

# The Nebraska Planner

A joint publication of APA Nebraska and NPZA

July 2021

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## ANNOUNCEMENTS

### NPZA & APA AWARDS NOMINATIONS DUE

The Nebraska Planning and Zoning Association and the American Planning Association Nebraska Chapter both recognize outstanding individuals and communities in the field of planning in Nebraska. These awards will be presented at the Nebraska Planning Conference in September, but nominations are due soon! The due dates are as follows:

- NPZA award nominations are due 8/2/2021 at 12:00pm
- APA award nominations are due 8/6/2021 at 12:00pm

For more information, please see page 23 of this newsletter.

### APA NE CHAPTER BOARD ENDORSES NEBRASKA CANDIDATES IN APA NATIONAL ELECTIONS

Voting for the APA National elections will be open from July 19 - August 20 and there are three Nebraskans running for national positions. Bruce Fountain, AICP, Community Development Director with the City of La Vista, has been nominated for the Director Region 5 position on the APA Board of Directors and is running against Allison Mouch, AICP from Missoula, Montana. Derek Miller, AICP, Long Range Planning Manager with the City of Omaha, has been nominated for the Commissioner Region 5 position on the AICP Commission, and is running against Jae Hill, AICP from Kirkland, Washington. Kurt Elder, AICP, Information/GIS Analyst with the City of Lincoln, is running for Vice-Chair of the Housing and Community Development Division, and is running against Angela Self, AICP from Garland, Texas. The APA NE Chapter Board has endorsed Bruce Fountain, Derek Miller, and Kurt Elder, and encourages you to vote in the election. For more information, please see page 25 of this newsletter.

### CONGRATULATIONS ANTHONY AND EAVAN ON PASSING THE AICP EXAM!

Anthony Kohel and Eavan Moore, two APA Nebraska members, successfully passed the AICP exam this May as part of the AICP Candidate program. Passing the exam is the biggest step toward earning the AICP Certification. Congratulations!

### NEW AICP STUDY MANUAL

The new Chapter Presidents Council exam preparation manual for the AICP certification exam is available for just \$15 online and can be found [here](#).

### SUBMIT YOUR CONTENT!

The NE Planner welcomes readers and associates to submit articles for publication within the newsletter. We are also happy to include RFP/RFQ's, new job postings, and upcoming events. For your content to be included in the next newsletter, please email [rouseplanning@gmail.com](mailto:rouseplanning@gmail.com).



## IN THIS ISSUE:

- Presidents' Updates - 2
- NE Supreme Court Annexation Cases - 3
- What's Our Country INVESTing In? - 6
- New Ruralism Project Recognized by APA Divisions Council - 8
- Short Term Rentals - 10
- Legislative Updates - 12
- Planner Profile - 15
- UNL Planning Program & NE East Saline Wetlands Conservation - 17
- Panel Review - Designing the NE Affordable House - 18
- Book Club Review - Feminist City - 21
- Awards Nominations - 23
- EPG Fall Book Club - 24
- APA Nat'l Elections - 25
- Jobs & Upcoming Events - 26
- Resources - 27

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# PRESIDENTS' UPDATES

Rarely have I looked forward to September. Although the turning of the leaves on the trees are beautiful to see, they are a harbinger for what is to come...winter. I'm not a fan of ice and freezing temperatures.

But this year there's certainly something to look forward to! The Nebraska Planning Conference has been moved to September 15-17th in anticipation that mask mandates will be relieved, and we will be able to meet in person. Yes, we will be able to attend sessions without the aid of Zoom. We will be able to talk to our partners in the planning and zoning field without having to tell them to "unmute" themselves.

NPZA Board members have been working hard with the Nebraska APA on planning the 2021 Nebraska Planning Conference. This year's conference will once again be held in the Younes Conference Center in Kearney and will cover a wide range of topics for those interested in attending. We will have special tracts including ones on housing, economic development, and rural issues. More information regarding the event can be found on our website (<http://www.npza.org>), including online registration, which will open in July. Also, check out NPZA's Facebook and Twitter accounts for updates and pictures from last year's conference.

The NPZA Board and I are excited about the upcoming conference and we look forward to seeing you there!



Christopher Solberg, AICP - NPZA President



As we are now into summer and putting the pandemic behind us, I hope you and your communities are returning to normal. The NE APA Board has been working with the NPZA on the annual planning conference that was moved to September 15-17 to allow for in-person sessions. We are all looking forward to seeing everyone face to face again.

For me personally, I am excited to get reengaged with others again. We have returned to the office, started going out to eat again and had a family vacation. While in Florida for my first time, we were able to tour the "New Urbanist" community of Seaside, FL. It was good to see the design and density of the development of this iconic 1980's neighborhood. I most enjoyed watching the people interact in the spaces with their desires and attraction to public nodes and plazas. It reinforced the role of the planner in society for me and encouraged me that our profession has a significant impact on people's lives.

This summer will also entail a few planning items that should be noted too: 1) There will be an open board meeting and fun training session on July 28th focused on the "Impact of Micro-Breweries". Specific details will follow with a registration email; and 2) I encourage you to vote in the Chapter and National APA elections.



Jeff Ray, AICP - APA-NE President



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# NEBRASKA SUPREME COURT EXPANDS MUNICIPALITIES' AUTHORITY TO ANNEX ADJACENT AGRICULTURAL LANDS

BY: DAVID C. LEVY, LEE E. GREENWALD, & TANNER C. WHITED

In two decisions it issued on May 28, 2021, the Nebraska Supreme Court made significant new law regarding annexations. It clarified the standard under which a municipality may annex adjacent agricultural land. It also set forth the factors that make agricultural land urban or suburban in character, thus eligible for annexation.

Nebraska law authorizes a municipality to “annex,” or include within its limits, any contiguous or adjacent land that is urban or suburban in character. See sections 16 117(1), 16-130(2), 17-405.01(1) and 17 407(2). A municipality may not annex “agricultural lands which are rural in character.” *Id.*

In *County of Sarpy v. City of Gretna*, 309 Neb. 320 (2021) and *Darling Ingredients Inc. v. City of Bellevue*, 309 Neb. 338 (2021), the Supreme Court clarified prior precedent suggesting that a municipality could not annex unplatted and unimproved agricultural land. See *Wagner v. City of Omaha*, 156 Neb. 163 (1952). The recent opinions underscore an evolving body of Nebraska law supporting a municipality’s right to annex adjacent agricultural land it designates for future development. We summarize them below.

## **County of Sarpy v. City of Gretna, 309 Neb. 320 (2021).**

In 2017, the City of Gretna (“Gretna”) annexed undeveloped agricultural land near the Highway 370 corridor in Sarpy County, Nebraska (the “Property”). Sarpy County (“Sarpy”) sued to invalidate the annexation. Citing *Wagner*, Sarpy argued the Property was rural in character, thus Nebraska law prohibited its annexation.

The Sarpy County District Court agreed with Sarpy and invalidated the annexation. Gretna appealed to the Supreme Court. The sole issue before the Supreme Court was whether the Property was rural in character. It found that the Property was urban or suburban in character. It reversed the decision of the District Court and validated the annexation.

The Court emphasized that Nebraska law does not prohibit annexation of agricultural lands, only those rural in character. See *Bierschenk v. City of Omaha*, 178 Neb. 715 (1965). In distinguishing *Wagner*, the Court held that it must consider more than the Property’s current use or development. It must consider the location of the Property, its character, its proximity to growth areas, its degree of development, and its contemplated future development. See *Sullivan v. City of Omaha*, 183 Neb. 511 (1968); *Voss v. City of Grand Island*, 186 Neb. 232 (1970); *Swedlund v. City of Hastings*, 243 Neb. 607 (1993); *SID No. 196 of Douglas County v. City of Valley*, 290 Neb. 1 (2015).

Gretna argued the Property was urban or suburban in character, thus eligible for annexation. First, Gretna outlined existing plans for future development of the Property, including an Interstate 80 interchange and community entrance. Gretna also highlighted development of the surrounding areas, including a new elementary school opening near the Property in fall 2021.

Second, Gretna alleged commercial activity at a seasonal recreation business on the Property called Vala’s Pumpkin Patch.

In *Plumfield Nurseries, Inc. v. Dodge County*, 184 Neb. 346 (1969), the Supreme Court held that a business, accessed by gravel roads, on an unplatted agricultural parcel, was still a business and was therefore urban in character.

Third, Gretna offered an appraisal showing the highest and best use of the Property was residential development. In *Holden v. City of Tecumseh*, 188 Neb. 117 (1972), the Supreme Court considered a residential or commercial land value in excess of agricultural land value as evidence of urban or suburban character. The Gretna Court concurred but disclaimed that land value alone does not determine character.

The Court ruled for Gretna on each of these arguments. It stated “[t]he city, the county, the state, and other governmental agencies all have plans to develop the area because it is the fastest growing area in Nebraska. These are characteristics ‘belonging to a city’...and are accordingly urban or suburban in nature.”

As a matter of first impression, the Court declined to consider “greenbelt” tax status as evidence of rural character. Greenbelt status authorizes special valuation of certain agricultural land for real property taxes. See section 77-1344. The Court found no legislative intent for greenbelt status to restrict a municipality’s annexation authority.

### **Darling Ingredients Inc. v. City of Bellevue, 309 Neb. 338 (2021).**

In 2019, the City of Bellevue (“Bellevue”) annexed undeveloped agricultural land near Offutt Air Force Base in Sarpy County, Nebraska (the “Property”). Landowners Darling, Inc. and Frank Krejci (collectively, “Landowners”) sued to invalidate the annexation.

Landowners argued that Nebraska law prohibited the annexation. First, citing *Wagner*, Landowners argued the Property was rural in character.

Second, Landowners argued the Property was not contiguous or adjacent to Bellevue. Third, Landowners argued that Bellevue annexed the Property for an improper purpose.

The Sarpy County District Court agreed with Landowners and invalidated the annexation. Bellevue appealed to the Supreme Court. There were two issues before the Court: (i) whether the Property was rural in character, and (ii) whether the Property was contiguous or adjacent to Bellevue. It did not consider the third issue, Landowners’ improper purpose challenge, as the District Court opinion did not address the issue.

The Supreme Court found that the Property was urban or suburban in character and that it was contiguous or adjacent to Bellevue. It reversed the decision of the District Court, and remanded the case for further proceedings regarding Landowners’ improper purpose challenge.

#### **1. The Property is Urban or Suburban in Character.**

Landowners argued that the Property was rural in character. The Court cited *Gretna* and the doctrinal progression above. Accordingly, it considered the location of the Property, its character, its proximity to growth areas, its degree of development, and contemplated future development.

The Court highlighted urban features of the surrounding area including Highway 75, residential subdivisions, an elementary school, and Offutt Air Force Base (employing approximately 10,000 people). It also identified ongoing commercial activity, including a commercial storage facility, industrial establishments, and a former baseball complex.

The Court noted that Landowners did not use the Property solely for agricultural purposes. Darling owned and operated an organic fertilizer plant on the Property. Krejci listed “small industrial lots” on the Property for sale. The listing referenced exposure to thousands of cars on major thoroughfares as a feature.

The Court determined the Property urban or suburban in character. As in Gretna, it declined to consider the greenbelt tax status of any subject parcels as evidence of rural character.

### **2. The Property is Contiguous or Adjacent to Bellevue.**

Nebraska law authorizes annexation of land that is urban or suburban in character if it is “contiguous” or “adjacent” to a municipality. “Contiguous” or “adjacent” means adjoining, touching, and sharing a common border. See *County of Sarpy v. City of Papillion*, 277 Neb. 829 (2009). A municipality may annex several tracts as long as one tract is “substantially adjacent” to the municipality and the other tracts are substantially adjacent to each other. *Id.*

Landowners argued the Property was not contiguous or adjacent to Bellevue. Instead, Landowners argued the Property was contiguous only to an “island” of Bellevue, or a portion that does not share a border with the rest of the corporate limits. They argued that the 2009 “island annexation” was improper and the Court should not consider the island to determine whether the Property is contiguous or adjacent.

The Court rejected Landowners’ argument. It presumed the prior annexation valid as the one year statute of limitations to challenge it expired prior to the appeal. Accordingly, it found that the Property shared a common border with Bellevue and the parcels were substantially adjacent to one another.

### **3. The District Court Must Consider the Annexation’s Purpose.**

Landowners argued to the District Court that Bellevue annexed the Property solely to increase tax revenue. Under Nebraska law, a municipality may not annex land solely to increase tax revenue. *SID No. 196 of Douglas County v. City of Valley*, *supra*, citing *Witham v. City of Lincoln*, 125 Neb. 366 (1933).

The District Court did not address Landowners’ improper purpose challenge, finding the other issues dispositive. Accordingly, the Supreme Court remanded the case to the District Court to consider this challenge.

# WHAT'S OUR COUNTRY INVESTING IN?

BY: JESSE POORE, AICP

Who said it: "You should not have to own a car to prosper in this country, no matter what kind of community you're living in."

- A. Bo and Luke Duke
- B. Elon Musk
- C. Victor Gruen
- D. Pete Buttigieg, Secretary of Transportation

American culture has long been shaped by (fast, convenient, beautiful, hard-working, etc) cars and trucks. Single and two car garages have given way to three and four stalls while commercial and mixed-use development reviews uphold the adherence to parking minimums in most cities. Highways are expanded yet aging roadways struggle without sufficient maintenance funding while new roads get built to ever expand the community reach. I recently turned 43 and live in a two-car household but was surprised when I counted the number of vehicles that I've purchased for my personal transportation needs. I was gifted a '69 Ford F-150 in high school, but I lived a couple blocks from the high school so walking worked best and it wasn't reliable enough to get to work. I counted six used and two new purchases; a '96 Dodge Neon, '98 Chevrolet S-10, '00 Mitsubishi Galant, '08 Toyota Highlander, '20 Specialized Diverge, and '19 Salsa Timberjack. Quite a thrilling insight about me, no doubt. To be clear, the last two are the only vehicles (yes, bikes are vehicles) I've bought new. Sure, you lose a little resale value when you ride them off the lot, but you just can't beat that new bike smell.

Deciding between driving a car and riding a bicycle to work, store, library, or kid's swim lessons is a convenience for me. It's nice to have options, but does everyone have safe options? I know I'm part of a growing number of people who mix modes to make those trips of 5-miles or less.

These trips require a desired destination within that distance (land use planning), the will to choose the bike (internal personal behavior), safe infrastructure to ride on (public works/engineering), and courteous drivers willing to give that biker enough space (external personal behavior). Yet, a substantial number of Americans are unsure what to think about cyclists. Do they belong in the road or the sidewalk? Do they need that fancy paint for a bike lane to make the driving lanes narrower? Why don't they find their own funding source instead of taking away from our limited funds for roads? All relevant questions in a culture shaped by cars and drivers.

As recently as this July, the U.S. House of Representatives passed a version of the INVEST in America Act which must be approved by the Senate for the next transportation bill to include important funding and programs for trails and active transportation.



Image Source: National Complete Streets Coalition at Smart Growth America

Here is what the INVEST Act could accomplish for active transportation.

1. Increase the dedicated investment in active transportation and recreation from \$850 million to \$1.75 billion per year. This increase addresses some of the slippage in purchasing power lost over time with increasing costs but would also serve as a sizeable shot in the arm for communities and regions organized with clear plans for expanding trails and on-street bike infrastructure.
2. Additional focus on expanding active transportation networks will empower funding agencies to bundle projects for grant funding that previously needed independent approvals. Communities with compelling plans to build or repurpose low-stress routes to everyday destinations and neighboring communities would be at an advantage. Active Transportation Connectivity Grants could remove much of the inefficiency and unreasonable timelines for funding use experienced on individual projects today. The \$250 million per year is proposed to come from the Highway Trust Fund; a fact that is certain to raise old arguments before the matter is settled.
3. Policy reform adds integrity to the dedicated funding process. It may not be common knowledge, but about half of all states currently retain authority to redirect some of the Active Transportation funding. The new bill would require states to demonstrate that they have run credible grant processes and found a lack of demand before they are allowed to transfer Transportation Alternatives funding to other purposes.

Additional discussions and some debates about the very definition of infrastructure and how it should be funded continue. At the same time, the 2020 bike boom stimulated greater awareness and conflict between drivers and cyclists. When Secretary Buttigieg tweeted that prosperity is not beholden to the car-enabled population, he was addressing a nation that is having more conversations than ever about the role of active transportation in building complete neighborhoods and equitable communities.

If the conversation remains an us-vs-them contretemps, an inherent and unrealized potential within each community may go unrealized. Not only are more people pedaling, but the type of bikes available are making it easier as well. Sales of electric assist bikes increased almost 150% between 2019 and 2020 at the same time many mid-sized and large cities began testing and piloting dockless scooter and bike share operations. All signals point to the need for comprehensive investments in active transportation infrastructure. Planners will play an important role in shaping the frameworks for these local investments.

For the curious, Victor Gruen has the misgiving of being recognized as the father of the American shopping mall. He was a planning visionary from Vienna and focused his early career on designing fashionable storefronts. He came to America in 1938 and began designing boutiques along Fifth Avenue in New York City. In truth, he very well may have shared the opinion that wealth should be accessible via any mode of transportation, but that really wasn't the issue of his time. He also envisioned the American mall as a "PedShed" with a dense, market environment similar to the Greek Agora centered in the middle. What ultimately gave way was the enclosed shopping centers of the mid-1950's and all its magnetism for a car-dependent population. When was the last time you walked or biked to the shopping mall?

# Goldenride

## BIKEFEST

For the fun-loving and adventurous, Nebraska's walking and biking advocacy group, [Bike Walk Nebraska](#) is hosting their inaugural [Goldenride](#). This signature fundraising event takes cyclists of all skill levels on a two-day cycling adventure between Lincoln and Beatrice along the Homestead Trail **September 18-19th**. The event is certain to be a great time, but more directly it will help to advance the initiatives of this organization and secure more of the active transportation needs across the State. Please consider [joining the event](#) and share the opportunity with your friends and family.

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# NEW RURALISM PROJECT RECOGNIZED BY APA DIVISIONS COUNCIL

BY: CHAD NABITY, AICP - REPRINTED FROM THE APA SMALL TOWN & RURAL PLANNING SUMMER 2021 ISSUE

June 10, 2021, was a banner day for STaR and the Northern New England Chapter of the American Planning Association (NNECAPA). This was the day that the National Planning Awards were announced. As part of that celebration, the Divisions Council Awards were also announced and celebrated. The Divisions Council and Chapter Presidents Council were allowed to select one award recipient to be highlighted. The Divisions Council selected the award winner for the category "Division Contribution to the Profession". The winner of that award for 2021 was STaR and NNECAPA for their Division's Council sponsored research project, **Lessons in New Ruralism**.

STaR and NNECAPA volunteers have been collaborating on this project since the 2017 National Planning Conference (NPC) in New York City. We cohosted our first session "New Ruralism Working for Us!" as a STaR sponsored session at the NPC on May 8, 2017. The research and case studies collected by NNECAPA were highlighted during this session. The speakers and volunteers were not ready to be done with the project though. They envisioned finding more examples that fell into the New Ruralism model across the country and wanted to discover if the characteristics of the model held true across the country or if they were a uniquely New England construct.

In 2018, STaR received a research grant from the Divisions Council to hire a student to collect stories, research them and record them along with the case studies from NNECAPA into a single document that defines the characteristics of New Ruralism and showcases how it can benefit small towns, rural areas and their residents.



Quimper Village, a senior co-housing community in Port Townsend, Washington.

Jennifer Whittaker, a Doctoral Student from the School of Design at the University of Pennsylvania, was hired to conduct the research. Jennifer worked with the team of STaR and NNECAPA volunteers to research and produce the report that was released in the Fall of 2020.

Completed case studies were sorted into five categories:

- Focusing on Food
- People Helping People
- Building Jobs on Our Strengths
- Energy of Volunteers
- Other Innovative Rural Initiatives

Members of the group have presented the findings and conclusions from the report at the Radically Rural Conference in 2020, as part of the APA Chapters & Divisions Planning Webcast series in June of 2021. They will also be presenting virtually at the Nebraska Planning Conference in September with virtual presentation and a local audience and moderator. Even as the research has wrapped up we are finding new and innovative ways to connect rural communities across the nation.

Find more information on the New Ruralism project and case studies at the Northern New England Chapter APA website: <https://nne.planning.org/knowledge/new-ruralism/>.

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# SHORT-TERM RENTALS

BY: STEPHANIE ROUSE, AICP

The sharing economy is shaping the way our cities look and feel. From bike share to VRBO these new forms of service provision have changed the way we eat, sleep, move, and even work. As planning and zoning officials we are tasked with ensuring these new technologies benefit everyone in our communities and create a positive impact. One such technology that we have to consider is the short term rental.

On March 1, 2019, the Nebraska State Legislature approved LB57 preventing a municipality from banning short-term rentals, such as Air BnB or VRBO. These uses, which operate for 30 days or less can still be regulated for health and safety reasons and regulations in homeowners associations are not impacted. This new legislation prompted communities to look into how they managed short term rentals (STRs).

In Omaha, the City's response to the new legislation was minimal. Short term rentals are not restricted, nor is there a license required. In effect, STRs are allowed anywhere in the city, regardless of zoning district. This laissez-faire approach to STRs is on the opposite end of the spectrum from Lincoln.

Lincoln paved the way on June 14, 2021 with the City Council vote to adopt new regulations for short-term rentals which go into effect August 1, 2021. These new regulations require a license through the Building and Safety Department and collection of the Hotel Occupation Tax handled by the Finance Department. On the zoning side, STRs were added to the zoning code as a conditional permitted use (approved administratively if they meet the requirements in the code) in all zoning districts except industrial. Additional regulations include a maximum occupancy based on sleeping areas with a maximum of 12 persons and a 10% maximum of a multi-family use to be licensed.

EDITOR'S PICK ALERT TOP STORY

## New short-term rental rules for Lincoln are friendlier to off-site owners

Riley Johnson Feb 8, 2021 Updated Jun 11, 2021 0

Lincoln Journal Star article headline from February 8, 2021

One regulation removed from the ordinance by the City Council was the spacing requirement. Originally, new STRs would have been required to maintain a minimum separation of 600 feet from the nearest existing STR. Multi-family uses with more than 100 units would have been exempt from the spacing requirement. A one month grace period was planned to allow all existing STRs to obtain their license, regardless of location, before the regulations took effect in the fall. An owner-occupancy requirement, part of initial drafts of the new regulations, was removed early on.

Regulations like these are intended to strike a balance between supporting local entrepreneurs and allowing homeowners an additional funding source while maintaining the vibrancy and character of local neighborhoods. They can even support aging in place as rooms are rented out by long term residents. STRs are a great way to stay affordably on vacation and see a unique part of a city. Chances are either you have stayed in one or you know someone who has.

But a proliferation of STRs in one neighborhood can lead to noise and parking problems, fewer permanent residents to support neighborhood services, and fewer eyes on the street.

It can also negatively impact the supply of affordable housing when an entire house is converted to a STR. Unregulated, they can pose a health and safety concern as the rentals are never inspected for compliance with health, building, housing, and safety codes.

So if your community is considering new regulations to comply with state law consider the following:

- Do you have major destinations that have or will likely lead to a concentration of STRs? If so, spacing requirements may be beneficial.
- Once the regulations are in place, which department will enforce compliance?
- What type of license or permit will you set up to track the STRs?
- Will there be one type of license for all STRs or will there be categories for owner-occupied, full house rentals, and multi-family rentals?
- What application fee will cover the cost of the program and how often will it be renewed?
- Will there be inspections, if so, how often and by whom?

Proper planning and public engagement will go a long way to creating an ordinance that balances the needs of the STR owner as well as those of the neighborhoods and city as a whole. In the case of Lincoln, several public meetings were held while drafting the regulations as well as an extended comment period once they were ready. As with all new regulations, it takes time to see how effective they are at regulating the use. Therefore, it may be necessary to revisit the code after tracking the outcomes for a year or so. As with all attempts to regulate the sharing economy, only time will tell whether the intended balance is achieved.



Photo of a living room in a short-term rental

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# LEGISLATIVE UPDATES

**BY: DAVID C. LEVY & LEE E. GREENWALD**

The First Session of the 107th Nebraska Legislature adjourned sine die on May 27, 2021. Because this was the first legislative session of the biennium, bills and resolutions from this session will carry-over to the next session. The Second Session of the 107th Legislature is scheduled to convene January 5, 2022.

[Here is a chart](#) that provides the status of all First Session bills related to economic development, energy and renewable energy, government and municipal law, healthcare, liquor, real estate and financial transactions, taxation, and telecommunications. Below are summaries of eight relevant bills the Legislature passed.

## MAJOR INITIATIVES:

### **LB 9 - Change Annexation Requirements and Property Tax Special Valuation Provisions**

[LB 9](#), introduced by Senator Blood, amends provisions relating to the annexation of land by cities and villages. As amended, the bill creates an exception allowing cities of the first class, in counties with at least three cities of the first class, to annex land that would be contiguous with the corporate limits but for a contiguity interruption by federal government land. Annexation under the bill would not result in any change to the service area of any electric utility without an express agreement from such electric utility. The bill also authorizes special valuation of agricultural or horticultural land in certain circumstances. On April 29, 2021, the Legislature passed the bill. On May 5, 2021, Governor Ricketts approved the bill with an emergency clause. Accordingly, the bill took effect immediately upon approval.

### **LB 25 - Change Provisions Relating to the Division of Ad Valorem Taxes Under the Community Development Law**

[LB 25](#), introduced by Senator Wayne, amends the Community Development Law by increasing the period for dividing ad valorem taxes to 20 years for “extremely blighted areas.” The prior repayment period for Tax Increment Financing (“TIF”) was 15 years. On November 3, 2020, Nebraska voters approved LRCA 2 authorizing a TIF repayment period of 20 years for areas where more than 50 percent of properties are extremely blighted. LB 25 codifies the same. On March 11, 2021, the Legislature passed the bill. On March 17, 2021, Governor Ricketts approved the bill with an emergency clause. Accordingly, the bill took effect immediately upon approval.

### **LB 40 - Nebraska Rural Projects Act**

[LB 40](#), introduced by Senator Groene, adopts the Rural Development Projects Act. As amended, the bill provides an incentive to develop industrial rail access business parks in counties with populations of less than 100,000. Under the bill, an eligible nonprofit economic development corporation could apply to receive a dollar-for-dollar match of its total investment in an eligible project. The bill caps available funds at \$10 million. Applicants must submit an application by December 31, 2022. On May 19, 2021, the Legislature passed the bill. On May 24, 2021, Governor Ricketts approved the bill. On August 27, 2021, the bill takes effect.

### **LB 81 - Provide Authority for SIDs to Own, Construct, and Maintain Public Parking Facilities**

[LB 81](#), introduced by Senator Hilkermann, authorizes sanitary and improvement districts (SIDs) to own, construct, and maintain public parking facilities to serve businesses. On April 29, 2021, the Legislature passed the bill. On May 5, 2021, Governor Ricketts approved the bill. On August 27, 2021, the bill takes effect.

### **LB 83 - Change Public Meeting Provisions and Provide for Virtual Conferencing Under the Open Meetings Act**

[LB 83](#), introduced by Senator Flood, amends the Nebraska Open Meetings Act (the “Act”) by authorizing and expanding the use of “virtual conferencing” during meetings of public bodies, including during declared emergencies. Additionally, public bodies must now require each speaker to provide their name and address and to disclose the name of any organization the speaker represents. In our prior updates, available [here](#) and [here](#), we summarized LB 83 in detail. On April 21, 2021, Governor Ricketts approved the bill with an emergency clause. Accordingly, it took effect immediately upon approval.

### **LB 156 - Municipal Inland Port Authority Act & Change Provisions of the Site and Building Development Act**

[LB 156](#), introduced by Senator Wayne, adopts the Municipal Inland Port Authority Act. The Act allows cities of the municipal, primary and first class to create inland port authorities in eligible areas within their jurisdiction. Eligible areas include navigable rivers or waterways, major rail lines, major interstates or highways and major airports. Port authorities will enable the development of shovel-ready commercial and industrial sites merging regional multi-modal transportation and supply chains. The Act allows up to five inland port districts throughout the state.

Port authorities under the Act may: (i) levy sales and use tax, issue and sell revenue bonds and borrow or receive money from both public and private sources, (ii) acquire, lease or sell real property, and (iii) charge fees to businesses and customers to maintain and operate the inland port districts. Port authorities are tax exempt but lack the power of eminent domain. On May 19, 2021, The Legislature passed the bill. On May 26, 2021, Governor Ricketts approved the bill. On August 27, 2021, the bill takes effect.

### **LB 265 - Change Provisions of the Property Assessed Clean Energy Act**

[LB 265](#), introduced by Senator Blood, amends the Property Assessed Clean Energy Act. The bill exempts from the Act’s reporting requirements those municipalities with a clean energy assessment district but no active energy projects. On April 20, 2021, the legislature passed the bill. On April 23, 2021, Governor Ricketts approved the bill with an emergency clause. Accordingly, the bill took effect immediately upon approval.

### **LB 544 - Adopt the Urban Redevelopment Act and Provide Tax Incentives**

[LB 544](#), introduced by Senator Wayne, adopts the Urban Redevelopment Act. The Act, as amended, provides incentives for investment and job creation in “economic redevelopment areas” within cities of the metropolitan or primary class. Economic redevelopment area means an area where the average rate of unemployment is at least 150 percent of the state average, and the average poverty rate is 20 percent or more for the federal census tract in the area.

To qualify, an applicant must apply to the Director of Economic Development (the “Director”). The Director may accept applications until December 31, 2031 up to an \$8,000,000 cumulative benefit limit. Political subdivisions and tax-exempt organizations may not apply.

There are two tiers of incentives under the Act. First, are applicants who: (i) commit to a cumulative investment in qualifying property of at least \$150,000 and hire at least five new employees at the qualified location within two years of application; and (ii) pay a minimum qualifying wage of at least 70 percent of the statewide average to said employees. Such applicants may receive a tax credit of \$3,000 for each qualifying employee and \$4,000 for each qualifying employee who lives in an economic redevelopment area. Such applicants may also receive a tax credit of \$2,750 for each \$50,000 of qualifying investment.

Second, are applicants who commit to a cumulative investment in qualifying property of at least \$50,000 within two years of application. Such applicants may receive a tax credit equal to five percent of the qualifying investment. Applicants may not qualify for both tiers and may not exceed a \$50,000 credit.

Applicants must maintain their investment and employment levels for the duration of the term of their commitment. The Act sets forth a direct tax payment and refund procedure for any period in which an applicant fails to meet the required levels of investment and employment. On May 20, 2021, the Legislature passed the bill. On May 26, 2021, Governor Ricketts approved the bill. On January 1, 2022, the bill takes effect.

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# PLANNER PROFILE – STEVE MILLER, AICP

**BY: STEVE MILLER, AICP**

One of the best reasons to belong to professional organizations like the Nebraska Chapter of the American Planning Association and the Nebraska Planning and Zoning Association is meeting other professional planners and building a network of people who do similar work. The contacts you make often become mentors, advisors, colleagues and friends. This is the latest article in an ongoing series of Nebraska planner profiles for the Nebraska Planner Newsletter. The goal of this series is to inform you about and introduce you to the diverse group of people who make planning and zoning happen in Nebraska.

For the next few planner profiles, I am going to highlight the diverse group of planners who have volunteered to write, produce and publish this newsletter, starting with myself.

I am a City Planner and the Business Development Director for Clark & Enersen in Lincoln. I've worked for 30 years in the architecture, engineering and planning industry in a wide variety of jobs for several different firms and local government organizations. I have a special interest in community engagement which led me to specialize in facilitating citizen and stakeholder engagement processes for engineering, environmental, community development and urban design projects ranging in scale from neighborhoods to multi-state regions. Also, I am one of the founders of and an active partner in an online community engagement company with projects in cities and organizations across the United States. The following segment is my response to the five planner profile questions:



Pictured: Steve Miller, AICP

## **1. Describe your current job or the current work you're doing.**

I wear many hats at my current job at Clark & Enersen. My primary responsibility is business development where I coach, support, assist and manage our market sector teams efforts to identify, track and win architecture, engineering, urban design and landscape architecture work. I also worked with each market sector team – Civic, Corporate, Government, K-12, Higher Ed., Science & Technology, and Sports & Rec. – to create business development and marketing plans.

At Clark & Enersen, I lead firm-wide community engagement activities too. My key responsibilities in this capacity are to identify opportunities for community engagement for all project types, to develop community engagement plans and strategies, and to help deliver these services.

## **2. What did you want to be when you were growing up and how did you get into planning?**

When I was growing up, I was always into geography. I didn't know what I wanted to be but I loved maps and globes and to identify countries, states and capitals. In college, I became interested in political science and it seemed to me that the perfect combination of geography and political science is planning. I took a geography class - Cities of the World - as an undergraduate that introduced me to the idea that cities, as gathering places, were the cradles for the organization of societies and government. Since then, I've been hooked on planning.

## **3. Describe a mentor or someone who had an impact on your career.**

I started my career in local government in the Kansas City metro area and I had several jobs early on. As a result, I have several mentors and bosses who helped to guide me early in my career. The most important lesson I learned from them was to always be interested in learning something new. Laptops weren't invented when I was in grad school, personal computers were in their infancy and very, very expensive, and GIS technology was just starting to gain traction in city planning. As a young planner, I volunteered on weekends to hand digitize my city's land uses into its "cutting-edge" ARC/INFO system. I was never a GIS expert, but understanding the technology helped me get my next job!

## **4. What advice would you give a young planner just starting their career?**

I think it's really important to build a broad professional network starting when you're still in school. I'm still great friends with the planner who was my boss at my first professional internship with the City of Overland Park, Kansas. Also, one of my classmates in grad school over 30 years ago is my best professional collaborator, counselor and friend. Finally, the last few jobs I've had weren't advertised as open positions. I learned about these opportunities through my extensive network.

## **5. What has been your involvement in APA, NPZA, and other professional organizations and how has it helped you as a planner?**

I have been involved in a variety of professional organizations throughout my career and I've always been an APA member and actively involved in a supporting role with the state chapter. I've never tried for an elected leadership role in the state chapter because my work typically has involved extensive travel. However, I found that working to support the organization by doing things like writing newsletter articles or creating content for the web site fulfills a need for the organization, is professionally satisfying, and it provides you a voice to promote planning.

# UNL PLANNING PROGRAM CONTRIBUTES TO NEBRASKA EAST SALINE WETLAND CONSERVATION IN RAPIDLY URBANIZED WATERSHEDS

**BY: DR. ZHENGHONG TANG**

Dr. Zhenghong Tang, a professor and the director of the Master of Community and Regional Planning (MCRP) degree program at the University of Nebraska-Lincoln (UNL), is leading a 3-year federally funded research project to help Nebraska's saline wetland conservation efforts.

The overall goal of this project is to deploy wireless-based real-time sensor networks to monitor and evaluate salinity status, hydrological interaction, and the vegetation community of saline wetlands under the context of rapidly urbanized watersheds in east Nebraska. Nebraska East Saline Wetlands are globally unique, inland, salt-marsh ecosystems formed by saline groundwater via springs and seeps. Salinity is the top indicator to distinguish the saline wetlands from other wetland systems. The saline wetlands have distinct features with highly saline soils, salt flats, and salt-tolerant plant species. Nebraska East Saline Wetlands serve as the federally identified critical habitat for an endangered species (the Salt Creek tiger beetle), the state-listed threatened species (saltwort), and over 260 different bird species. However, these saline wetlands are highly vulnerable ecosystems because they significantly depend on saline ground water discharge at the surface. The fragility of the saline wetland ecosystems demands a better understanding of the interrelationships for salinity conditions and groundwater/surface connectivity. Thus, effective conservation programs for saline wetlands ask for timely monitoring and assessment for salinity conditions.

The project collaborates with the Nebraska Saline Wetland Conservation Partnership (SWCP), the City of Lincoln, Lancaster County, Lower Platte South Natural Resource District (LPSNRD), Nebraska Game and Parks Commission (NGPC), and US Environmental Protection Agency (US EPA).



Dr. Zhenghong Tang & Team at a research site



A photo of the Nebraska East Saline Wetlands near Lincoln, NE

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# PANEL REVIEW: DESIGNING THE NEBRASKA AFFORDABLE HOUSE

**BY: KURT ELDER, AICP**

*This article references material produced by History Nebraska and can be found at <https://history.nebraska.gov/events/designing-nebraska-affordable-house>.*

Affordable housing is a big theme in Nebraska history. From the efficient design of Native earth lodges to sod houses of the Homestead Act, the Great Depression-era housing programs, racial redlining in cities, and World War II housing, much of our history involves Nebraskans of modest means finding a place to call their own. That story continues into the present day.

A diverse group of panelists with various points of view helped illuminate this topic on Thursday, April 8, 2021. The discussion revolved around the design of the affordable home itself, as well as underlying issues and planning strategies necessary to increase access to housing and to improve housing stock. This event was planned in parallel with the joint exhibition titled “Nebraska’s Housing Stories and New Attainable House” at the Nebraska History Museum. The exhibition presented work designed by FACT students (the UNL College of Architecture’s Fabrication And Construction Team) in collaboration with area nonprofits, and explored affordable home design for Nebraska communities.

The panelists were: (1) Frank Ordia, Lecturer of Architecture at the University of Nebraska-Lincoln College of Architecture (2) Josie Schafer, Director of the Center for Public Affairs Research at the University of Nebraska at Omaha (3) Kurt Elder, AICP | GISP, Analyst for the City of Lincoln and (4) Wayne Mortensen, CEO of NeighborWorks Lincoln.

It was moderated by Jeffrey L. Day, FAIA, Killinger Professor of

Architecture and Landscape Architecture at the University of Nebraska-Lincoln, and founding principal of Actual Architecture Company.

Frank Ordia focused on zoning policies and the history of how municipalities adopted them, and for what reasons. Some zoning practices were race based while others were of direct construction. The full depth of his research could fill another article entirely. Wynn Mortensen gave a high-level overview of NeighborWorks Lincoln. Challenges that Wayne identified were:

1. Land availability/static market
2. Land cost
3. Procedure tools
4. Increase in construction cost
5. Financial tool set, and
6. Rental Market

Josie Schafer identified the challenges of slow home growth and rising demand compared to other states. This has a direct impact on rural Nebraskans whose incomes are not matching strong home growth, unlike more urban areas such as Omaha. She along with others detailed one facets of this challenge, that being occupancy rates, and how high rates don’t provide slack for the market to ‘wiggle’ within. She had a brief, but great, section on middle income housing. Lastly, Kurt Elder hit on three big conversation topics, which were derived from housing modeling efforts he completed for this panel.

They were:

1. How should we augment our understanding of affordability in regard to how our planning data is collected? Simply put - regarding college students (i.e., 10% of Lincoln's population) - when student loans, family support, tips, cash work are not reported as income they appear poor; however, their housing costs are still collected which impacts their affordability assessment and our reaction to those figures.
2. Are we experiencing a critical need or a critical squeeze which will be relieved as our baby boomer population expires?
3. How can we maximize utilization of existing housing ... primarily within homes with unused rooms and homes that have been identified as vacant?

The approximately 200 attendees asked questions in addition to those of the moderator. Examples of questions were:

- What trends differentiate the housing market from urban to rural?
- What is the single most effective change cities/towns in Nebraska could do to address access to housing?
- Has part of the housing increase been due to Omaha/other metropolitan growth?
- Is there a way to address affordable housing need through construction methods?
- How much effort has been made to implement inclusionary zoning?
- What specific advantages do land banks provide?
- Who/what institutions are best positioned to effect change and others?

While broadly accepted as a success, there were attendees who felt the discussion was lacking. One review shared is recalled here:

"Your panel of experts had a great deal of information to share but sadly not the information I was hoping for. The title gave me hope that maybe this group of experts would provide me with the newest information regarding construction technology that could cut the cost of building homes in Nebraska no matter where you lived. I live in a small, rural community that has just formed a group to build housing in our community.

We've built and sold our first home and are almost done with house number two but construction costs are really affecting the selling cost of the newest home. I was hoping for some tips and ideas on what we might be able to do to stretch our dollars and provide more housing - Is there information out there on the actual construction options in the housing market? You had some very smart people on the staff including prominent professors from the School of Architecture at UNL that mentioned their student's projects, but mention was all they did - I would like some real information to help us move forward. Thanks for your efforts - sometimes we don't get what we were expecting - maybe the title of this webinar should have been ["Designing the Nebraska Affordable House - Probably Ain't Going to Happen."]"

Without revealing this person or their location I would share their market is a direct result of new industry in their region which is prompting a need for housing which is conflicting with existing norms, incomes and process. This person focused on construction cost primarily. Our response to him is below:

As you have discovered, there are no magically affordable ways to build houses. Custom modular construction is promising but I don't know of any factories close enough to keep the cost and environmental impact of transportation within reason. There are a few tricks we have explored such as advanced framing (spacing studs and roof trusses at 24" instead of 16" saves some cost and improves energy performance which means long term savings).

The more creative solutions are not in materials or systems but in design and land use:

- Open floor plans allow for less overall size, a reduced number windows, and overall simplicity
- Increase density through clever site planning and zoning that allows more units per acre
- Shared outdoor amenities (e.g. parking canopies instead of individual garages)

Reducing building size, improving efficiency, and increased density are the best approaches at this point. Shared housing and other types of multi-family housing are usually less expensive per unit than single-family houses, if your community would accept these alternatives.

At this very moment, the cost of framing lumber is up 100% this year and other building materials have also increased significantly but industry professionals believe that will reduce again once the supply chain stabilizes – I hope this is a temporary situation! Regardless, in the U.S., labor is the leading cost, so anything that can be done to reduce construction time through design is welcome (simple things like designing for off-the-shelf material dimensions reduces cutting time as well as waste)."

Affordable housing is a broad multi-layered issue that relies on direct communication, understanding trends/markets, and tools to address change. Some issues are complex as the interaction of markets to the community, where-as others result as the addition of extensive need because of disruptive changes that weren't anticipated. I invite you to contact History Nebraska if you would like a copy of this recording. Lastly, if you want to learn more from these individuals, I'm sure they would share their experiences and time.

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# EMERGING PLANNERS GROUP - BOOK CLUB REVIEW

BY: CALE BRODERSEN

## ***Feminist City: Claiming Space in a Man-Made World***

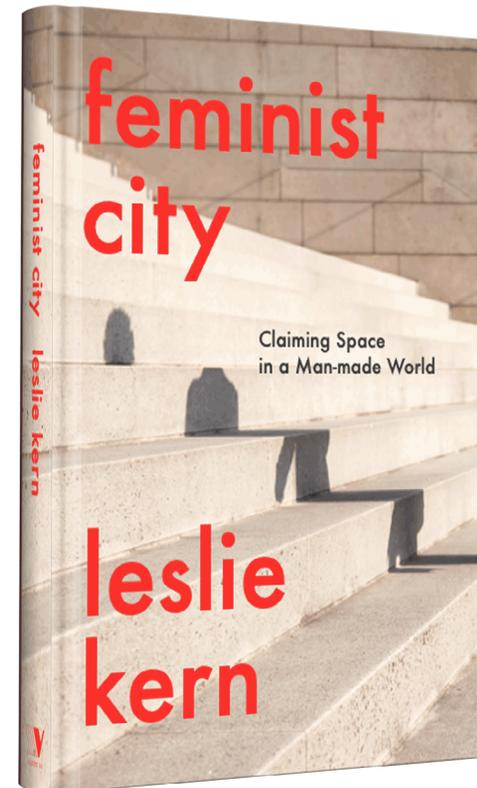
By Leslie Kern

This June, the Emerging Planners Group's Summer Book Club reconvened to discuss Leslie Kern's book *Feminist City: Claiming Space in a Man-Made World*. The book was discussed in two groups containing a total of twelve planners virtually and in Lincoln.

Drawing on feminist, geographical, and sociological studies, along with her own experiences living in cities, Kern explores the various ways in which women experience urban environments differently than men. Women face a unique set of barriers (physical, social, economic, and symbolic) that exist, in part, by women's interests and experiences being neglected in the male-dominated processes and professions of planning, architecture, and public policy.

Kern discusses the relationships that women have with and in urban environments, such as hostility directed at pregnant women and caretakers, the importance of a robust support system, the right to navigate and exist in a city without harassment, the role that fear (both real and perceived) plays in everyday life and decision making, and more. Employing the use of storytelling to highlight uncomfortable experiences she has had in large cities, Kern supports the fact that a lack of accessible public spaces, quality public transit, and affordable housing disproportionately affect women, as women are statistically more likely to be primary caregivers<sup>1</sup> and responsible for domestic tasks such as grocery shopping<sup>2</sup>.

As a cis-gendered, white male with no children, this book provided important perspective on how the experience of being a woman in a city differs than that of my own, whether it be the inadequacy of public restrooms, a threatened sense of safety and security, or simply challenges navigating public spaces with a stroller.



But while the author briefly lists ideas for gender-inclusive planning to combat these issues (higher quality public gathering spaces, access to community gardens, and well-maintained sidewalks, for example), I expected to learn more about real-world built-environment solutions and how to implement them in my own work. Rather, I felt like the author presented the reader with a large societal problem with no tangible action items to fix it.

Another criticism offered through our discussion was that opportunities in this book may have been missed to address planning-related barriers and impacts for seniors, persons with disabilities or sensory impairment, or other vulnerable populations that would benefit from [universal design](#). It was clear that intersectionality was a core principle for Kern and this book, but it lacked a well-rounded analysis of planning implications for disabled women, older women, and women of color.

Overall, both book discussion groups agreed that this book is more a piece of feminist literature than a guidebook for planners. It explores the experience of being a woman and a mother in the urban environment but provides less direction in improving the physical environment to make it more accessible.

My greatest takeaway was the reminder that planning and decision-making processes must incorporate intersectional analyses to ensure that no one's needs or interests are left unacknowledged. Kern writes, "For me, to take a feminist stance on cities is to wrestle with a set of entangled power relationships. Asking 'women's questions' about the city means asking about so much more than gender. I have to ask how my desires for safety might lead to increased policing of communities of color. I have to ask how my need for stroller access can work in solidarity with the needs of disabled people and seniors." This book helped me obtain the vocabulary necessary to ask questions about gender, disability, safety, and accessibility.

Don't worry if you missed out this time, the Emerging Planners Group hosts quarterly book clubs. Join us in September for the next one! See page 24 of this newsletter, or e-mail [cbrodersen@cityoflavista.org](mailto:cbrodersen@cityoflavista.org) for more information!

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# AWARDS NOMINATIONS - NPZA & APA

## NPZA

Nominations for the 2021 NPZA awards are **due on Monday, August 2nd at Noon** (12:00pm). E-mail submissions and question should go to Christopher Solberg, AICP at [president@npza.org](mailto:president@npza.org). Please submit your nominations using one of the following methods:

1. The nomination form can be filled out online by clicking [here](#).
2. The nomination form can also be filled out using this [PDF form](#).

Below is a list of the NPZA awards available. A more detailed description of these awards is included in [this nomination form](#).

- Appointed Official Award
- Elected Official Award
- Professional Award
- Mitsuo Kawamoto Excellence in Planning Award
- Carol Swayne Planning Commissioner Award
- Loretta Ludemann Achievement Award for Excellence in Planning by a Woman in the State of Nebraska
- President's Award of Special Recognition

Judging for the NPZA awards will be performed by the Awards Nomination Committee and are under no obligation to grant an award in any category or subcategory. Presentation of the awards will be made at the 2021 Nebraska Planning Conference scheduled for September 15-17, 2021 at the Younes Conference Center in Kearney, Nebraska. NPZA Award winners will be presented with a personalized award or certificate, depending on the category, at the conference and will be featured in an edition of the Nebraska Planner newsletter.

## APA NE

Nominations for the 2021 APA NE awards are **due on Friday, August 6th at Noon** (12:00pm). E-mail submissions should be sent to [apanebraska@gmail.com](mailto:apanebraska@gmail.com). Please send questions to Caitlin Bolte at [cbolte@thinkconfluence.com](mailto:cbolte@thinkconfluence.com). The nomination form can be found [here](#). Below is a list of APA's potential award categories. A more detailed [description](#) of these awards is included in [this nomination form](#).

- Daniel Burnham Award for a Comprehensive Plan
- Best Practice
- Grassroots Initiative
- Implementation
- Public Outreach
- Communications Initiative
- Transportation Planning
- Environmental Planning
- Urban Design
- Innovation in Economic Planning and Development
- Advancing Diversity and Social Change in honor of Paul Davidoff
- Charleston-Ptak Planning Advocate Award
- Planning Firm
- Planning Agency
- Emerging Planning and Design Firm
- Alden Aust Distinguished Leadership Award for a Professional Planner
- Wozniak-Selander Award for a Planning Pioneer
- Great Places in Nebraska

Judging for the APA NE awards will be performed by an out-of-state jury and are under no obligation to grant an award in any category or subcategory. Nominators of submissions will be notified by email prior to August 16, 2021. Presentation of the awards will also occur during the Nebraska Planning Conference in Kearney, September 15-17, 2021.

# PLANNERS BOOK CLUB - FALL SELECTION

Join your fellow planners and allied professionals in the Fall 2021 Planners Book Club hosted by the APA Nebraska Chapter's Emerging Planners Group. Here is how it works:

1. Register to participate at the following link: <https://forms.gle/iGwpkt5QaQ33uhFh6>.
2. Read or listen to the book (available in physical, digital, and audio formats).
3. Join us for a lively discussion in September. A Doodle poll will be sent out to book club participants several weeks in advance to find a time that works for everyone for the discussion. We typically host more than one discussion to accommodate everyone's schedules, and we will likely host one in-person discussion for those who are comfortable, and one over Zoom.
4. Earn CM credit for participating in the discussion.

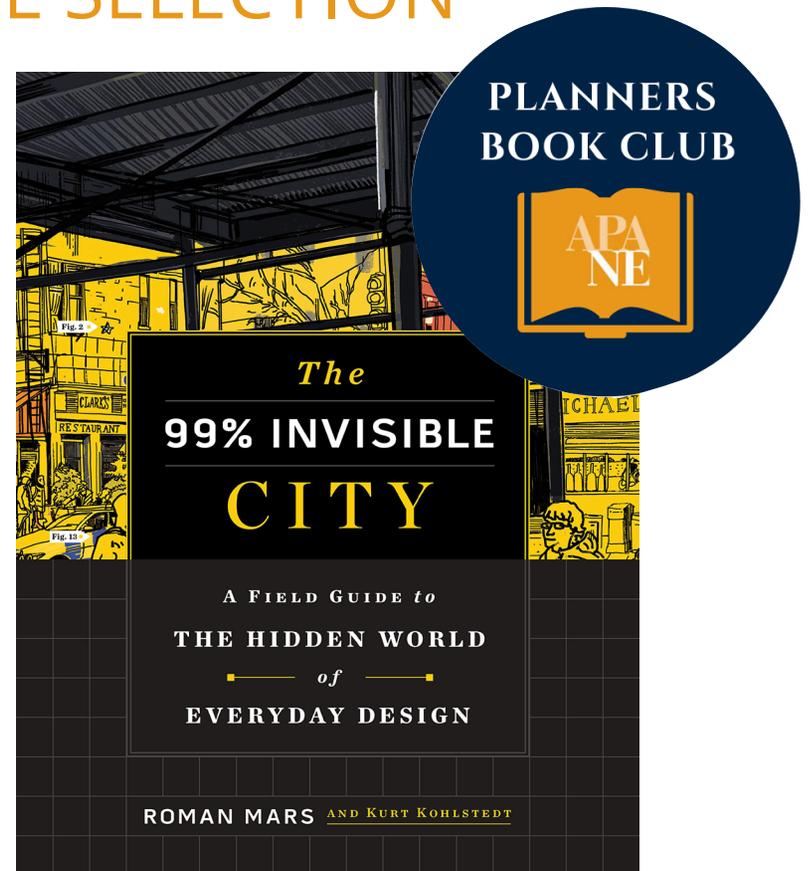
**Book Selection: *The 99% Invisible City: A Field Guide to the Hidden World of Everyday Design* by Kurt Kohlstedt and Roman Mars**

Synopsis by the publisher, Houghton Mifflin Harcourt:

A beautifully designed guidebook to the unnoticed yet essential elements of our cities, from the creators of the wildly popular 99% Invisible podcast.

Have you ever wondered what those bright, squiggly graffiti marks on the sidewalk mean? Or stopped to consider why you don't see metal fire escapes on new buildings? Or pondered the story behind those dancing inflatable figures in car dealerships?

99% Invisible is a big-ideas podcast about small-seeming things, revealing stories baked into the buildings we inhabit, the streets we drive, and the sidewalks we traverse. The show celebrates design and architecture in all of its functional glory and accidental absurdity, with intriguing tales of both designers and the people impacted by their designs.



Now, in *The 99% Invisible City: A Field Guide to Hidden World of Everyday Design*, host Roman Mars and coauthor Kurt Kohlstedt zoom in on the various elements that make our cities work, exploring the origins and other fascinating stories behind everything from power grids and fire escapes to drinking fountains and street signs. With deeply researched entries and beautiful line drawings throughout, *The 99% Invisible City* will captivate devoted fans of the show and anyone curious about design, urban environments, and the unsung marvels of the world around them.

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# APA NATIONAL ELECTIONS

APA conducts elections for new Board and Commission members every two years, with about half of the positions in each body being up for election in each cycle. This summer, there are six positions up for election with the APA Board of Directors, and four positions with the AICP Commission. Just two people are nominated for each seat, and this year we have two APA Nebraska members nominated for national positions on these governing bodies. This means that 10% of those nominated and selected to be on the ballot this year are from Nebraska!

Voting for these elections is open from July 19-August 20. You should have received an e-mail from the APA regarding these elections and how to vote, so please go vote!

The APA Nebraska Chapter Board has endorsed Bruce Fountain, AICP for the Director Region 5 position on the APA Board of Directors and Derek Miller, AICP for the Commissioner Region 5 Position on the AICP Commission. Both Bruce and Derek have served as President for the APA Nebraska Chapter, and have been heavily involved in many capacities with the APA national organization and local chapter. They are great candidates for the Board and Commission, and we know they would represent Nebraska and APA Region 5 very well!

The APA Nebraska Chapter Board has also endorsed Kurt Elder, AICP for Vice-Chair of the Housing and Community Development Division. The election for this division's leadership will be included on the ballot for the APA Board and Commission elections, but only for current members of the division. Kurt has also been heavily involved in the APA Nebraska Chapter and the Nebraska Planning and Zoning Association and would be a great addition to the HCDD leadership team. If you are a member of this division, please remember to vote.

Here is some more information about the APA Board of Directors, the AICP Commission, the Housing and Community Development Division, and the current election for each:

## **APA Board of Directors**

The APA Board of Directors sets the organization's direction, ensures necessary resources, and provides oversight. APA is committed to seeking a diverse group of leaders for the organization. This includes diversity in perspectives, demographics, geography, and experience. Individual board members should have the ability to think strategically and analytically, and to effectively communicate thoughts and the reasons for them.

Bruce Fountain, AICP, Community Development Director with the City of La Vista, is running against Allison Mouch from Missoula, Montana. The biographical and position statement for each candidate can be found [here](#).

## **AICP Commission**

The AICP Commission determines all matters of qualification, experience, and certification for professional planners and for membership in the American Institute of Certified Planners, including professional practice standards, expectations around professional ethics, and educational requirements for certification. A key attribute of Commissioners is to have an understanding of the value of the AICP credential and the work of the Institute.

Derek Miller, AICP, Long Range Planning Manager with the City of Omaha, is running against Jae Hill from Kirkland, Washington. The biographical and position statement for each candidate can be found [here](#).

## **Housing and Community Development Division (HCDD)**

The HCDD, one of APA's 22 specialty and interest area divisions, is a nationwide network of professionals dedicated to building healthy and vibrant communities that supports educational and networking opportunities for planners, educators, housing professionals, community developers, and allied professionals.

Kurt Elder, AICP, Information/GIS Analyst with the City of Lincoln is running against Angela Self, AICP from Garland, Texas for Vice-Chair.

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# JOB POSTINGS

Looking to hire? Send us your posting! Email [rouseplanning@gmail.com](mailto:rouseplanning@gmail.com) with a short description and link to the job posting.

## **CITY PLANNER (URBAN DESIGN) - CITY OF OMAHA**

The City of Omaha is currently seeking candidates for a City Planner position with an emphasis on Urban Design to join the Planning Department team. To learn more about this opportunity, please visit [this City of Omaha job listing](#).

## **FOR MORE JOB POSTINGS VISIT:**

- » <https://npza.org/resources/careers>
- » [www.iowa-apa.org/resources/job-postings](http://www.iowa-apa.org/resources/job-postings)
- » <https://www.lonm.org/classifieds/careers.html>

# UPCOMING EVENTS

## **IMPACTS OF MICRO-BREWERIES ON COMMUNITIES**

Workshop will take place after the NE APA Chapter Board Meeting  
Upstream Brewing Company

514 S 11th St, Omaha, NE 68102

July 28, 2021 | Starts at 12:00 PM CT

Sponsored by: APA Nebraska Chapter & Upstream Brewing  
For questions, please contact Jeff Ray at [jray@jeo.com](mailto:jray@jeo.com)

## **SOUTHEAST NEBRASKA 2021 HOUSING SUMMIT**

Concordia University, Nebraska Dunklau Center for Science, Math & Bus.  
July 29, 2021 | 9:00 AM - 3:00 PM CT

Sponsored by: Seward County Chamber & Development Partnership  
Register now at: <https://tinyurl.com/t2a5axun>

## **2021 NEBRASKA PLANNING CONFERENCE**

Younes Conference Center, Kearney, NE

September 15th - 17th, 2021

Sponsored by: NPZA & APA NE

For more information, please visit: <https://npza.org/conference>.

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# RESOURCES

## APA NE Board Members

- Jeff Ray, AICP – President
- Bruce Fountain, AICP – Past President
- Stephanie Rouse, AICP – Vice President/Professional Development Officer
- Troy Anderson, AICP – Treasurer
- Jesse Poore, AICP - Secretary
- Chris Solberg, AICP – NPZA Liaison
- Andrew Konzett, AIA – Allied Professionals Liaison
- Anna Headlee – Student Planning Association of Nebraska (SPAN) Liaison
- Zhenghong Tang, Ph.D. – UNL Planning Faculty Liaison

## APA NE Subcommittees

- Legislative: David Levy; Amy Haase, AICP
- Membership Recruitment & Appreciation: Paul Barnes, AICP
- Emerging Planners Group: Cale Brodersen, AICP Candidate; Ryan Ossell; Mason Herrman
- Conference/Workshop: Keith Marvin, AICP; Stacey Hageman; Jeff Ray, AICP; Bruce Fountain, AICP
- Mentorship/Student Outreach: Cale Brodersen, AICP Candidate; Zhenghong Tang, Ph.D.
- Allied Professional Collaborations: Andrew Konzett, AIA
- Newsletter and Social Media – Stephanie Rouse, AICP
- Awards/Nominations – Steve Miller, AICP; Caitlin Bolte; Andrea Gebhart, AICP

## NPZA Board Members

- Chris Solberg, AICP – President
- Judy Clark, AICP – 1st Vice President
- Dan Giittinger – 2nd Vice President
- Chad Nabity, AICP – Past President
- Char Carpenter – Recording Secretary
- Steve Charleston – Membership Sec/Treasurer
- Dave Ptak – Legal Counsel
- Stacey Hageman – Conference Coordinator
- Jeff Ray, AICP – NE APA Liaison
- Zhenghong Tang, Ph.D. – UNL Liaison

## NPZA Subcommittees

- Conference Committee – Keith Marvin, AICP
- Newsletter Committee – Cale Brodersen, AICP Candidate
- Awards Committee – Christopher Solberg, AICP
- Zoning Administrator Certification Committee – David Ptak
- Nebraska Planning Handbook Committee – Rashad Moxey

## Stay Connected

APA Nebraska



NPZA

