

ORDINANCE 1016

AN ORDINANCE AMENDING TITLE XV, CHAPTER 152, AMENDING SECTION 152.020 OF THE GOTHENBURG CODE OF ORDINANCES; AMENDING PROVISIONS FOR R-1 RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Title XV, Chapter 152, Section 152.020 of the Gothenburg Code of Ordinances is hereby amended to read as follows:

§ R-1 RESIDENTIAL DISTRICT.

(A) *Intent.* This district is intended to provide residential use with a gross density of two to three dwelling units per acre.

(B) *Permitted principal uses and structures.* All residential property located within the R-1 Residential District, shall meet design standards in § 152.063. The following shall be permitted as uses by right:

- (1) Single-family dwellings;
- (2) Manufactured homes which comply with the provisions of § 152.058; and
- (3) Group homes.

(C) *Permitted accessory uses and structures.* The following accessory uses and structures shall be permitted: accessory uses and structures normally appurtenant to the permitted principal uses and structures and to permitted special uses and structures permitted as exceptions, when in accordance with the provisions of § 152.041.

(D) *Permitted special uses.* A building or premises may be used for the following purposes in the R-1 Residential District if a special permit for the use has been obtained in accordance with §§ 152.075 and 152.076:

- (1) Public and quasi-public uses of an educational, recreational, or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; churches, parsonages, and other religious institutions;
- (2) Public uses of an administrative, public service, or cultural type including city, county, state, or federal administrative centers and courts, libraries, police and fire stations and other public buildings, structures, and facilities;
- (3) Electrical distribution substations, gas regulator stations, communication equipment buildings, public service pumping stations, and/or elevated pressure tanks;
- (4) Inconspicuous home occupation, which comply with the provisions of § 152.055;

- (5) Short-term rentals;
- (6) Bed and breakfast guest houses;
- (7) Alternative energy systems utilizing biomass, geothermal, hydropower, solar and/or wind sources in conformance with "Net Metering" per Neb. RS §§ 70-2001 to 70-2005 (August 30, 2009, as amended). Individual or small wind energy conversion systems (SWECS) shall also be in conformance with the provisions of § 152.063;
- (8) Child care centers that are located within buildings that are permitted or currently grandfathered as uses as defined in division (D)(1) above; and
- (9) Alternative energy systems not exceeding 25KW which utilizes biomass, geothermal, hydropower, solar and/or wind sources in conformance with "Net Metering" as defined in Neb. RS 70-2001 to 70-2005.

(E) *Prohibited uses and structures.* All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the R-1 Residential District.

(F) *Height and area regulations.* The maximum height and minimum lot requirements within the R-1 Residential District shall be as follows:

| | <i>Lot Area (sq. ft.)</i> | <i>Lot Width</i> | <i>Required Front Yard</i> | <i>Required Side Yard</i> | <i>Required Rear Yard</i> | <i>Height</i> |
|----------------------------|-------------------------------|----------------------|--------------------------------|-------------------------------|---------------------------------------|---------------|
| Dwelling, single-family | 12,000 feet* | 85 feet | 25 feet | 10 feet | Smaller of 30 feet or 20% of depth | 35 feet |
| Other permitted uses | 12,000 feet | 85 feet | 25 feet | 10 feet | Smaller of 30 feet or 20% of depth | 35 feet |

Notes:

* Single-family dwellings and vacant platted lots in existence within the R-1 Residential District as of January 20, 2014 are exempt from the minimum lot area and width requirements. As long as the yard setbacks and height requirements are met; the dwellings may continue as permitted principle structures and not be classified as structures on non-conforming lots of record. Dwellings planned to be constructed on lots platted after January 20, 2014 shall meet all requirements of the above table.

(G) *Maximum lot coverage.* 35%.

(H) *Design Standards.* All residential property located within the R-1 Residential District, shall meet design standards in § 152.063.

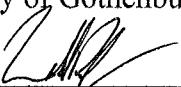
Section 2. A copy of prior Section 152.020 is attached hereto as Exhibit A and incorporated herein by this reference.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective after its posting and publication as provided by law. Passed and approved this 17th day of January, 2023.

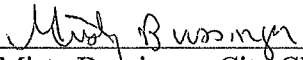


City of Gothenburg



Will Rahjes, Mayor

ATTEST:



Misty Bussinger, City Clerk

APPROVED AS TO FORM:



Michael L. Bacon, City Attorney