

Village 5, Lincoln

Ag Overlay

Frequently Asked Questions (FAQs)

November 2017

1. What is the Ag Overlay?

The Ag Overlay Permitted Uses and Development Standards are part of the Village 5 Specific Plan and will create a special zoning district within Village 5 that 1) allows the continuation of current agricultural uses, and 2) permits new agricultural uses on property zoned for urban uses, such as residential or commercial development.

2. Why is the Ag Overlay being proposed for Village 5?

The purpose of the Ag Overlay is to allow agricultural property owners to continue permitted agriculture activity by right for as long as they choose.

3. What would happen if the Ag Overlay was not implemented?

Without the Ag Overlay, current agricultural activities on property annexed into the City of Lincoln would be considered Existing Non-Conforming uses and could not be modified, expanded or changed. New agricultural uses would not be permitted once property is annexed into the City.

4. Where can I find the Ag Overlay information?

The Ag Overlay is written into the General Development Plan for Village 5 in Section 3.4.13. This was done to help ensure that the Ag Overlay is included if Village 5 is approved and the area is annexed into the City of Lincoln. Links to the Ag Overlay text can be found on the Village 5 website at <https://www.lincolnwestvillages.com/project-documents.html>

5. Can I continue farming my property after it is annexed into the City of Lincoln?

Yes. The Ag Overlay allows existing farming activities to continue on ALL properties in Village 5 after annexation if the property owner desires.

6. Will I be forced to stop farming if Village 5 is approved?

No. The Ag Overlay specifically permits ag uses to continue indefinitely and does not have an expiration date on those uses.

7. Under the Ag Overlay, can I change the use of my property from crops to livestock or vice versa?

Yes. The Ag Overlay allows for the change or addition of new permitted ag uses, even after annexation.

8. What properties does the Ag Overlay cover?

The Ag Overlay includes all zones in Village 5, including the open space areas.

9. Are there any exceptions to Ag uses in the Open Space areas?

Yes. The Natural Open Space (VOSN) and Open Space Preserve (VOSP) zones are generally within the 100-year flood plain and contain riparian areas, wetlands, woodlands or sensitive habitat. A residence

cannot be constructed in an open space zone under the Ag Overlay; however, all other permitted ag uses are allowed, subject to existing local, state and federal regulations.

10. Do I have to dedicate the land on my property that's designated as open space?

Open space areas are not required to be dedicated for purposes of conservation unless and until the property is proposed for development. At that point, any agricultural structures built within an open space designation must be removed.

11. Can I repair or add-on to an existing building on my property?

Yes. Repairs, add-ons and new construction WILL be allowed on properties in the Ag Overlay, subject to building permit requirements existing at the time the repairs, additions or new construction are sought. However, new residential structures will be prohibited in the open space zones.

12. Will there be setbacks on my property? If so, who's responsible for providing them?

Setbacks WILL NOT be imposed on existing ag uses or on new ag uses if they are adjacent to other ag uses.

EXAMPLE: A property wishes to add a livestock area against its property boundary with another property that is planted with crops. The new livestock area would not be required to be set back from the property line.

Setbacks WILL be imposed on NEW ag uses if the adjoining use is developed in a non-ag or urban use.

EXAMPLE: A property owner with a fallow field proposes to construct a corral for livestock and the adjoining property is developed with homes. Under that scenario, the property owner who wants to construct the livestock corral will be required to include a setback of 50 feet from the property line to start the corral.

Setbacks WILL be imposed on properties being developed with urban uses, such as homes or commercial buildings, that are adjacent to ag properties.

13. Will new homeowners be aware of the Ag Overlay and continued agriculture being allowed in the area?

Yes. Builders of any residential neighborhood within Village 5 will be required to disclose to homebuyers that the property is within an Ag Overlay district, which allows for continuing agricultural activities.