

**ORDINANCE NO. 2017-26**

**AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SPECIFICALLY SECTION 152.063 R-3 RESIDENTIAL DISTRICT AND SECTION 152.132 ACCESSORY 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. That Title XV, Chapter 152, Section 152.063 of the Wayne Municipal Code is hereby amended to read as follows:

**§ 152.063 R-3 RESIDENTIAL DISTRICT.**

(C) *Permitted accessory uses and structures.* The following are permitted accessory uses and structures in an R-3 District:

(1) Accessory uses and structures normally appurtenant to the permitted uses and structures; provided that:

(a) Collectively the area(s) occupied by all existing and proposed structures, do not exceed 50% of the entire lot area;

(b) Collectively the area of all accessory structures shall not exceed 1,064 square feet or 7% of the lot area up to 3,000 square feet, whichever is greater. **For multi-family dwellings, the area may exceed these limits, provided the area above these limits is for tenant use only. The total area of accessory structures for multi-family dwellings shall not exceed 300 square feet per sleeping room;** and

(c) Shall be in conformance with the provisions of § 152.132 of this chapter.

Section 2. That the Planning Commission held a public hearing on July 10, 2017, regarding this matter, and have recommended approval thereof subject to the following "Finding of Fact:"

a. Staff's recommendation

Section 3. That Title XV, Chapter 152, Section 152.132 (E) of the Wayne Municipal Code is hereby amended to read as follows:

**§ 152.132 ACCESSORY USES**

(E) *Unattached accessory use.* Any unattached accessory building(s) in combination with the principal or primary structure, in any R designated zoning district, shall not exceed a combined area greater than 50% of the lot area, provided the combined total area of all unattached accessory structures shall not exceed 1,064 square feet or 7% of the lot area up to 3,000 square feet, whichever is greater, except as allowed in § 152.064(C) for multi-family uses in an **R-3 or** R-4 District.

Section 4. That the Planning Commission held a public hearing on July 10, 2017, regarding this matter, and have recommended approval thereof subject to the following "Finding of Fact:"

➤ Staff's recommendation

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 1<sup>st</sup> day of August, 2017.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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