(Published in the Topeka Metro News September 1, 2000)

SHAWNEE COUNTY RESOLUTION NO. 2000-97

CITY OF TOPEKA ORDINANCE NO. 17503

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Joan Wagnon, relating to Day Care Facilities, Type II, amending Article XXXV, Definition of the Topeka City Code, Chapter 48, Topeka City Code § 48-15.02(c) C-1 Conditional Uses, Topeka City Code § 48-17.02(b) C-3 Provisional Uses, Topeka City Code § 48-18.02(b) C-4 Provisional Uses, Topeka City Code § 48-19.02(b) C-5 Provisional Uses, and Topeka City Code § 48-20.02(c) I-1 Conditional Uses.

BE IT RESOLVED by the Board of County Commissioners of the County of Shawnee, Kansas, on this 22nd day of May, 2000.

BE IT ORDAINED by the Council of the City of Topeka, Kansas, on this 9th day of May, 2000, as follows:

Section 1. City of Topeka Code § 48.00 et seq., Comprehensive Zoning Regulations for the City of Topeka and unincorporated areas of Shawnee County, Article XXXV. Definitions is hereby amended by the addition of the following language:

Day Care Facility, Type II: A structure or portion thereof, and premises, operated and licensed in accordance with any and all applicable state and local requirements, in which care is provided for profit or not for profit, to children and/or adults on a regular schedule for less than 24 hours a day, and which may be operated as a secondary and/or ancillary use to a primary or principal use, such as, but not limited to a place of worship, community center, library, or private business, and associated with that activity.

Section 2: City of Topeka Code § 48.15.02(c), C-1 Commercial Uses, conditional uses is amended by the addition of the following language:

Day Care Facility, Type II, subject to the provisions of Article XXVI.
Section 3: City of Topeka Code § 48-17.02(b), C-3 Commercial Uses, provisional uses is amended by the addition of the following language:

Day Care Facility, Type II, subject to the provisions of Article XXVI.

Section 4: City of Topeka Code § 48-18.02(b), C-4 Commercial Uses, provisional uses is amended by the addition of the following language:

Day Care Facility, Type II, subject to the provisions of Article XXVI.

Section 5: City of Topeka Code § 48-19.02(b), C-5 Commercial Uses, provisional uses is amended by the additional of the following language:

Day Care Facility, Type II, subject to the provisions of Article XXVI.

Section 6: City of Topeka Code § 48-20.02(c), I-1 Light Industrial Uses, conditional uses is hereby amended by the addition of the following language:

Day Care Facility, Type II, subject to the provisions of Article XXVI.

Section 7: If any section or provision or part thereof of this Resolution/Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the Resolution/Ordinance as a whole or any section, provision or portion thereof not adjudged invalid or unconstitutional.

Section 8: This Resolution/Ordinance shall take effect and be in force from and after its passage, approval and publication in the official County and City newspaper.
PASSED and APPROVED by the Board of County Commissioners, Shawnee County, Kansas

May 22, 2000

Theodore Ensley, Chairman

Marge Kane, Vice Chair

Mike Meier, Member

ATTEST:

Cynthia Beck, County Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 05/22/00 BY KMM
Asst. Shawnee County Counselor

PASSED and APPROVED by the City Council

MAY 09 2000

Joan Wagnon, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 11/17/00
TO BE CODIFIED
NOT TO BE CODIFIED

ORD/CNTY/CITY-DAYCARE
3/10/00