

City Council Introduction: June 5, 2017

BILL NUMBER: 17-73

Public Hearing: June 12, 2017

Date Factsheet Prepared: May 24, 2017

## FACTSHEET

**Instructions:** If a question does not apply, just put "NA". Please try to keep it to **ONE** page only. Submit **one original**, with your Request Form, to City Clerk.

**TITLE:** Ratifying Ordinance No. 20304 approving Text Amendment No. 16001

**BOARD/COMMITTEE:**

**APPLICANT:** Rick Peo

**RECOMMENDATION:**

**STAFF RECOMMENDATION:**

**OTHER DEPARTMENTS AFFECTED:** Planning

**SPONSOR:** Law Department

**OPPONENTS:**

### REASON FOR LEGISLATION

AN ORDINANCE to readopt Ordinance No. 20304 adopted on March 14, 2016 as Text Amendment No. 16001, which amended Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations to extend the approach zone from 3 miles to a new limit of 10 miles, establish the area included within the airport hazard area, revise existing definitions and add new definitions, and other changes to be in accordance with the passage of Nebraska Legislative Bill (LB) 140, and repealing Sections 27.59.010 through 27.59.040, 27.59.060 through 27.59.090, 27.59.120, 27.59.140, and 27.59.150 of the Lincoln Municipal Code as hitherto existing.

### DISCUSSION / FINDINGS OF FACT:

The City of Lincoln's authority to adopt Airport Zoning Regulations is granted under the Airport Zoning Act (Neb. Rev. Stat. §§ 3-301 to 3-333). Under § 3-307 of the Act, the City's airport zoning regulations shall not be adopted, amended, or changed except by action of the City Council after a public hearing in relation thereto. At least 10 days notice of the hearing is required to be published in an official newspaper or a paper of general circulation in the City of Lincoln. This 10 day notice is in excess of the City's standard 8 day notice for amendments to the Zoning Code. This special 10 day notice was overlooked in the adoption of Text Amendment No. 16001 by Ordinance No. 20304 and therefore the Text Amendment needs to be readopted after posting the required notice of public hearing on the readoption.

**POLICY OR PROGRAM CHANGE:**  Yes  No

**OPERATIONAL IMPACT ASSESSMENT:** N/A

**COST OF TOTAL PROJECT:**

**RELATED ANNUAL OPERATING COSTS:** N/A

**SOURCE OF FUNDS:**

**CITY:**

**NON CITY:**

**FACTSHEET PREPARED BY:** Rick Peo, Chief Assistant City Attorney

**DATE:** May 24, 2017

**REVIEWED BY:**

**DATE:**