

ORDINANCE NO. 2015-18

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY ADDING SECTION 90-121 PERMITTED CONDITIONAL USES; 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 March 2, 2015, and recommended adding Section 90-121 Permitted Conditional Uses to the Wayne Municipal Code, with the "Findings of Fact" being:

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

Section 2. That Chapter 90, Article III. Agricultural Districts, Division 2. A-1 Agricultural District, Section 90-121 Permitted Conditional Uses of the Wayne Municipal Code be added as follows:

Sec. 90-121 Permitted Conditional Uses

A building or premises in an A-1 district may be used for the following in conformance with the prescribed conditions:

1. Second Class Animal Production
  - a. Where the parcel is adjacent to the city limits or any R district, ~~and is less than 40 acres in size,~~
    - i. ~~One Two (± 2)~~ animal units per acre, **not to exceed 40 animal units.**
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
    - iv. **Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100' from any property line which borders the city limits or any R district, and at least 300' from a residential dwelling on another property.**
  - ~~b. Where the parcel is adjacent to the city limits or any R district, and is at least 40 acres in size,~~
    - ~~i. No more than 20 animal units~~ **Two (2) animal units per acre.**
    - ~~ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.~~
    - ~~iii. No more than 4 of those animal units may consist of chickens.~~
    - ~~iv. Any structure housing animals or any confined area must be at least 100' from any property line which borders the city limits or any R district.~~
  - c. Where the parcel is not adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One Two (± 2)~~ animal units per acre, **not to exceed 40 animal units.**
    - ii. No more than 10 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 10 of those animal units may consist of chickens.
    - iv. **Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100' from any property line which borders the city limits or any R district, and at least 300' from a residential dwelling on another property.**

d. Where the parcel is not adjacent to the city limits or any R district, and is at least 40 acres in size

- i. ~~No more than 80 animal units~~ **Two (2) animal units per acre.**
- ii. No more than 20 of those animal units may consist of turkeys, ducks, and geese combined.
- iii. No more than 20 of those total animal units may consist of chickens.
- iv. **Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100' from any property line which borders the city limits or any R district, and at least 300' from a residential dwelling on another property.**

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 21<sup>st</sup> day of April, 2015.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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