

E AND R AMENDMENTS TO LB 731

Introduced by Slama, 1, Chairman Enrollment and Review

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

3 Section 1. Section 14-403.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 14-403.01 When a city of the metropolitan class adopts a new
6 comprehensive plan or a full update to an existing comprehensive plan ~~on~~
7 ~~or after July 15, 2010, but not later than January 1, 2015,~~ such plan or
8 update shall include, but not be limited to, an energy element which:
9 Assesses energy infrastructure and energy use by sector, including
10 residential, commercial, and industrial sectors; evaluates utilization of
11 renewable energy sources; and promotes energy conservation measures that
12 benefit the community.

13 Sec. 2. Section 15-1102, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 15-1102 The general plan for the improvement and development of the
16 city of the primary class shall be known as the comprehensive plan. This
17 plan for governmental policies and action shall include the pattern and
18 intensity of land use, the provision of public facilities including
19 transportation and other governmental services, the effective development
20 and utilization of human and natural resources, the identification and
21 evaluation of area needs including housing, employment, education, and
22 health and the formulation of programs to meet such needs, surveys of
23 structures and sites determined to be of historic, cultural,
24 archaeological, or architectural significance or value, long-range
25 physical and fiscal plans for governmental policies and action, and
26 coordination of all related plans and activities of the state and local
27 governments and agencies concerned. The comprehensive plan, with the

1 accompanying maps, plats, charts and descriptive and explanatory
2 materials, shall show the recommendations concerning the physical
3 development pattern of such city and of any land outside its boundaries
4 related thereto, taking into account the availability of and need for
5 conserving land and other irreplaceable natural resources, the
6 preservation of sites of historic, cultural, archaeological, and
7 architectural significance or value, the projected changes in size,
8 movement, and composition of population, the necessity for expanding
9 housing and employment opportunities, and the need for methods of
10 achieving modernization, simplification, and improvements in governmental
11 structures, systems, and procedures related to growth objectives. The
12 comprehensive plan shall, among other things, show:

13 (1) The general location, character, and extent of existing and
14 proposed streets and highways and railroad, air, and other transportation
15 routes and terminals;

16 (2) Existing and proposed public ways, parks, grounds, and open
17 spaces;

18 (3) The general location, character, and extent of schools, school
19 grounds, and other educational facilities and properties;

20 (4) The general location and extent of existing and proposed public
21 utility installations;

22 (5) The general location and extent of community development and
23 housing activities;

24 (6) The general location of existing and proposed public buildings,
25 structures, and facilities; and

26 (7) When a new comprehensive plan or a full update to an existing
27 comprehensive plan is developed ~~on or after July 15, 2010, but not later~~
28 ~~than January 1, 2015,~~ an energy element which: Assesses energy
29 infrastructure and energy use by sector, including residential,
30 commercial, and industrial sectors; evaluates utilization of renewable
31 energy sources; and promotes energy conservation measures that benefit

1 the community.

2 The comprehensive plan shall include a land-use plan showing the
3 proposed general distribution and general location of business and
4 industry, residential areas, utilities, and recreational, educational,
5 and other categories of public and private land uses. The land-use plan
6 shall also show the recommended standards of population density based
7 upon population estimates and providing for activities for which space
8 should be supplied within the area covered by the plan. The comprehensive
9 plan shall include and show proposals for acquisition, extension,
10 widening, narrowing, removal, vacation, abandonment, sale, and other
11 actions affecting public improvements.

12 Sec. 3. Section 19-903, Revised Statutes Supplement, 2019, is
13 amended to read:

14 19-903 The regulations and restrictions authorized by sections
15 19-901 to 19-915 shall be in accordance with a comprehensive development
16 plan which shall consist of both graphic and textual material and shall
17 be designed to accommodate anticipated long-range future growth which
18 shall be based upon documented population and economic projections. The
19 comprehensive development plan shall, among other possible elements,
20 include:

21 (1) A land-use element which designates the proposed general
22 distributions, general location, and extent of the uses of land for
23 agriculture, housing, commerce, industry, recreation, education, public
24 buildings and lands, and other categories of public and private use of
25 land;

26 (2) The general location, character, and extent of existing and
27 proposed major roads, streets, and highways, and air and other
28 transportation routes and facilities;

29 (3) The general location, type, capacity, and area served of present
30 and projected or needed community facilities including recreation
31 facilities, schools, libraries, other public buildings, and public

1 utilities and services;

2 (4) When a new comprehensive plan or a full update to an existing
3 comprehensive plan is developed ~~on or after July 15, 2010, but not later~~
4 ~~than January 1, 2015,~~ an energy element which: Assesses energy
5 infrastructure and energy use by sector, including residential,
6 commercial, and industrial sectors; evaluates utilization of renewable
7 energy sources; and promotes energy conservation measures that benefit
8 the community. This subdivision shall not apply to villages; and

9 (5)(a) When next amended after January 1, 1995, an identification of
10 sanitary and improvement districts, subdivisions, industrial tracts,
11 commercial tracts, and other discrete developed areas which are or in the
12 future may be appropriate subjects for annexation and (b) a general
13 review of the standards and qualifications that should be met to enable
14 the municipality to undertake annexation of such areas. Failure of the
15 plan to identify subjects for annexation or to set out standards or
16 qualifications for annexation shall not serve as the basis for any
17 challenge to the validity of an annexation ordinance.

18 Regulations adopted pursuant to sections 19-901 to 19-915 shall be
19 designed to lessen congestion in the streets; to secure safety from fire,
20 panic, and other dangers; to promote health and the general welfare; to
21 provide adequate light and air; to prevent the overcrowding of land; to
22 secure safety from flood; to avoid undue concentration of population; to
23 facilitate the adequate provision of transportation, water, sewerage,
24 schools, parks, and other public requirements; to protect property
25 against blight and depreciation; to protect the tax base; to secure
26 economy in governmental expenditures; and to preserve, protect, and
27 enhance historic buildings, places, and districts.

28 Such regulations shall be made with reasonable consideration, among
29 other things, for the character of the district and its peculiar
30 suitability for particular uses and with a view to conserving the value
31 of buildings and encouraging the most appropriate use of land throughout

1 such municipality.

2 Sec. 4. Section 23-114.02, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 23-114.02 The general plan for the improvement and development of
5 the county shall be known as the comprehensive development plan and
6 shall, among other elements, include:

7 (1) A land-use element which designates the proposed general
8 distribution, general location, and extent of the uses of land for
9 agriculture, housing, commerce, industry, recreation, education, public
10 buildings and lands, and other categories of public and private use of
11 land;

12 (2) The general location, character, and extent of existing and
13 proposed major streets, roads, and highways, and air and other
14 transportation routes and facilities;

15 (3) When a new comprehensive plan or a full update to an existing
16 comprehensive plan is developed ~~on or after July 15, 2010, but not later~~
17 ~~than January 1, 2015,~~ an energy element which: Assesses energy
18 infrastructure and energy use by sector, including residential,
19 commercial, and industrial sectors; evaluates utilization of renewable
20 energy sources; and promotes energy conservation measures that benefit
21 the community; and

22 (4) The general location, type, capacity, and area served of present
23 and projected or needed community facilities including recreation
24 facilities, schools, libraries, other public buildings, and public
25 utilities and services.

26 The comprehensive development plan shall consist of both graphic and
27 textual material and shall be designed to accommodate anticipated long-
28 range future growth which shall be based upon documented population and
29 economic projections.

30 Sec. 5. Original sections 14-403.01, 15-1102, and 23-114.02,
31 Reissue Revised Statutes of Nebraska, and section 19-903, Revised

1 Statutes Supplement, 2019, are repealed.
2 2. On page 1, strike beginning with "municipalities" in line 1
3 through "Nebraska" in line 3 and insert "political subdivisions; to amend
4 sections 14-403.01, 15-1102, and 23-114.02, Reissue Revised Statutes of
5 Nebraska, and section 19-903, Revised Statutes Supplement, 2019".