

ORDINANCE NUMBER 552

AN ORDINANCE AMENDING AND REVISING THE "ZONING REGULATIONS & SUBDIVISION REGULATIONS & PROCEDURES MANUAL FOR CITY OF HIGHLAND, KANSAS" AND THE OFFICIAL MAP OF ZONING DISTRICTS, ALL AS INCORPORATED BY ORDINANCE NUMBER 513 OF THE CITY OF HIGHLAND, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HIGHLAND, KANSAS:

SECTION ONE: Prior Ordinance. The City of Highland, Kansas has heretofore enacted a comprehensive zoning ordinance, known as the "ZONING REGULATIONS & SUBDIVISION REGULATIONS & PROCEDURES MANUAL for CITY OF HIGHLAND, KANSAS", and also referred to as the "CITY OF HIGHLAND LAND DEVELOPMENT ORDINANCE", as adopted by, and incorporated into, ORDINANCE NUMBER 513 of said City. Said ordinance also incorporates the "OFFICIAL MAP OF ZONING DISTRICTS", which is amended from time to time by specific zoning changes.

SECTION TWO: General Amendment. Said city has undertaken a review of such ordinance and has determined that certain changes are necessary and appropriate and which changes are in accordance with good land use planning, in conformance with the City's comprehensive plan and is in the interests of public necessity, convenience and general welfare. Said City has proposed such amendments in accordance with the required procedure. The official map, as originally printed, is also in need of a minor correction.

SECTION THREE: Planning Commission and Public Notice. The meeting of the Doniphan County Regional Planning Commission to be held on the 13th day of March, 2019, pursuant to prior publication and notice of hearing, was not held due to lack of a quorum. The zoning administrator has communicated to the governing body of the City that the decision of the commission, had there been a quorum, was expected to be for approval, and that no opposition had been filed of record. Furthermore, that the governing body can move forward as if the commission had been not in favor of the amendments, and override such recommendation by a 2/3 majority vote.

SECTION FOUR: General Amendment of Zoning Regulations. That the following general amendments of the *ZONING REGULATIONS & PROCEDURES MANUAL for CITY OF HIGHLAND, KANSAS* as adopted by, and incorporated into Ordinance Number 513 of said city, SECTION FOUR thereof, be adopted as follows:

A. APPENDIX A. Appendix A (4 pages), as referenced on page 137 of said manual and as attached to said manual, entitled *Appendix A – City of Highland Zoning-Land Uses by District*, which appendix lists permitted, conditional, and accessory uses, along with prohibited uses, be replaced by the revised and amended *Appendix A – City of Highland Zoning-Land Uses by District*. Said amended Appendix A is contained in an MS Excel file which is entitled Highland Use Table Final-modified-021319.

B. R-1 ZONE MINIMUM LOT AREA & WIDTH. That *Article 4-District Regulations, “R-1” RESIDENTIAL-LOW DENSITY DISTRICT*, section 4, *Intensity of Use Regulations*, be amended to read as follows:

- A. Minimum Lot Area: 11,000 square feet.
- B. Minimum Lot Width: 88 feet.
- C. For lots that contained a single-family dwelling at the time of adoption of Ordinance Number 513, the following shall apply:
Minimum Lot Area: 7,500 square feet.
Minimum Lot Width: 60 feet.

C. R-2 ZONE MINIMUM LOT AREA & WIDTH. That *Article 4-District Regulations, “R-2” RESIDENTIAL-MEDIUM DENSITY DISTRICT*, section 4, *Intensity of Use Regulations*, be amended to read as follows:

Except as modified by the provisions of Article 5, the same requirements as R-1 for single-family dwellings. For two-family dwellings:

- A. Minimum Lot Area: 16,500 square feet.
- B. Minimum Lot Width: 132 feet.
- C. For lots that contained a single family dwelling at the time of adoption of Ordinance Number 513, the following shall apply:
Minimum Lot Area: 7,500 square feet.
Minimum Lot Width: 60 feet.

SECTION FIVE: ZONING DISTRICT MAP CORRECTION. That the official map of zoning districts entitled “*City of Highland, Kansas Zoning Districts*”, as incorporated into said Ordinance Number 513 by reference as part of said regulations, contained a minor printing error which should be corrected on the said map. Specifically, said map incorrectly displayed Lots 3 and 10, in Block 105, as R-3, RESIDENTIAL-HIGH DENSITY DISTRICT, when, in fact, said lots are zoned I-2, INDUSTRIAL DISTRICT. The City Clerk is directed to make such corrections to the official map.

SECTION SIX: AMENDMENT OF PRIOR ORDINANCE. Ordinance No. 513 of the City of Highland, Kansas, which incorporates *ZONING REGULATIONS & PROCEDURES MANUAL for CITY OF HIGHLAND, KANSAS*, is amended as set forth herein in accordance with ARTICLE 13 of said ordinance.

SECTION SEVEN: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication, in summary format, in the official city newspaper.

Passed by the governing body and approved by the Mayor of the City of Highland, Kansas, this 21st day of March, 2019.



CHARLES N. BATCHELDER, Mayor

ATTEST:



JOANN KARN, City Clerk

(SEAL)

Appendix A City of Highland Zoning- Land Uses by District	R-0 Residential Outer	R-1 (Residential Single-Family)	R-2 (Residential Moderate-Density)	R-3 (Residential High-Density)	R-4 (Manufactured Home Park District)	C - B (Central Business)	B - 2 (Business - General)	I - 2 (Industrial)	L&CS Function	L&CS Structure	NAICS
	Residential										
Accessory Dwellings (Granny Flats, Echo Homes, Garden Apartment)		P	P	P					1100	1130	
Dwelling, Single-Family Detached	P	P	P								
Dwelling, Manufactured Home - Residential Design	P	P	P		P						
Dwelling, Single-Family Modular	P	P	P		P						
Dwelling, Two-Family (Duplex)			P						1100	1121	
Dwelling, Manufactured Home					P						
Dwelling, Mobile Home											
Dwelling, Multifamily 3 units (triplex)				P							
Dwelling, Multifamily 4 units (quadraplex)				P							
Dwelling, Multifamily, 4-10 units				P		C			1100	1200	
Dwelling, Multifamily, more than 10 units				P		C					
Dwelling, Adaptive re-use converted buildings	C	C	C	C	C	C	C				
Dwelling, Zero Lot Line						C					
Elderly housing, multi-family dwellings				P		C					
Mixed Use Neighborhood Residences (Includes dwelling units located over storefronts, with no commercial or office uses permitted above the ground floor)						P			2200-2455 5140-5160 6200-6220 6800-6820	2300 2400	
Residential Property Manager					A	A			2321		531311
Watchmen / caretakers				A	A	P	P	P			
Accommodations and Group Living											
Bed and breakfast home	C	C	C	C		C			1310		721191
Bed and breakfast inn	C					C			1310		721191
Boarding and lodging house	P	P	P	P	P				1320		721310
Community living facility, Mental Health Convalescent	C			C					6520		623220
Community living facility, Mental Health / Substance Abuse, on-site staff						C	C		6520		623220
Dormitories				P					1000	1320	72131
Group home	P	P	P	P	P				6520		623220 623990
Group residence, general (9-15)				C					6520		623220 623990
Group residence, limited (0-8)	C	C	C	C					6520		623220 623990
Group Residence, Children	C	C	C	C	C	C	C				623990
Group Residence, Elderly residential services.	P	P	P	P	P	P	P		1230 1250 6520		623110 623111 623112 623312
Hotel, motel							P		1330	1330	
Hotel, boutique 50 rooms maximum							P				
Sorority and fraternity housing					P				1320		

P = Permitted Use
 C = Conditional Use Permit Req'd
 A = Accessory Use
 Blank Cell = Not Permitted