

AMENDMENTS TO LB295

Introduced by Urban Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 16-901, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 16-901 (1) Except as provided in section 13-327, any city of the
6 first class may apply by ordinance any existing or future zoning
7 regulations, property use regulations, building ordinances, electrical
8 ordinances, plumbing ordinances, and ordinances authorized by section
9 16-240 to the unincorporated area two miles beyond and adjacent to its
10 corporate boundaries with the same force and effect as if such outlying
11 area were within the corporate limits of such city, except that no such
12 ordinance shall be extended or applied so as to prohibit, prevent, or
13 interfere with the conduct of existing farming, livestock operations,
14 businesses, or industry. For purposes of sections 70-1001 to 70-1020, the
15 zoning area of a city of the first class shall be one mile beyond and
16 adjacent to the corporate area. The fact that such unincorporated area is
17 located in a different county or counties than some or all portions of
18 the municipality shall not be construed as affecting the powers of the
19 city to apply such ordinances.

20 (2)(a) A city of the first class shall provide written notice to the
21 county board of the county in which the city's zoning area is located
22 when proposing to adopt or amend a zoning ordinance which effects the
23 city's zoning area. The written notice of the proposed change to the
24 zoning ordinance shall be sent to the county board or its designee at
25 least thirty days prior to the final decision by the city. The county
26 board may submit recommendations regarding the change in the zoning
27 ordinance at the public hearings on the proposed change or directly to

1 the city within thirty days after receiving such notice. The city may
2 make its final decision on the zoning ordinance upon receiving the
3 recommendations from the county board.

4 (b) Subdivision (2)(a) of this section does not apply to a city of
5 the first class (i) located in a county with a population in excess of
6 one hundred thousand inhabitants or (ii) if the city and the county have
7 a joint planning commission or joint planning department.

8 Sec. 2. Section 17-1001, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 17-1001 (1) Except as provided in section 13-327, any city of the
11 second class or village may apply by ordinance any existing or future
12 zoning ordinances, property use regulation ordinances, building
13 ordinances, electrical ordinances, and plumbing ordinances, to an area
14 within one mile of the corporate limits of such ~~municipality~~
15 ~~municipalities~~, with the same force and effect as if such area ~~was~~ were
16 within ~~its~~ ~~their~~ corporate limits. No such ordinance shall be extended or
17 applied so as to prohibit, prevent, or interfere with the conduct of
18 existing farming, livestock operations, businesses, or industry. For
19 purposes of sections 70-1001 to 70-1020, the zoning area of a city of the
20 second class or village shall be one-half mile from the corporate limits
21 of such municipalities. The fact that the zoning area or part thereof is
22 located in a different county or counties than some or all portions of
23 the municipality shall not be construed as affecting the necessity of
24 obtaining the approval of the city council or board of trustees of such
25 municipality or its agent designated pursuant to section 19-916.

26 (2)(a) A city of the second class or village shall provide written
27 notice to the county board of the county in which the city or village's
28 zoning area is located when proposing to adopt or amend a zoning
29 ordinance which effects the city or village's zoning area. The written
30 notice of the proposed change to the zoning ordinance shall be sent to
31 the county board or its designee at least thirty days prior to the final

1 decision by the city or village. The county board may submit
2 recommendations regarding the change in the zoning ordinance at the
3 public hearings on the proposed change or directly to the city or village
4 within thirty days after receiving such notice. The city or village may
5 make its final decision on the zoning ordinance upon receiving the
6 recommendations from the county board.

7 (b) Subdivision (2)(a) of this section does not apply to a city of
8 the second class or a village (i) located in a county with a population
9 in excess of one hundred thousand inhabitants or (ii) if the city or
10 village and the county have a joint planning commission or joint planning
11 department.

12 Sec. 3. Original sections 16-901 and 17-1001, Reissue Revised
13 Statutes of Nebraska, are repealed.