

**ORDINANCE NO. 2011-25**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 90, ARTICLE V BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 3. B-3 NEIGHBORHOOD COMMERCIAL DISTRICT, SECTION 90-428 MINIMUM YARD REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and City Council of the City of Wayne, Nebraska:

Section 1. That Chapter 90, Article V Business and Commercial Districts, Division 3. B-3 Neighborhood Commercial District, Section 90-428 Minimum Yard Requirements of the Wayne Municipal Code shall be amended as follows:

**Sec. 90-428. Minimum Yard Requirements**

The minimum requirements are as follows:

- (a) Front yard. In a B-3 district, there shall be a minimum front yard of not less than a depth of 80 feet from the centerline of a federal aid-primary ~~or federal aid-secondary~~ designated street or highway or 15 feet from the property line, whichever is greater. On all other streets or highways, there shall be a minimum front yard of not less than a depth of 15 feet from the property line. These yard requirements shall apply to any yard abutting a federal aid-primary ~~or federal aid-secondary~~ designated street or highway regardless of the lot's being an interior or corner lot.
- (b) Rear yard. The minimum rear yard abutting an R district shall be ten feet.
- (c) Side yard. The minimum side yard abutting an R district shall be ten feet.
- (d) Distance between structures. The minimum distance between a residential or other principal structure and another structure shall be ten feet.

Section 2. That the Planning Commission held a public hearing on October 3, 2011, regarding these amendments, and have recommended approval thereof subject to the following "Findings of Fact":

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

Section 3. Any other ordinance or section passed and approved prior to the passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this 15<sup>th</sup> day of November, 2011.

THE CITY OF WAYNE, NEBRASKA,

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

ATTEST:

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