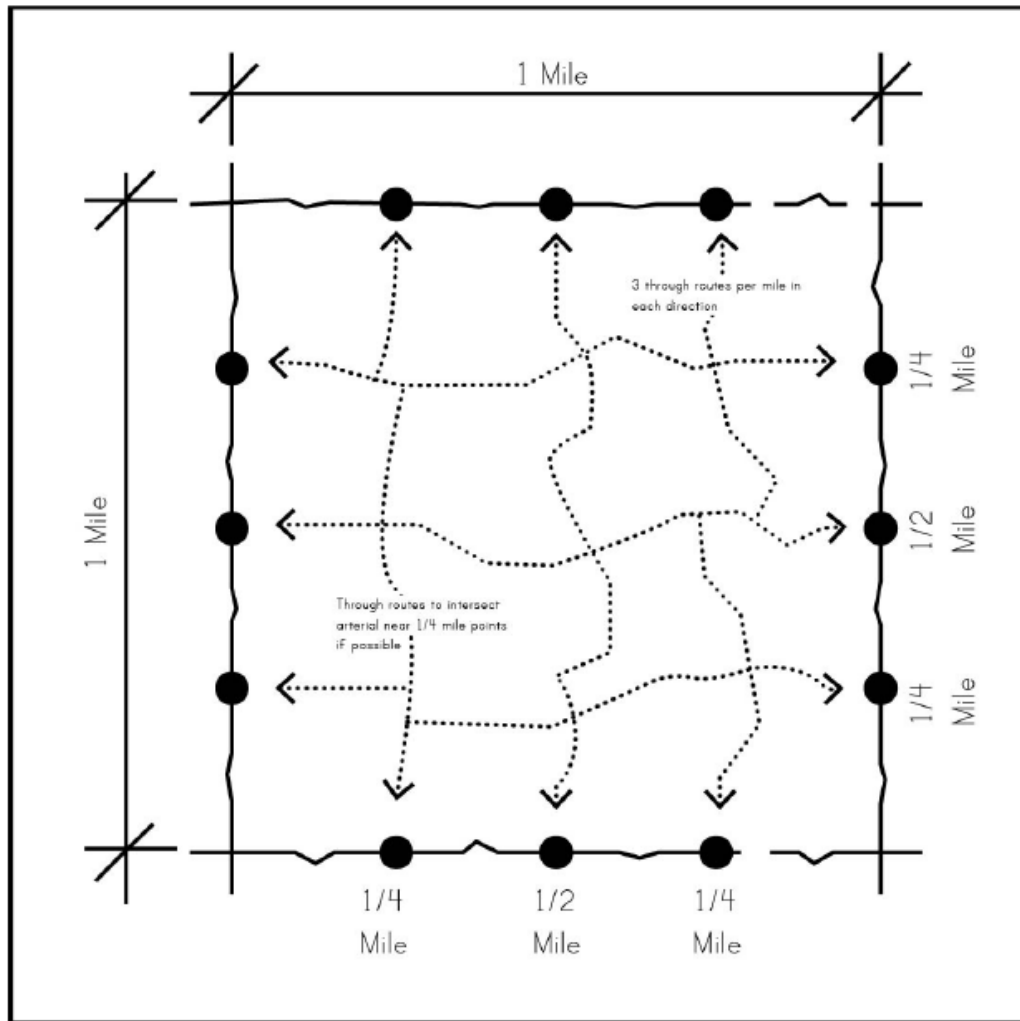
N. Outlots.

- (1) Number minimized. The total number of outlots within a subdivision should be minimized to the greatest extent possible.
- (2) Ownership of PCSMP outlots. At the time of platting, the subdivider shall be expressly identified as the owner of any outlot(s) being utilized for permanent Post Construction Stormwater Management for a particular subdivision. Ownership of such outlot(s) may be transferred from the subdivider to a homeowners or business owners association for the subdivision once such entity is formed. Ownership of any such outlot(s) shall not be transferred to the City unless expressly authorized by resolution of the City Council.
- (3) Ownership of Outlots. At the time of platting, the subdivider shall be expressly identify ownership over all outlots. Ownership of any outlot(s) shall not be transferred to the City or sanitary and improvement district unless expressly authorized by resolution of the City Council.

- (4) No buildings permitted. No buildings, other than those approved by resolution of the City Council, or otherwise allowed pursuant to a subdivision agreement between the City and subdivider, are permitted on outlots.
- (5) Narrow outlots adjacent to public roadways prohibited. Narrow outlots adjacent to public roadways shall be prohibited. The subdivider shall extend private lots to the right-of-way. The subdivider may dedicate landscape easements within private lots if desired or incorporate the narrow outlots into public right-of-way as directed or authorized by the City Engineer and Planning Director.

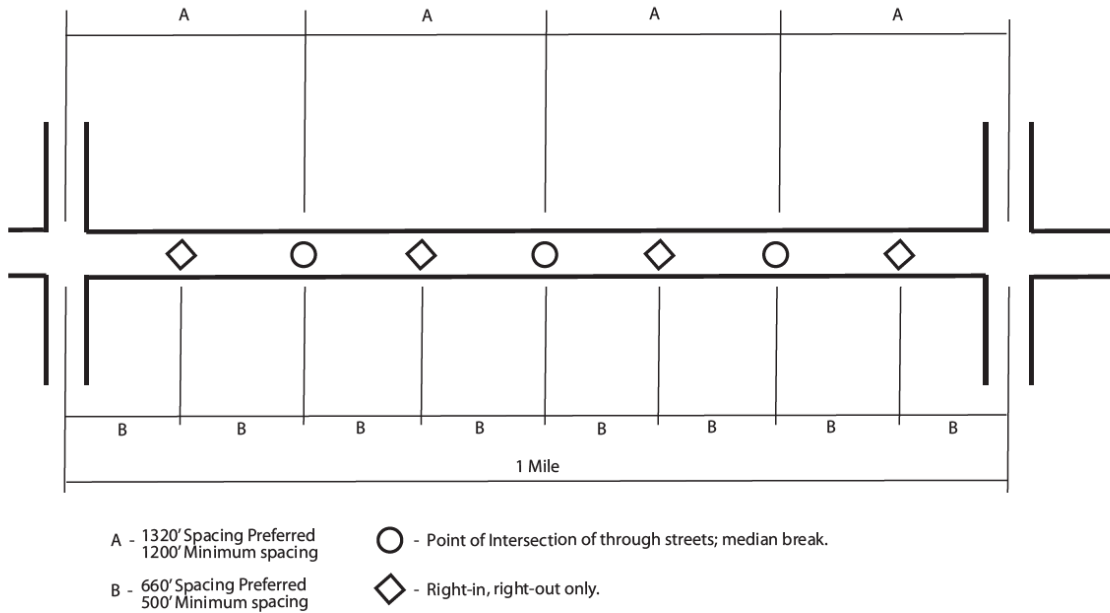
Section 3. That Figure 170-16(A), Subdivision Through Routes, of Article V Subdivision Design Standards, be added to read as follows:

**Figure 170-16(A)(6): Subdivision Through Routes**



Section 4. That Figure 170-16(E)(5), Access Spacing, of Article V Subdivision Design Standards, be added to read as follows:

**Figure 170-16(E)(5): Access Spacing**



Section 4. That Table VI, Intersection Hierarchy (Lowest to Highest Classification), of Article V Subdivision Design Standards, be added to read as follows:

**Table VI**  
**Intersection Hierarchy (Lowest to Highest Classification)**

Private Access <sup>1</sup>	Local Street
Local Street	Collector Street
Collector Street	Minor Arterial
Minor Arterial	Major Arterial <sup>2</sup>

1 Lowest Classification  
2 Highest Classification

Section 5. That Papillion Municipal codes § 170-15 and § 170-16, as previously existing, are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect fifteen (15) days after its passage. The City Clerk is directed to effectuate the publishing of this Ordinance for at least one (1) week in a newspaper in general circulation within the City of Papillion, which publication must take place within fifteen days of the passage of this Ordinance by the City Council. The City Clerk shall cause this Ordinance to be published in book or pamphlet form. That this Ordinance shall have the same force and effect as though it had been published at large. That

a copy of said Ordinance shall be filed for use and examination by the public in the office of the City Clerk.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF PAPILLION,

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DAVID P. BLACK, Mayor

Attest:

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NICOLE BROWN, City Clerk

(SEAL)

Planning Commission: 04/26/2023

City Council:

First Reading: 05/16/2023

Second Reading:

Third Reading:

**Ordinance #1992**  
**Access Management Ordinance Amendment**  
**Legislative Version**

**ARTICLE V. Subdivision Design Standards**

**§ 170-15. General guidelines for subdivision layout.**

Subdivisions shall be designed to comply with the following overall performance objectives:

- A. Avoidance of disturbance or other adverse effects on ground water and aquifer recharge.
- B. Reduction and minimization of cut and fill.
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- D. Prevention of flooding and encroachment of water onto other real properties outside the boundaries of the applicable subdivision, except for facilities designed as part of a regional or community-wide stormwater management system that is intended to account for such flooding and encroachment of water from such subdivision.
- E. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision, and the minimizing of cul-de-sacs over three hundred and fifty feet (350’).
- F. Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic, drainage, and utilities.
- G. Preservation of natural drainage patterns.
- H. Reduction and minimization of the number of multiple frontage lots.
- I. Avoidance of lots that access arterial or collector streets.
- J. Provision for ADA accessible facilities.
- K. Establishment of access control based on future development and projected traffic needs.
- L. Minimization of the number of access points to reduce the number of potential conflicts to promote public safety.
- M. Proper spacing and alignment of intersections to reduce the number of potential conflicts to promote public safety.

**§ 170-16. Streets and alleys.**

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A. Overall roadway system design.

- (1) The roadway system shall be designed to permit safe and orderly movement of vehicular and pedestrian traffic to meet, but not exceed, the needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape; and to present an attractive streetscape.
- (2) The roadway system shall conform to the City's Comprehensive Plan. For streets not shown on the Comprehensive Plan, the arrangement of such streets shall provide for the logical extension of existing streets and streets shown on the Comprehensive Plan.
- (3) The internal street network of a subdivision should provide for logical, continuous extensions of streets to and from adjacent subdivisions, both existing and those yet to be platted.
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- (5) The roadway system shall provide an internal street network that creates a high level of connectivity as defined in the Comprehensive Plan.
- (6) The roadway system shall provide through routes within subdivisions that allow direct and continuous access to the adjacent arterial and collector street network. Such through routes shall be direct in nature with continuous access that allows easy navigation between the arterial and collector street network. At least three (3) north-south and three (3) east-west through routes shall be provided per mile unless the City Engineer and Planning Director determine that through routes are not feasible due to topography, environmental sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Such through routes shall be generally located at the quarter (1/4) and half (1/2) mile intersections with the adjacent streets as depicted on Figure 170-16(A)(6). The half (1/2) mile routes shall provide the most direct routes between the adjoining arterial and collector streets. Alternate routes that provide through routes at locations other than the quarter (1/4) or half (1/2) mile; provided that the City Engineer and Planning Director determine that such alternate route is required due to topography, environmental sensitivity, human conflicts, or other condition as deemed appropriate by the City Engineer and Planning Director.

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- C. Dedication of right-of-way for new streets. The dedication of right-of-way for new streets measured from lot line to lot line shall meet the right-of-way requirements as provided in Table II of these regulations. All points of access to all streets classified as arterial or collector streets shall be subject to the approval of the City Council. Marginal access streets may be required by the City Council for subdivisions fronting on arterial streets.
- D. Dedication of right-of-way for existing streets. Subdivisions platted along existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum street width requirements set forth in these regulations. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one (1) side of an existing street, one-half (1/2) of the required right-of-way width, measured from the centerline of the existing roadway, shall be dedicated.
- E. Intersections.

(1) Intersection design.

- (a) Conflicts at intersections shall be minimized.
- (b) Adequate stopping sight distances shall be provided, as deemed necessary by the City Engineer, to allow drivers to react to potential conflicts and stop.
- (c) Adequate intersection sight distances shall be maintained to provide opportunity for a driver who is waiting at an access point to enter or cross the street.
- (d) An area upstream and downstream shall be provided from any access point where drivers will need to change speed, brake, or maneuver should a vehicle turn onto the street.
- (e) Appropriate spacing shall be provided to eliminate interference between two or more vehicles attempting to enter the street at the same time.
- (f) The function area necessary to minimize congestion shall be provided in the area extending upstream and downstream of the physical intersection (including the longitudinal limits of the auxiliary lanes).



~~(4)~~(2) Street intersections. Streets shall intersect as nearly as possible at an angle of ninety degrees (90°), and no intersection shall be at an angle of less than seventy-five degrees (75°) unless specifically approved by City Council. Street curb intersections shall be rounded by a radius of at least twenty-five feet (25') for residentially zoned lots and thirty-five feet (35') for all other zoning districts. When the smallest angle of street intersection is less than seventy-five degrees (75°), the City Engineer may require curb radii of greater length. In all cases, the intersection radii shall not reduce the sidewalk width to less than five feet (5') and shall allow for PROWAG compliant ramps which adhere to the standard City curb ramp details. As necessary, property lines at such street corner shall be chamfered or otherwise set back sufficiently to permit such curb, sidewalk, and curb ramp construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access within seventy-five feet (75') of the right-of-way of such arterial street.

(3) Driveway intersections. Driveways shall align with adjacent driveways or streets to the maximum extent possible in order to prevent offset intersections. For non-residential use type classifications, a minimum of one hundred and fifty feet (150') between driveways shall be required. When a driveway is located across from and between two other driveways that are on the opposite side of the street and unable to align, such driveway should be equally spaced between the opposing driveways.

(4) Traffic Signal Placing. Traffic signal placing shall be permitted at no closer than one thousand three hundred and twenty feet (1,320') to maximize signal progression, capacity, and speed.

(5) Access Spacing Requirements.

(a) Spacing Required. Full access to minor and major arterial may be permitted at quarter (1/4) mile, half (1/2) mile, and one (1) mile intervals. The preferred spacing for between two full access intersections is one thousand three hundred and twenty feet (1320'); however, a minimum spacing of one thousand two hundred feet (1200') is required. Right-in, right-out access may be permitted at the eighth (1/8) mile interval. The preferred spacing between a full access intersection and a right-in, right-out intersection is six hundred and sixty (660'); however, a minimum spacing of five hundred feet (500') is required. Such spacing requirements are depicted on Figure 170-16(E)(5).

(b) Interim Measures Permitted. Interim access control measures may be permitted until the City Engineer determines that development warrants more restrictive control to provide for public health, safety, and welfare. For example, full access may be temporarily permitted at the eighth (1/8) mile when an arterial street is not yet improved to its ultimate profile.

(6) Access Control – Intersection Hierarchy. The hierarchy of intersections shall be established in Table VI. Connecting street classifications that are more than one level above or below in the hierarchy shall be avoided unless the City Engineer and Planning Director determine that such connection is required due to topography, environmental

sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Private access shall only be permitted to connect with local streets; provided, however, that shared private access may be permitted to higher classification streets upon the determination by the City Engineer that such connection is appropriate for public health, safety, and welfare.

- F. Street jogs. Street jogs with centerline offsets of less than one hundred and fifty feet (150') shall be prohibited.
- G. Cul-de-sacs. Cul-de-sacs shall be prohibited unless the City Engineer and Planning Director determine that a cul-de-sac is required due to topography, environmental sensitivity, geometry, or other condition as deemed appropriate by the City Engineer and Planning Director. Cul-de-sacs shall not be longer than four hundred feet (400') and shall be provided at the closed end with a turnaround having a diameter at the outside of the pavement of at least seventy-five feet (75'), except such turnaround in industrial and commercial areas shall be one hundred feet (100') in diameter. The length of a cul-de-sac shall be measured from the centerline of the intersecting street to the center point of the closed end turnaround of the cul-de-sac.
- H. Street names. Streets shall be named in a manner that is consistent with the naming conventions established for the Douglas-Sarpy County metropolitan area, including the numbering of north-south streets.
- (1) Names in alignment. Proposed streets in alignment with existing streets shall bear the names of such existing streets.
  - (2) No duplication. The name of a proposed street that is not in alignment with an existing street shall not duplicate the name of any existing street within the Douglas-Sarpy County metropolitan area.
  - (3) Name change at curvature. Whenever a street alignment changes direction more than sixty degrees (60°) without a return to the original alignment within a distance of five hundred feet (500'), the name of the street should be changed at the point of curvature.
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  - (5) Approval by the City Council required. The proposed names of all streets shall be subject to the approval of the City Council prior to such names being assigned or used.
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  - (7) Vanity street names. Streets named after the subdivision shall be prohibited.

I. Horizontal and vertical street curves.

- (1) A tangent of a length to be determined by the City Engineer shall be introduced between reverse curves on all streets. Where there is a deflection angle of more than ten degrees ( $10^\circ$ ) in the alignment of a street, a curve with a radius adequate to ensure safe sight distance shall be made.
- (2) All vertical curves shall be designed to meet the American Association of State Highway and Transportation Officials (AASHTO) stopping sight distances/headlight distance required based on design speed.

J. Street grade and elevations.

- (1) All streets shall be designed so as to provide for the discharge of surface water from the pavement and from the right-of-way by grading and drainage. The minimum street grade shall not be less than seven-tenths of one percent (0.7%). Streets that would be subject to inundation or flooding shall not be approved. Profiles or elevations of streets shall be furnished by the subdivider. Street grades shall conform to the minimum requirements provided in Table I of these regulations.
- (2) Accessible crosswalks shall be identified, and street grades shall be adjusted accordingly to meet PROWAG requirements.

K. Private streets. There shall be no private streets platted within a subdivision.

L. Alleys.

- (1) When required. Alleys may be required to give access to the rear of all lots used for commercial and industrial purposes. Alleys shall not be required in residential areas except in cases where the subdivider provides evidence of the need for alleys that is satisfactory to the City Council.
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- (3) Maintenance. Maintenance and snow removal of alleys shall not be the responsibility of the City.

M. Other right-of-way easements.

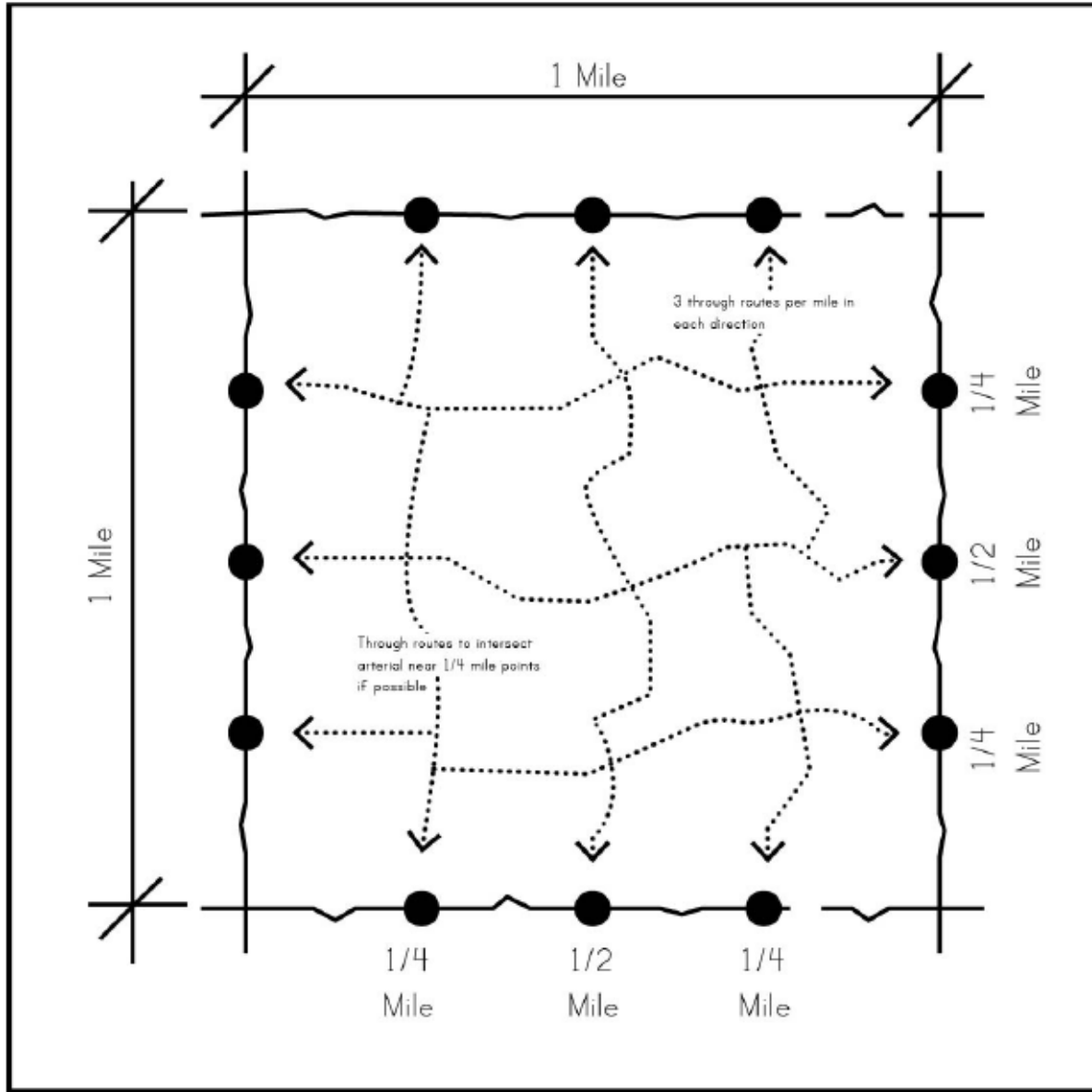
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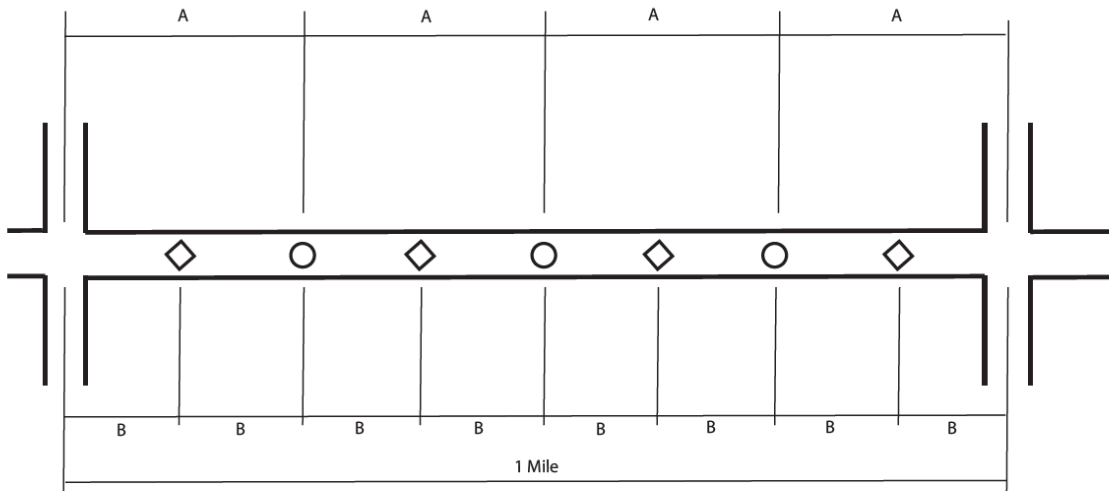
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- (1) Number minimized. The total number of outlots within a subdivision should be minimized to the greatest extent possible.
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- (4) No buildings permitted. No buildings, other than those approved by resolution of the City Council, or otherwise allowed pursuant to a subdivision agreement between the City and subdivider, are permitted on outlots.
- (5) Narrow outlots adjacent to public roadways prohibited. Narrow outlots adjacent to public roadways shall be prohibited. The subdivider shall extend private lots to the right-of-way. The subdivider may dedicate landscape easements within private lots if desired or incorporate the narrow outlots into public right-of-way as directed or authorized by the City Engineer and Planning Director.

**Figure 170-16(A)(6): Subdivision Through Routes**



**Figure 170-16(E)(5): Access Spacing**



A - 1320' Spacing Preferred  
1200' Minimum spacing

○ - Point of Intersection of through streets; median break.

B - 660' Spacing Preferred  
500' Minimum spacing

◇ - Right-in, right-out only.

**Table VI**  
**Intersection Hierarchy (Lowest to Highest Classification)**

<u>Private Access</u> <sup>1</sup>	<u>Local Street</u>
<u>Local Street</u>	<u>Collector Street</u>
<u>Collector Street</u>	<u>Minor Arterial</u>
<u>Minor Arterial</u>	<u>Major Arterial</u> <sup>2</sup>

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<sup>1</sup> Lowest Classification

<sup>2</sup> Highest Classification

**CITY OF PAPIILLION  
PLANNING COMMISSION  
STAFF REPORT**

**APRIL 26, 2023 AGENDA**

**ACCESS MANAGEMENT  
ORDINANCE AMENDMENT  
TC-23-0001**

**I. GENERAL INFORMATION**

**A. APPLICANT:**

City of Papillion

**B. REQUESTED ACTION:**

Approval of Ordinance #1996 to amend Chapter 170 (Subdivision of Land), Article V (Subdivision Design Standards) to provide for access management and subdivision through route regulations.

**C. BACKGROUND:**

The Planning Department currently uses the access management policies for the City of Omaha and Sarpy County as a guide for making recommendations related to access management. Based upon input from the development community, staff is recommending that such policies be incorporated into Chapter 170 to ensure consistent application of the access management regulations.

**II. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

1. Chapter Three of the Comprehensive Plan establishes the goals related to the development of an integrated transportation system. These goals include:
  - a. Providing for the safe and convenient movement of all residents of Papillion.
  - b. Assuring that the transportation system is adequate to meet the demands placed upon it.
  - c. Using the transportation network to support desirable patterns of community development.
  - d. Providing mobility for people who are not using automobiles.
  - e. Encouraging a balanced growth pattern that distributes traffic in ways that safeguard the city's transportation system.
2. The proposed ordinance amendment will help meet these goals by establishing the standards for access points to minor and major arterial streets and collector streets within the City of Papillion's zoning jurisdiction and by encouraging through routes within subdivisions. This will ensure safe and convenient movement for residents while assuring that the transportation system is adequate for current and future traffic needs.



3. The Comprehensive Plan identifies the functional classifications for street. These include:
  - a. Expressways: Expressways are restricted access, free-flow roads, designed to carry high traffic volumes at high speeds with minimum friction. All traffic movement is lane-separated by flow direction, and all intersections with local and regional roads are made with grade-separated interchanges. Interstate 80 is an example of an expressway.
  - b. Major Arterials: These roads serve regional needs and connect major activity centers. They usually serve the highest traffic corridors and are designed to accommodate relatively high speeds (usually above 40 miles per hour in urban areas). These streets often use access control devices such as raised medians to reduce traffic conflicts. Highway 370 is an example of a major arterial.
  - c. Other Arterials (also known as Minor Arterials): These major streets connect with and complement the major arterial system by linking major activity centers and connecting various parts of the city together. Unlike expressways, other arterials usually provide access to adjacent properties and generally accommodate extensive left -turn movements and curb cuts. These major streets are designed for speeds of 40 mph or below.
  - d. Collectors: The collector system links neighborhoods together and connects them to arterials and activity centers. Collectors are designed for relatively low speeds (30 mph or below) and provide unlimited local access. Collectors run within residential areas and distribute trips from arterials to their ultimate destinations. They also collect traffic from a neighborhood's local streets and channel it to arterials.
  - e. Local Streets: Local streets serve individual properties within residential or commercial areas. They provide direct, low-speed access for relatively short trips. Local streets may include cul-de-sacs, which should not exceed 300 feet in length only in exceptional circumstances.
  
4. The proposed ordinance uses the following road classifications: major arterials, minor arterials, collectors, and local streets. Given that the Nebraska Department of Transportation controls access to the expressways within Papillion's jurisdictions, regulations for this classification are not included.

**B. STAFF COMMENTS:**

1. The purpose of ordinance amendment is to establish the standards for access points to minor and major arterial streets and collector streets within the City of Papillion's zoning jurisdiction. Standardization of access points will provide for a safe, efficient, and reliable network of arterial and collector streets with the City of Papillion's zoning jurisdiction as the City grows. Further, access management is

necessary to balance traffic safety and efficiency with reasonable access to property.

2. The specific changes include:
  - a. Expanding § 170-15 (General guidelines for subdivision layout) to add subsections (K) – (M) related to access control points, access point management, and spacing and alignment of intersections.
  - b. Supplementing § 170-16(A) with subsection (6) to add through route requirements for new subdivisions.
  - c. Updating § 170-16(E) to add requirements related to intersection design, traffic signal placing, access spacing requirements, and access control.
  - d. Add the following figures and table to supplement the code additions:
    - i. Figure 170-16(A)(6) – Subdivision Through Routes
    - ii. Figure 170-16(E)(5) – Access Spacing
    - iii. Table VI – Intersection Hierarchy
3. The proposed ordinance amendments are consistent with recommendations that staff commonly make for development. The proposed amendments reflect the best practices for subdivision design and access management. They are also consistent with access management policies for surrounding jurisdictions such as the City of Omaha and Sarpy County.
4. A legislative version of the changes with redlines is attached.

### III. **RECOMMENDATION**

The Planning Department recommends approval of the Ordinance #1996 (TC-23-0001) because:

1. The adoption of regulations related to subdivisions and public street dedications are authorized by Nebraska State Revised Statutes § 19-916 through § 19-921; and
2. The proposed regulations promote the vision and goals of the Comprehensive Plan

### IV. **COPIES OF REPORT TO:**

Applicant  
Public upon request

### V. **ATTACHMENTS:**

Ordinance #1996 Legislative Version

Report prepared by:

Travis Gibbons, Planning Director

**Ordinance #1992**  
**Access Management Ordinance Amendment**  
**Legislative Version**

**ARTICLE V. Subdivision Design Standards**

**§ 170-15. General guidelines for subdivision layout.**

Subdivisions shall be designed to comply with the following overall performance objectives:

- A. Avoidance of disturbance or other adverse effects on ground water and aquifer recharge.
- B. Reduction and minimization of cut and fill.
- C. Avoidance of unnecessary impervious surfaces.
- D. Prevention of flooding and encroachment of water onto other real properties outside the boundaries of the applicable subdivision, except for facilities designed as part of a regional or community-wide stormwater management system that is intended to account for such flooding and encroachment of water from such subdivision.
- E. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision, and the minimizing of cul-de-sacs over three hundred and fifty feet (350’).
- F. Mitigation of negative environmental effects on surrounding properties, including effects of shadow, noise, odor, traffic, drainage, and utilities.
- G. Preservation of natural drainage patterns.
- H. Reduction and minimization of the number of multiple frontage lots.
- I. Avoidance of lots that access arterial or collector streets.
- J. Provision for ADA accessible facilities.
- K. Establishment of access control based on future development and projected traffic needs.
- L. Minimization of the number of access points to reduce the number of potential conflicts to promote public safety.
- M. Proper spacing and alignment of intersections to reduce the number of potential conflicts to promote public safety.

**§ 170-16. Streets and alleys.**

The arrangement, character, extent, width, grade, and location of all streets shall conform as near as possible to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

A. Overall roadway system design.

- (1) The roadway system shall be designed to permit safe and orderly movement of vehicular and pedestrian traffic to meet, but not exceed, the needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape; and to present an attractive streetscape.
- (2) The roadway system shall conform to the City's Comprehensive Plan. For streets not shown on the Comprehensive Plan, the arrangement of such streets shall provide for the logical extension of existing streets and streets shown on the Comprehensive Plan.
- (3) The internal street network of a subdivision should provide for logical, continuous extensions of streets to and from adjacent subdivisions, both existing and those yet to be platted.
- (4) The roadway system shall provide adequate traffic flow through a subdivision and provide at least two (2) routes from each lot within the subdivision to the rest of the City, except as explicitly permitted by the City Council and any governmental agency with jurisdiction over the applicable roadway system. Additionally, the roadway system should be designed to discourage through traffic from using local streets and local traffic from using arterials.
- (5) The roadway system shall provide an internal street network that creates a high level of connectivity as defined in the Comprehensive Plan.
- (6) The roadway system shall provide through routes within subdivisions that allow direct and continuous access to the adjacent arterial and collector street network. Such through routes shall be direct in nature with continuous access that allows easy navigation between the arterial and collector street network. At least three (3) north-south and three (3) east-west through routes shall be provided per mile unless the City Engineer and Planning Director determine that through routes are not feasible due to topography, environmental sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Such through routes shall be generally located at the quarter (1/4) and half (1/2) mile intersections with the adjacent streets as depicted on Figure 170-16(A)(6). The half (1/2) mile routes shall provide the most direct routes between the adjoining arterial and collector streets. Alternate routes that provide through routes at locations other than the quarter (1/4) or half (1/2) mile; provided that the City Engineer and Planning Director determine that such alternate route is required due to topography, environmental sensitivity, human conflicts, or other condition as deemed appropriate by the City Engineer and Planning Director.

- B. Street extensions. The roadway system, including the internal street network, of the proposed subdivision shall provide for the continuation or appropriate projection of streets and alleys already existing in areas being subdivided. Where, at the determination of the City Council, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the City Council deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius of at least fifty feet (50') or an equivalent means as authorized by the City Engineer. The roadway system, including the internal road network, of the proposed subdivision shall provide for extending existing roads, but in no case shall a road extension be of less width than the minimum width required in these regulations based on the road classification.
- C. Dedication of right-of-way for new streets. The dedication of right-of-way for new streets measured from lot line to lot line shall meet the right-of-way requirements as provided in Table II of these regulations. All points of access to all streets classified as arterial or collector streets shall be subject to the approval of the City Council. Marginal access streets may be required by the City Council for subdivisions fronting on arterial streets.
- D. Dedication of right-of-way for existing streets. Subdivisions platted along existing streets shall dedicate additional right-of-way, if necessary, to meet the minimum street width requirements set forth in these regulations. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one (1) side of an existing street, one-half (1/2) of the required right-of-way width, measured from the centerline of the existing roadway, shall be dedicated.
- E. Intersections.

(1) Intersection design.

- (a) Conflicts at intersections shall be minimized.
- (b) Adequate stopping sight distances shall be provided, as deemed necessary by the City Engineer, to allow drivers to react to potential conflicts and stop.
- (c) Adequate intersection sight distances shall be maintained to provide opportunity for a driver who is waiting at an access point to enter or cross the street.
- (d) An area upstream and downstream shall be provided from any access point where drivers will need to change speed, brake, or maneuver should a vehicle turn onto the street.
- (e) Appropriate spacing shall be provided to eliminate interference between two or more vehicles attempting to enter the street at the same time.
- (f) The function area necessary to minimize congestion shall be provided in the area extending upstream and downstream of the physical intersection (including the longitudinal limits of the auxiliary lanes).

~~(4)~~(2) Street intersections. Streets shall intersect as nearly as possible at an angle of ninety degrees (90°), and no intersection shall be at an angle of less than seventy-five degrees (75°) unless specifically approved by City Council. Street curb intersections shall be rounded by a radius of at least twenty-five feet (25') for residentially zoned lots and thirty-five feet (35') for all other zoning districts. When the smallest angle of street intersection is less than seventy-five degrees (75°), the City Engineer may require curb radii of greater length. In all cases, the intersection radii shall not reduce the sidewalk width to less than five feet (5') and shall allow for PROWAG compliant ramps which adhere to the standard City curb ramp details. As necessary, property lines at such street corner shall be chamfered or otherwise set back sufficiently to permit such curb, sidewalk, and curb ramp construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access within seventy-five feet (75') of the right-of-way of such arterial street.

(3) Driveway intersections. Driveways shall align with adjacent driveways or streets to the maximum extent possible in order to prevent offset intersections. For non-residential use type classifications, a minimum of one hundred and fifty feet (150') between driveways shall be required. When a driveway is located across from and between two other driveways that are on the opposite side of the street and unable to align, such driveway should be equally spaced between the opposing driveways.

(4) Traffic Signal Placing. Traffic signal placing shall be permitted at no closer than one thousand three hundred and twenty feet (1,320') to maximize signal progression, capacity, and speed.

(5) Access Spacing Requirements.

(a) Spacing Required. Full access to minor and major arterial may be permitted at quarter (1/4) mile, half (1/2) mile, and one (1) mile intervals. The preferred spacing for between two full access intersections is one thousand three hundred and twenty feet (1320'); however, a minimum spacing of one thousand two hundred feet (1200') is required. Right-in, right-out access may be permitted at the eighth (1/8) mile interval. The preferred spacing between a full access intersection and a right-in, right-out intersection is six hundred and sixty (660'); however, a minimum spacing of five hundred feet (500') is required. Such spacing requirements are depicted on Figure 170-16(E)(5).

(b) Interim Measures Permitted. Interim access control measures may be permitted until the City Engineer determines that development warrants more restrictive control to provide for public health, safety, and welfare. For example, full access may be temporarily permitted at the eighth (1/8) mile when an arterial street is not yet improved to its ultimate profile.

(6) Access Control – Intersection Hierarchy. The hierarchy of intersections shall be established in Table VI. Connecting street classifications that are more than one level above or below in the hierarchy shall be avoided unless the City Engineer and Planning Director determine that such connection is required due to topography, environmental

sensitivity, or other condition as deemed appropriate by the City Engineer and Planning Director. Private access shall only be permitted to connect with local streets; provided, however, that shared private access may be permitted to higher classification streets upon the determination by the City Engineer that such connection is appropriate for public health, safety, and welfare.

- F. Street jogs. Street jogs with centerline offsets of less than one hundred and fifty feet (150') shall be prohibited.
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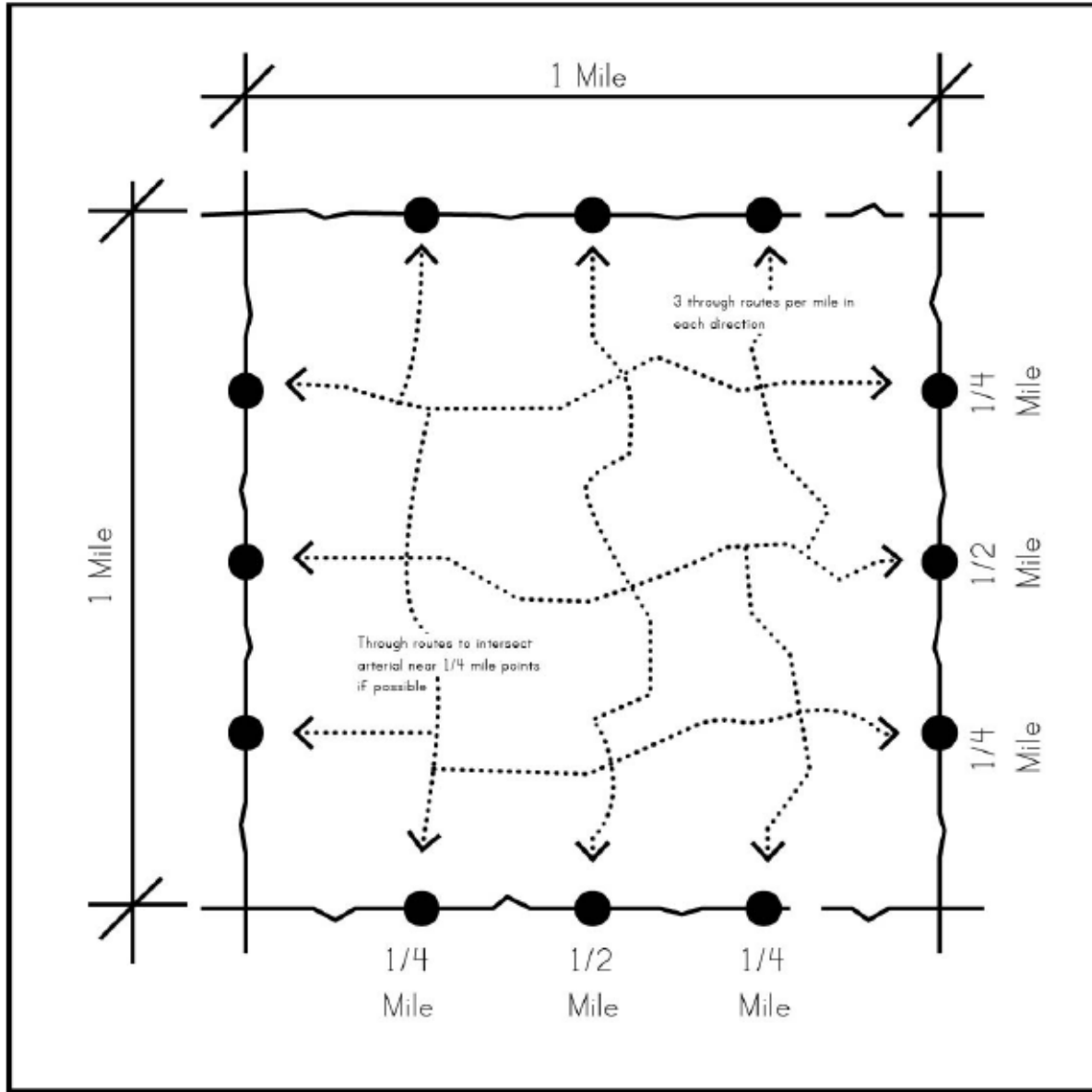


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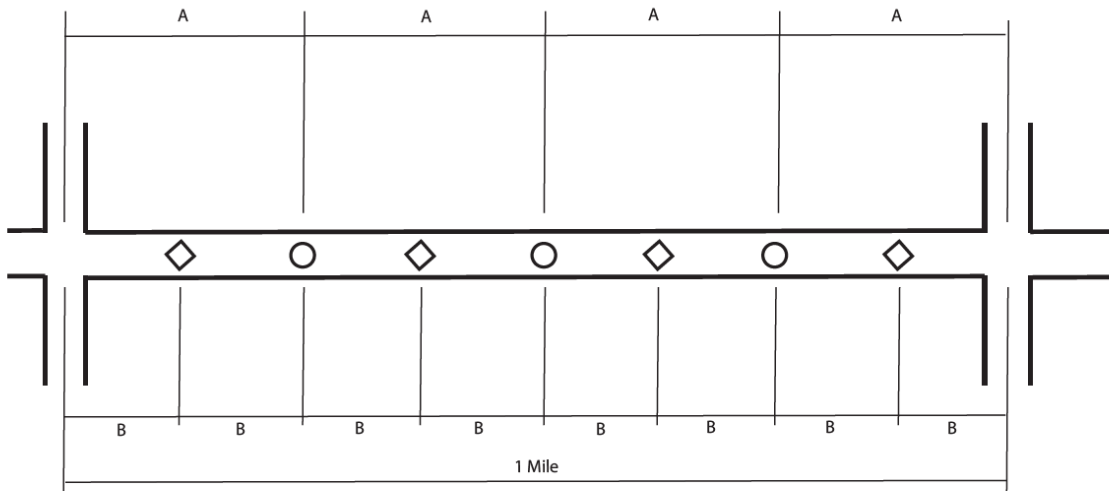
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- (5) Narrow outlots adjacent to public roadways prohibited. Narrow outlots adjacent to public roadways shall be prohibited. The subdivider shall extend private lots to the right-of-way. The subdivider may dedicate landscape easements within private lots if desired or incorporate the narrow outlots into public right-of-way as directed or authorized by the City Engineer and Planning Director.

**Figure 170-16(A)(6): Subdivision Through Routes**



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<u>Minor Arterial</u>	<u>Major Arterial</u> <sup>2</sup>

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<sup>1</sup> Lowest Classification

<sup>2</sup> Highest Classification

# MINUTE RECORD

## PAPILLION PLANNING COMMISSION MEETING APRIL 26, 2023

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, April 26, 2023 at 7:00 PM. Chairwoman Rebecca Hoch called the meeting to order. Planning & Legal Clerk Tarja Koistila called the roll. Planning Commission members present were Howard Carson, Michael Erdman, Jim Hrabik, John E. Robinson III, Raymond Keller Jr., Wayne Wilson, Leanne Sotak and Herb Thompson. Alternate member Heather Bernady was not required to attend. Planning Director Travis Gibbons, Senior Planner Michelle Romeo, Planner I Kevin Pflager, Deputy City Engineer Derek Goff, and City Attorney Alan Thelen were also present.

Chairwoman Hoch led those present in the Pledge of Allegiance.

Notice of the meeting was given in advance by publication in the Sarpy County Times on April 5, 2023. Copies of proof of publication are on file at the office of the City Clerk.

Chairwoman Hoch announced that a copy of the Open Meetings Act is posted in Council Chambers.

### **Approval of Agenda**

**Motion** was made by Mr. Keller, seconded by Mr. Robinson III, to approve the agenda as presented. Roll call: Nine yeas, no nays. Motion carried.

### **Approval of the Planning Commission Minutes**

**Motion** was made by Mr. Keller, seconded by Mr. Hrabik, to approve the March 29, 2023 minutes. Roll Call: Nine yeas, no nays. Motion carried.

### **FINAL PLATS**

**Final Plat** – A request for a Final Plat for the property legally described as part of NW 1/4 of Section 4, T13N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SW corner of Turkey Road and Schram Road. The applicant is Celebrity Homes. (Schram 108 – Phase 2) **FP-23-0005**

Chairwoman Hoch called for the applicant.

Mark Johnson, Fullenkamp, Johnson, Jobeun, and Beller, 11440 West Center Rd, stepped forward to represent the applicant. He offered to answer any questions.

Mr. Carson inquired about the projected lot cost as it related to housing affordability. Mr. Johnson explained that Celebrity does not typically sell individual lots since they build the home. He noted that the average house price would be \$375,000.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Robinson III, to recommend approval of the Schram 108 (Phase 2) (FP-23-0005) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning and Subdivision Regulations. Roll Call: Nine yeas, no nays. Motion carried.

## **PUBLIC HEARINGS**

**Change of Zone** – A request for a Change of Zone for the property Lot 1 and 2, Commerce Business Centre Replat Eight together with the part of Lot 2, Commerce Business Center Replat Seven generally located at 15350 Shepard St. The applicant is 88 Tactical. (Commerce Business Centre Replat Eight) – **CZ-23-0001**

Chairwoman Hoch opened the public hearing.

Trevor Veskrna with TD2 stepped forward to represent the applicant. He noted that Harold Caine with 88 Tactical was also present. Mr. Veskrna advised that the 88 Tactical change of zone was previously presented at the February Planning Commission meeting. He explained that 88 Tactical wants to purchase a portion of property next to 88 Tactical to expand parking area, so they are requesting approval of a revised Change of Zone application.

Chairwoman Hoch called for proponents and opponents.

Seeing no public input, Chairwoman Hoch closed the public hearing and called for Commission Discussion or a Motion to continue the request.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to recommend approval of the 88 Tactical (CZ-23-0001) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, No nays. Motion carried.

**Access Management - Ordinance Amendment** – A request to amend Chapter 170 (Subdivision of Land), Article V (Subdivision Design Standards) to provide access management and subdivision through route regulations. The Planning Department currently uses the access management policies for the City of Omaha and Sarpy County as a guide for making recommendations related to access management. Based upon input from the development community, staff is recommending that such policies be incorporated into Chapter 170 to ensure consistent application of the access management regulations. The applicant is City of Papillion. **TC-23-0001**

Chairwoman Hoch opened the public hearing and called for the applicant.

Senior Planner Michelle Romeo, 122 E 3<sup>rd</sup> Street, provided an overview of the proposed amendment to the Subdivision Ordinance. She noted that the proposed access management policies are consistent with current practice and with policies used by Sarpy County and the City of Omaha. She advised that the access management policies will provide for public safety. Ms. Romeo explained the intent of requiring through routes within a subdivision. She noted that the through route regulations can be adjusted to address site constraints such as topography.

Chairwoman Hoch called for proponents and opponents.

Seeing no public input, Chairwoman Hoch closed the public hearing and called for Commission Discussion or a Motion to continue the request.

Mr. Wilson questioned whether the new regulations would add more red tape for development.

Ms. Romeo explained that the City is already recommending that development comply with the access management and through route rules during the development process. She noted that this will codify the current practice into the Subdivision Regulations.

Mr. Keller questioned how the ordinance amendment would impact development. Ms. Romeo advised that adding the access management and through route requirements to the Subdivision Ordinance will give information to developers up front so they can include the requirements in the initial subdivision design. She also noted that adding the regulations to the Subdivision Ordinance will provide developers with a waiver process that can be used to address site specific constraints such as topography.

Mr. Hrabik asked whether the proposed ordinance amendment would require the alignment of streets. Ms. Romeo confirmed that the regulations will require that streets either be aligned or appropriately offset if alignment is not feasible.

Mr. Thompson questioned whether the proper use of roundabouts is addressed in the driver's manual. Chairwoman Hoch noted that Mr. Thompson's question was not applicable to the agenda item.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Robinson III, to recommend approval of the Access Management – Ordinance Amendment (TC-23-0001) because it is consistent with Neb Rev. Stat. § 18-1720 and § 18-132 and with the vision and goals of the Comprehensive Plan. Roll Call: Nine yeas, no nays. Motion carried.

**Ordinance #1992** – A request to annex certain Real Estate to the City of Papillion, Nebraska legally described as all of Outlot D, North Shore, together with all of Outlot E, Schewe Farms, together with all of S 123<sup>rd</sup> Street lying within said Schewe Farms, together with parts of Lincoln Road, Ballpark Way, S 126<sup>th</sup> Street and S 120<sup>th</sup> Street lying within said Schewe Farms, together with Lots 1, 3, 6 and 7 and Outlot A, Generations, together with all of Ballpark Way, S 123<sup>rd</sup> Street, S 125<sup>th</sup> Street and Cumberland Drive lying within said Generations, together with all of Lots 1, 2 and 3, Generations Replat 1 also known as **Tract A (Part 1)** - Outlot D, North Shore: **Tract A (Part 2)** - Outlot E, Schewe Farms: **Tract A (Part 3)**: Lots 1, 3, 6 and 7 and Outlot A Generations and **Tract A (Part 4)** – Lots 1-3 Generations Replat 1. The applicant is The City of Papillion. **MISC-23-0008** (2023 Annexation No. 2)

Chairwoman Hoch opened the public hearing and called for the applicant. Ms. Hoch noted that we received written comment from John Kuehl, D.A. Davidson Co., 450 Regency Parkway Ste 400 (Omaha).

Planning Director Travis Gibbons provided an overview of 2023 Annexation No. 2. He explained that it is a partial annexation of SID 290 and SID 292, which will allow the City to annex part of the Generations Mixed Use District. He noted that the annexation will include the proposed Generations entertainment district, which will be similar to the Haymarket in Lincoln and the Capital District in Omaha. Mr. Gibbons explained that state law requires an entertainment district to be in city limits. He provided an explanation of the regulations for a partial annexation. Mr. Gibbons advised that Planning Commission is the first of many steps that will be required for the annexation. He reminded the Commission that their role is to consider whether the proposed annexation is appropriate based on the Comprehensive Plan and the anticipated growth area for the City. He indicated that the fiscal considerations will be addressed at City Council, which is the next step in the process. Mr. Gibbons explained that the annexation will require approvals at the bankruptcy court (due to SID 290's annexation) and the District Court (due to the partial annexation of SID 290 and SID 292). He asked for the Commission's support to move the proposed annexation forward to City Council.

Chairwoman Hoch called for proponents and opponents.

John Bachman, Pansing, Hogan, Ernst & Bachman LLP, 10250 Regency Cir, stepped forward on behalf of SID 290. He noted that Generations is located within SID 290. He indicated that he was not speaking in favor or opposition to the proposed annexation. He explained that his concern relates to SID 290's fiscal standing related to the Chapter 9 bankruptcy. Mr. Bachman noted that SID 290's creditors need to be part of the fiscal discussion for the annexation. He noted that he looks forward to working with the City on the annexation.

Seeing or hearing no further public input, Chairwoman Hoch closed the public hearing and called for Commission discussion. She reminded the Commission that fiscal part of the annexation is under City Council's purview while the Planning Commission's role is to address growth.

Mr. Hrabik inquired whether 2023 Annexation No. 2 would be like the partial annexation of the Settlers Creek Mixed Use District. Mr. Gibbons confirmed that it would be a similar process. He noted that the proposed annexation is based on projected revenue rather than actual revenue, which was how the Settlers Creek annexation was evaluated.

Mr. Hrabik inquired about the timing for the 2023 Annexation No. 2. Mr. Gibbons advised that the ordinance is anticipated to be heard at City Council on 5/2/23, 5/16/23, and 6/6/23. He explained that the proposed financial terms of the annexation would be presented to the bankruptcy court and the District Court if City Council approves the annexation.

Mr. Hrabik asked whether the City was part of bankruptcy. Mr. Thelen explained that the City was not part of the bankruptcy; however, the annexation will need to be approved by the bankruptcy court.

Mr. Keller expressed support for an entertainment district by Werner Park.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to recommend approval of Version #2 of Ordinance #1992 (MISC-23-0008) because it is consistent



with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, No nays. Motion carried.

**Ordinance #1993** – A request to change the official Zoning Map of the City of Papillion in accordance with Section 205-32 of the Papillion Municipal Code to adopt a Zoning Map and to apply existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, plumbing ordinances, and all other regulatory ordinances of the City of Papillion pursuant to Neb. Rev. Stat. §16-901. The applicant is the City of Papillion. (Revise Zoning Map for 2023 Annexation No. 2) **MISC-23-0009**

Chairwoman Hoch opened the public hearing and called for the applicant. Ms. Hoch noted that we received written comment from John Kuehl, D.A. Davidson Co., 450 Regency Pkwy Ste 400.

Planning Director Travis Gibbons explained that the ordinance will update the zoning map to add the annexation area.

Chairwoman Hoch called for proponents and opponents.

Seeing no public input, Chairwoman Hoch closed the public hearing and called for Commission Discussion or a Motion to continue the request.

Mr. Carson requested clarification on how the bankruptcy works with respect to the annexation. Chairwoman Hoch noted that Mr. Carson's question was not applicable to the agenda item.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to recommend approval of Ordinance No 1993 (MISC-23-0009) because it is consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, No nays. Motion carried.

### **OTHER BUSINESS**

Mr. Gibbons advised there will be no May Planning Commission meeting.

With no further business to come before the Commission, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to adjourn. Roll call: Nine yeas, No nays. Motion passes. The meeting adjourned by unanimous consent at 7:28 P.M.

CITY OF PAPILLION

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Rebecca Hoch, Chairwoman