

Municipal Code Purpose Statements of Zoning Districts –
City of Topeka, Kansas

RESIDENTIAL

**MOST
RESTRICTIVE
ZONING**



OS-1 OPEN SPACE DISTRICT:

The open space district is intended to preserve and protect existing and potential public park land, open land, greenways, recreational space, floodways, trails and lands that have other physical, aesthetic or cultural characteristics which preclude their inclusion in other less restrictive districts. It is intended that these areas provide opportunities for passive and active outdoor recreation, preserve scenic views, and protect sensitive or fragile environmental areas. It is further the intent of this district to protect these areas from urban, non-open space or incompatible development.

RA-1 RURAL AGRICULTURE DISTRICT:

Repealed by Ord. 19602

RR-1 RESIDENTIAL RESERVE DISTRICT:

This district is established to provide for a transitional area between urbanized development with intensive activity areas, and the rural-agricultural areas; and which is expected to become urbanized in subsequent planning periods. The limitations of this district are intended to allow for the gradual development of urban uses and activities, therefore providing for the coexistence with agricultural farmland activities based upon the availability and extension of municipal facilities and services. Such urban development will be permitted at appropriate intensity-density levels to assure that public improvement expenditures are appropriately planned for in advance of the conversion to urban uses. (Code 1995 § 48-3.00.)

R-1 SINGLE FAMILY DWELLING DISTRICT:

This district is established to provide for the use of detached single-family dwellings together with specified accessory uses and other uses as may be approved. It is intended that the character and use of this district be for housing and living purposes free from the encroachment of incompatible uses. (Code 1995 § 48-4.00.)

R-2 SINGLE FAMILY DWELLING DISTRICT:

This district is established to provide for the use of detached single-family dwellings together with specified accessory uses and other uses as may be approved. It is intended that the character and use of this district be for housing and living purposes free from the encroachment of incompatible uses. (Code 1995 § 48-5.00.)

R-3 SINGLE FAMILY DWELLING DISTRICT:

This district is established to provide for the use of detached single-family dwellings together with specified accessory uses and to provide for an increased density that will promote compact housing development at affordable levels through reduced site area requirements, lot size and optional public improvement design standards. This district shall be established in conjunction with an approved subdivision which provides for the minimum standards set forth in these regulations. (Code 1995 § 48-6.00.)

R-4 SINGLE FAMILY DWELLING DISTRICT:

The primary purpose for the establishment of this district is to provide for the location and use of detached single-family dwellings and manufactured homes as defined, together with specified accessory and supportive uses; and to provide for housing development at affordable levels in a subdivision setting. This district may be established in conjunction with an approved plat of subdivision for development in accordance with the provisions of the dimensional requirements and general lot requirements established in TMC [18.230.020](#). (Ord. 19328 § 3, 11-3-09. Code 1995 § 48-7.00.)

M-1 TWO FAMILY DWELLING DISTRICT:

This district is established to provide for the use of two-family and attached single-family dwellings together with specified accessory uses. The purpose of this district is intended to provide for a

Municipal Code Purpose Statements of Zoning Districts – City of Topeka, Kansas

housing type and arrangement that is distinguished from the single-family detached dwellings and multifamily dwellings provided for elsewhere in these regulations. The location of this district is further intended to provide a transitional use between the single-family detached dwelling districts and other districts which are more intensive. (Ord. 19707 § 8, 2-28-12.)

M-1a LIMITED MULTIPLE FAMILY DWELLING DISTRICT:

This district is established to provide for the use of two-family dwellings, single-family attached dwellings, and multiple-family dwellings, containing not more than four dwelling units, together with specified accessory uses. This district is intended to provide a transitional use buffer in locations between the single- and two-family dwelling districts and other districts which are more intensive. (Ord. 19707 § 11, 2-28-12.)

M-2 MULTIPLE FAMILY DWELLING DISTRICT:

This district is established to provide for the use of attached dwelling units containing three or more dwelling units, designed and intended for individual dwellings, group or community living facilities, congregate living facilities, and including townhouse, condominium or cooperative division of ownership. The location of this district is further intended to provide a transitional use between the districts of lesser and greater intensity. (Code 1995 § 48-9.00.)

M-3 MULTIPLE FAMILY DWELLING DISTRICT:

It is the purpose of this district to provide for multiple-family dwelling structures which are in the moderate to high density range and at heights which allow for a high intensity of use and development. The location of this district is intended to complement high activity centers such as the central business district, employment centers or other similar locations. Since this district will have high levels of pedestrian activity, special attention must be directed to providing a pleasant, safe and efficient pedestrian environment. (Code 1995 § 48-11.00.)

OFFICE, COMMERCIAL, INDUSTRIAL

O & I - 1 OFFICE AND INSTITUTIONAL:

This district is established to provide for a limited range of nonresidential and noncommercial uses such as general purpose office, professional, or administrative operations. The district shall not permit those uses and activities pertaining to retail product display, installation, service, repair, or maintenance unless specifically provided for within the chapter. Among others, an objective of this district is to provide for a transitional buffer between the districts of lesser and greater intensity; and to restrict the intensity of use to a low to moderate range and to encourage a compatible design with the adjacent use and development. (Code 1995 § 48-12.00.)

O & I - 2 OFFICE AND INSTITUTIONAL:

This district is established to provide for a limited range of nonresidential and noncommercial uses such as general purpose office, professional, or administrative operations. The district shall not permit those uses and activities pertaining to retail product display, installation, service, repair, or maintenance unless specifically provided for within the chapter. Among others, an objective of this district is to provide for a transitional buffer between the districts of lesser and greater intensity; and to restrict the intensity of use to a low to moderate range and to encourage a compatible design with the adjacent use and development. (Code 1995 § 48-13.00.)

O & I - 3 OFFICE AND INSTITUTIONAL:

This district is established to provide for a wide range of nonresidential and noncommercial uses such as general purpose office, professional and service, or administrative operations, research, testing and development. Among others, an objective of this district is to provide for a high intensity of use of considerable magnitude and located on a sufficient land area to accommodate the factors of employment, transportation and other land use considerations. The district shall permit uses and activities pertaining to product showrooms for the display, demonstration, training, selection and

Municipal Code Purpose Statements of Zoning Districts – City of Topeka, Kansas

sale of goods not for delivery on the premises. Product installation, service, repair and maintenance is not permitted in the district. (Code 1995 § 48-14.00.)

C-1 COMMERCIAL DISTRICT:

This district is established to provide for limited commercial facilities which are to serve as convenient services to a residential neighborhood or limited geographic area of the community. Shops in this district should be useful to the majority of the neighborhood residents, should be economically supportable by nearby population, and should not draw community-wide patronage. The location of this district will be determined based upon the compatibility and design considerations of the limited geographic area affected. (Code 1995 § 48-15.00.)

C-2 COMMERCIAL DISTRICT:

This district is established to provide for those commercial activities which serve a major segment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature a number of large traffic generators that require access from major thoroughfares. The extent and range of activities permitted are in the moderate to medium intensity range with a ground floor area limitation. (Code 1995 § 48-16.00.)

C-3 COMMERCIAL DISTRICT:

This district is established to provide for those commercial activities which serve a major segment of the total community population. In addition to a variety of retail goods and services, these centers may typically feature a number of large traffic generators that require access from major thoroughfares. The extent and range of activities permitted are in the moderate to medium intensity range. (Code 1995 § 48-17.00.)

C-4 COMMERCIAL DISTRICT:

This district is established to provide for commercial uses and activities which are intended to serve as community or regional service areas. Uses and activities permitted are typically characterized by outdoor display, storage and/or sale of merchandise, by repair of motor vehicles, by outdoor commercial amusement and recreational activities, or by activities or operations conducted in buildings and structures not completely enclosed. The extent and range of activities permitted are highly intensive and therefore special attention must be directed toward buffering the negative aspects of these uses upon any residential use. (Code 1995 § 48-18.00.)

C-5 COMMERCIAL DISTRICT:

This district is established to provide for a wide range of commercial activities which are contained in the central business or core area of the community. The extent and range of uses permitted are to provide for high efficiency of land use and to encourage a broad mix of commercial, office and residential uses. (Code 1995 § 48-19.00.)

I-1 LIGHT INDUSTRIAL DISTRICT:

This district is established to provide for a wide range of uses except specified uses which are obnoxious or offensive by reason of odor, dust, smoke, gas or noise. The extent and range of uses are highly intensive. Residential dwellings are not permitted in this district except for on-site caretakers or watchmen or correctional placement residence or facility, limited or general. (Ord. 18237 § 22, 6-15-04. Code 1995 § 48-20.00.)

I-2 HEAVY INDUSTRIAL DISTRICT:

This district is established to provide for the use and location of all other uses excluded in other districts except for residential dwellings. The intensity and use of land as permitted by this district is intended to facilitate the total range of industrial uses. (Code 1995 § 48-21.00.)



LEAST

RESTRICTIVE
ZONING

Municipal Code Purpose Statements of Zoning Districts – City of Topeka, Kansas

OTHER

DOWNTOWN MIXED USE DISTRICT:

The downtown districts are unique to the downtown Topeka area and are provided to encourage a compatible mixed use activity. The D downtown districts serve to implement the downtown Topeka redevelopment plan, which is part of the city of Topeka's comprehensive metropolitan plan.

D-1 DOWNTOWN MIXED USE DISTRICT:

The purpose of this district is to facilitate a compatible mixed use activity center within the core area of downtown Topeka. The district is predominately composed of state offices, as well as local and federal facilities, commercial and retail uses. The district includes compatible residential, office, civic, and commercial retail/service uses which complement and support a high density of activity and facilitate pedestrian usage.

D-2 DOWNTOWN MIXED USE DISTRICT:

The purpose of this district is to integrate a compatible mixed use activity with urban residential neighborhoods. The district includes a balance of compatible residential, office, cultural, and neighborhood commercial retail/service uses of low to moderate intensity that complement and support neighborhood residential areas and pedestrian usage.

D-3 DOWNTOWN MIXED USE DISTRICT:

The purpose of this district is to reestablish the linkage between downtown and the Kansas River through intensive redevelopment of the area north of Crane Street to the Kansas River. The district includes housing, commercial and office uses that emphasize the relationship between downtown and the river, as well as expand cultural opportunities in the general downtown area. (Ord. 17661 § 2, 8-20-01. Code 1995 § 48-24b.00.)

HL HISTORIC LANDMARK OVERLAY DISTRICT:

This district provides for the designation of individual local historic landmarks. The overlay-zoning district does not change the base zoning classification of the subject property, but, attaches preservation responsibilities that are only applicable to the property.

“Overlay zoning” means any zoning that functions in addition to the existing land use zoning, as in the case of local historic landmark or local historic district zoning.

HD HISTORIC OVERLAY DISTRICT:

This district provides for the designation of multiple properties as a historic district. Historic district designation does not change the base zoning of underlying properties, but requires submission and compliance of district preservation design guidelines.

“Overlay zoning” means any zoning that functions in addition to the existing land use zoning, as in the case of local historic landmark or local historic district zoning.

PUD PLANNED UNIT DEVELOPMENT DISTRICT:

This district is established to permit greater flexibility and more creative, innovative and imaginative design for the development of areas that are generally possible under the strict application of the regulations of the other districts. It is further intended to promote more economical and efficient use of the land while providing for a pleasing and harmonious development and environment, including opportunities to provide for a high level of urban amenities, and the preservation of open spaces. The regulations of this district are intended to encourage the use of this district in order to integrate multiple uses into the development; to adapt the proposed use(s) to meet the conditions of the site; and to affect certain economics in public facilities. The requirements contained herein are set forth to provide for such development on other than a lot-by-lot basis.

Due to the nature and implications of a district zone which provides for such a broad spectrum of land use and a more challenging responsibility of the delivery of public services, considerations and quasijudicial deliberations relating to the compatibility of the district to a particular site shall permit greater discretionary review and broad latitude in applying conditions and limitations for a permitted development. The compliance with all standards set forth in this division and the submittal of all

Municipal Code Purpose Statements of Zoning Districts – City of Topeka, Kansas

specified documents and data shall not entitle an applicant to this district classification. (Ord. 19370 § 108, 3-23-10. Code 1995 § 48-24.00.)

MS-1 MEDICAL SERVICE DISTRICT:

This district is established to provide for the location and use of a regional medical center together with related medical facilities and supporting ancillary-service uses, including residential dwellings. It is not the purpose nor the intention of this zoning district to preclude the similar use of land or buildings as provided herein from other districts as may be permitted by this division. (Code 1995 § 48-23.00.)

U-1 UNIVERSITY DISTRICT:

This district is established to provide for the use of a college or university as a special zoning district. All development, redevelopment or enlargements shall be in accordance with an approved master development plan. (Ord. 16754 § 14, 9-13-94. Code 1995 § 48-22.00.)

MIXED USE DISTRICT:

The mixed use districts are unique to traditional neighborhood settings and are provided to encourage a compatible mixed use environment, utilizing the historic character or future character of the area. The X mixed use districts serve to implement land use plans of the Comprehensive Plan.

X-1 MIXED USE DISTRICT:

This district facilitates a compatible mixed use activity center within a traditional residential neighborhood. The district includes a balance of compatible residential, office, civic, and neighborhood commercial retail/service uses of low to moderate intensity that complement and support dense neighborhood residential areas and pedestrian usage with quality urban design.

X-2 MIXED USE DISTRICT:

This district facilitates a mixed use area that transitions from a higher intensity industrial use area to lower intensity neighborhood-scale residential areas and includes a balance of compatible residential, office, commercial service, and light industrial uses.

X-3 MIXED USE DISTRICT:

This district facilitates a destination-oriented mixed use district in the area known as the North Crossings area of North Topeka that serves as the northern entertainment/cultural anchor of downtown. The objectives of the district include:

- (1) Improving the area as a 24-hour destination for urban, cultural, entertainment, community, and residential experiences; and
- (2) Retention and attraction of businesses, workplaces and residences through adaptive reuse and rehabilitation of existing buildings as a preference; and
- (3) Redeveloping vacant and under-utilized properties through appropriately scaled in-fill development; and
- (4) High quality development and urban design standards that maintain a sense of history, human scale, and pedestrian-orientation. (Ord. 17746 § 2, 11-13-01; Ord. 17502 § 2, 5-22-00. Code 1995 § 48-23a.01.)