

(Published in the Topeka Metro News September 15, 2025)

ORDINANCE NO. 20596

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez amending the City of Topeka's zoning code with the addition of the Monroe School Overlay District, creating Chapter 18.280 of the Topeka Municipal Code.

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

Section 1. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 18.280.010, which said section reads as follows:

Purpose.

The Monroe School Overlay District (MO) is intended to preserve and enhance the character of the neighborhood surrounding the Monroe School, a National Historic Site managed by the National Park Service. The MO district is an overlay district; property development within the district shall comply with the standards of this district and the underlying zoning district. In the case of conflict between the regulations in this section and those of the underlying zoning district, the regulations in this section shall prevail.

Section 2. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 18.280.020, which said section reads as follows:

Boundaries of Monroe School Overlay District.

The boundaries of the Monroe School Overlay District shall be drawn so as to include all lands petitioned for inclusion in the district, and shall apply to all buildings, structures, sites, and land areas within the established boundaries.

Section 3. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 18.280.030, which said section reads as follows:

Standards Generally.

All standards of the underlying zoning district shall apply except as described in the following sections. In the event of a conflict between the standards of the underlying zoning district and the standards of the MO district, the standards of the MO district shall apply.

Section 4. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 18.280.040, which said section reads as follows:

Use Standards.

(a) Prohibited uses. The following uses are explicitly prohibited in the MO district, regardless if said uses are stated as permitted or conditional uses in the underlying districts:

- (1) Automobile Service, Type I
- (2) Automobile Service, Type III
- (3) Automobile or Vehicle Car Wash
- (4) Automobile Sales & Service
- (5) Automobile, Boat, Truck, Heavy, and Ag Equipment Sales/Service
- (6) Automobile or Vehicle Tow Lot and Body Shop
- (7) Automobile Wrecking and/or Salvage Yard
- (8) Billboard Signs (as defined by section 8.10.180)
- (9) Drive-through Establishments
- (10) Landfill, Demolition
- (11) Lawn/Garden Centers
- (12) Liquor Sales, Packaged Goods

(13) Manufactured Housing and Accessory Structure Sales

(14) Manufacturing Processing, Type III

(15) Raw Materials Extraction

(16) Recycling Depot

(17) Restaurant, Drive-through

(18) RV Parks or Campgrounds

(19) Truck Stop

(b) Conditional Uses. The following uses shall be permitted in "I" Industrial and "C" Commercial districts with the approval of a conditional use permit in accordance with chapter 18.215.

(1) Automobile Service, Type II

(2) Contractor Yards (as a principal use)

(3) Public Utility Facility, Type II

(4) Recreation, Outdoor Type II

(5) Self-Storage, Type II

(6) Storage of Non-Merchandise, Outdoor (as a principal use)

(7) Tower, Communication Tower

(8) Shipping Containers as a principal use

(c) Other Standards.

(1) Shipping Containers as an Accessory Use in Non-Residential Zoning Districts: Shipping Containers as an accessory use are permitted but shall be set back a minimum of 20 feet from all street rights-of-way.

(2) Outdoor Storage as an Accessory Use: Outdoor storage

associated with a permitted principal use shall occupy an area on the site no greater than the site area of the building to which it is related. Additionally, when located along a lot line adjoining a visible public street or in a yard that abuts a residential use or mixed use zoning district, outdoor storage shall be screened from public view by a solid, opaque screen, fence or sight-prohibitive landscaping of not less than six feet in height. If storage is adjacent to driveways or intersections, screening may be reduced to comply with sight distance triangles, as provided in TMC 12.20.020.

Section 5. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 18.280.050, which said section reads as follows:

Dimensional Standards.

(a) Standards for Non-residential Zoning Districts.

(1) Building Setbacks. A minimum setback of 20 feet from public street rights-of-way for SE Monroe Street, SE 15th Street, and SE 17th Street shall be provided for all principal and accessory structures.

(2) Building Height limited to 32 feet.

(3) Open Storage. Any open storage visible from the street or adjacent to residential uses shall be screened to substantially reduce visual impact by fencing, landscaping, or other appropriate means.

(4) Fences. No fence or freestanding wall greater than four feet in height may be constructed within 20 feet of the public right-of-way for SE Monroe Street, SE 15th Street, and SE 17th Street except on parcels on which an existing principal building is located 20 feet or less from said right-of-way, in

which case said fence shall be located no closer to the street right-of-way than the principal building. Decorative open fences, constructed of metal, masonry, or similar material, greater than four feet in height may be permitted by the Planning Director upon review of the site and fence plans.

(5) Free-standing Signs. Free-standing signs shall have a solid base equal to or greater in width than 80% of the widest part of the sign and shall not exceed a height of 10 feet and sign area of 60 square feet. Electronic message centers may be contained within a free-standing sign but the area of the electronic message center portion of the sign shall not exceed 32 square feet.

Billboard signs as defined by section 8.10.180 are not permitted.

(b) Standards for Residential Zoning Districts.

(1) Building Height limited to 32 feet.

(2) New construction of any principal building shall:

(i) be of a massing and orientation similar to other buildings on the same block; and

(ii) include features such as pitched roofs, front porches, vertically oriented windows, and materials similar to those of other buildings on the same block; and

(iii) have a front setback no less than 5 feet and no greater than 25 feet.

(3) Residential additions shall be of an architectural design compatible with the existing principal building. (i.e. roofs, building orientation, garages face alley and not street, etc.)

(4) The form and materials of accessory buildings shall be architecturally compatible with principal building unless located to be invisible from the public street.

(5) Accessory buildings shall be no closer to the front property line than the principal building.

(6) For sites with alley access, vehicular access shall be from the alley and not from the street.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 7. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 8. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on September 9, 2025.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk