

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 700**

FINAL READING

Introduced by Mello, 5.

Read first time January 06, 2016

Committee: Urban Affairs

1 A BILL FOR AN ACT relating to cities; to amend section 14-407, Reissue  
2 Revised Statutes of Nebraska, and section 19-4029.01, Revised  
3 Statutes Supplement, 2015; to require notice to neighborhood  
4 associations for actions relating to zoning and business improvement  
5 districts; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 14-407, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 14-407 (1) A city of the metropolitan class shall exercise the  
4 powers conferred by sections 14-401 to 14-418 through such appropriate  
5 planning board or official as exists in such city.

6 (2) When the city is considering the adoption or amendment of a  
7 zoning ordinance or the approval of the platting or replatting of any  
8 development of real estate, the city shall notify any military  
9 installation which is located within the corporate boundary limits or the  
10 extraterritorial zoning jurisdiction of the city if the city has received  
11 a written request for such notification from the military installation.  
12 The planning board shall deliver the notification to the military  
13 installation at least ten days prior to the meeting of the planning board  
14 at which the proposal is to be considered.

15 (3) When the city is considering the adoption or amendment of a  
16 zoning ordinance, except for an amendment that serves only to correct a  
17 misspelling or other typographical error, the city shall notify any  
18 registered neighborhood association whose area of concern is located in  
19 whole or in part within the area that will be included in such zoning  
20 ordinance. Each neighborhood association desiring to receive such notice  
21 shall register with the city the area of concern of such association and  
22 provide the name of and contact information for the individual who is to  
23 receive notice on behalf of such association and the requested manner of  
24 service, whether by email or regular, certified, or registered mail. The  
25 registration shall be in accordance with any rules adopted and  
26 promulgated by the city. The planning board shall deliver the  
27 notification to the neighborhood association (a) in the manner requested  
28 by the neighborhood association and (b) at least ten days prior to the  
29 meeting of the planning board at which the proposal is to be considered.

30 Sec. 2. Section 19-4029.01, Revised Statutes Supplement, 2015, is  
31 amended to read:

1           19-4029.01 (1) At least ten days prior to the date of A notice of  
2 hearing for any hearing under sections 19-4029, 19-4029.02, and  
3 19-4029.03, notice of such hearing shall be given by:

4           (a) One ~~one~~ publication of the notice of hearing in a newspaper of  
5 general circulation in the city; ~~and~~

6           (b) Mailing ~~mailing~~ a copy of the notice of hearing to each owner of  
7 taxable property as shown on the latest tax rolls of the county treasurer  
8 for such county; ~~-~~

9           (c) Providing a copy of the notice of hearing to any neighborhood  
10 association registered pursuant to subsection (2) of this section in the  
11 manner requested by such neighborhood association; and

12           (d) If an occupation tax is to be imposed, mailing a copy of the  
13 notice of hearing shall also be mailed to each user of space in the  
14 proposed district. Publication and mailing shall be completed at least  
15 ten days prior to the time of hearing.

16           (2) The notice required by subdivision (1)(c) of this section shall  
17 be provided to any neighborhood association which is registered pursuant  
18 to this subsection and whose area of concern is located, in whole or in  
19 part, within a one-mile radius of the existing or proposed boundaries of  
20 the district. Each neighborhood association desiring to receive such  
21 notice shall register with the city the area of concern of such  
22 association and provide the name of and contact information for the  
23 individual who is to receive notice on behalf of such association and the  
24 requested manner of service, whether by email or regular, certified, or  
25 registered mail. The registration shall be in accordance with any rules  
26 adopted and promulgated by the city.

27           (3 ~~2~~) Any notice of hearing for any hearing required by section  
28 19-4029 shall contain the following information:

29           (a) A description of the boundaries of the proposed district;

30           (b) The time and place of a hearing to be held by the city council  
31 to consider establishment of the district;

1 (c) The proposed public facilities and improvements to be made or  
2 maintained within any such district; and

3 (d) The proposed or estimated costs for improvements and facilities  
4 within the proposed district and the method by which the revenue shall be  
5 raised. If a special assessment is proposed, the notice shall also state  
6 the proposed method of assessment.

7 (~~4~~ 3) Any notice of hearing for any hearing required by sections  
8 19-4029.02 and 19-4029.03 shall contain the following information:

9 (a) A description of the boundaries of the area to be added to the  
10 existing business improvement district and a description of the new  
11 boundaries of the modified district;

12 (b) The time and place of a hearing to be held by the city council  
13 to consider establishment of the modified district;

14 (c) The new public facilities and improvements, if any, to be made  
15 or maintained within any such district; and

16 (d) The proposed or estimated costs for new and existing  
17 improvements and facilities within the proposed modified district and the  
18 method by which the revenue shall be raised. If a special assessment is  
19 proposed, the notice shall also state the proposed method of assessment.

20 Sec. 3. Original section 14-407, Reissue Revised Statutes of  
21 Nebraska, and section 19-4029.01, Revised Statutes Supplement, 2015, are  
22 repealed.