

**ORDINANCE 4193**  
**MODIFYING RESIDENTIAL USE ON FIRST FLOOR OF CENTRAL BUSINESS**  
**DISTRICT STRUCTURES**

AN ORDINANCE AMENDING SECTION TWO (2) OF ORDINANCE NUMBER 4003 OF THE CITY OF GARNETT, KANSAS, TO CHANGE THE RESTRICTIONS FOR SINGLE AND TWO (2) FAMILY RESIDENTIAL USES OF STRUCTURES IN ZONE B-2 (CENTRAL BUSINESS DISTRICT); REPEALING SECTION TWO (2) OF ORDINANCE NUMBER 4003.

**WHEREAS**, the Governing Body has received a report of the Planning Commission recommending the amendment of the City of Garnett's Zoning Regulations to permit single and two (2) family residential uses of structures in zone B-2 (Central Business District) under certain conditions; and,

**WHEREAS**, said report having been examined and considered, the same is approved.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS, THAT:**

**SECTION 1.** Section Two (2) of Ordinance Number 4003 is hereby amended to read as follows, to-wit:

Single and Two (2) Family Residential Uses (GRP 100/SIC #1001 and #1002, respectively) shall be allowed on the main floor of structures in Zone B-2 (Central Business District) upon the following conditions:

- A. The structure shall remain generally compatible with adjacent properties in the district.
- B. The residential use cannot exceed fifty percent (50%) of the actual floor space of the main or ground floor of the structure.
- C. The residential use must be restricted to the rear of the structure. The front part of the structure must be restricted to otherwise permitted commercial uses in the said B-2 Zone except for any required ingress/egress corridors needed to make such residential use in the rear code-compliant. Any such ingress/egress corridor shall count toward the fifty percent (50%) limit on residential use.

Provided, however, nothing in this section shall limit the existing, permitted use in an I-1 (Light Industrial District) for housing to be provided in a structure in such zone for a night watchman.

**SECTION 2.** The Use Description Grid for Garnett’s Zoning Regulation shall be amended by interlineation to reflect the provisions hereof.

**SECTION 3.** Section Two (2), of Ordinance Number 4003 is hereby repealed.

**SECTION 4.** This ordinance shall take effect and be in force from and after its passage and its publication in an official newspaper of the City of Garnett, Kansas.

**PASSED AND APPROVED BY THE GOVERNING BODY OF GARNETT, KANSAS,** this 24<sup>th</sup> day of October, 2017.

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W. Gordon Blackie, Mayor

ATTEST:

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Kristina L. Kinney, City Clerk

