

**ORDINANCE NO. 2015-21**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE V. BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 1. B-1 HIGHWAY BUSINESS DISTRICT, SECTION 90-352 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 amending Section 90-352 Permitted Principal Uses and Structures of the Wayne Municipal Code, with the "Findings of Fact" being:

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

Section 2. That Chapter 90, Article V. Business and Commercial Districts, Division 1. B-1 Highway Business District, Section 90-352 Permitted Principal Uses and Structures of the Wayne Municipal Code is hereby amended as follows:

**Sec. 90-352 Permitted Principal Uses and Structures.**

The following shall be permitted as uses by right in a B-1 district:

1. Establishments which provide services or supply commodities primarily for the convenience of patrons traveling on state highways and major county road entrances to the city, including:
  - a. Building material sales, and non-livestock auction rooms, and monument sales.
  - b. Bus depots and transit stations.
  - c. Car/truck wash establishments, subject to section 90-355.
  - d. Commercial recreational facilities such as golf putting courses, golf driving ranges, drive-in movie theaters subject to section 90-355, riding stables, bowling alleys, and other similar recreational uses.
  - e. Construction sales and services.
  - f. Convenience stores, as defined in section 90-9.
  - g. Banks and other lending agencies, detached banking facilities, and automatic teller machines subject to section 90-355.
  - h. Equipment and supply rental establishments.
  - i. Feed and seed establishments.
  - j. Finance, insurance and real estate services.
  - k. Foodstores, delicatessens and supermarkets.
  - l. Freight terminals.
  - m. Garden centers, plant nurseries, and greenhouses.
  - n. Hotels and motels.
  - o. Ice cream and confectionery stores.
  - p. Miniwarehouses.
  - q. Model home displays and mobile and modular home sales.
  - r. Museums and art galleries.
  - s. Orchards, including the retail sales of produce with the retail sale of food items, nursery stock, Christmas trees, and gifts as accessory uses subordinate to the sale of produce.

- t. Public and private charitable institutions.
  - ~~u. Raising of crops, pasturing of livestock (in accordance with all other city ordinances) and other open space agricultural uses, but not including any confined livestock feeding or any agricultural related buildings.~~
  - v. Repair garages, automobile service stations, and major body repair, but not including the dismantling or wrecking of vehicles or the storage of damaged or inoperable vehicles.
  - w. Restaurants, eating establishments, cafes, and food services, subject to section 90-355.
  - x. Sales, rental and display of automobiles, trucks, large construction and earth-moving equipment and implements, campers, recreational vehicles, cycles, mobile homes, modular homes, boats, and farm machinery, provided that all servicing and maintenance shall be conducted entirely within completely enclosed buildings.
  - y. Service stations.
  - z. Stores or shops for the sale of goods at retail.
  - aa. Taverns and nightclubs.
  - bb. Theaters.
  - cc. Transportation warehousing.
  - dd. Wholesale sales and services.
- 2. Signs subject to section 90-713.
  - 3. Roadside rest areas.
  - 4. Video rental (General Public)

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