

AMENDMENTS TO LB113

Introduced by Urban Affairs.

1 1. Insert the following new sections:

2 Sec. 11. Section 16-901, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 16-901 (1) Except as provided in section 13-327 and subsection (2)
5 of this section, the extraterritorial zoning jurisdiction of a city of
6 the first class shall consist of the unincorporated area two miles beyond
7 and adjacent to its corporate boundaries.

8 (2) For purposes of sections 70-1001 to 70-1020, the
9 extraterritorial zoning jurisdiction of a city of the first class shall
10 consist of the unincorporated area one mile beyond and adjacent to its
11 corporate boundaries.

12 (3) Any city of the first class may apply by ordinance any existing
13 or future zoning regulations, property use regulations, building
14 ordinances, electrical ordinances, plumbing ordinances, and ordinances
15 authorized by section 16-240 within its extraterritorial zoning
16 jurisdiction with the same force and effect as if such area were within
17 the corporate limits of the city, except that no such ordinance shall be
18 extended or applied so as to prohibit, prevent, or interfere with the
19 conduct of existing farming, livestock operations, businesses, or
20 industry. The fact that the extraterritorial zoning jurisdiction is
21 located in a different county or counties than some or all portions of
22 the municipality shall not be construed as affecting the powers of the
23 city to apply such ordinances.

24 (4)(a) A city of the first class shall provide written notice to the
25 county board of the county in which the city's two-mile extraterritorial
26 zoning jurisdiction is located when proposing to adopt or amend a zoning
27 ordinance which affects the city's two-mile extraterritorial zoning

1 jurisdiction within such county. The written notice of the proposed
2 change to the zoning ordinance shall be sent to the county board or its
3 designee at least thirty days prior to the final decision by the city.
4 The county board may submit comments or recommendations regarding the
5 change in the zoning ordinance at the public hearings on the proposed
6 change or directly to the city within thirty days after receiving such
7 notice. The city may make its final decision (i) upon the expiration of
8 the thirty days following the notice or (ii) when the county board
9 submits comments or recommendations, if any, to the city prior to the
10 expiration of the thirty days following the notice.

11 (b) Subdivision (4)(a) of this section does not apply to a city of
12 the first class (i) located in a county with a population in excess of
13 one hundred thousand inhabitants as determined by the most recent federal
14 decennial census or the most recent revised certified count by the United
15 States Bureau of the Census or (ii) if the city and the county have a
16 joint planning commission or joint planning department.

17 Sec. 20. Section 17-1001, Revised Statutes Cumulative Supplement,
18 2016, is amended to read:

19 17-1001 (1) Except as provided in section 13-327, any city of the
20 second class or village may apply by ordinance any existing or future
21 zoning ordinances, property use regulation ordinances, building
22 ordinances, electrical ordinances, and plumbing ordinances to an area
23 within one mile of the corporate limits of such municipality, with the
24 same force and effect as if such area was within its corporate limits. No
25 such ordinance shall be extended or applied so as to prohibit, prevent,
26 or interfere with the conduct of existing farming, livestock operations,
27 businesses, or industry. For purposes of sections 70-1001 to 70-1020, the
28 zoning area of a city of the second class or village shall be one-half
29 mile from the corporate limits of such municipalities. The fact that the
30 zoning area or part thereof is located in a different county or counties
31 than some or all portions of the municipality shall not be construed as

1 affecting the necessity of obtaining the approval of the city council or
2 board of trustees of such municipality or its agent designated pursuant
3 to section 19-916.

4 (2)(a) A city of the second class or village shall provide written
5 notice to the county board of the county in which the one-mile
6 extraterritorial zoning jurisdiction of the city or village is located
7 when proposing to adopt or amend a zoning ordinance which affects the
8 one-mile extraterritorial zoning jurisdiction of the city or village
9 within such county. The written notice of the proposed change to the
10 zoning ordinance shall be sent to the county board or its designee at
11 least thirty days prior to the final decision by the city or village. The
12 county board may submit comments or recommendations regarding the change
13 in the zoning ordinance at the public hearings on the proposed change or
14 directly to the city or village within thirty days after receiving such
15 notice. The city or village may make its final decision (i) upon the
16 expiration of the thirty days following the notice or (ii) when the
17 county board submits comments or recommendations, if any, to the city or
18 village prior to the expiration of the thirty days following the notice.

19 (b) Subdivision (2)(a) of this section does not apply to a city of
20 the second class or a village (i) located in a county with a population
21 in excess of one hundred thousand inhabitants as determined by the most
22 recent federal decennial census or the most recent revised certified
23 count by the United States Bureau of the Census or (ii) if the city or
24 village and the county have a joint planning commission or joint planning
25 department.

26 2. Renumber the remaining sections and correct the repealer
27 accordingly.