

ORDINANCE NO. 2015-31

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY AMENDING SECTION 90-115 CONDITIONS FOR GRANTING EXCEPTIONS; 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 90-115 Conditions for Granting Exceptions of the Wayne Municipal Code, with the "Finding of Fact" being staff's recommendation.

Section 2. That Chapter 90, Article III. Agricultural Districts, Division 2. A-1 Agricultural District, Section 90-115 Conditions for Granting Exceptions of the Wayne Municipal Code is hereby amended as follows:

Sec. 90-115 Conditions for Granting Exceptions

Notwithstanding the requirements of article XI of this chapter, the following regulations shall apply as minimum requirements for granting exceptions in the A-1 district.

- (1) Airport sites shall be so situated that the airport hazard area defined by the state department of aeronautics shall not include any existing obstruction regardless of public or private ownership of the airport.
- (2) Any use involving a business, service or process not completely enclosed in a structure, when located on a site abutting on or across a street or an alley from any residential district shall be screened by a solid fence or masonry wall or a compact growth of natural plant materials not less than six feet in height if the board of adjustment finds the use to be unsightly.
- (3) For First Class Animal Production there shall be no more than 999 animal units on any parcel, and any lagoon or confined feeding yard must be at least 1,000 feet from any residential dwelling located on another parcel.
- (4) For Stables, there shall be:**
 - i. No more than 2 animals per acre allowed outside of an enclosed building at any given time, with a maximum limit of 40 animals.**
 - ii. No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 100 feet of any property line which borders the city limits, any R District, or any A District.**
 - iii. No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 300 feet of a residential dwelling on another property when there are more than 15 animals associated with the use as a stable.**

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 16th day of June, 2015.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk