

ORDINANCE 1017

AN ORDINANCE AMENDING TITLE XV, CHAPTER 152, AMENDING SECTION 152.021 OF THE GOTHENBURG CODE OF ORDINANCES; AMENDING PROVISIONS FOR R-2 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 152.021 of the Gothenburg Code of Ordinances is hereby amended to read as follows:

§ R-2 RESIDENTIAL DISTRICT.

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

(B) *Permitted principal uses and structures.* All residential property located within the R-2 Residential District, shall meet design standards in § 152.063. The following shall be permitted as uses by right:

- (1) Single-family dwellings;
- (2) Two-family, duplex dwellings;
- (3) Multi-family dwellings and/or townhouses;
- (4) Manufactured homes which comply with the provisions of § 152.058; and
- (5) 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-2 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; nursery schools, private nonprofit schools, churches, parsonages, and other religious institutions;
- (2) Public and private charitable institutions;
- (3) 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;

- (4) Electrical distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations, and/or elevated pressure tanks;
- (5) Home occupations, which comply with the provisions of § 152.055;
- (6) Child care center;
- (7) Short-term rentals;
- (8) Bed and breakfast guest houses;
- (9) Mortuaries; and
- (10) 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.

(11) 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.

(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-2 Residential District.

(F) *Height and area regulations.* The maximum height and minimum lot requirements within the R-2 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	7,500	50 feet	25 feet	10 feet	Smaller of 30 feet or 20% of depth	35 feet
Dwelling, two-family/ duplex	5,250 per family	35 feet per family	25 feet	10 feet	Smaller of 30 feet or 20% of depth	35 feet
Dwelling, multi-family	2,625 per family	70 feet	25 feet	10 feet	Smaller of 30 feet or 20% of depth ⁽¹⁾	45 feet
Other permitted uses	7,500	50 feet	25 feet	10 feet	Smaller of 30 feet or 20% of depth ⁽¹⁾	35 feet

⁽¹⁾ Buildings and structures exceeding one story shall provide an additional five-foot setback for every ten feet of building height above the first story.

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

(H) All residential property located within the R-2 Residential District, shall meet design standards in § 152.063.

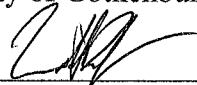
Section 2. A copy of prior Section 152.021 is attached hereto as Exhibit A and incorporated herein by this reference.

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.

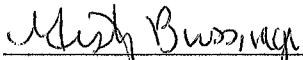


City of Gothenburg



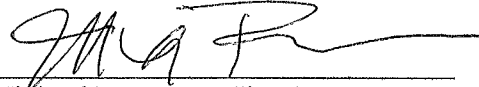
Will Rahjes, Mayor

ATTEST:



Misty Bussinger, City Clerk

APPROVED AS TO FORM:



Michael L. Bacon, City Attorney