

ORDINANCE NO. 771

AN ORDINANCE ADDING SECTION 620 OF THE GOTHENBURG
COMPREHENSIVE ZONING ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY
OF GOTHENBURG, NEBRASKA, AS FOLLOWS:

Section 1. Section 620 of the Gothenburg Comprehensive Zoning Ordinance is
hereby enacted and shall read as follows:

620 TOWERS

620.1 Intent and Applicability:

1. The following regulations shall govern the locations, areas, heights, and types of towers permitted within the zoning jurisdiction of this Ordinance.
2. All towers hereafter constructed, erected, or otherwise established, moved, altered or changed shall comply with these regulations.
3. After the effective date of this Ordinance, no tower shall be erected, moved, enlarged, constructed, reconstructed or otherwise installed without first obtaining a tower permit. A tower permit shall be legally issued only when in compliance with these regulations provided, however, that such State, County and Municipal towers installed for public purposes are exempt from these requirements.
4. Nonconforming towers existing at the time of enactment of this Ordinance may be repaired or maintained, but may not be otherwise established, moved, altered, or changed except in compliance with the provisions of this Ordinance.

620.2 District Regulations

1. AG Agricultural District- towers allowed under regulations as provided for in 620.3.
2. AG-1 Agricultural District- towers allowed under regulations as provided for in 620.3.
3. R-1, R-2, R-3 and R-4 Residential Districts-towers shall not be

allowed.

4. C-1 Central Business, C-2 Highway Commercial Districts- towers allowed under regulations as provided for in 620.3.
5. I-1 and I-2 Industrial Districts- towers allowed under regulations as provided for in 620.3
6. P Public Use Districts- towers allowed under regulations as provided for in 620.3.

620.3 Tower Regulations

1. All radio, television, microwave, cellular, or other towers more than (50) fifty feet shall not be constructed, erected, remodeled, relocated or expanded without the receipt of a special use permit as provided for under Article 7 of this Ordinance.
2. All radio, television, or other towers less than (50) fifty feet and for non-business or personal use shall not be considered towers for the purposes of this Ordinance. Any tower less than (50) fifty feet used for commercial purposes shall be considered a tower as provided for under 620.3.1.
3. Free-standing towers over (50) fifty feet shall be located so that the distance from the base of the tower to any adjoining property line or the supporting structure of a separate neighboring tower is a minimum of 100% of the tower height; except that any tower located adjacent to a residential area shall have a distance of 100% of the tower height, or 200 feet setback from the adjoining property, whichever is greater.
4. The tower installation shall be designed to be aesthetically and architecturally compatible with the built environment of the City of Gothenburg. The City encourages efforts to hide towers or restrict their visibility from public right-of-way or neighboring properties. Associated support buildings shall be designed with materials that are consistent with those in the surrounding neighborhood. Metal exteriors shall generally not be permitted for accessory support buildings.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this 21st day of May, 2002.

CITY OF GOTHENBURG,
DAWSON COUNTY,
NEBRASKA.

BY Larry Franzen
Larry Franzen, Mayor

ATTEST:

Connie Stull
Connie Stull, City Clerk

APPROVED AS TO FORM:

Steven P. Vinton
Michael L. Bacon, City Attorney
Steven P. Vinton