

RESOLUTION # _____

A RESOLUTION AMENDING BY REFERENCE CERTAIN LANGUAGE IN THE MADISON COUNTY ZONING AND SUBDIVISION RESOLUTIONS UNDER THE AUTHORITY GRANTED BY SECTIONS 23-114.01 THROUGH 223-114.05 AND 23-165 OF THE REVISED STATUTES OF NEBRASKA, 1943.

WHEREAS, having received a recommendation for approval from the Madison County Joint Planning Commission and proper notice been given and public hearing held as provided by law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Madison County, Nebraska, hereby amends the Madison County Zoning and Subdivision Resolution by amending the following language into Article Four, Sub-sections 402, 403 and 404 New additional language is shown in *italics* and passages removed are shown as ~~stricken~~ as described in detail below.

402: AG1 Intensive Agriculture

Permitted Principal Uses

The following principal uses are permitted in the AG1 Intensive Agriculture District.

1. Agricultural operations, and the usual agricultural and farm buildings and structures, including the residences of the owners and their families and any tenants and employees who are engaged in agricultural operations on the premises.
 - a. All use of farm chemicals, including application of pesticides and herbicides, shall be governed by State Agencies and applicants using restricted-use pesticides shall be required to be certified as required by law.
 - b. The spreading of manure by a "Farming" Operation. (as defined in Article 2 of this Resolution) *and includes manure purchased or otherwise acquired from an AFO or CAFO located outside the county provided the AFO or CAFO includes in the Madison County ground in its Manure Management Plan.*

403: AG2 General Agriculture

Permitted Principal Uses

The following principal uses are permitted in the AG2 General Agriculture District.

1. Agricultural operations, and the usual agricultural and farm buildings and structures, including the residences of the owners and their families and any tenants and employees who are engaged in agricultural operations on the premises.
 - a. All use of farm chemicals, including application of pesticides and herbicides, shall be governed by State Agencies and applicants using restricted-use pesticides shall be required to be certified as required by law.
 - b. The spreading of manure by a "Farming" Operation. (as defined in Article 2 of this Resolution) *and includes manure purchased or otherwise acquired from an AFO or CAFO located outside the county provided the AFO or CAFO includes in the Madison County ground in its Manure Management Plan.*

404: AT Agricultural Transition

Permitted Principal Uses

The following principal uses are permitted in the AT Agricultural Transition District *except wherever otherwise prohibited:*

1. Agriculture, farming, dairy farming, livestock and poultry raising, and all uses commonly classed as agricultural, with no restrictions as to operation of such vehicles or machinery as are customarily incidental to such uses, and with no restrictions as to the sale or marketing of products raised on the premises; provided that the operation is no more than three hundred (300) Head Equivalent and, that any building, structure or yard for the raising, confinement, housing or sale of livestock or poultry shall be located at least one thousand three hundred twenty (1,320) feet from a neighbors dwelling, and further provided, that there shall be no feeding, spreading, accumulation or disposal of garbage, rubbish or offal on any open surface of the land. *Also includes spreading of manure by a "Farming" Operation. (as defined in Article 2 of this Resolution) and includes manure purchased or otherwise acquired from an AFO or CAFO located outside the county provided the AFO or CAFO includes in the Madison County ground in its Manure Management Plan.*

A duly advertised hearing has been held by the Madison County Joint Planning Commission and the Madison County Board of Commissioners after a recommendation for approval by the said Joint Planning Commission.

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that this Resolution shall take effect and be in force no sooner than the 16th day of September, 2008.

THIS RESOLUTION WAS ADOPTED at Madison, Nebraska this 16th day of September, 2008.

BOARD OF COMMISSIONERS
MADISON COUNTY, NEBRASKA

Chairman

Commissioner

Commissioner

ATTEST:

Madison County Clerk

Issued this 16th day of September, 2008

Madison County Zoning Administrator