

The Nebraska Planner

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ANNOUNCEMENTS

CORNHOLE TOURNAMENT RAISES \$1,400 FOR SCHOLARSHIPS

During the 2023 Nebraska Planning Conference after the Banquet on Thursday evening, the first annual scholarship fundraiser cornhole tournament was held to raise money for a scholarship fund for planning students in the State of Nebraska. This tournament was a wild success with 16 teams participating, and \$1,400 was raised through participant contributions and cornhole board sponsorships. More details on the scholarship fund will be included in a future newsletter edition. Congratulations to the winners of the tournament from team "Lake Mac Attack", Rory Roundtree and Steve Broda. Well done!



CALL FOR NOMINATIONS!

Serving as an elected leader in APA offers a tremendous opportunity to sharpen your skills, expand your networks, and work directly to strengthen the impact of the organization. The portal for candidate self-nominations to serve on the APA NE Board will be open through May 19th with the election to follow this summer. New this year after the by-law change is a breakout of the vice president and PDO position into two positions. The PDO will be appointed separately by the president later this year. For more information check out the links below:

- [Portal to nominate and view open positions](#)
- [Information on the elections process](#)
- [Details on the duties for each position](#)

UPCOMING NETWORKING



Pints with Planners
Come socialize with other like-minded planners and professionals on Thursday, April 27th, 2023 from 4:30-6:30 PM at Kros Strain Draft Works (1209 Millwork Ave, Omaha, NE 68102)

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PRESIDENTS' UPDATES

Another successful Annual Nebraska Planning Conference! This year we had over 265 registrants for the conference. We hope the wide variety of sessions that the Joint Conference Committee and the NPZA and APA NE Boards packed into the conference program covered every subject that piqued your interests.

As great as this year's conference has been, we are never completely satisfied and continuously plan for the next annual conference. Additionally, we continue to have interest in providing our Virtual Workshop, and this year are planning a fall virtual workshop. In the past, the virtual workshop has been an affordable planning and zoning learning opportunity to individuals and organizations alike for the past few years and we plan to keep holding these in the future.

Stay tuned for more on the upcoming virtual workshop as emails and social media posts will provide additional details as we draw closer to the virtual event.



Judy Clark, MPA - NPZA President



Spring is here. That means we are fresh off another successful Annual Planning Conference with NPZA; Chapter elections are coming up; and everyone is getting busy with graduations, vacations and building season!

Thank you to all the participated and volunteered at the planning conference in March. I had the opportunity to discuss our conference details with other chapter presidents at NPC23 and they were impressed with what we do, especially without any paid staff to produce the conference. I came away immensely proud of the team effort that we have in Nebraska that creates a high-quality program.

The bi-annual elections are here, and the nominations are open for all the chapter positions and many positions on the national, regional, and division levels. Please go to <https://www.planning.org/elections> for more details or reach out to me or the other chapter officers. After two terms as your President, I have decided to move to other leadership roles and will not be running again.

As we all get busy with work and family obligations, please continue to participate in upcoming planning activities including the Booked on Planning podcast, Book Club, Pints with Planners, and our June in-person quarterly meeting and tour of redeveloped Sterling Ridge in Omaha (more details to follow).



Jeff Ray, AICP - APA-NE President



2023 AWARDS CEREMONY RECAP

BY: STEPHANIE ROUSE, AICP

The 2023 Annual Awards Ceremonies for APA Nebraska and NPZA took place at the annual conference on March 9th in Kearney. The awards ceremony is a great time to reflect on the great planning work by individuals, communities, and firms completed in the last several years. We come together to celebrate the great work and inspire others as we move into the coming year. This year we want to honor the following award recipients for their contributions to the field of planning.

APA Nebraska Awards

Emerging Practicing Planner: Kristen Ohnoutka, AICP Candidate

This award recognizes an individual with seven years or less of planning experience who has demonstrated an exceptional commitment and understanding towards the planning profession through distinguished practice, teaching, or writing. Kristen is a practicing planner and has been involved in park and trails planning, water resources, strategic planning, downtown revitalization, sustainability planning, urban design, and smart growth tactics.

Charleston-Ptak Planning Advocate Award: Scott Dobbe, AIA

This award honors an individual or appointed or elected official who has advanced or promoted the cause of planning in the public arena. This award is named after Steve Charleston and David Ptak for their leadership and advocacy for good planning in Nebraska. As the Director of Omaha by Design, he contributes to a thriving metro by convening, engaging, educating, and advocating for excellence in people-centered urban design and policy.



Emerging Practicing Planner Award
Recipient Kristen Ohnoutka



Planning Advocate Award Recipient
Scott Dobbe

Wozniak-Selander Award for a Planning Pioneer: David Cary, AICP

This award honors pioneers of the profession who have made personal and direct innovations in American planning that have significantly and positively redirected planning practice, education, or theory with long-term results. This award is named after Richard Wozniak, FAICP and Robert Selander for their leadership and pioneering attitudes toward planning in Nebraska. David has been with the Lincoln-Lancaster County Planning Department for almost 20 years. He is dedicated to working toward enhancing the quality-of-life assets and supporting the continued smart growth of Lincoln. As Planning Director he has led significant planning efforts to grow the Lincoln Haymarket, foster revitalization of Downtown Lincoln, facilitate major transportation improvements like the completion of the south beltway, major zoning code updates and historic neighborhood preservation.

Alden Aust Distinguished Leadership Award: Stephen Osberg, AICP

This award recognizes an individual's sustained contribution to the profession through distinguished practice, teaching, or writing. This award is named after Alden Aust former Planning Director at the City of Omaha and a former FAICP member for his leadership and professionalism in Nebraska. Stephen is an urban planning professional with a focus on urban development and infrastructure investment. He's a skilled program manager and statistical analyst with a holistic approach to land use, multimodal transportation, and community development. In addition, Stephen is highly experienced at writing and interpreting ordinances and other policy documents.



Planning Pioneer Award Recipient
David Cary



Distinguished Leadership Award Recipient
Stephan Osberg

President's Award: Jesse Poore, AICP

This award is given at the discretion of the President of the Chapter for outstanding service to the chapter and supporting planning in Nebraska. Jesse is being recognized because he stepped into the interim role as the chapter treasurer after our treasurer moved out of state. For five months he managed all of our finances including collecting outstanding invoices all while still serving as the chapter secretary. Jesse's continued support of the Chapter and its mission is greatly appreciated.



President's Award Recipient
Jesse Poore

Implementation Awards: Saratoga Elementary Safety Implementation Project and the Central Platte NRD Hazard Mitigation Plan

The first implementation award goes to the Saratoga Elementary Safety Implementation project completed by the City of Lincoln's Transportation & Utilities (LTU) department. The project was completed utilizing Lincoln's School Zone Standards with input from Saratoga staff, parents and guardians, and community members to understand and mitigate the traffic safety concerns of the school.

The second award is for the Hazard Mitigation Plan completed by the Central Platte Natural Resources District. The project implemented the goals of the HMP including protecting the health and safety of residents and properties from all hazard events, increasing public awareness and education about all hazard events, and enhancing the region's overall resilience and sustainability.

Planning Excellence Award for a Grassroots Initiative: Chris Solberg, AICP and Rural Resurrection

This award recognizes how planning is essential to addressing desires, needs, or challenges within a community, county, region, or specific geographic location. This category emphasizes outcomes and demonstrates how planning helps to create stronger, more equitable communities. Rural Resurrection is a blog, created by Chris, about saving small-towns in America. The blog's stories highlight how small towns are addressing planning issues such as housing, tourism and adaptive reuse. These stories have been republished by APA's Small Town and Rural Planning Division and distributed nationally.



Implementation Award
Recipient Saratoga
Elementary Safety
Implementation Project



Implementation Award
Recipient Central Platte NRD
Hazard Mitigation Plan



Grassroots Initiative Planning
Excellence Award Recipient
Chris Solberg & Rural
Resurrection

NPZA Awards

NPZA Professional Award: Travis Beavers

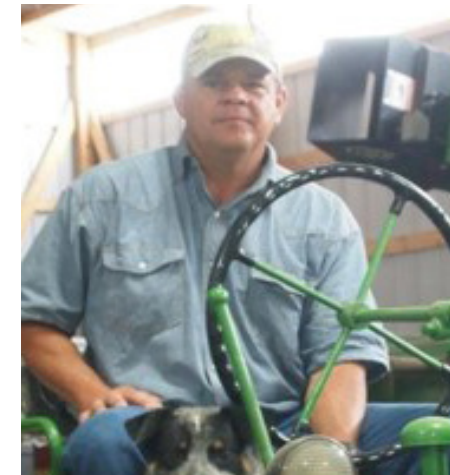
Originally hired to the Building Inspector/Zoning Administrator position for his construction background, Travis quickly learned the zoning side of his position for the City of Wahoo. He is committed to doing what is right and ensuring all citizens are required to follow the zoning laws the same way, with the same interpretation, and in the same manner. This is no simple task in small towns. Travis has learned zoning concepts and practices, and works diligently to eliminate the influence of politics in the application of the rules. Like many zoning administrators in Nebraska, he does his job well, with a genuine desire to treat every person the same, no matter their status, political position, connections, or financial resources. Recognizing Travis is recognizing that doing this job like it should be done is foundational to effective planning and zoning.



Professional Award Recipient
Travis Beavers

Carol Swayne Planning Commissioner Award: Mike Kabes and Russel Kumm

The next two awards will be handed out simultaneously and for good reason. These two Planning Commission members have served at their posts for 23 and 24 years respectively. They were both on the subcommittee to update the Stanton County Comprehensive Plan and Zoning Regulations. When the update was ready for approval in 2017, easements were being filed for a Wind Energy System in the County. The County Commissioners requested the Planning Commission to review the Wind Energy Regulation after receiving opposition to the Wind Energy System. After months of controversial testimony, the update was approved. During that time of intense opposition, they both conducted themselves in a very professional manner. Mike and Russell have both regularly recommended new members to the Planning Commission to attend the Nebraska Planning Conference as they understand the educational value of the conference. Mike and Russell are both very dedicated, reliable, diligent workers with a great attitude. They are an asset to Stanton County.



Planning Commissioner Award Recipients Mike Kabes and Russell Kumm

Mitsuo Kawamoto Excellence in Planning Award: Derek Miller, AICP

This year's Mitsuo Kawamoto award winner has been a community planner in Nebraska since 1998. He started his career with JEO Consulting Group working with Keith Marvin. From JEO he has worked with the City of Lincoln, City of Bellevue, and the City of Omaha. During his career he has maintained his support for NPZA, especially during his four year term as NE APA President. Derek worked hard with Keith, Chad and other NPZA members to help build the modern day conference to what it has become. This was during his tenure as APA Nebraska Chapter President. Derek has worked hard to push his co-workers from Omaha to attend the Annual Planning Conference with success from time to time. Derek has been a speaker at the conference in the past as well. He has been a major supporter and flag waver for NPZA and the Annual Conference. This dates back to his very first conference where he was privileged to observe an annual tradition of Milligan vs. Stahr with Dave Ptak as referee. His comment to Keith as they walked back to the hotel was "you guys actually do this for fun?" Yes we do!



Planning Excellence Award Recipient
Derek Miller

Loretta Ludemann Achievement Award for Excellence in Planning by a Woman in the State of Nebraska: Gayle Malmquist

This year's Loretta Ludemann award winner has been active in Nebraska APA and NPZA throughout her career and continues to attend conferences now that she is retired. This woman has also served on the City of La Vista's Planning Commission and Board of Adjustment for over 20 years. She has also been on the Sarpy County Planning Commission for the last 9 years. In addition to her time as Development Services Coordinator in Council Bluffs, she also worked for Sarpy County in a similar capacity. Gayle has also served as the President of Back to the River Inc, an organization dedicated to bringing people back to the Missouri River on both sides of the state line.



Loretta Ludemann Award Recipient
Gayle Malmquist

President's Award: Christopher Solberg, AICP

The NPZA President's Award offers special recognition by the President for outstanding service to the organization and practice of planning and zoning in the state. This year's President's Award goes to Chris Solberg for his many years of dedicated service to the Nebraska Planning and Zoning Association and his continued commitment to providing quality educational, networking, and professional development opportunities for Nebraska planners through the annual conference, workshops, and other programs. Chris has served as the president of NPZA since 2015, and has helped the organization navigate countless changes and years of growth and the challenges that come with it. He has also worked to ensure successful collaboration and partnership with the Nebraska Chapter of the APA to make this conference what it is today. Chris' passion for planning and the success of rural communities is unrivaled. When he is not working tirelessly at his day job to improve the City of La Vista, you'll find him driving around small towns in Nebraska and Iowa on the weekends taking pictures and hunting down stories for his blog, Rural Resurrection, which seeks to provide relevant education and resources for small communities. As Chris steps into the Past President role, he leaves NPZA in a great place, and we are grateful for his legacy and work to build this organization and strengthen the community of planners in Nebraska.



President's Award Recipient
Chris Solberg

2023 NEBRASKA PLANNING CONFERENCE

RECAP & KEYNOTE SPOTLIGHT

BY: SYDNEY EMBRAY

As planners, most of us have heard, read, or said “failing to plan is planning to fail.” It’s one of those statements that, after time, starts to lose its impact as it is played out day in and day out in our work. But sometimes all it takes to reinvigorate a powerful statement is the right speaker.

This was the experience I (and many of the fellow planning and zoning professionals present at this year’s Nebraska Planning Conference) had as Ed McMahon, a leading voice in planning and land use trends for more than 40 years, gave the keynote presentation over lunch at the Younes Center.

As a more recent transfer to the planning profession, my first brushes with asset-based economic development have come from the more progressive silos of online planning resources and think tanks, happy-hour sidebar conversations with fellow emerging planners, and Reddit threads about trends in community development.

And yet here was someone who represented the last four decades of thought leadership in planning and land use giving a presentation full of photos representing these ideas, time-stamped: 1992, 1998, 2002, 2005.

It’s hard to reconcile a feeling of inspiration with the nagging questions that follow: if these ideas aren’t new and groundbreaking, why don’t more of our spaces, the communities we’re from, and the cities and towns where we live and work, use them? What’s the best way for us to help make this our new norm? And as I ask myself after every conference – how can we keep this energy going once we’re back to packed calendars, buried desks, and overflowing inboxes?



Keynote presentation by Edward T. McMahon

While we have a long way to go, we’re also making better progress than we think – in part because each year, we come together at this conference to talk about all the ways we’re growing and changing in creative and community-centered ways. As a consulting planner, this year’s conference reminded me of the opportunities I’ve had to help communities lean into the things that make their places special, from historic riverboats to riverfront parks to unique cultural identities and demographic makeups. As a product of a rural community now transplanted to the city, my eyes are re-opened to the opportunities around me to be an engaged and passionate citizen leader.

And I’m not the only one. Ed’s words had a profound impact on many people I spoke to in the days following the presentation. Here was the impression from one attendee:

“The presentation re-energized me. I most enjoyed the applicability of Asset Based Economic Development as a tool almost any city can use to create better, human-scale places within its borders. As planners we can get bogged down in the technicalities and policies of development and design, but sometimes, all we have to do is ask.” – Kristen Ohnoutka, AICP Candidate, CNU-A; JEO Consulting Group

For those who were unable to attend this year’s conference, or missed Ed’s keynote session (and subsequent session on negotiating design standards with chain stores and franchises), a few key points stand out. (A note: these are my own notes from Ed’s fantastic presentations. He has written many resources on this topic in his own words, available online.)

Have a vision.

Know who you want to be. As Abraham Lincoln famously said, “the best way to predict the future is to create it yourself.” Don’t just accept whatever comes along – have the courage to ask if it’s the right thing for the community.

Don’t be afraid to say no.

Communities that will not say no to anything will get the worst of everything. As Ed showcased in his second presentation, chains and franchises always have secondary and tertiary design options for their locations. Don’t be afraid to have high expectations and ask for something better.

Appearances matter.

More than 80% of everything built in America has been built since 1950, and most of it lacks aesthetic appeal. This pattern has generated canyons of oversized signs and billboards, seas of concrete setbacks, and one-story strip mall deserts. It has been called “the geography of nowhere.” Controlling signage, plantings, setbacks, facades, and the style of new development is an investment in the first impression a community gives.

Know what you have and use it.

Each and every community has something special to offer, and successful communities leverage their unique historical character, local talent, geographic location, natural resources, and social capital to create their unique and attractive identity. It’s not about building the next big thing to get the new big company, it’s about creating a network of small and effective projects working together to advance the vision of the community.

Use all the tools at your disposal.

Regulations and ordinances are effective ways to protect the community, but adding education and incentives to the mix creates a thriving environment for development aligned with the spirit of the community to grow. Know what incentives are available – conservation easements, tax credits, density bonuses, etc. Offer support, financial incentives, services, and flexibility that make aligning with the vision easy for businesses and developers.

Work together.

Successful communities are part of successful regions. A good Economic Development strategy forgoes project-by-project competition in favor of investments that are mutually beneficial.

Who owns the vision is as important as the vision itself.

It can be a Mayor, a City Councilperson, a schoolteacher, a longtime resident – there is no perfect fit for the role, just a need for passionate and committed citizens who will take ownership of moving the vision forward to its completion. Sometimes, the critical mass for momentum toward a better future is one.

It costs nothing to care. Nurturing the passion of citizens and offering optimism and faith in their abilities to own the vision is an investment in the community’s economic success.



TREES AND DOWNTOWN DESIGN

BY: CHRISSY LAND, WESTERN COMMUNITY FORESTER, NEBRASKA FOREST SERVICE
& SARAH BUCKLEY, COMMUNITY LANDSCAPE SPECIALIST, NEBRASKA STATEWIDE ARBORETUM & NEBRASKA FOREST SERVICE

Trees are the bone structure of our built environment. In Nebraska, as the home of Arbor Day, we celebrate the need to plant trees in the spaces we design and create to live and play in. When J. Sterling Morton and his wife Caroline moved to the great plains from Michigan on their wedding day, they brought along with them a tree. The transition from a densely tree populated environment to the exposed rolling prairies was quite the shock. It was quickly realized that trees provided much more than wood supplies for constructing homes and food, but also shelter from the hot sun and winter winds, soil and water conservation, and positive psychological effects. As the state continued to develop with more and more settlers, overtime, the need for trees to be incorporated into the design became more obvious. Whilst traveling along the average highway in Nebraska, one knows they are driving upon a community not because of a clearing in the trees, but rather a grouping of trees. Most of which were hand planted, giving us forests built around the environment in which we choose to live in. Observing these built environments today, it is clear how trees have become the bone structure of Nebraska communities.

Trees provide a multitude of environmental, social, and economic benefits that encourage the long-term success of a community. Trees are low-cost infrastructure that help create a sense of space and create shelter in neighborhoods and business districts. Trees improve public safety by contributing to the perception of quality of life and community investment. Many street trees stand between pedestrians and moving traffic, providing real and perceived safety from vehicles. Trees improve the efficiency and lifespan of built infrastructure by providing shelter from the wind and sun. Shade from street trees can lower heating and cooling costs by 20-50% (USDA Forest Service).

The concrete and asphalt on a shaded street has an average life span of 60% longer than those left exposed to UV rays (WALC Institute).

Trees come in all shapes and sizes, and fitting the right species with the right planting site is critical in creating sustainable, functional streetscapes. There are many wonderful tree species that have a place in our towns, but not every species will work in every situation. We want trees to reach their mature size to provide the maximum benefits. If a site is too limiting for a large shade tree, then we should consider a medium size tree. Limiting factors such as soil volume, utility lines, lights, building signage, and awnings are important to consider when selecting the right tree.

A street tree is any tree that stands within 15 to 20 feet of the edge of a road or parking lot; the space where public and private uses blend. These trees provide many benefits to the street, streetside parking, and sidewalk, and improve the aesthetics of the lane. Not all street trees sit in the right-of-way between the sidewalk and road.

Soil related questions to ask when selecting a tree:

- How much soil volume will be available to the tree? This is the most limiting factor to long-term tree health. Large shade trees need much more root space than medium trees; not just to remain healthy, but to grow a stable, supportive root system.
 - A 5-6' wide planting area is ideal and can support a large or medium-sized tree.
 - A 3-5' wide planting space can support a medium-sized tree.
 - A planting space less than 3' wide is not ideal for any tree. Consider grasses or perennials in this space instead.

- What type of soil is in the planting area? Is it clay, sand or silt? Not all species grow well in heavy clay (look for wet-tolerant species) or handle drying out in sandy soil (look for drought-tolerant species).
- What is the quality of the soil? Trees don't do well when planted in construction foundation soil or road base. If necessary, soil should be replaced to a depth of 18" with 'living' soil (cemeteries can be a good source).

Match Tree Size and Shape to the Site

Medium trees mature at about 25' tall and wide:

- They are ideal for sites where a sign is placed high on a building or under powerlines.
- Place them 1/2 the distance of the mature width away from light poles and awnings.
- Keep street and sidewalk clearance heights in mind; not all medium trees will grow tall enough to allow clearance pruning. Trees ideally need 2/3 of their height to be canopy and 1/3 to be trunk; at minimum 50:50.

Large trees mature at or above 40' tall with a variety of widths:

- They work well when signage is placed low on a building and can sit below the tree canopy.
- They provide plenty of room for street and sidewalk clearance and allow visibility of street signage.
- Upright species should only be used when site width is a limiting factor or a screening view is desired. They provide significantly less shade and can interfere with visibility of signage and at driveways.
- Evergreens branch closer to the ground than deciduous and are less tolerant of 'pruning up' for clearance. Place at least 1/2 the expected mature width from sidewalks, streets, and buildings.

They do offer more screening and wind protection and are often a key species in western Nebraska.

Trees are not just the icing on the cake. They serve as a piece of infrastructure just as vital as traffic control, sidewalks, stormwater management, and much more. As such, the responsibility for their care in an urban landscape should not fall solely on the Parks Department and their often limited budget. Where trees are providing a wide array of public benefits, particularly in high trafficked areas, the budget to maintain these trees should come from each municipal department benefiting from their presence. For example, in the City of Scottsbluff, the downtown trees are managed with funds coming from many sources, including the Downtown Business Improvement District and allocations from the budgets of departments overseeing parks, streets, utilities, tourism and stormwater.

Trees are deserving of detailed attention when being incorporated into new developments. Rather than creating a future failure, designers and planners can leave a legacy by incorporating existing trees into designs, giving them a new chapter in life while protecting them during construction. Ensure the right species is matched to the environment, and that trees have the room they need to reach their full potential.

Everyone shows up early to the car show, parade, or street festival for the spot in the shade. As planners and designers, we need to prioritize the valuable assets we have in our trees and maintain them no differently than other types of infrastructure. The Nebraska Forest Service and Nebraska Statewide Arboretum are your partners in green space development and management. Reach out to us for a specialist's perspective on how to successfully plan for and manage trees in your community. At the end of the day, we all want to foster a strong, healthy bone structure in our communities, and we know trees are the answer.

GIS QUARTERLY: A COLUMN OF THE NEBRASKA PLANNER

BY: KURT ELDER, AICP/GISP

We all wear many hats, and I'm no different. These hats come from experiences, education, training, certification, and good ole fashioned mistakes. My hats: (a) I'm a rural farm boy who still wants to be a farmer, (b) I have several degrees in agriculture from the Nebraska College of Technical Agriculture, (c) I have experience managing server developments, implementing rural broadband systems, and teaching adult computer education (d) I have more education in computer systems, (e) loads of board experiences, volunteer experience, patience experience, (f) I've had more than my share of ah-ha moments and mentors to guide my choices.... The list goes on and on, and hopefully these hats help me to better understand the science of where.

Today, I'm a certified planner, a certified geographic information systems (GIS) professional, a real estate agent and soon a certified project manager. After that, I look forward to getting my commercial drivers license ... I mean why not?

I digress, back to 'The science of where'. This is a catch phrase used within the GIS field, but I think it applies to planners and zoning officials just as well. So much so that I believe this newsletter would benefit from an additional perspective into technology many communities have but may not know about (i.e., only one office uses it), or aren't leveraging what they have access to.

Why is GIS important to our communities?

"Every aspect of planning, from site reviews to rezonings to comprehensive plan updates, is influenced by location. Sometimes it's the main driver for a project and the reason why the public embraces or opposes it. Today's geographic information system (GIS) technology provides web-based tools to enable planners to design, analyze, and visualize projects that meet the needs of their community, without having to be GIS experts.

A modern geographic approach helps planners, zoning professionals, and elected officials understand neighborhood characteristics, derive business intelligence, generate data-driven policies, support civic engagement, and propose informed scenarios. Geographic Information Systems (GIS) is exactly what its name suggests, a geographic method for organizing information in a system. GIS is the digital version of the field of geography, a field comprised of environmental, societal, and economic factors, and uses a geographic approach that brings together problem solving and integration by layering maps to visualize trends and design solutions. Wholistic, integrated, connected, collaborative, inclusive—these five works are embodied in the geographic approach, one that is a natural way of thinking for planners whose work is grounded in location." (Planning Magazine, APA, Spring 2023 Edition)

How do Zoning/Planning professionals and elected officials interact with GIS?

In August of 2022 I was a cohost for an episode of Booked on Planning where we discussed the book 'Thinking about GIS'. Yes, I agree at first blush this could sound dry or boring, but I promise you the conversation is very engaging. See the citation at the end for the web link.

In it I spoke with, "Jack Dangermond, co-founder of ESRI, a global market leader in GIS and location intelligence. We wrapped up our conversation with a call to action where he said planners "are very important. You possess the skills and methods that are so important today. And only you, it seems to me, have the insight and ability to create solutions to address the great challenges we're facing today as a global society. And for whatever reason you want to make up you are privileged and are being called upon at this particular moment in history to address the great issues of our time..." (Rouse & Elder, Thinking about GIS)

What's next?

Currently I sit on the Nebraska GIS/LIS board and I'm working to bridge that community with this community. I want to write articles that bring understanding and capacity to both professions. You see, my many hats overlap so much, and I think learning more about GIS (i.e., its people, its process and profession) will provide this community with a more holistic understanding of a profession that can help you with better data-driven solutions.

What does that mean? Well, we'll do spotlight interviews of professionals who use GIS. We'll share opportunities to be engaged, including the occasional job posting alongside other planning positions listed in this document. We'll address local issues and questions you may have that are submitted to the survey (see survey link and QR code). What kind of issue or question might come? I don't know, but from my experience I've been asked these in the past. (a) where has the road grader been, (b) what does my local police force really do, (c) how can I leverage the most from my assessor's data, (d) how can I create interactive webpages so the public can engage different commissions and agencies, (e) how can I create tools to collect visitor input during large community activities, etc. ... so please submit your question for us to consider.

In short, we want to train you up about what is possible and get you engaged.

To that end I've created a quick survey to get your input. If this idea for a future column or collaboration interests you, would you please take this opportunity to complete this survey <https://arcg.is/01OOKX>. If you prefer to use a QR code (i.e., take a picture of it with your phone to access a link) it is located within this article.

In Closing

Thanks for taking the time to read this article. Hopefully there is an interest in this kind of content and engagement. Should you want to talk directly about this topic please feel free to contact me directly at kurtelder@gmail.com. Please use the subject line of 'NPZA/APA GIS Question'



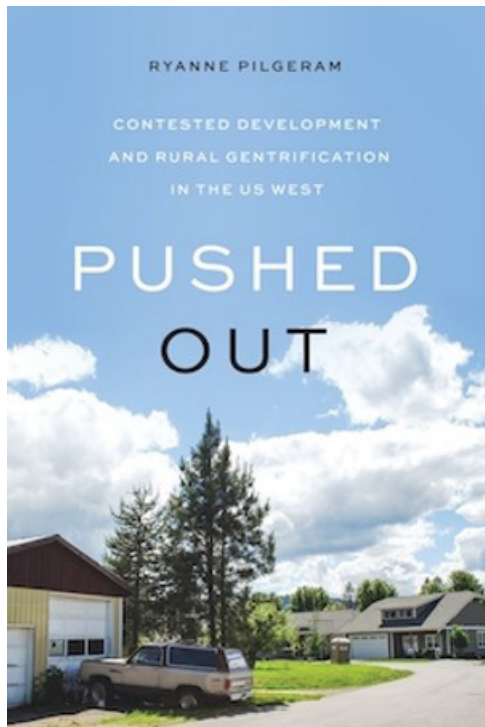
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BOOK CLUB REVIEW: PUSHED OUT

BY: DANIEL BENNETT, AICP

The latest Nebraska Planners Book Club read, “Pushed Out: Contested development and rural gentrification in the US West” is a story full of familiar boogeymen we love to hate in the rural US: out of state money driving up costs for locals (“Boo!”), clueless outsiders changing the “feel” of our quaint town (“Hiss!”), distant big business selling off our slice of heaven to the highest bidder (“Get ‘em outta here!”). Yet, author Ryanne Pilgeram sets the stage to view this cast of characters in a new light. By delving into the long history of US policy decisions that shaped the land use and cultural conflicts we see today in the rural US and highlighting very human stories about cherished community landmarks threatened by change, she prompts fresh discussion on the complexities of ‘redevelopment’ in rural towns.



“Pushed Out” is set in Pilgeram’s hometown of Dover, a small North Idaho town whose stagnation as a logging mill town gives way to rebirth as a trendy, scenic, second-home destination, bringing both opportunities and challenges. Many of the challenges brought by “revitalization” revolve around the redevelopment of the town’s old logging mill property. Residents are faced with threats to their identity, well-being, and self-determination when they realize their most cherished public goods- the sandy beach, the access to the lake, the scenic bluff- are actually private land.

A stark power imbalance is revealed between the ill-prepared citizens of the town trying to negotiate a way to preserve their community as they know it, and the well-oiled machine of a seasoned and resourced developer trying to optimize return on investment.

Three of Pilgeram’s main themes stick with me as it relates to our Nebraska towns:

1. The economic winners and losers in our towns, and therefore the power to shape and reshape them, are not necessarily the natural ends of a free market at work, but the result of over 200 years of policy decisions. In Dover, and in Nebraska, it was policy that led to the displacement and death of indigenous people who had lived on the land for thousands of years to make room for white settlements. It was policy that led to the conveyance of that land to railroads and persons who could turn its natural resources into generational financial wealth. In the case of North Idaho, the logging industry owes its start to the free land that was given to the railroads and then to businessmen who were able to buy literally millions of acres of timberland from the railroads for roughly \$6.00 per acre (about \$200 in today’s money). By resurfacing this history, Pilgeram presents us with a question: “What, if any, responsibility

do the beneficiaries of these policies have to the people and communities that enabled their implementation?" When the mill in Dover closed, its owners eschewed responsibility to a growing list of community infrastructure needs as well as to any obligation to help preserve the beach and bluff (which were on private land, but had become de facto public goods) for community use. The mill company's sense of responsibility to the people of the town was clearly tied to its need for labor, which brings me to the second theme.

2. Economic stability provided by a large employer is no substitute for the civic stability that can only be supplied by residents. When the Mill owners' need for labor ceased in Dover, so did its sense of responsibility to the people of Dover. For its part, Dover had relied on the mill owners to supply its water, which put residents in a bind when a flagging timber industry led to the mill owners looking for ways to cut service and save money. The town was forced to play catch-up, muddling through patchwork fixes and boil-water notices until it could build and maintain its own infrastructure. Pilgeram notes that the only vision mill owners had for the town of Dover was to serve as a place to do business. In the meantime, residents of the community had started families, made friends, and built lives around the unique assets of the town. The Mill provided economic stability and community benefit to the residents of Dover for many years, but ultimately their bottom line was their business, not the community. This example perhaps serves as a cautionary tale to residents of small towns that if they want to actually secure a future for their community, they must themselves see to the civic work of securing and preserving the assets that will make that possible. For Dover, as Pilgeram notes, this work was too little, too late, as the vision, money, and political power of the new developer outmatched the loose organization of the residents and its lack of tools and ability to assert its own vision.

3. The last theme to highlight are the complexities of identity, norms, and sense of place that accompany redevelopment and gentrification. Pilgeram notes that the new housing development that ultimately occurred on the site of the old mill brought with it "amenity migrants" who arrived with values and priorities about how the land was to be used that differed from those of long-time residents. Tidy yards are prioritized over one's right to fix their own car, a new marina replaces grassy beaches where anyone can launch a small boat, paved walking and biking trails are prioritized over undeveloped open space. Since the new development was not designed with them in mind, the "old Dover" residents gained very little from the new development, Pilgeram argues. In highlighting the rift between new and old Doverites, Pilgeram presents an intriguing opportunity to have value-based discussions about the places we share and the tools residents and communities have to shape those places together.

Some readers not already sympathetic to her perspective may be put off by the fact that Pilgeram centers her narrative on a pointed critique of capitalism, which she argues is ultimately unsustainable as it "depletes the natural resources and exploits the bodies of labor" on which it relies. Nonetheless, Pilgeram challenges readers to view numerous aspects and norms in the process of rural redevelopment not as facts of life, but as the result of priorities, values, policies, and actions. In doing so, she challenges the residents of small towns to reconsider their own ability to influence redevelopment, and challenges us as planners to reconsider our own role and power in the process to serve the public interest.

LEGISLATIVE UPDATE: PRIORITY BILLS AFTER DAY 50

BY: HANNES ZETZSCHE, EDITED BY DAVID C. LEVY

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The First Regular Session of the 108th Nebraska Legislature convened on January 4, 2023. As of March 27, 2023, 40 legislative days remain in the session. The deadline for priority bill listing was March 9, 2023. The Legislature will adjourn sine die on June 9, 2023.

During bill introduction, we identified 91 bills relating to economic development, energy and renewable energy, government and municipal law, real estate and financial transactions, tax increment financing, taxation and telecommunications. Below are summaries of the 31 bills that are of particular interest or have advanced beyond committee.

Economic Development

LB 45 (Dorn) would establish the Revitalize Rural Nebraska Grant Program and create the Revitalize Rural Nebraska Fund. This program would allow a city of the first or second class or a village to apply to the Department of Environment and Energy for a demolition grant for dilapidated commercial property. This bill would give priority to cities of the second class and villages. Upon receiving a grant, the city or village would have 24 months to demolish the dilapidated commercial property.

On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 21, 2023. The Committee approved the bill and, on March 7, 2023, moved it to General File.

LB 249 (Briese) would amend the Rural Workforce Housing Investment Act to permit nonprofit development organizations to apply for more than one grant, subject to a \$5,000,000 limit on grant awards over a two-year period. In addition, the Rural Workforce Housing Investment Fund would receive \$20,000,000.

On January 12, 2023, the Legislature referred this bill to the Business and Labor Committee, which held a hearing on February 30, 2023. Senator Ibach designated the bill as her priority bill. The Committee approved the bill and, on March 9, 2023, moved it to General File with an amendment. As amended, the bill would give the Department of Economic Development discretion in setting an aggregate limit on nonprofits' receipt of grants over multiple years.

LB 278 (Walz) proposes to require the Nebraska Investment Finance Authority and the Department of Economic Development to collaborate with the Department of Health and Human Services to obtain state and federal grants to build affordable and accessible housing for individuals with disabilities under the Olmstead Plan.

On January 12, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee, which held a hearing on January 30, 2023. The Committee approved the bill and, on February 2, 2023, moved it to General File with amendments. As amended, the bill would require the Departments of Economic Development and Health and Human Services to use their best efforts to collaborate. On February 23, 2023, the Legislature advanced the bill to Select File.

LB 359 (Hughes) proposes to amend the Nebraska Broadband Bridge Act to require the Public Service Commission to publish notices of grant application deadlines on its website.

On January 17, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee, which held a hearing on February 7, 2023. The Committee approved the bill and, on March 22, 2023, moved it to General File.

LB 412 (Geist) would amend the Nebraska Broadband Bridge Act to permit the Public Service Commission to allocate federal funds from the American Rescue Plan Act of 2021 to any portion of a local exchange area containing a city of the second class or village.

On January 17, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee, which held a hearing on February 7, 2023. The Committee approved the bill and, on March 22, 2023, moved it to General File with an amendment. As amended, the bill would also create an Underground Excavation Safety Committee, whose responsibility it would be to evaluate and respond to violations of the One-Call Notification System Act.

LB 644 (McDonnell) proposes to appropriate \$80,000,000 from the Cash Reserve Fund to the Site and Building Development Fund for fiscal year 2023-24 and fiscal year 2024-25. The appropriated funds are to be placed in a subaccount and be used to support identifying, evaluating and developing large commercial and industrial sites and building infrastructure to attract major investment and employment opportunities.

On January 20, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee, which held a hearing on January 30, 2023. The Committee approved the bill and, on March 9, 2023, moved it to General File. Senator Jacobson designated the bill as his priority bill.

Energy and Renewable Energy

LB 267 (Brewer) would adopt the Critical Infrastructure Utility Worker Protection Act. The Act requires the Governor, upon declaring a civil defense emergency, disaster or emergency, to provide critical infrastructure utility workers with adequate protection and care, including priority access to personal protective equipment, medical screening, testing, preventive health services, medical treatment and any U.S. Food and Drug Administration-approved vaccines.

The Act defines “critical infrastructure utility worker” in accordance with the U.S. Department of Homeland Security’s Guidance on the Essential Critical Infrastructure Workforce, Version 4.1.

On January 12, 2023, the Legislature referred this bill to the Business and Labor Committee, which held a hearing on February 30, 2023. The Committee approved the bill and, on March 14, 2023, moved it to General File. The Committee designated the bill as its priority bill.

LB 450 (Brewer) proposes to amend the Integrated Solid Waste Management Act to prohibit the land disposal of wind turbine blades and their component parts.

On January 18, 2023, the Legislature referred this bill to the Natural Resources Committee, which held a hearing on February 8, 2023. Senator Hardin added his name as cosponsor of the bill. The Committee approved the bill and, on March 6, 2023, moved the bill to General File.

LB 565 (Bostelman) would appropriate \$250,000 in each of the next two years to the Department of Economic Development to award grants for Nebraska Public Power District to apply for a regional clean hydrogen hub designation and associated federal funding. This follows from Nebraska Revised Statute section 66-2301, which the Legislature adopted last year.

On January 19, 2023, the Legislature referred this bill to the Natural Resources Committee, which held a hearing on February 1, 2023. The Committee approved the bill and, on March 15, 2023, moved the bill to General File with amendments. As amended, the bill is a Christmas tree bill, incorporating provisions (1) allowing the Department of Natural Resources to utilize alternative methods of contracting for public water and natural resources project and (2) redefining “reliable or reliability” under Nebraska Revised Statutes section 70-1001.01 to mean the ability of an electric supplier to supply the aggregate electric power and energy requirements of its electricity consumers at all times under normal operating conditions.

The Natural Resources Committee designated the bill as its priority bill.

LB 566 (Bostelman) proposes to direct the Natural Resources Committee to study the economic impacts of an increased reliance on intermittent renewable energy. The Committee would need to support a report to the Legislature by November 15, 2023.

On January 19, 2023, the Legislature referred this bill to the Executive Board, which held a hearing on February 24, 2023. The Board approved the bill and, on March 1, 2023, moved it to General File.

LB 636 (Albrecht) proposes to prohibit political subdivisions from enacting regulations that have the effect of restricting or prohibiting the types of permissible fuel sources by natural gas utilities, natural gas transmission companies or propane providers.

On January 20, 2023, the Legislature referred this bill to the Natural Resources Committee, which held a hearing on February 8, 2023. The Committee approved the bill and, on March 6, 2023, moved it to General File.

Governmental and Municipal Law

LB 21 (Wayne) proposes to increase the number of city council members in cities of the metropolitan class from seven to nine. This increase would take effect beginning with the 2025 general election. At least six weeks prior the filing deadline for a city council or mayoral candidate in the 2025 general election, the city council of a city of the metropolitan class would have to divide the city into nine city council districts of a “compact and contiguous territory.”

On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on January 31, 2023. The Committee approved the bill and, on February 10, 2023, moved it to General File.

LB 33 (Jacobson) would allow the mayor of a city of the first or second class to vote on any matter requiring either a majority vote of the city council if (a) the city council has divided equally or (b) the city council cannot reach a majority due to the absence, vacancy or abstention of one or more members.

On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on January 31, 2023. The Committee approved the bill and, on February 13, 2023, moved it to General File with an amendment. As amended, the bill would not contain an enacting clause.

LB 171 (McKinney) proposes to eliminate sections in the Metropolitan Utilities District Act providing for an “outside member” on the board of directors of a metropolitan utilities district. This bill provides that the seven members of the board of directors of a metropolitan utilities district will be chosen by the registered voters within each respective election subdivision of the district and that terms of the members will be staggered.

On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 21, 2023. The Committee approved the bill and, on March 6, 2023, moved it to General File.

LB 224 (McKinney) would adopt the Aid to Municipalities Act. The Act would provide state aid to municipalities in the form of grants which may be used to pay for infrastructure projects within the municipalities. The Act would appropriate \$15,000,000 to the Department of Economic Development annually to allocate to municipalities for qualifying infrastructure projects.

On January 12, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 21, 2023. The Committee approved the bill and, on March 7, 2023, moved it to General File.

LB 246 (McKinney) would subject any sanitary and improvement district within the extraterritorial zoning jurisdiction of a municipality to the municipality's comprehensive development plan, affordable house action plan, municipal zoning regulations and other reasonable planning requirements. In addition, the sanitary and improvement district would need to obtain prior approval from the municipality for any new plans or contracts under Nebraska Revised Statutes section 31-740.

On January 12, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 24, 2023. The Committee approved the bill and, on February 10, 2023, moved it to General File.

LB 155 (DeBoer) proposes to amend the Small Wireless Facilities Deployment Act that limits the State of Nebraska or any agency, county, city, village or other political subdivision's ability to (a) impose or collect a tax, fee or rate on a communications service provider authorized to operate in a right-of-way by federal, state or local law, (b) adopt or enforce any regulations or requirements on the placement or operation of communications facilities in the right-of-way by the communications service provider or (c) regulate any communications services. This addition clarifies that the existing limitation does not apply to the activities of a communications service provider that are outside the scope of the Small Wireless Facilities Deployment Act.

On January 11, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee, which held a hearing on February 7, 2023. The Committee approved the bill and, on March 22, 2023, moved it to General File.

LB 213 (Slama) proposes to extend the application deadline under the Nebraska Job Creation and Mainstreet Revitalization Act to December 31, 2026, and to extend allocation of such credits therein to December 31, 2031. This bill would limit eligible expenditures to costs incurred for improvement of historically significant real property located in a city of the second class or village.

The original program was available to projects throughout Nebraska. Also, under the Rural Workforce Housing Investment Act, this bill would reduce the required percentage of matching funds for applicants in a city of the second class or village.

On January 12, 2023, the Legislature referred this bill to the Revenue Committee, which held a hearing on the bill on February 24, 2023.

LB 223 (McKinney) proposes to amend the Municipal Density and Missing Middle Housing Act to incentivize cities to adopt an affordable housing action plan, implement such plan and transmit evidence of the same to the Urban Affairs Committee.

On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 28, 2023. The Committee approved the bill and, on March 24, 2023, moved it to General File.

LB 289 (Bostelman) proposes to amend the powers of an agency created under the Municipal Cooperative Financing Act to include the power (1) to own, operate or lease advanced metering infrastructure technology and to provide for advanced metering infrastructure services and (2) to provide services related to information technology, physical security, physical infrastructure management, regulator reporting and administration regarding publicly owned utility and municipal infrastructure systems.

On January 13, 2023, the Legislature referred this bill to the Natural Resources Committee, which held a hearing on January 26, 2023. The Committee approved the bill and, on February 10, 2023, moved it to General File with an amendment. As amended, the bill would not contain an enacting clause.

LB 299 (Linehan) proposes to amend the Interlocal Cooperation Act to limit the ability of a joint entity that includes a Nebraska school district or educational service unit to issue bonds without the approval of the majority of the qualified electors within the school district or educational service unit.

The bill also proposes notice requirements and limitations on the election. On January 13, 2023, the Legislature referred this bill to the Education Committee, which held a hearing on January 24, 2023. The Committee approved the bill and, on February 7, 2023, moved the bill to General File. On February 24, 2023, the Legislature advanced the bill to Select File.

LB 312 (Lowe) would add provisions for the withholding of money due to noncompliance with budget limits and annual audits. This bill would codify that a governmental unit would continue to forfeit state aid until State Treasurer received notice of compliance from the Auditor of Public Accounts. The bill would further prohibit any governmental unit to for future distributions of state aid if the government unit failed to reach compliance within twelve months after notice of delinquency.

On January 13, 2023, the Legislature referred this bill to Government, Military and Veterans Affairs Committee, which held a hearing on February 9, 2023. The Committee approved the bill and, on February 16, 2023, moved it to General File.

LB 637 (Albrecht) would amend the Open Meetings Act to require public meetings, except during closed sessions, to permit members of the public to speak at each meeting.

On January 20, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee, which held a hearing on February 24, 2023. The Committee approved the bill and, on March 22, 2023, moved it to General File with amendments. As amended, the bill would provide an exception from the public testimony requirement during meetings in which the public body is “too tired to hear citizen testimony.” Senator Conrad added her name as cosponsor of the bill.

LB 707 (Dungan) would create the Transforming Cities of the Primary Class Program to award up to \$10,000,000 in grants to cities of the primary class for the purpose of constructing housing to address affordable housing needs.

The bill proposes to appropriate \$10,000,000 to the Affordable Housing Trust Fund.

On January 20, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on February 21, 2023. The Committee approved the bill and, on March 7, 2023, moved it to General File.

LB 712 (Hardin) proposes to create the Ground Based Strategic Deterrent Deployment Fund to support incorporated municipalities and extraterritorial jurisdiction to address certain deficiencies to support the Ground Based Strategic Deterrent Deployment and Minuteman III Decommissioning and Disposal Accommodation if Nebraska is selected for the headquarters. The bill also proposes the appropriation of \$20,000,000 from the Cash Reserve Fund to the Ground based Strategic Deterrent Deployment Fund.

On January 20, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee, which held a hearing on February 23, 2023. The Committee approved the bill and, on March 1, 2023, moved it to General File. Senators Sanders, Brewer, Aguilar, Halloran and Lowe added their names as cosponsors.

Tax Increment Financing

LB 98 (Jacobson) proposes to amend the Community Development Law to delay approval of certain redevelopment plans and potentially limit cities’ indebtedness capacities. The bill would require the city’s governing body, after first proposing a blighted and substandard designation for an area, to adopt a resolution declaring that substandard and blighted conditions exist in the area under study. Only then could the governing body declare the area to be a substandard and blighted area without further public hearing. Additionally, authorities could only incur indebtedness related to the redevelopment in the lesser of the agreed-upon costs of the redevelopment project or the amount of estimated project taxes generated over a 15-year period.

The bill also specifies certain conditions under which a governing body could deny a redevelopment plan, including (i) failure to comply with the Law's requirements, (ii) approval would exceed the governing body's designated annual limit and (iii) inconsistency with the city's comprehensive redevelopment plan.

On January 10, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on January 31, 2023. The Committee approved the bill and, on February 10, 2023, moved it to General File with an amendment. As amended, the bill would not contain an enacting clause.

LB 170 (McKinney) would redefine "blighted area" under the Nebraska Investment Finance Authority Act in accordance with the Community Development Law.

On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee, which held a hearing on January 24, 2023. The Committee approved the bill and, on February 10, 2023, moved it to General File.

LB 697 (Conrad) proposes to amend the definition of improvements under the Nebraska Job Creation and Mainstreet Revitalization Act to mean a rehabilitation, preservation or restoration project that contributes to the basis, functionality or value of historically significant real property and that has a total cost which equals or exceeds \$5,000. The bill would also increase the nonrefundable tax credit under the act to (1) twenty-five percent of eligible expenditures for historically significant real property located in a county that includes a city of the metropolitan class or a city of the primary class and (2) thirty percent of eligible expenditures for historically significant real property in any other county. The maximum credit allocated to any one project under the bill would increase to \$2,000,000. For calendar years beginning after January 1, 2025, the bill reduces the total amount of credits available under the act to \$12,000,000, of which \$4,000,000 would go for applications seeking an allocation of credits of less than \$100,000.

On January 20, 2023, the Legislature referred this bill to the Revenue Committee, which held a hearing on March 22, 2023.

LB 756 (Vargas) would amend the definition of improvements under the Nebraska Job Creation and Mainstreet Revitalization Act to mean a rehabilitation, preservation or restoration project that contributes to the basis, functionality or value of historically significant real property and that has a total cost which equals or exceeds \$5,000. The bill would also increase the nonrefundable tax credit under the act to (1) twenty-five percent of eligible expenditures for historically significant real property located in a county that includes a city of the metropolitan class or a city of the primary class and (2) thirty percent of eligible expenditures for historically significant real property in any other county. The maximum credit allocated to any one project under the bill would be increased to \$2,000,000. For calendar years beginning after January 1, 2024, the bill would reduce the total amount of credits available under the act to \$12,000,000, of which \$4,000,000 would go for applications seeking an allocation of credits of less than \$100,000.

On January 20, 2023, the Legislature referred this bill to the Revenue Committee, which held a hearing on March 22, 2023.

Taxes and Tax Equalization and Review Commission

LB 90 (Day) would eliminate tax incentive performance audits for the Nebraska Advantage Act and the Nebraska Job Creation and Mainstreet Revitalization Act. This bill would also update the code designations under the North American Industry Classification System, including those definition for "high-tech firm" and "renewable energy firm." On January 9, 2023, the Legislature referred this bill to the Executive Board.

On January 9, 2023, the Legislature referred this bill to the Executive Board, which held a hearing on the bill on February 10, 2023. The Board approved the bill and, on February 15, 2023, moved it to General File with an amendment.

As amended, the bill would expand who may qualify as a renewable-energy firm. Senator Dorn added his name as cosponsor of the bill, as amended. On March 1, 2023, the Legislative Performance Audit designated the bill as its priority bill.

LB 235 (Wayne) proposes an amendment under the ImagiNE Nebraska Act to redefine “economic development area” as any area that (1) exceeds 150 percent of the average statewide unemployment rate and (2) falls below the poverty rate in at least 20 percent of its area. This would entitle residents and developers in such areas to certain tax advantages, including taxpayer-sponsored childcare.

On January 12, 2023, the Legislature referred this bill to the Revenue Committee, which held a hearing on February 21, 2023. The Committee approved the bill and, on March 21, 2023, moved it to General File.

THE SOUTH BELTWAY IS OPEN TO TRAFFIC. NOW WHAT ABOUT THE EAST BELTWAY?

BY: SAM CRISLER, THE WAVERLY NEWS; REPRINTED FROM [THE WAHOO NEWSPAPER, FEB 15, 2023](#)

WAVERLY — When the Lincoln South Beltway opened to public traffic in late December, it marked the first step forward in decades toward the completion of a freeway loop circling the capital city. Three of the four expressway links were in place, with the U.S. 77 Homestead Expressway and Interstate 80 making the west and north portions, respectively.

The idea of a circumferential loop around Lincoln dates back to the 1960s, but the inability to fund such a project has long stood as the roadblock. With the momentum of the South Beltway's recent opening, Lancaster County officials and state lawmakers hope to strike while the iron is hot to install the loop's final missing piece: an East Beltway connecting I-80 near the Waverly interchange to the South Beltway at its junction with Nebraska Parkway (formerly known as Nebraska 2).

"We've seen over the past few decades that the City of Lincoln and the surrounding communities have been discussing the possibility of an East Beltway, and my goal is to not have that conversation fall to the wayside," said recently-appointed State Sen. Beau Ballard, who represents Waverly and much of northern Lancaster County in District 21.

During the current legislative session, Ballard introduced Legislative Bill 721, which would allocate \$25 million from the state's general fund to start planning efforts for the East Beltway, including environmental studies, design and potential right-of-way purchases. The bill was introduced with six co-sponsors who represent parts of Lancaster County.

"Lancaster County got the South Beltway, so now we have to convince them that continuing the conversation for the East Beltway is needed as well," Ballard said. Funding efforts for the South Beltway — which links



Interstate 80 near Waverly, looking west from the 134th Street bridge. The pictured area would change significantly if the long-discussed East Beltway comes to fruition, as the beltway would connect with I-80 and U.S. 6. - Sam Crisler, The Waverly News

U.S. 77 to Nebraska Parkway at Lincoln's southeastern edge — stopped and started throughout the 2000s after an environmental impact study was approved in 2002 by the Federal Highway Administration.

But it hit a wall with the stock market crash of 2008, and construction didn't begin until 2020, after the project had received federal grants and money from statewide transportation funding legislation such as the Build Nebraska Act.

On Dec. 14, the \$352 million, 8-mile roadway opened to the public, improving accessibility between southeast and southwest Lincoln and diverting truck traffic off of Nebraska Parkway and onto the new freeway.

The state highway designation of Nebraska 2 was assigned to the new South Beltway upon its opening, and the former route was relinquished to the City of Lincoln, which renamed the road Nebraska Parkway. Construction on the South Beltway will continue until next year as workers make finishing touches.

If eastbound travelers on the beltway reach Lincoln's southeastern limits and hope to head north, they're made to choose between backtracking to 84th Street or continuing on to the two-lane 148th Street. There are no other fully paved north-south arteries that span the distance between the Waverly area and the South Beltway between 84th and 148th streets.

"Right now, 148th Street is really serving as the de facto East Beltway," said Lancaster County Engineer Pam Dingman, who has made the East Beltway a priority of hers. Dingman, who is in her mid-50s, added that she won't consider retiring until she sees the East Beltway's completion. "You're really not going to find another metropolitan area the size of Lincoln that doesn't have a beltway around it."

As Lincoln continues growing east, Dingman says traffic has risen considerably on 84th Street and 148th Street, the latter of which averages thousands of agricultural and commercial travelers per day. Ballard said he's also heard from constituents that 148th Street is "almost impassable" due to the amount of traffic.

"We're missing a critical transportation link in this area of the county," Dingman said. "So, right now, 148th Street, which is an 11-foot drive lane and a 22-foot-wide paved section, has more than 10,000 cars per day in many locations. It definitely meets the criteria for dramatic improvements and shows a need for an additional corridor to be paved in the area."

Dingman has served as county engineer since 2013 and has advocated for the East Beltway project for the last seven years. She said she had a hand in drafting Ballard's bill.

Her hope is that if LB 721 passes and once preliminary planning and

design are completed, the county would then be able to submit the project as a possible recipient of grants from the federal Bipartisan Infrastructure Law. Her intent is to chase funding from the law's "Mega Grant" pool of \$5 billion. "If we don't get started on it, we could miss out on a chance to be competitive in the federal grant arena," Dingman said.

The cost of the East Beltway project is far from being determined, Dingman said. But considering the route's longer footprint as compared to the South Beltway and the recent inflation in the cost of reinforced concrete, the East Beltway's cost could be significantly higher than the South Beltway's \$352 million price tag. Dingman hopes to get an updated cost study for the project if LB 721 passes.

The good news, Dingman said, is that an environmental study for the East Beltway was completed and approved by the Federal Highway Administration in 2002, along with similar studies on the South Beltway's future route. The corridors for both roads were defined and approved in the studies, with the East Beltway traveling north generally along the 127th Street alignment. Of the four possible corridor routes studied for the East Beltway, Dingman said the one that was chosen would have the "least environmental impact."

Dingman said the corridor and environmental approval from 2002 would need to be updated to meet modern standards.

If the corridor is unchanged, it would pass between the village of Walton and Crooked Creek Golf Club. A potential future conflict would be with the Boy Scouts of America's Cornhusker Council property, which is shown as lying in the beltway's corridor, according to the 2002 corridor map. Freeway exits would be built at Fletcher Avenue, Adams Street, O Street, Pioneers Boulevard and Pine Lake Road.

Since the route was approved in 2002, Dingman said the county has utilized the state's corridor protection statute, which requires the county and City of Lincoln to jointly purchase properties for sale within the beltway's corridor.

The 2002 design shows the East Beltway's I-80 interchange abutting the undeveloped cornfields on Waverly's southwestern city limits, between the interstate and industrial businesses like Watts Electric, Smart Chicken, Lincoln Auto Auction and Tractor Supply Co.'s distribution center. Several properties have been purchased by the county for corridor protection in that area.

"I think you'll see more of that as the city of Lincoln continues to grow east and as the city of Waverly continues to grow south," Dingman said.

Urban planners expect that if the East Beltway is completed, it would catalyze significant economic development near its major interchanges. Waverly would be a prime candidate for commercial and residential construction due to its proximity to the interstate and U.S. 6, said Dr. Zhenghong Tang, the director of the University of Nebraska-Lincoln College of Architecture's Community and Regional Planning program.

Tang said it would be reasonable to expect hotels, motels and truck stops to pop up near the exit, as well as potential residential and retail growth nearby.

"You'll see those kinds of indirect impacts in the middle term," Tang said.

In the long-term, Tang warned that if Waverly and the City of Lincoln do not engage in "wise" comprehensive planning, the appeal of quick tax-base increases from development projects could lead to unchecked urban sprawl.

"It would be good for the economy, for sure," Tang said. "But we should be a little careful and be wise with the use of the land."

Tang said, however, that the project would be important and necessary in Lancaster County's future.

"Overall, regionally, locally and for the state, (the East Beltway) is a good project, even though planners should be careful," Tang said.

Tang noted that environmental factors, such as the habitat of the

critically endangered Salt Creek tiger beetle and several historic homestead properties, will have to be considered in land-use plans.

The City of Lincoln's 2050 Long Range Transportation Plan and Comprehensive Plan include the East Beltway, according to a statement from Liz Elliott, the director of the Lincoln Transportation and Utilities Department.

Tim Keelan of Lincoln planning firm Hanna:Keelan — which is overseeing an update to Waverly's comprehensive plan — said in an email that the beltway will be addressed in the plan's final draft. Keelan declined to comment further on the beltway project.

Nebraska Department of Transportation District 1 Engineer Tom Goodbarn, whose district includes Lancaster County, said the completion of the East Beltway would rely on the state, county and city tackling the project together. But Goodbarn said there is no shortage of roads projects around the state that are likely to be prioritized.

"The money gets pulled in a lot of directions," Goodbarn said. "We're fiscally constrained, and that's the problem."

Goodbarn said Gov. Jim Pillen has floated the idea of bonding as a potential funding mechanism for major projects, though state bonding is not currently allowed under state statute. The South Beltway was completed, however, using a form of financing that allows the state to pay for three years of construction over eight years.

Goodbarn, 64, said he might not see the day the East Beltway opens to traffic, but the completion of a loop around Lincoln is still a dream of his and fellow engineers in eastern Nebraska.

"There are a lot of people that want it, but I've always said it needs a political and business champion to get it going and get some traction on it," Goodbarn said. "There's just a lot of things that have to come together. And it probably will."

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UPCOMING EVENTS

OHIO CHAPTER WEBINAR SERIES

1. April 28, 2023 with Guest Hosts APA Kansas: [What are they teaching those planning students? The State of Accreditation of Planning Programs](#) at 12:00 PM CT
2. May 5, 2023 with guest host APA Sustainable Communities Division: [Nature-Based Solutions: Cutting Edge Planning for Sustainability](#) at 12:00 PM CT
3. May 19, 2023 with guest host APA Urban Design and Preservation Division: [Planning, Preservation, & Change: Preservation - An Effective Planning Tool](#) at 12:00 PM CT

APA NE SPRING BOOK CLUB: ARBITRARY LINES

- Thursday, April 27th from 5:00pm-6:00pm. Interested in joining the discussion? E-mail Daniel at daniel.bennett@civicnebraska.org.

PINTS WITH PLANNERS NETWORKING EVENT

- Thursday, April 27, 2023; 4:30-6:30; Kros Strain Draftworks at Millwork Commons, 1209 Millwork Ave, Omaha, NE 68102

IAP2 MIDWEST CHAPTER SPRING CONFERENCE

- May 3-5, 2023; The IAP2 Midwest Chapter is hosting its annual Spring Conference in Minnesota's Twin Cities metro area from May 3-5, 2023. Themed *Meeting People Where They Are in Public Participation*, the conference will delve into ways to enhance engagement with community members and stakeholders. Specific to the planners, the conference schedule also includes 29.5 CM credits.

HISTORIC PRESERVATION WEBINAR

- May 19, 2023 at 12:00PM CT; Hear why preservation should matter to the urban planning community. Learn how preserving historic assets, adaptive reuse, and incorporating public engagement are effective planning tools for more holistic work. [Register here.](#)

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The NE Planner welcomes readers and associates to submit articles for publication within the newsletter. We are happy to include RFP/RFQ's, new job postings, and upcoming events. For your content to be included in the next newsletter, please email cbrodersen@cityoflavista.org.

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