

Memorandum
City of Lawrence
Douglas County
Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Sheila M. Stogsdill, Assistant Director

CC: Scott McCullough, Director
John Miller, Staff Attorney
Cynthia Boecker, Assistant City Manager
Diane Stoddard, Assistant City Manager

Date: 03/16/09

RE: CC Agenda Item for 03/24/09 - Initiation of Text Amendments to Development Code

Please place the following item on the City Commission consent agenda for March 24, 2009.

I. Background

Planning Staff has continued to review Chapter 20 of the City Code in an effort to continue to provide an improved and consistent development review process for all users of the Development Code. Staff has identified a number of areas of the code that require revision and intends to move amendments forward in 'bundles' throughout the year. Staff has identified three general topics that need to be addressed with revisions to the code:

Parking –

- How requirements are calculated – Many of the nonresidential uses are assigned the same parking ratio (space per square feet) as required in the pre-2006 code, however the 2006 code applies the ratio to gross square feet rather than net square feet, as previously required. Many existing developed sites are now considered deficient in regard to parking requirements through no fault of their own. Redevelopment of these sites has involved significant applicant/staff hours to evaluate and resolve. Staff has been evaluating provisions in Article 9 – Parking in an effort to resolve these issues and simplify the requirements and evaluation process.
- Parking lot landscaping requirements – The 2006 code now requires the provision of 60 square feet of interior parking lot landscaping for each parking space. This equates to one-third the area of each space, where the pre-2006 code required 15%

of the overall parking lot area which included the space devoted to drive aisles. The new requirement has proven to be excessive and difficult to achieve. It has also resulted in continual requests to utilize the 'alternative compliance for interior parking lot landscape' provisions for redevelopment and new development projects, which signals that these requirements are excessive and unrealistic.

Plan Approvals/Extensions –

- Approvals -- In reviewing recent requests for project approval extensions, Staff has found that the code lacks consistency in approval time periods for various types of development applications [such as site plans, special use permits, development plans, and plats]. Creating standard time frames would provide clarity for the development community, the public and staff. Additionally, time frames appear to be too restrictive and Staff believes these should be lengthened to a more reasonable approval period.
- Extensions – Staff has also determined that the code is not consistent in identifying the methods required to request or receive extensions of approval for the various types of development applications. To improve administration of the code and provide more clarity and predictability in process, amendments to the code are needed.

Site Plan Notice –

- Notice letters – Article 13 prescribes the text of the site plan notice letters that are sent to nearby property owners and neighborhood associations when development projects are proposed. Staff has found that the content of these letters has been confusing to many who receive them and has identified this issue as an amendment needed to improve communication to the public. The letter reads as if there is no ability to appeal a site plan when there clearly is a process to do so.
- Area to be noticed – The majority of proposed development projects that require site plan approval are required to provide posted notice and mailed notice to adjoining property owners. The majority of other development projects (planned developments, rezoning applications, BZA applications) include posted notice and mailed notice to properties within 200 feet. The differences in these procedures is confusing to the general public and Staff has identified this as a process improvement amendment.

II. Action Requested

Staff requests the City Commission initiate text amendments to various sections of Chapter 20 to address implementation issues regarding Parking/Landscaping Requirements, Plan Approvals/Extensions; and Site Plan Notice provisions in the code for future public hearing at the Planning Commission.