

ORDINANCE NO. 2015-23

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VI. INDUSTRIAL AND MANUFACTURING DISTRICTS, DIVISION 2. I-1 LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT, SECTION 90-482 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 90-482 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 VI. Industrial and Manufacturing Districts, Division 2. I-1 Light Industrial and Manufacturing District, Section 90-482 Permitted Principal Uses and Structures of the Wayne Municipal Code is hereby amended as follows:

Sec. 90-482 Permitted Principal Uses and Structures.

The following shall be permitted as uses by right in an I-1 district:

~~1. Agriculture, excluding the development or expansion of existing first, second or third class feedlots;~~ **Crop Production;**

2. Animal hospitals;
3. Automobile sales and services;
4. Automotive wash facilities;
5. Bottling works;
6. Building material sales, except for ready-mix concrete plants and similar uses which emit particulate, odor or smoke;
7. Carpenter, cabinet, plumbing or sheet metal shops;
8. Carpet and rug cleaning and repair services;
9. Disinfecting and exterminating services;
10. Dry cleaning, laundering and dyeing services;
11. Dyeing and finishing of textiles;
12. Educational and scientific research services;
13. Electrical sales and services;
14. Equipment rental and leasing services;
15. Farm machinery and equipment - retail;
16. Farm supplies - retail;
17. Feeds, grains and hay - retail;
18. Food lockers and storage services;
19. Freight forwarding services;
20. Furniture repair and reupholstering services;
21. Fur repair and storage services;
22. Garden centers and nurseries;

23. Gas utility maintenance yard;
24. Light manufacturing operation, provided such use complies with the performance standards set forth in section 90-714;
25. Landscape sales and services;
26. Mobile and modular home sales and manufacturing;
27. Newspaper publishing plants and commercial printing;
28. Photoengraving;
29. Photofinishing services;
30. Public and quasi-public uses of an educational, recreational or religious type, including public and parochial elementary schools and junior high schools, high schools, private nonprofit schools, churches, parsonages, and other religious institutions; parks and playgrounds;
31. (31) Public utility and public service uses;
32. Repair of electronics;
33. Recycling centers;
34. Service stations;
35. Stores or shops for the sale of industry goods at retail;
36. Telemarketing;
37. Telephone services;
38. Transportation warehousing;
39. wash services;
40. Veterinarian services;
41. Warehousing, storage and wholesale establishments except for products of a highly explosive, combustible or volatile nature;
42. Wholesale establishments except those which handle products of a highly explosive, combustible or volatile nature; and
43. Mini-Warehouses.
44. Adult Media Outlet, providing that these establishments are not located nearer than 500 feet of the following:
 - a. a church, synagogue, mosque, temple, or any other building which is used primarily for religious purposes and activities
 - b. a public or private educational facility including but not limited to child day care facility, nursery school, preschool, kindergarten, private school, elementary, intermediate, junior high, middle, or high schools, vocational schools, secondary schools, junior colleges, community colleges, universities, and shall include the school grounds of the above identified schools
 - c. any park, children's playground area, or youth sports complex including activity center
 - d. a property line of any lot devoted to a residential use
 - e. a hospital
 - f. a senior citizen center
 - g. a public library, or
 - h. any building owned and/or used by a political subdivision
 - i. In addition no adult oriented business of any type shall be located any closer than 1000 (feet) of any other adult oriented business.
 - j. No sexually explicit information, or images depicting nudity or partial nudity, shall be displayed exterior of a premise for the purpose of advertising or other notice to the public.

For purposes of the above, 500 feet shall be measured in a straight line, along the

pedestrian way, the shortest walking distance from the front or main door of the adult business to the front or main door of the use or uses identified above a. through g. one thousand feet shall be measured in a straight line regardless of surface obstructions.

45. Adult Sex Shop, providing that these establishments are not located nearer than 500 feet of the following:
- a. a church, synagogue, mosque, temple, or any other building which is used primarily for religious purposes and activities
 - b. a public or private educational facility including but not limited to child day care facility, nursery school, preschool, kindergarten, private school, elementary, intermediate, junior high, middle, or high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, community colleges, universities, and shall include the school grounds of the above identified schools
 - c. any park, children's playground area, or youth sports complex including activity center
 - d. a property line of any lot devoted to a residential use
 - e. a hospital
 - f. a senior citizens center
 - g. a public library
 - h. any building owned and/or used by a political subdivision
 - i. In addition, no adult oriented business of any type shall be located any closer than 1000 (feet) of any other adult oriented business.
 - j. No sexually explicit information, or images depicting nudity or partial nudity, shall be displayed exterior of a premise for the purpose of advertising or other notice to the public.

For the purposes of the above, 500 feet shall be measured in a straight line, along the pedestrian way, the shortest walking distance from the front or main doors of the adult business to the front or main door of the use or uses identified above a. through h. One thousand feet shall be measured in a straight line regardless of surface obstructions.

- 46. Light Industry
- 47. General Industry

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 21st day of April, 2015.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk