

ORDINANCE NO. 904

AN ORDINANCE OF THE CITY OF GOTHENBURG, AMENDING SUBDIVISION REGULATIONS RELATED TO PRIVATE STREETS IN SUBDIVISIONS OUTSIDE OF THE CITY LIMITS, TITLE XV, CHAPTER 151, SECTION 151.050 OF THE CODE OF ORDINANCES OF THE CITY OF GOTHENBURG, NEBRASKA,; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Title XV, Chapter 151, Section 151.050 of the Code of Ordinances of the City of Gothenburg, Nebraska is hereby amended to read as follows:

§ 151.050 STREET REGULATIONS.

(A) *Generally.* The arrangement, character, extent, width, grade, and location of all streets shall conform to the comprehensive development plan, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by the streets. A copy of Schedule A: Minimum Street Standards is included in [Appendix A](#).

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 530; Ord. 851, passed 8-4-2009, § 530)

(B) *Street extensions.* The street layout of the proposed subdivision shall provide for the continuation or appropriate projection of streets and alleys already existing in areas being subdivided. Where, at the determination of the Planning and Zoning Commission, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of the properties. Where the Planning and Zoning Commission deems it necessary, the dead-end streets shall be provided with a temporary turnaround having a radius of at least 50 feet. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall a street extension be of less width than the minimum width required in these regulations for a street in its category.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 531; Ord. 851, passed 8-4-2009, § 531)

(C) *Dedication of right-of-way for new streets.* The dedication of right-of-way for new streets measured from lot line to lot line shall be as shown on the comprehensive plan, or, if not shown thereon, shall meet the right-of-way requirements as provided in [Appendix A](#) of this chapter. All streets classified as arterial streets by the comprehensive plan shall have all points by access

approved by the Planning and Zoning Commission. Marginal access streets may be required by the Planning and Zoning Commission for subdivisions fronting on arterial streets.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 532; Ord. 851, passed 8-4-2009, § 532)

(D) *Dedication of right-of-way for existing streets.* Subdivisions platted along existing streets shall dedicate additional right-of-way width if necessary to meet the minimum street width requirements set forth in these regulations. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is on only one side of an existing street, one-half of the required right-of-way width, measured from the center line of the existing roadway, shall be dedicated. Dedication of one-half of the right-of-way for proposed streets along the boundaries of land proposed for subdivision shall be prohibited.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 533; Ord. 851, passed 8-4-2009, § 533)

(E) *Intersection.* Streets shall intersect as nearly as possible at an angle of 90 degrees, and no intersection shall be at an angle of less than 60 degrees. Street curb intersections shall be rounded by radii of at least 20 feet. When the smallest angle of street intersection is less than 75 degrees, the Planning and Zoning Commission may require curb radii of greater length. Wherever necessary to permit the construction of a curb having a desirable radius without reducing the sidewalk at a street corner to less than normal width, the property line at the street corner shall be rounded or otherwise set back sufficiently to permit the curb construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut, or other means of access to an arterial street within 75 feet of the right-of-way of any street which intersect the arterial street on the side on which the lot or parcel is located.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 534; Ord. 851, passed 8-4-2009, § 534)

(F) *Horizontal and vertical street curves.* A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets. Where there is a deflection angle of more than ten degrees in the alignment of a street, a curve with a radius adequate to ensure safe sight distance shall be made. The minimum radii of curves provided in Schedule A of these regulations shall be required. Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of 200 feet, the sight distance being measured from a driver's eyes, which are assumed to be four and one-half feet above the pavement surface, to an object four inches high on the pavement. Profiles of all streets showing natural or finished grades, drawn to an approved scale, may be required by the Planning and Zoning Commission.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 535; Ord. 851, passed 8-4-2009, § 535)

(G) *Cul-de-sacs.* Minor terminal or dead-end streets or courts which are designed so as to have one end permanently closed shall not be longer than 600 feet and shall be provided at the closed end with a turn-around having a radius at the outside of the pavement of at least 50 feet and a radius at the outside of the right-of-way of at least 60 feet.

(Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 536; Ord. 851, passed 8-4-2009, § 536)

(H) *Street names.*

(1) Proposed streets which are in alignment with other already existing and named streets shall bear the names of the existing streets. The name of a proposed street which is not in alignment with an existing street shall not duplicate the name of any existing street, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, land, road, pike, highway, parkway, or similar suffix.

(2) To avoid duplication and confusion, the proposed names of all streets shall be approved by the Planning and Zoning Commission prior to the names being assigned or used. (Ord. 628, passed 7-11-1995; Ord. 816, passed 6-19-2007, § 537; Ord. 851, passed 8-4-2009, § 537)

(I) *Private streets and reserve strips.* There shall be no private streets platted within a subdivision. **Provided, however, the City Council may approve private streets in subdivisions that lie within the zoning jurisdiction of the City, but are located outside of the City limits.** There shall be no reserve strips in a subdivision except where their control is definitely vested in the municipality or county under conditions approved by the Planning and Zoning Commission as authorized in these regulations.

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 ¹⁶ day of December, 2014.

CITY OF GOTHENBURG, DAWSON
COUNTY, NEBRASKA

BY Joyce E. Hudson
Joyce Hudson, Mayor

ATTEST:

Connie L. Dalrymple
Connie Dalrymple, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon
Michael L. Bacon
City Attorney