

**ORDINANCE NO. 2013-29**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, SECTION 90-710 PARKING REGULATIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska;

Section 1. The Planning Commission held a public hearing on May 6, 2013, and recommended amending Section 1-2 Definitions and Rules of Construction and Section 90-710 Parking Regulations of the Wayne Municipal Code, with the "Findings of Fact" being:

1. Staff recommendation; and
2. Consistency with the Comprehensive Plan and the current and future land use maps.

Section 2. That Chapter 90, Article VIII, Section 90-710 of the Wayne Municipal Code is amended as follows:

**Sec. 90-710**

**(b)** Minimum off-street parking and loading requirements. Off-street motor vehicle parking and loading space shall be provided on any lot, **OR THE TERRACE ADJACENT TO THE LOT**, on which any of the indicated structures and uses are hereafter established. These requirements are thus only applicable to construction of a new structure (regardless of whether or not another building previously existed on the property), when a structure's use changes from one use (as listed in the "Schedule of Minimum Off-Street Parking and Loading Requirements" in this chapter) to another, or to any existing multiple family structure to which an addition is constructed that results in more dwelling units than existed prior to the addition. Such space as defined in section 90-9 shall be provided with vehicular access to a street or an alley. A required loading space shall include a ten-foot by 50-foot space with a minimum of 14 feet of height clearance. The loading space shall be so located as to avoid undue interference with public use of streets, alleys and walkways. Minimum off-street parking and loading requirements, which shall be applicable in all zoning districts to the structures and uses indicated, shall be set forth in the following schedule of minimum off-street parking and loading requirements. If minimum off-street parking required in the schedule cannot be reasonably provided on the same lot, **OR THE TERRACE ADJACENT TO THE LOT**, on which the principal structure or use is conducted in the opinion of the board of adjustment, the board may permit such space to be provided on other off-street property, provided that such space lies within 400 feet of the entrance to such principal structure or use. **NON-RESIDENTIAL USES IN THE B-2 DISTRICT SHALL BE EXEMPT FROM THESE PARKING AND LOADING REQUIREMENTS.**

**FOR PURPOSES OF SECTION 90-710(b), TERRACE PARKING SHALL BE CONSIDERED OFF-STREET PARKING.**

**ANY CORNER LOT LOCATED IN A RESIDENTIAL ZONING DISTRICT SHALL ONLY USE THE TERRACE ADJACENT TO ONE OF THE LOT'S FRONT YARDS FOR TERRACE PARKING. TERRACE PARKING CONSTRUCTED BEFORE MAY 1, 2013 OR DESIGNED THROUGH A BUILDING PERMIT APPROVED BY MAY 1, 2013 SHALL BE EXEMPT FROM THIS RESTRICTON ON A CORNER LOT.**

Section 3. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law

PASSED AND APPROVED this 18<sup>th</sup> day of June, 2013.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk