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SEP 24 2012

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

LANCASTER COUNTY  
CLERK

COUNTY CHANGE OF ZONE NO. 12025: )  
TEXT AMENDMENT TO THE LANCASTER )  
COUNTY ZONING RESOLUTION, TO AMEND ) RESOLUTION NO. R-12-0083  
ARTICLE 23, FEES, TO REMOVE )  
REFERENCES TO APPLICATION FILING FEES,) )  
AS PROVIDED IN ATTACHMENT A )

WHEREAS, pursuant to Neb. Rev. Stat. § 23-114 (Reissue 2007), the Lancaster County Board of Commissioners is authorized to make amendments to the 1979 Zoning Resolution of Lancaster County, which are consistent with the County’s Comprehensive Plan and after receipt of specific recommendations from the Lincoln/Lancaster County Planning Commission (“Planning Commission”); and

WHEREAS, the Director of Planning has requested a text amendment to Article 23, Fees, to remove references to application fees, as provided in Attachment “A,” attached hereto and incorporated by this reference; and

WHEREAS, the Lincoln-Lancaster County Planning Department has recommended approval of this amendment concluding that the removal of the fee language from the text of the Zoning Resolution will allow direct review of any changes in the fee schedule by the Lancaster County Board of Commissioners, without previous hearing and recommendation by the Lincoln-Lancaster County Planning Commission, whereby reducing the time and resources to update the fees and focusing the Planning Commissioners efforts on land use issues; and

WHEREAS, on September 5, 2012, after public hearing, the Lincoln-Lancaster County Planning Commission agreed with the staff recommendation and voted 8 to 0 to recommend approval of said text amendments; and

WHEREAS, on October 2, 2012, the Board of Commissioners of Lancaster County conducted a public hearing regarding said text amendment and voted to approve said amendments.

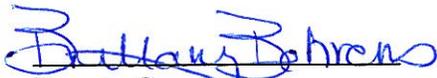
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lancaster County, Nebraska that the amendments to Article 23, Fees, of the Lancaster County Zoning Resolution, to remove references to application fees, as provided in Attachment "A," are hereby adopted and approved.

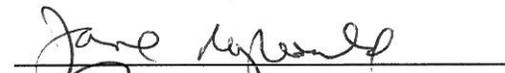
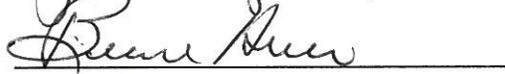
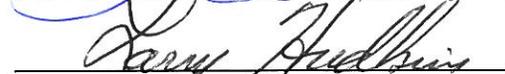
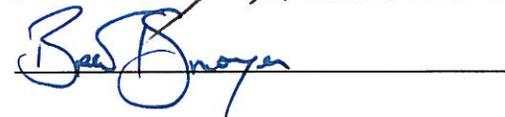
BE, IT FURTHER RESOLVED, that any other references in said Resolution which may be affected by the above specified amendments be, and they hereby are, amended to conform to such specific amendments.

DATED this 2 day of October, 2012, in the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 2 day of  
October, 2012.

  
Deputy County Attorney  
for JOE KELLY  
Lancaster County Attorney

**ARTICLE 23  
FEES**

~~23.001. General Regulations. Any person applying for a change of zone, a community unit plan, a special permit, an administrative amendment to a special permit, an appeal to the Board of Zoning Appeals, a text change, an Airport Zoning District Height Permit, an administrative special permit, a postponement which requires additional legal notice, or any other application under the Zoning Resolution of Lancaster County, or requesting a zoning confirmation letter, shall pay an appropriate fee therefor established by resolution of the Lancaster County Board of Commissioners. The fees set forth in this article shall apply to this resolution. Under no condition shall any fee required hereunder be refunded for failure of said application to be granted by the County Board or other appropriate authority. No fee shall be required when any action is recommended by the County Board on its own motion or by any person or group officially designated to participate in the admission of this resolution. (Resolution No. R-08-0084, October 1, 2008)~~

~~23.002. Notification. \$0.00. (Resolution No. 99-2319, November 23, 1999)~~

~~23.003. Change of Zone. The following fees shall be charged at the time of filing an application for a change of zone:~~

~~\_\_\_\_\_ a) For the filing of an application for a change of zone in the "AG", "AGR", and "R" zoning districts:~~

~~\_\_\_\_\_ 1) Where the area for which the change of zone is requested is one (1) acre or less, the application fee shall be \$300.00.~~

~~\_\_\_\_\_ 2) Where the area for which the change of zone is requested is in excess of one (1) acre, the application fee shall be \$440.00.~~

~~\_\_\_\_\_ b) For the filing of an application for a change of zone in all other zoning districts:~~

~~\_\_\_\_\_ 1) Where the area for which the change of zone is requested is one (1) acre or less, the fee shall be \$440.00.~~

~~\_\_\_\_\_ 2) Where the area for which change of zone is requested is in excess of one (1) acre, the fee shall be \$890.00.~~

~~\_\_\_\_\_ (Resolution No. 99-2319, November 23, 1999; Resolution No. 03-0093, September 3, 2003; Resolution R-06-0070, September 1, 2006; Resolution No. R-08-0084, October 1, 2008)~~

~~23.004 Historic Preservation Change of Zone. The application fee for a Historic Preservation Change of Zone shall be \$300.00. (Resolution No. R-08-0084, October 1, 2008)~~

~~23.005. Community Unit Plan and Mobile Home Courts. The application fee for a special permit for a community unit plan as required in Article 14 shall be \$720.00, plus \$120.00 per lot or \$240.00 per acre whichever is less, to a maximum of \$3,000.00. (Resolution No. 99-2319, November 23, 1999; Resolution No. 03-0093, September 3, 2003; Resolution R-06-0070, September 1, 2006; Resolution No. R-08-0084, October 1, 2008)~~

~~23.009. Special Permit. The filing fee for an application for a special permit under Article 13, other than mobile home courts and community unit plans, shall be as follows:~~

~~\_\_\_\_\_ a) If the area for which the special permit is requested is one (1) acre or less, the fee shall be \$300.00;~~

~~\_\_\_\_\_ b) If the area for which the special permit is requested is in excess of one (1) acre, the  
\_\_\_\_\_ fee shall be \$890.00.~~

~~(Resolution No. 99-2319, November 23, 1999; Resolution No. 03-0093, September 3, 2003;  
Resolution R-06-0070, September 1, 2006; Resolution No. R-08-0084, October 1, 2008)~~

~~23.011. Administrative Amendment and Administrative Special Permit (wireless). The  
filing fee for an application for an administrative amendment to a special permit or an  
administrative special permit (wireless) shall be \$150.00. (Resolution No. 99-2319, November  
23, 1999; Resolution No. 03-0093, September 3, 2003; Resolution R-06-0070, September 1,  
2006; Resolution No. R-08-0084, October 1, 2008)~~

~~23.013. Board of Zoning Appeals. The filing fee for an application for an appeal to the Board of  
Zoning Appeals shall be \$300.00. (Resolution No. 03-0093, September 5, 2003; Resolution No.  
R-08-0084, October 1, 2008)~~

~~23.015. Airport Zoning. The filing fee for an application for a height permit in connection with the  
airport zoning district, Article 18, shall be \$300.00. (Resolution No. 99-2319, November 23,  
1999; Resolution No. 03-0093, September 5, 2003; Resolution No. R-08-0084, October 1,  
2008)~~

~~23.017. Changes in Text. The filing fee for an application for a change of text in the 1979  
Zoning Resolution of Lancaster County shall be \$300.00. (Resolution No. 99-2319, November  
23, 1999; Resolution No. 03-0093, September 3, 2003; Resolution R-06-0070, September 1,  
2006)~~

~~23.019. General Fees. The filing fee for an application in connection with the 1979 Zoning  
Resolution of Lancaster County not otherwise covered by this article shall be \$300.00.  
(Resolution No. 99-2319, November 23, 1999; Resolution No. 03-0093, September 5, 2003;  
Resolution No. R-08-0084, October 1, 2008)~~

~~23.023. Postponement Fee. A fee of \$150.00 shall be charged at the time of filing an  
application to remove and readvertise action on an item that was postponed for an indefinite  
period at the request of the applicant. (Resolution No. 03-0093, September 5, 2003; Resolution  
R-06-0070, September 1, 2006)~~