

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1554

Page 1, line 2, remove "; and to provide for application"

Page 4, replace lines 16 through 25 with:

- "1. A city ~~may~~, by ordinance, may extend the application of a city's zoning regulations to any quarter quarter section of unincorporated territory if a majority of the quarter quarter section is located within the following distance of the corporate limits of the city:
 - a. One mile [1.61 kilometers] if the city has a population of ~~less~~ fewer than five thousand. A city that has exercised its authority under this subdivision has joint zoning and subdivision regulation jurisdiction beyond one-half mile [.80 kilometer] with the entity that would otherwise have jurisdiction.
 - b. Two miles [3.22 kilometers] if the city has a population of five thousand or more, but ~~less~~ fewer than twenty-five thousand. A city that has exercised its authority under this subdivision has joint zoning and subdivision regulation jurisdiction beyond one mile [1.61 kilometers] with the entity that would otherwise have jurisdiction.
 - c. Four miles [6.44 kilometers] if the city has a population of twenty-five thousand or more. A city that has exercised its authority under this subdivision has joint zoning and subdivision regulation jurisdiction beyond two miles [3.22 kilometers] with the entity that would otherwise have jurisdiction."

Page 4, line 26, after "2." insert "The zoning and subdivision regulations of the city govern the entire extraterritorial area assumed by the city.

3. Any zoning change or subdivision plat approved or any change in zoning or subdivision regulation in the area of joint jurisdiction must be approved by both governing bodies before the change becomes effective. If the governing bodies are unable to agree, either governing body may petition the office of administrative hearings to appoint an administrative law judge to resolve the dispute. A hearing may not be held until after at least two weeks' written notice has been given to the governing bodies of the jurisdictions involved in the dispute. Each governing body and any person affected by the regulation may appear at the hearing and present evidence on any matter to be determined by the administrative law judge. A decision by the administrative law judge is binding on all jurisdictions involved in the dispute and remains effective until the governing bodies in the area of joint jurisdiction agree to change the zoning or subdivision regulation. In making a decision under this subsection, the administrative law judge shall consider the following factors:
 - a. Whether the proposed change is consistent with a projected growth plan;

- b. Whether the proposed change is substantially related to planning practices consistent with adopted comprehensive plans;
- c. The impact of the proposed change on the present and planned uses of the area under review;
- d. The impact of the proposed change on the health and safety of the residents of the area;
- e. The effect of the change on the ability of the affected jurisdiction to adequately staff and enforce the change;
- f. The economic, physical, and social relationship of the inhabitants, businesses, or industries in the area affected by the change and the effect of the change on other political subdivisions;
- g. The economic impact of the proposed change on the property owners in the area of the proposed change and the economic impact on the city of a decision to deny the change; and
- h. Any other factor determined to be relevant by the administrative law judge.

4."

Page 5, replace lines 1 through 15 with:

- ~~"3.~~ 5. A city exercising its extraterritorial zoning authority shall hold a zoning transition meeting if the territory to be extraterritorially zoned is currently zoned. The city's zoning or planning commission shall provide at least fourteen days' notice of the meeting to the zoning board or boards of all political subdivisions losing their partial zoning authority. The purpose of the zoning transition meeting is to review existing zoning rules, regulations, and restrictions currently in place in the territory to be extraterritorially zoned and to plan for an orderly transition. The zoning transition meeting must take place before the city's adoption of an ordinance exercising extraterritorial zoning."

Page 5, line 16, overstrike "4." and insert immediately thereafter "6."

Page 6, line 1, overstrike "5." and insert immediately thereafter "7."

Page 7, line 3, overstrike "6." and insert immediately thereafter "8."

Page 7, line 7, overstrike "7." and insert immediately thereafter "9."

Page 7, line 11, overstrike "8." and insert immediately thereafter "10."

Page 7, remove lines 15 through 18

Renumber accordingly