

ORDINANCE NO. 1350

AN ORDINANCE ESTABLISHING ARTICLE XVII-AH OF THE ZONING REGULATIONS OF THE CITY OF HILLSBORO, KANSAS ESTBLISHING THE “A-H” ALTERNATIVE CONSTRUCTION HOUSING DISTRICT.

WHEREAS, the Hillsboro Planning Commission (“Planning Commission”) previously prepared and published as a model code in book form the Zoning Regulations for the City of Hillsboro, Kansas (“Zoning Regulations”) pursuant to K.S.A. 12-741 *et seq.*; and

WHEREAS, the Planning Commission has, after giving due notice, held a public hearing on April 28, 2022 and made certain recommendations for amendments to the Zoning Regulations; and

WHEREAS, the Governing Body of the City of Hillsboro desires to approve such amendments to the Zoning Regulations in accordance with the Planning Commission’s recommendations.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS,

SECTION 1. Article XVII-AH of the Zoning Regulations is hereby created and reads as follows:

ARTICLE XXVII-AH. “A-H” ALTERNATIVE CONSTRUCTION HOUSING DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT.

The “A – H” Alternative Construction Housing District is established to permit alternative construction housing on permanent foundations where a lot or a group of lots is owned by one owner. This district is an overlay to any of the residential districts to provide an opportunity for individual siting and use of alternative construction homes for single-family dwellings consistent with the use and density characteristics of the surrounding neighborhood.

SECTION 2. ALTERNATIVE CONSTRUCTION HOUSING DEFINITION.

For the purpose of the “A – H” Alternative Construction Housing District, the term Alternative Construction Housing shall include homes constructed from: shipping containers; concrete or concrete forms; metal beam construction; post frame construction; biological building materials

such as straw bales, corn cobs, or earthen bricks; or any other construction method identified by the City's adopted version of the International Building Code.

SECTION 3. DISTRICT REGULATIONS.

In the "A – H" District, no building shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than of the uses in SECTION 4 below.

SECTION 4. USE REGULATIONS.

1. Single-family uses and single-family structures permitted under the parent district of which the "A – H" District is made a part.

SECTION 5. INTENSITY OF USE REGULATIONS.

Lots shall conform with the minimum lot size requirements of the parent district of which the "A – H" District is made a part.

SECTION 6. LOT COVERAGE.

The principal Alternative Construction Home and any accessory buildings shall not cover more than forty (40) percent of the lot area.

SECTION 7. HEIGHT REGULATIONS.

The height requirements shall be those of the parent district of which the "A – H" District is made a part

SECTION 8. YARD REGULATIONS.

The minimum yard requirements shall be those of the parent district of which the "A – H" District is made a part.

SECTION 9. SIGN REGULATIONS.

The sign regulations shall be those of the parent district of which the "A – H" District is made a part, or as otherwise approved by the Planning Commission and the Governing Body.

SECTION 10. PARKING AND LOADING REGULATIONS.

The parking and loading requirements shall be those of the parent district of which the "A – H" District is made a part, or as otherwise approved by the Planning Commission and the Governing Body.

SECTION 11. SPECIAL ALTERNATIVE CONSTRUCTION HOME REQUIREMENTS.

1. A site plan shall be submitted to the Planning Commission for each Alternative Construction Home specifying: (a) drainage, utilities, flat work, and elevations; (b) structural, roofing and foundational plans; (c) specifications of plumbing, electrical, mechanical, and insulation plans; and (d) a rendering of proposed final finished appearance of the home and landscaping. The Building Inspector may request further information as needed to determine that the proposed structure meets all necessary standards for safe construction. The Planning Commission shall review the site plan for (x) effective and sound functioning and design; (y) pleasing appearance and harmony with adjacent land uses; and (z) compliance with the Zoning Regulations, applicable building codes, and recommendations of the Zoning Administrator or Building Inspector, and may approve or deny the site plan. No building permit or zoning permit will be issued by the City for any Alternative Construction Home until the site plan has been approved by the Planning Commission. Once approved by the Planning Commission, no changes may be made to the site plan except for minor revisions due to unforeseen circumstances as approved by the Zoning Administrator. All Alternative Construction Homes shall be built in compliance with the approved site plan in all respects.
2. Alternative Construction Homes shall be mounted on a foundation of permanent design that is completely enclosed with sufficient foundation anchoring capacity to provide stability against high winds and adverse weather conditions.
3. Each Alternative Construction Home shall be an independent dwelling unit connected to all available utilities.
4. Each Alternative Construction Home shall be sited in such a manner as to preserve the visual character of the neighborhood, which shall include provisions for siding, roofing, landscaping and other site improvements as well as off-street parking.
5. If the proposed Alternative Construction Home uses recycled building materials, sufficient information about the origin of the material must be submitted to the Building Inspector. The Building Inspector may require environmental testing from a provider approved by the city. The cost of any testing will be borne by the homeowner, builder, or developer, as the case may be.

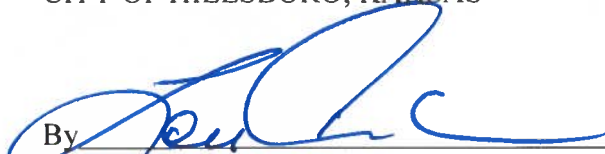
SECTION 2. This Ordinance shall take effect on and be in full force after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED, ADOPTED AND APPROVED by the governing body of the City of Hillsboro, Kansas, this 3rd day of May 2022.



CITY OF HILLSBORO, KANSAS

By 
Lou Thurston, Mayor

ATTEST:

By 
Danielle Bartel, City Clerk