

ORDINANCE NO. 1668

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF COLBY KANSAS - SECTION 21-103 R-1 – SINGLE FAMILY DWELLING DISTRICT - OF THE CITY OF COLBY KANSAS ZONING REGULATIONS OF 2013:

WHEREAS, the Code of the City of Colby, Kansas, includes the City of Colby, Kansas Zoning Regulations of 2013 which were incorporated by reference into the Code of the City of Colby, Kansas pursuant to Ordinance No. 1527, passed October 1, 2013; and

WHEREAS, the Governing Body, at the recommendation of the Colby-Thomas County Metropolitan Area Planning Commission, has determined it to be in the best interest of the City of Colby to eliminate subparagraph “d” from R-1 – Single Family Dwelling, Section 21-103 1. Use Regulations, thus prohibiting the placement of single wide mobile homes in districts zoned R-1.

WHEREAS, said Zoning Regulations of 2013 were codified as part of the Code of the City of Colby, Kansas Chapter XVI: Zoning and Planning, Article 3: Zoning Regulations, and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS:

Section 1: That Article 1 Section 21-103 - R-1 Zoning Regulations, of the Code of the City of Colby, Kansas is hereby amended as follows:

21-103. R-1 -- Single Family Dwelling District:

1. Use Regulations:

A building or premise shall be used only for the following purposes:

- a. Single family dwellings.
- b. Municipally owned or operated parks, playgrounds, swimming pools, community buildings, and similar municipal recreational facilities.
- c. Churches.
- d. Public schools and educational institutions having a curriculum the same as ordinarily given in public schools and nonprofit preschool institutions.
- e. Golf courses, except miniature courses, and driving tees operated for commercial purposes.
- f. Noncommercial nurseries and gardening, but not the raising of poultry, pets

or livestock for commercial purposes or on a scale that would be objectionable because of noise or odor to surrounding residences.

- g. Home occupations as defined herein.
- h. Accessory buildings and uses customarily incident to the above uses, not involving the conduct of a business, including a private garage.
- i. Temporary buildings and vehicles for uses incidental to construction work and which shall be removed upon completion or abandonment of the construction work.
- j. Electric utility substations, sewage pumping stations, water well houses, and similar utility facilities.
- k. Accessory swimming pools for the use of residents and/or guests provided that said pools are located in the rear or side yard, are not less than five (5) feet from all property lines, and are completely surrounded by a fence or wall having a height of at least six (6) feet with any gate equipped with self-closing and self-latching devices.
- l. Hospitals and clinics, but not animal hospitals, animal clinics or mental hospitals.
- m. The following restrictions will apply to the construction or addition to a single-family dwelling in the R-1 District:
 - 1) Conventional built single-family dwelling units shall be constructed in accordance with the adopted City Building Codes.
 - 2) Modular home construction shall be certified by the manufacturer that it is constructed to meet the City Building Codes or HUD Standards as adopted by the City of Colby.
 - 3) Residential design manufactured home - On and after January 1, 1992, residential design manufactured homes, as defined in this chapter, shall be permitted in any residential district when in compliance with the following architectural and aesthetic standards:
 - a) The home shall have a minimum of 888 square feet of heated floor area and the longest exterior dimension of the body shall be not more than two and one-half (2 1/2) times the shortest exterior dimension.
 - b) The roof shall be double-pitched and have a minimum vertical rise of two and one-half (2 1/2) inches for each twelve (12) inches of

horizontal run, and shall be covered with material that is residential in appearance including, but not limited to, wood, asphalt, composition or fiberglass, or metal roofing material. The roof shall have a minimum eave projection and overhang of ten (10) inches, which may include a four (4) inch gutter.

- c) The exterior siding shall be made of nonreflective material customarily used on site-built dwellings, such as wood, composition, or simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior foundation wall and the joint shall be flashed in accordance with the adopted City Building Codes.
- d) The home shall have a garage and covered porch at the main entrance facing the street, if fifty (50) percent or more of existing homes on the same and/or adjacent block face have garages and/or covered porches. Where required or installed, the roofing and siding material must be the same as that of the home itself.
- e) Any addition to the home shall comply with the adopted City Building Codes.

Section 2: The following section of the Code of the City of Colby, Zoning Regulations, are repealed:

Article 1, Section 21-103

Section 3: This Ordinance shall be in full force and effect from and after its publication in the official newspaper of the City of Colby, Kansas, as provided by law.

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR this 18th day of June, 2024.

Lee Leiker, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

(SEAL)

