

AMENDMENTS TO LB 352

Introduced by Government, Military and Veterans Affairs

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

3 Section 1. Section 3-301, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 3-301 For purposes of the Airport Zoning Act, unless the
6 context otherwise requires:

7 (1) Airport means any area of land or water designed and
8 set aside for the landing and taking off of aircraft and utilized
9 or to be utilized in the interest of the public for such purposes;

10 (2) Airport hazard means any structure or tree or use
11 of land which obstructs the airspace required for the flight of
12 aircraft in landing or taking off at an airport or is otherwise
13 hazardous to such landing or taking off of aircraft;

14 (3) Airport hazard area means any area of land or
15 water upon which an airport hazard might be established if not
16 prevented as provided in the act, but such area shall not extend
17 in any direction a distance in excess of ~~three miles from the~~
18 ~~adjacent boundary of an airport;~~ the limits provided for approach,
19 operation, transition, and turning zones;

20 (4) Approach zone means a zone that extends from the end
21 of each operation zone and is centered along the extended runway
22 centerlines. An approach zone's dimensions are as follows:

23 (a) For an existing or proposed instrument runway:

1 (i) An approach zone extends ten miles from the operation
2 zone, measured along the extended runway centerline. The approach
3 zone is one thousand feet wide at the end of the zone nearest
4 the runway and expands uniformly to sixteen thousand eight hundred
5 forty feet wide at the farthest end of the zone; and

6 (ii) The height limit of an approach zone begins at the
7 elevation of the runway end for which it is the approach and rises
8 one foot vertically for every fifty feet horizontally, except that
9 the height limit shall not exceed one hundred fifty feet above
10 the nearest existing or proposed runway end elevation within three
11 miles of the end of the operation zone at that runway end. At three
12 miles from such operation zone, the height limit resumes sloping
13 one foot vertically for every fifty feet horizontally and continues
14 to the ten-mile limit; and

15 (b) For an existing or proposed visual runway:

16 (i) An approach zone extends from the operation zone to
17 the limits of the turning zone, measured along the extended runway
18 centerline. The approach zone is five hundred feet wide at the
19 end of the zone nearest the runway and expands uniformly so that
20 at a point on the extended runway centerline three miles from the
21 operation zone, the approach zone is three thousand seven hundred
22 feet wide; and

23 (ii) The height limit of an approach zone begins at the
24 elevation of the runway end for which it is the approach and rises
25 one foot vertically for every forty feet horizontally, except that
26 the height limit shall not exceed one hundred fifty feet above
27 the nearest existing or proposed runway end elevation within three

1 miles of the end of the operation zone at that runway end;

2 (5) Operation zone means a zone that is longitudinally
3 centered on each existing or proposed runway. An operation zone's
4 dimensions are as follows:

5 (a) For existing and proposed paved runways, the
6 operation zone extends two hundred feet beyond the ends of each
7 runway. For existing and proposed turf runways, the operation zone
8 begins and ends at the same points as the runway begins and ends;

9 (b) For existing and proposed instrument runways, the
10 operation zone is one thousand feet wide, with five hundred feet
11 on either side of the runway centerline. For all other existing
12 and proposed runways, the operation zone is five hundred feet
13 wide, with two hundred fifty feet on either side of the runway
14 centerline; and

15 (c) The height limit of the operation zone is the same as
16 the height of the nearest point on an existing or proposed runway
17 or the surface of the ground, whichever is higher;

18 ~~(4)~~ (6) Political subdivision means any municipality,
19 city, village, or county;

20 ~~(5)~~ (7) Person means any individual, firm, partnership,
21 limited liability company, corporation, company, association,
22 joint-stock association, or body politic and includes any trustee,
23 receiver, assignee, or other similar representative thereof;

24 ~~(6)~~ (8) Structure means any object constructed or
25 installed by man, including, but without limitation, buildings,
26 towers, smokestacks, and overhead transmission lines; and

27 (9) Transition zone means a zone that extends outward at

1 a right angle to the runway centerline and upward at a rate of one
2 foot vertically for every seven feet horizontally. The height limit
3 of a transition zone begins at the height limit of the adjacent
4 approach zone or operation zone and ends at a height of one hundred
5 fifty feet above the highest elevation on the existing or proposed
6 runway;

7 ~~(7) (10) Tree means any object of natural growth; and-~~

8 (11) Turning zone's outer limit means the area located
9 at a distance of three miles as a radius from the corners of
10 the operation zone of each runway and connecting adjacent arcs
11 with tangent lines, excluding any area within the approach zone,
12 operation zone, or transition zone. The height limit of the turning
13 zone is one hundred fifty feet above the highest elevation on the
14 existing or proposed runway.

15 Sec. 2. Section 3-303, Revised Statutes Cumulative
16 Supplement, 2010, is amended to read:

17 3-303 In order to prevent the creation or establishment
18 of airport hazards, every political subdivision that has adopted
19 a comprehensive plan and zoning regulations and has an airport
20 hazard area within the area of its zoning jurisdiction, shall
21 adopt, administer, and enforce, under the police power and in
22 the manner and upon the conditions hereinafter prescribed, airport
23 zoning regulations for such airport hazard area, which regulations
24 shall meet the minimum regulations as prescribed by the Department
25 of Aeronautics for the airport classifications for each airport and
26 may divide such area into zones and, within such zones, specify the
27 land uses permitted and regulate and restrict the height to which

1 the structures and trees may be erected or allowed to grow. Any
2 existing structure or tree in compliance on the effective date of
3 this act shall be deemed to be in compliance after the effective
4 date of this act if the structure or tree does not increase in
5 height.

6 Sec. 3. Original section 3-301, Reissue Revised Statutes
7 of Nebraska, and section 3-303, Revised Statutes Cumulative
8 Supplement, 2010, are repealed.