

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 877**

Introduced by Murante, 49.

Read first time January 11, 2016

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to suburban development; to amend section
- 2 17-1002, Reissue Revised Statutes of Nebraska; to change a provision
- 3 relating to review of proposed subdivision plats by certain county
- 4 planning commissions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 17-1002, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 17-1002 (1) Except as provided in section 13-327, any city of the  
4 second class or village may designate by ordinance the portion of the  
5 territory located within one mile of the corporate limits of such city or  
6 village and outside of any other organized city or village within which  
7 the designating city or village will exercise the powers and duties  
8 granted by this section and section 17-1003 or section 19-2402.

9 (2) No owner of any real property located within the area designated  
10 by a city or village pursuant to subsection (1) of this section may  
11 subdivide, plat, or lay out such real property in building lots, streets,  
12 or other portions of the same intended to be dedicated for public use or  
13 for the use of the purchasers or owners of lots fronting thereon or  
14 adjacent thereto without first having obtained the approval of the city  
15 council or board of trustees of such municipality or its agent designated  
16 pursuant to section 19-916 and, when applicable, having complied with  
17 sections 39-1311 to 39-1311.05. The fact that such real property is  
18 located in a different county or counties than some or all portions of  
19 the municipality shall not be construed as affecting the necessity of  
20 obtaining the approval of the city council or board of trustees of such  
21 municipality or its designated agent.

22 (3) No plat of such real property shall be recorded or have any  
23 force or effect unless approved by the city council or board of trustees  
24 of such municipality or its designated agent.

25 (4) Except as provided in subsection (5) of this section, in In  
26 counties that have adopted a comprehensive development plan which meets  
27 the requirements of section 23-114.02 and are enforcing subdivision  
28 regulations, the county planning commission shall be provided with all  
29 available materials on any proposed subdivision plat, contemplating  
30 public streets or improvements, which is filed with a municipality in  
31 that county, when such proposed plat lies partially or totally within the

1 extraterritorial subdivision jurisdiction being exercised by that  
2 municipality in such county. The commission shall be given four weeks to  
3 officially comment on the appropriateness of the design and improvements  
4 proposed in the plat. The review period for the commission shall run  
5 concurrently with subdivision review activities of the municipality after  
6 the commission receives all available material for a proposed subdivision  
7 plat.

8 (5) In counties having a population in excess of one hundred  
9 thousand inhabitants but less than two hundred thousand inhabitants that  
10 have adopted a comprehensive development plan which meets the  
11 requirements of section 23-114.02 and are enforcing subdivision  
12 regulations, the county planning commission shall be provided with all  
13 available materials on any proposed subdivision plat, contemplating  
14 public streets or improvements, which is filed with a municipality in  
15 that county, when such proposed plat lies partially or totally within the  
16 extraterritorial subdivision jurisdiction being exercised by that  
17 municipality in such county. The commission may officially comment on the  
18 appropriateness of the design and improvements proposed in the plat.

19 Sec. 2. Original section 17-1002, Reissue Revised Statutes of  
20 Nebraska, is repealed.