

1 (Published in the Topeka Metro News July 1, 2009)

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3 **ORDINANCE NO. 19273**

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5 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending
6 City of Topeka Code § 48-23a.04, concerning zoning regulations in
7 mixed use districts, and specifically repealing said original section.
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9 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

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11 Section 1. That section 48-23a.04, Same—X-2 mixed use district, of The
12 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

13 **Same--X-2 mixed use district.**

- 14 1. Permitted principal uses.
- 15 a. Single and two-family dwellings.
 - 16 b. Three and four-family dwellings.
 - 17 c. Dwelling units as primary or accessory use.
 - 18 d. Residential design manufactured home.
 - 19 ~~e. Mobile homes (single).~~
 - 20 fe. Schools.
 - 21 gf. Community facilities.
 - 22 hg. Parks, recreation, and open space.
 - 23 ih. Artisan and photography galleries, studios.
 - 24 ji. Automobile service station, type I.
 - 25 kj. Automobile service station, type II.
 - 26 lk. Child care centers.
 - 27 ml. Clubs and lodges.
 - 28 nm. Funeral homes.

- 29 en. Health clubs.
- 30 po. Motor vehicle sales (size restrictions).
- 31 ep. Offices, financial services, medical clinics.
- 32 rg. Indoor recreation facilities.
- 33 sr. Restaurants.
- 34 ts. Retail establishments.
- 35 ut. Service shops--Personal/business.
- 36 vu. Assembly without fabrication.
- 37 wy. Fabrication of products allowed under "I-1" light industrial district.
- 38 xw. Distribution and processing.
- 39 yx. Research and development.
- 40 zy. Warehousing.
- 41 2. Uses permitted by conditional use permit. The following uses may be granted a
- 42 conditional use permit by the governing body as provided by article XXV.
- 43 a. Multi-family dwellings, more than four units per building and/or more than
- 44 12 units per acre.
- 45 b. Group homes.
- 46 c. Boarding and lodging houses.
- 47 d. Crisis centers.
- 48 e. Churches, places of worship or assembly.
- 49 f. Conference/convention center.
- 50 g. Public use facilities.
- 51 h. Residential care facility, type I.

- 52 i. Residential care facility, type II.
- 53 j. Amusement parks.
- 54 k. Automobile service station, type III.
- 55 l. Bars and taverns.
- 56 m. Bed and breakfast establishments.
- 57 n. Farmer's markets.
- 58 o. Hotel, motel.
- 59 p. Parking lots/garages (principal use).
- 60 q. Pet shops/small animal clinics.
- 61 r. Unenclosed, outdoor equipment/product storage.
- 62 s. Correctional placement residence or facility limited, subject to article XXVI.

63 Section 2. That original section 48-23a.04 of The Code of the City of Topeka,
64 Kansas, is hereby specifically repealed.

65 Section 3. This ordinance shall take effect and be in force from and after its
66 passage, approval and publication in the official City newspaper.

67 PASSED AND APPROVED by the City Council June 23, 2009.

68 CITY OF TOPEKA, KANSAS

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70 William W. Bunten, Mayor

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76 ATTEST:

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81 Brenda Younger, City Clerk