ARTICLE 6

SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 601. HEIGHT REGULATIONS

Chimneys, cooling towers, elevator headhouses, fire tower's, grain elevators,

monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental

towers and spires, church steeples, radio and television tower's, antennas or

necessary mechanical appurtenances, usual required to be placed above the roof

level and not intended for human occupancy, are not subject to the height

limitations contained in the District Regulations. In all districts, two (2) additional

feet of height above the specified height limitation shall be permitted for each one

foot of additional front yard provided over the minimum requirement.

SECTION 602. YARD REGULATIONS

A. FRONT YARDS. The front yards in residential districts only heretofore established

shall be adjusted in the following cases;

1. Where 50 percent or more of the frontage on one side of a street between two

intersecting streets is developed with buildings that have observed a front yard

with greater or smaller than required then:

a. Where a building is to be erected on a parcel of land that is within 100 feet

of existing buildings on both sides, the minimum front yard shall be in line

drawn between the two closest front corners of adjacent buildings on the

two sides, or

b. Where a building is to be erected on a parcel of land that is within 100 feet

of an existing building on one side only, such building may be erected as

close to tile street as the existing adjacent building upon approval of the

governing body or their appointed representatives.

B. ACCESSORY STRUCTURESIDUILDINGS.

1. No accessory structures/buildings or uses shall be erected or installed in any

required front or side yard, and no detached accessory structures shall be

erected closer than four (4) feet to any other building, from foundation to

foundation with a minimum of two (2) feet between vertical planes of

architectural projection of the building. The side walls shall not exceed fourteen

(14) feet in height. Accessory structures may be located in the rear yard but

shall not be closer than four (4) feet to the rear and four (4) feet to the side lot

lines.

If an accessory structure has a vehicular alley entrance that is perpendicular to

the alley line, the setback of the structure shall not be less than twelve (12) feet

from the alley line. (Ordinance # 524 & #531)

2. Accessory structures or private garages (nonconforming at the inception of these

regulations) that are replaced exactly on the same concrete foundation, within

one (1) year, shall not be required to meet the same setbacks as newly erected or

installed accessory structures. It must be replaced with the same size building

footprint as the original accessory structure and cannot be expanded upon.

(Adopted 8/26/98 by Ord. # 406)

SECTION 603. SIGHT TRIANGLE

On a corner lot in all districts, except the "C-1" and “C-2” Business Districts

development shall conform to the requirement of the Sight Triangle defined by this

regulation.

SECTION 604. ACCESS TO BUSINESS AND INDUSTRIAL DISTRICTS

No land which is located in a residential district shall be used for a driveway,

walkway or access to any land which is located in any business or industrial district.

SECTION 605. HOME OCCUPATIONS

Home occupations shall be permitted in the “A-1”, “I-D”, “C-1”, “C-2”, “R”,

“S-R”, and “M-P” Districts.

A. RESTRICTIONS AND LIMITATIONS.

1. A home occupation shall be incidental and subordinate to the principal

residential use of the premises and not more than twenty-five (25%)

percent of the floor area of anyone floor of the dwelling unit, or one room,

whichever is smaller, within the primary structure. (Adopted 8/26/98 by

Ord. #406)

2. No outdoor storage of materials or equipment used in the home

occupation shall be permitted.

3. No alteration(s) of the exterior of the principal residential building or

accessory building shall be made which changes the appearance as a

residence. (Adopted 8/26/98 by Ord. #406)

4. A sign shall not exceed two (2) square feet in area, shall not be

illuminated, and shall be placed flat against the main wall of the

building.

5. No person shall be engaged in such home occupation other than a person

occupying such dwelling unit as their residence.

6. No equipment shall be utilized that creates a nuisance due to noise or

electrical interference.

7. A home occupation, in a detached accessory structure, may be of any

square footage, providing all setbacks and building restrictions are met.

(Adopted 8/26/98 by Ord. #406)

B. PARTICULAR HOME OCCUPATIONS PROHIBITED.

Home occupations prohibited. Home occupations shall not, in any event,

include the following:

1. Groceries-retail.

2. Equipment rental.

3. Automobile, truck and vehicle repair services.

4. Machine shops.

5. Welding shops.

6. Restaurants.

7. Fireworks sales.

8. Any use which by its flow of vehicular traffic creates an unsafe,

hazardous or congested traffic condition.

9. Any use listed in "I-D" Industrial District.

SECTION 606. TEMPORARY USES PERMITTED

A. STREET SALES. The retail sale of merchandise not within an enclosed

structure for a period not to exceed four (4) days. Street sale displays need

not comply with the yard and setback requirements of these regulations,

provided that no merchandise shall be displayed in the Sight Triangle.

B. CHRISTMAS TREE SALES. Christmas tree sales in any business or

industrial district for a period not to exceed sixty (60) days. Display of

Christmas trees need not comply with the yard and setback requirements of

these regulations, provided that no trees shall be displayed in the Sight

Triangle.

C. CONTRACTOR'S OFFICE. Contractor's office and equipment sheds

(containing no sleeping or cooking accommodations) accessory to a

construction project site and to continue only during the duration of such

project.

D. REAL ESTATE OFFICES. Real estate offices (containing no sleeping or

cooking accommodations unless located in a model dwelling unit) incidental

to a new housing development to continue only until the sale or lease of all

dwelling units in the development.

E. SEASONAL SALES. Seasonal sales of farm produce grown on the premises

in an "A-1" District. Structures incidental to such sale need not comply with

the applicable front yard requirements if the structures are removed or

moved back of the required front yard setback line at the end of the season

during which they are used. All permanent structures must comply with the

front yard requirements.

F. CARNIVALS AND CIRCUSES. A carnival or circus, but only in "A-1", "C-2"

or "I-D" Districts, and then only for a period that does not exceed one (1)

week. Carnivals and circuses must be approved by the Village Board. Such

use need not comply with the front yard requirements, provided that

structures or equipment which might block the view of operations of motor

vehicles on the public streets shall conform to the requirements of the Sight

Triangle as defined by these regulations.

G. GARAGE OR PORCH SALES. The sale of used or second-hand merchandise

shall be permitted in any district providing that such shall not exceed three

(3) consecutive days in duration nor shall it occur more than twice each year

at any particular location. A 2' x 3' sign shall be permitted during the

duration of the sale.

H. AWNINGS/TENTS. Approved for the above uses (Section 606-G)

SECTION 607. AREA REQUIREMENTS

In no case shall any structure be located on a lot less than one (1) acre if it is not

connected to a public sewer system.

SECTION 608. OPEN STORAGE

The storage of salvage or scrap materials, unlicensed and/or inoperable motor

vehicles, household goods or furniture, or business equipment or materials shall be

regulated by the Village of Sutherland's Nuisance Ordinance.

SECTION 609. DETERMINATION OF BUILDING SETBACK LINE

The building setback line shall be determined by measuring the horizontal distance

between the property line and the vertical plane of the architectural projection of the

existing or proposed structure nearest the property line.

SECTION 610. FENCES

Except as otherwise specifically provided in other codes and regulations, the

following regulations shall apply to the construction offences:

A. No fence shall be constructed which will constitute a traffic hazard.

B. No fence shall be constructed in such a manner or be of such a design as to be

hazardous or dangerous to persons or animals.

C. No person shall erect or maintain any fence which will materially damage the

adjacent property by obstructing the view, shutting out the sunlight or

hindering ventilation or which fence shall adversely affect the public health,

safety and welfare.

D. No fence, except fences erected upon public or parochial school grounds or in

public parks and in public playgrounds shall be constructed of a height greater

than four (4) feet or 48" for open fences in the front yard or eight (8) feet

elsewhere; provided, however, that the Planning Commission may, as

conditional, recommend the construction of a fence higher than eight (8) feet if

it finds the public welfare is served.

E. No perimeter fence shall be constructed without first obtaining a “no fee”

perimeter fence permit.

F. An agricultural electric fence for the purpose of keeping livestock confined shall

be allowed without a perimeter fence permit as long as it meets the above fence

regulations in the "A-1", "S-R" and the "I-D" Districts.

G. All fences shall be constructed of material compatible with the neighborhood.

H. Those fences required to have a density of ninety (90%) percent or more shall

have the density checked by the Permit Inspector and/or Planning Commission.

SECTION 611. RECREATIONAL VEHICLE

No recreational equipment shall be utilized for living, sleeping or housekeeping

purposes when parked on a residential lot or in any location not approved for such

use for a period not exceeding ten (10) days except for temporary out of town guests

for a reasonable length of time not to exceed thirty (30) days.

SECTION 612. NUMBER OF EMPLOYEES

Whenever the number of employees is restricted in connection with any uses in the

neighborhood shopping or commercial districts, such maximum number applies only

to employees principally engaged in delivery or similar activities.

SECTION 613. RADIO AND TELEVISION TOWERS

Radio and television towers shall be permitted in any commercial, industrial or

agricultural districts providing the height of said radio or television tower does not

conflict with any airport approach or landing zone or with any other City

Ordinances. In all other districts, radio and television towers may only be permitted

as a conditional use.

SECTION 614. PERIMETER DRIVEWAY AND WALKS

Perimeter driveway and walks require a no fee Sidewalk Permit.

SECTION 615. MINIMUM BUILDING REQUIREMENTS

No building or structure shall be erected or moved into the Village of Sutherland's

zoning area with less than the following:

MINIMUM BUILDING REQUIREMENTS FOR RESIDENTIAL,

MANUFACTURED AND MODULAR UNITS:

1. All dwelling units shall provide a minimum floor area, exclusive or porches,

breezeways and garages, as follows:

Type of Dwelling Unit Minimum Area

Single-family 600 square feet

Two-family 600 square feet

Multi-family 480 square feet

2. The home shall have no less that (18) eighteen-foot exterior width, with the

exception of Mobile Homes located in Mobile Home Parks or Suburban

Residential District (amended 10/2008).

3. The exterior material shall be material, comparable with those existing in

residential site-built, single-family construction.

4. The home shall have a non reflective roof material.

5. All wheels, axles, transporting lights and removable towing apparatus

necessary for transporting the home shall be removed.

6. Every dwelling unit shall be provided with at least one operational water

closet, which water closet shall be located within the dwelling and in a room

which affords privacy and shall be connected to an approved sewer system as

defined by the Nebraska Health Standards.

7. Every dwelling unit shall contain a kitchen sink which is connected to running

water and an approved sewer system.

8. No basement or cellar shall be occupied for residential purpose until the main

portion, above ground (in a conventional house) is completed.

9. Nothing in this subsection shall be deemed to supersede any valid restrictive

covenants of record.

C. MINIMUM REQUIREMENTS FOR MOBILE HOMES:

Mobile homes which complies with the National Mobile Home Construction and

Safety Standards adopted by the U.S. Department of Housing and Urban

Development and which meet the Appearance Criteria as follows:

1. Roofing Material. The roofing material must be compatible with residential

construction within the area in which it is located.

2. Exterior Finish. The exterior material shall be of color, material and scale

comparable with those existing in residential construction and in no case shall

the degree of reflectivity of exterior finishes exceed that of gloss white paint.

Skirting, Siding, trim and features should be compatible.

3. Length-width ratio. The main portion of the homes shall have a building length

not exceeding five (5) times the building width.

MOBILE HOMES INSTALLATION.

A. Skirting. The skirting of all mobile homes and manufactured homes is

required. Such skirting shall not attach a mobile home permanently to the

ground, but shall be sufficient to withstand wind load requirements and

shall not provide a harborage for junk or rodents.

It is to be of a rigid material which does not create a fire hazard.

Rigid foam insulation, "chipboard", "flakeboard", masonite or any other

wood sheeting products are not permitted skirting materials.

The skirting must be continuous from the ground to the bottom edge of the

mobile home or manufactured home. Removable or hinged access panels in

the skirting must be provided for sufficient access to all utility connections

located within the skirting. The skirting must be maintained in GOOD

REPAIR AT ALL TIMES.

Any skirting material which is not sufficiently rigid must be attached to a

rigid framing system. All manufactured homes shall be skirted within

thirty (30) days of placement.

B. Chassis removal. The home shall have wheels, transporting lights and

tongue apparatus removed, and shall remain classified as a manufactured

home.

C. Anchoring. Anchoring devices shall be placed in accord with individual

insurance company requirements.

D. Stairs, landings and exits. All exits from mobile homes shall be provided

with the safe and adequate stairs, handrails and landing. The minimum

landing shall 30" square. If the entry/exit door exceeds 30" in width, the

minimum landing size shall conform to the width of the door or 30",

whichever is greater. Landings which require access by four (4) or more

risers are required to have a handrail and railing. Stair construction shall

have a maximum rise of 8" and a minimum tread of 9".

E. Required Permits. A separate Site Plan & Land Use Permit is required to

construct an accessory building, deck, patio cover, room addition or porch.

EXISTING MOBILE HOMES AND MANUFACTURED HOMES. Any

manufactured home in place in "R" District prior to the adoption of this

Ordinance is permitted, but upon replacement it shall be upgraded to

these regulations.

SECTION 616. ALTERNATIVE ENERGY SYSTEMS TO SUPPLEMENT PUBLIC

UTILITY SERVICE:

(Amended Ord. “A”, 2011)

The following provisions are to be utilized in conjunction with Nebraska State

Statues “70-2001 to 2005 - Effective Date: August 30, 2009,” commonly known as

“Net Metering.” Alternative energy sources are limited to methane, wind, solar,

biomass, hydropower resources, or geothermal. One or multiple alternative energy

sources may be used by a resident to supplement their household’s reliance on the

local or regional electricity provider.

1. Application Requirements for Alternative Energy Systems.

A. A survey map at an appropriate scale identifying: site boundary; adjacent

public right-of-way; existing structures; proposed alternative energy

system and accessory structures; adjacent ownership and existing

residences; any overhead utility lines.

B. Applicant shall provide documentation containing:

1. Small wind energy system specifications including manufacturer

and model, rotor diameter, tower height, tower type (freestanding

or guyed); documentation to establish that the tower has sufficient

structural integrity for the proposed use at the proposed location;

certification that the small wind energy system complies with all

applicable state construction and electrical codes and the National

Electrical Code.

2. All components of any alternate energy system shall be located

within the lot setbacks, and maximum height limits of the District

in which the property is located. If sufficient land area is

available, the height of a small wind energy system may exceed

the maximum height limit of the District it is located when the

radius of a circle equal to twice the height of the tower fits within

the setbacks of a parcel, or multiple adjacent parcels under same

ownership.

2. General Site and Design Standards.

A. Located on a legal lot(s) or parcel(s) of record in the Village of Sutherland,

identifiable on the Village Plat Map or within the One-Mile Planning

Jurisdiction.

B. Setback from property lines, public rights-of-way, and access easements

shall be at least height of the tower of a small wind energy system. All

other Alternative Energy Systems shall meet the height and setback

requirements of the Zoning District in which there located.

C. Turbines and towers must be painted or coated in a non-reflective white,

grey, or other neutral color and shall not used to display advertising.

D Small wind energy systems shall not be artificially lighted unless such

lighting is required by the Federal Aviation Administration (FAA).

E. All electrical wires associated with a alternative energy system other than

the wires necessary to connect the generator to the tower wiring, the

tower wiring to the disconnect junction box, and the grounding wires,

shall be located underground.

F. The maximum distance between the ground and the tip of the rotor blade

of a small wind energy system, shall be thirty (30) feet.

G. All ground mounted electrical and control equipment must be labeled and

secured to prevent unauthorized access. A tower may not have step bolts

or a ladder within eight (8) feet of the ground that is readily accessible to

the public.

H. The owner of any alternative energy system shall minimize or mitigate

any interference with electromagnetic communications, such as radio,

telephone or television signals caused by the energy system.

I. Construction access must be re-graded and re-vegetated to minimize

environmental impacts.

J. Alternative Energy System applications must include an agreement that

addresses decommissioning and abandonment of the facility. The

agreement must at a minimum provide for reuse or dismantlement of the

facility at the owner’s expense.

SECTION 616.5 COMMERCIAL WIND ENERGY CONVERSION SYSTEMS

In order to balance the need for clean, renewable energy resources with the

protection of the health, safety, and welfare of the residents of Sutherland,

Nebraska, finds these regulations are necessary in order to ensure that all

commercial wind energy conversion systems (CWECS) are appropriately designed,

sited, and installed. (See #6. below for Definitions)

A. Application Requirements

The applicant for a conditional use permit for construction of a CWECS shall

file an application with the Zoning Administrator. The application shall

include the name(s) of the project applicant(s), the name of the project

owner(s), and the legal description and address for the project. The

application shall also include the following documents:

1. Survey map illustrating the following:

a. Property lines, dimension, acreage and contours with appropriate

intervals for site evaluation;

b. Location and elevation of all components of the proposed CWECS;

c. Location and dimensions of all existing structures and uses on

property within three hundred (300) feet of the system;

d. Height of any structures over thirty-five (35) feet within a five

hundred (500) foot radius on site or offsite of the proposed CWECS;

e. Location of any overhead utility lines on the property;

f. Location of all known communications towers within two (2) miles of

the proposed CWECS

g. Access roads;

h. Adjacent ownership, land uses, existing residences, schools, churches,

hospitals, public libraries, federal, state, county or local parks,

recognized historic or heritage sites, identified wildlife preserves, or

habitat areas to a distance of 2,640 feet (one-half mile).

2. Applicant shall identify potential effects in terms of constraints or

benefits the wind energy facility may place on current or future use of the

land within the project site and the surrounding area. The extent of any

limitations due to public health and safety risks shall be specifically

addressed, and the effects on the following activities shall also be

addressed:

a. Existing or proposed tourist or recreation activities;

b. Residential activities;

c. Industrial activities;

d. Agricultural activities;

e. Commercial activities

3. Soil erosion, sediment control, and storm water runoff plan shall address

what types of erosion control measures will be used during each phase of

the project. It shall identify plans for:

a. Grading;

b. Construction and drainage of access roads and turbine pads;

c. Design features to control dust;

d. Design features to maintain downstream water quality;

e. Re-vegetation to ensure slope stability;

f. Restoring the site after temporary project activities;

g. Disposal or storage of excavated materials;

h. Protecting exposed soil;

i. Stabilizing restored material and removal of silt fences or barriers

when the area is stabilized; and

j. Maintenance of erosion controls throughout the life of the project.

4. Applicant shall provide information regarding flora and fauna of the

proposed project area including:

a. Officially listed threatened or endangered species;

b. Critical habitat and habitat conditions;

c. An avian study based on the US Fish and Wildlife Services “Interim

Guidelines to Avoid and Minimize Wildlife Impacts from Wind

Turbines”

5. Standard drawings of the structural components of the CWECS, including

structures, tower, base, and footings.

6. Certification by a registered engineer that:

a. There is a substantial need for the proposed use or CWECS, one

hundred (100) kW or greater;

b. All applicable local, state, and federal building, structural and electrical

codes have been followed;

c. The site is feasible for a CWECS; the CWECS can be successfully

operated in the climate conditions found in Lincoln County;

d. The rotor and over speed control have been designed for the proposed

use on the proposed site;

e. The design and safety of the proposed tower to withstand winds of

ninety (90) miles per hour; and

f. If the wind turbine were to fall, no building or structure, existing or

potential, would be damaged.

B. General Site and Design Standards

1. CWECS shall be located on a parcel of at least ten (10) acres in size.

2. CWECS shall be designed and placed in such a manner as to minimize to

the greatest extent feasible, adverse visual and noise impacts on adjacent

areas. This shall include documentation of:

a. Noise levels conforming to the International Electromechanical

Commission (IEC) Standard 61400-11 part 11; and

b. Projections of the “shadow flicker” on any existing structures located

off the property on which the CWECS will be constructed and the

extent and duration of the shadow flicker on these existing structures.

3. CWECS shall maintain a minimum setback distance from any property

lines of two (2) times the combined height of the tower and blade.

4. CWECS shall maintain a minimum setback distance from any public road

or highway of at least two (2) times the combined height of the tower and

blade.

5. In no case shall a CWECS be located within any required setback or in

any front yard area.

6. If an aggregated project, setbacks from participating property owners

shall be one and one-tenth (1.1) times the height of the total system.

7. Structures for wind turbines shall be self-supporting tubular towers

painted a neutral color such as white or pale gray. No lattice structure

shall be used. No logos or advertisements are allowed on these structures.

Each turbine shall be marked with a visible identification number located

no higher than fifteen (15) feet above ground level.

8. Colors and surface treatment of the CWECS and supporting structures

shall, to the greatest extent possible, minimize disruption of the natural

characteristics of the site.

9. Reasonable measures shall be taken to mitigate specific adverse visual

impacts such as reflections, shadow flicker, and blade glint affecting

residences within or immediately adjacent to the project area.

10. Appropriate landscaping shall be provided to screen accessory structures

from roads and adjacent residences

11.CWECS shall be equipped with air traffic warning lights or other marking

lights only if so required by the Federal Aviation Administration and in

which event, such light should be positioned or shielded to avoid visual

impact on neighboring properties, and shall be a white flashing light from

daylight till twilight and a steady red light night time.

12. The applicant shall minimize or mitigate any interference with

electromagnetic communications, such as radio, telephone or television

signals caused by any wind energy facility.

C. Construction and Operations

1. All county roads to be used for the purpose of transporting CWECS,

substation parts, cement or equipment for construction, operation, or

maintenance of the CWECS shall be identified and applicable weight and

size permits from the impacted road authority(ies) shall be obtained prior

to construction

2. The CWECS owner shall be responsible for immediate repair of damage

to public roads and drainage systems stemming from construction,

operation, or maintenance of the CWECS

3. Solid and hazardous wastes, including but not limited to crates,

packaging materials, damaged or worn parts, as well as used oils and

lubricants shall be removed from the site promptly and disposed of in

accordance with all applicable local, state, and federal regulations.

D. Safety Measures

1. Each CWECS shall be equipped with both manual and automatic controls

to limit the rotational speed of the rotor blade so it does not exceed the

design limits of the rotor.

2. The Planning Commission shall determine the height, color, and type of

fencing for the CWECS installation. CWECS shall include no sign or

advertising of any kind, except for one sign not to exceed two (2) square

feet posted at the base of the tower, electrical equipment, and entrances.

The sign shall contain the following information:

a. Warning – high voltage

b. Manufacturer’s name

c. Operator’s name

d. Emergency phone number

e. Emergency shutdown procedures

3. Each CWECS shall be properly grounded to safely sustain natural

lightning strikes in conformance with the National Electric Code.

4. Any CWECS facility shall be equipped with anti-climbing devices. Tower

climbing apparatus shall not be located within fifteen (15) feet of the

ground. Where the tower is capable of being climbed, a locked, protective

fence at least six (6) feet high shall enclose the tower.

5. The minimum distance between the ground and any part of the rotor

blade system shall be thirty (30) feet.

6. The CWECS operator shall maintain a current insurance policy which

will cover installation, operation, and any possible damage or injury that

might result from the failure of a tower or towers or any other part or

parts of the generation and transmission facility. The amount of said

policy shall be established as a condition of approval. The CWECS shall

be warranted against any system failures reasonably expected in severe

weather operation conditions

E. Discontinuation and Decommissioning.

1. CWECS shall be considered a discontinued use after one (1) year without

energy production, unless a plan is developed and submitted to the

Village of Sutherland Zoning Administrator outlining the steps and

schedule for returning the CWECS to service. All CWECS and accessory

facilities shall be removed four (4) feet below ground level within ninety

(90) days of the discontinuation of use.

2. Each CWECS shall have a decommissioning plan outlining the

anticipated means and costs of removing CWECS at the end of the

serviceable life or upon becoming a discontinued use. The cost estimates

shall be made by a competent party, such as a profession engineer, a

contractor capable of decommissioning, or a person with suitable

expertise or experience with decommissioning. The plan shall include

documentation showing financial capability to carry out the

decommissioning and restoration requirements. Applicant shall submit

an escrow account/surety bond/insurance policy in an amount approved by

the Planning Commission as reasonably necessary to restore the site to

its pre-wind energy facility topography and topsoil quality. The purpose of

this account/bond/policy is to assure removal of all improvements subject

to the Conditional Use Permit.

3. At the end of the wind energy facility’s useful life, the site shall be

restored in accordance with the requirements of this condition within

eighteen (18) months.

F. Definitions

1. Aggregated Project – Those projects that are developed and operated in

a coordinated fashion, but which have multiple entities separately owning

one or more of the individual CWECS within a larger project. Associated

infrastructure such as power lines and transformers that service the

facility may be owned by a separate entity but are also included as part of

the aggregated project.

2. Commercial Wind Energy Conversion System (CWECS) – A wind

energy conversion system under common or aggregated ownership or

operating control that includes substations, MET towers, cables/wires and

other building accessories, whose main purpose is to supply electricity to

off-site customers.

3. Fall Zone – The area, defined as the furthest distance from the tower

base, in which a tower will collapse in the event of a structural failure.

4. Feeder Line – Any power line that carries electrical power from one or

more wind turbines or individual transformers associated with individual

wind turbines to the point of interconnection with the electric power grid,

in the case of interconnection with the high voltage transmission systems

the point of the interconnection shall be the substation serving the

CWECS.

5. Height, total system – The height above grade of the system, including

the generating unit and the highest vertical extension of any blades or

rotors.

6. Height, tower – The height above grade of the fixed portion of the tower,

excluding the generation unit and attached blades and rotors.

7. Meteorological Tower – For the purposes of wind energy conversion

systems, meteorological towers are those which are erected primarily to

measure wind speed and direction plus other data relevant to locating a

CWECS. Meteorological towers do not include towers and equipment used

by airports, the Nebraska Department of Aeronautics and Department of

Roads, or other similar applications to monitor weather conditions.

8. Shadow flicker – Strobe effect that occurs when sun is horizontal to

rotor blades, which causes repetitive intermittent shadows that can affect

people on nearby properties.

9. Small Wind Energy Conversion System (SWECS) – A wind energy

conversion system which has a rated capacity of up to one hundred

(100) kilowatts and which is incidental and subordinate to another use

on the same parcel. A system is considered a small wind energy system

only if it supplies electrical power for onsite use, except that when a

parcel on which the system is installed also receives electrical power

supplied by a utility company, excess electrical power generated and not

presently needed for onsite use may be sold back to the utility company.

(State Statute § 70-2001 to 2005 limits SWECS to 25 kilowatts or

less – scheduled to be reviewed next session)

10. Tower – The vertical component of a wind energy conversion system that

elevates the wind turbine generator and attached blades above the

ground.

11. Wind Energy Conversion System (WECS) – An aggregation of parts

including the base, tower, generator, rotor, blades, supports, and

configuration as necessary to convert the power of wind into mechanical

or electrical energy, e.g. wind charger, windmill, or wind turbine.

12. Wind Turbine Generator – The component of a wind energy system

that transforms mechanical energy from the wind into electrical energy.

SECTION 617. MANUFACTURED HOMES.

(Amended Ord. “A”, 2011)

All manufactured homes located outside mobile home parks shall meet the following

standards:

A. The home shall have no less than nine hundred (900) square feet of floor

area.

B. The home shall have no less than an eighteen (18) foot exterior width.

C. The roof shall be pitched with a minimum vertical rise of two and one-half (2

1/2) inches for each twelve (12) inches of horizontal run.

D. The exterior material shall be of a color, material and scale comparable with

those existing in residential site-built, single family construction.

E. The home shall have a non-reflective roof material which is or simulates

asphalt or wood shingles, tile or rock.

F. The home shall have wheels, axles, transporting lights and removable towing

apparatus removed.

G. Nothing in this Article shall be deemed to supersede any valid restrictive

covenants of record.

H. The home must meet building code requirements adopted by the Village.