

**DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS
TEXT AMENDMENTS, JULY 21, 2009 EDITION**

Amending Sections
20-402, 20-403, 20-602, and 20-1708

**OF CHAPTER 20 OF THE CODE OF THE CITY OF LAWRENCE,
KANSAS**



City of Lawrence

Incorporated By Reference Pursuant to K.S.A. 12-3009, *et seq.* K.S.A. 12-3301
et seq. and the Home Rule Authority of the City

Passed by the Governing Body of the City of Lawrence, Kansas

Ordinance No. 8428

First Reading: July 21, 2009

Second Reading: , 2009

Date of Publication:

ORDINANCE NO. 8428

AN ORDINANCE RELATING TO CHAPTER 20, THE DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS OF THE CODE OF THE CITY OF LAWRENCE, KANSAS 2009 EDITION AND AMENDMENTS THERETO; AMENDING CHAPTER 20, ARTICLE 4, SECTIONS 20-402 and 20-403, AMENDING CHAPTER 20, ARTICLE 6, SECTION 20-602, AMENDING CHAPTER 20, ARTICLE 17, SECTION 20-1708 PERTAINING TO ANIMAL AGRICULTURE AND THE KEEPING OF FOWL BY ADOPTING AND INCORPORATING BY REFERENCE THE "DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, TEXT AMENDMENTS, JULY 21, 2009 EDITION" PREPARED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING OFFICE OF THE CITY OF LAWRENCE, KANSAS, AND REPEALING THE EXISTING SECTIONS

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

SECTION ONE: Chapter 20, the Development Code of the City of Lawrence, Kansas of the Code of the City of Lawrence, 2009 Edition and amendments thereto, is hereby amended as follows:

Incorporation by Reference of the "Development Code of the City of Lawrence, Kansas, Text Amendments, July 21, 2009 Edition"

There is hereby adopted and incorporated by reference, as if fully set forth herein, for the purpose of amending sections to Chapter 20, the Development Code of the City of Lawrence, Kansas of the Code of the City of Lawrence, Kansas 2009, Edition, and amendments thereto, the "Development Code of the City of Lawrence, Kansas, Text Amendments, July 21, 2009 Edition" prepared, compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas. At least one copy of the "Development Code of the City of Lawrence, Kansas, Text Amendments, July 21, 2009 Edition" shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8428" with all sections or portions thereof intended to be omitted clearly marked to show any such omission or showing the sections, articles, chapters, parts or portions that are incorporated, as the case may be, and to which shall be attached a copy of this incorporating ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable business hours. The police department, municipal judge, and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such "Development Code of the City of Lawrence, Kansas, Text Amendments, July 21, 2009 Edition" marked as may be deemed expedient.

SECTION TWO: That Chapter 20, Article 4, Sections 20-402 and 20-403, and Chapter 20, Article 6, Section 20-602, and Chapter 20, Article 17, Section 20-1708 of the Code of the City of Lawrence, 2009 Edition and amendments thereto, are hereby repealed it being the intent that the provisions of this ordinance supersede the repealed code provisions.

SECTION THREE: If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION FOUR: This ordinance shall take affect and be in force from and after its passage and publication as provided by law.

Passed by the Governing Body this ____ day of _____, 2009.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of Legal Services.

20-402 RESIDENTIAL DISTRICT USE TABLE

[illegible]

[illegible]

[illegible]

SECTION TWO: Chapter 20, Article 4, Section 20-403 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
RESIDENTIAL USE GROUP																
Household Living	Accessory Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	534
	Attached Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	P*	-	503
	Cluster Dwelling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	702
	Detached Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	P*	P*	508
	Duplex	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	503
	Manufactured Home	-	-	-	-	-	-	-	-	-	P	P	-	P	P	
	Manufactured Home, Residential-Design	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	513
	Mobile Home	-	-	-	-	-	-	-	-	-	P	P	-	P	P	
	Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Multi-Dwelling Structure	P*	P*/S*	P*	-	P*/S*	P*		P*	-	-	-	-	S	P	517
	Non-Ground Floor Dwelling	P*	P*	P*	-	P*	-	-	-	-	-	-	-	-	-	542
	Work/Live Unit	P*	P*	P*	-	P*	-	-	-	-	-	-	-	-	-	541
Zero Lot Line Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	-	-	531	
Home Occupation, Type A or B	-	-	P*	-	-	-	-	-	-	-	-	-	-	-		
Group Living	Assisted Living	-	-	P	-	-	-	-	-	-	-	-	-	S	S	
	Boarding Houses & Cooperatives	-	-	P	-	-	-	-	-	-	-	-	-	-	-	
	Dormitory	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	-	-	-	-	-	P	
	Group Home, Limited (10 or less)	P	-	P	-	-	-	-	-	-	-	-	-	-	-	
PUBLIC AND CIVIC USE GROUP																
Community Facilities	Cemetery	P*	P*	-	P*	-	P*	P*	P*	P*	P*	-	P*	P*	-	505
	College/University	S	P	P	P	P	P	P	P	P	P	P	-	P	P	
	Cultural Center/Library	S	P	P	S	P	P	-	-	P	-	-	S	P	A	
	Day Care Center	S*	P*	S*	S*	S*	P*	P*	P*	P*	P*	P*	-	-	-	507
	Day Care Home, Class A	P	P	P*	-	P	P	-	P	-	-	-	-	-	-	

		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed																
	Day Care Home, Class B	S*/A*	P*	S*	-	P	P	-	P	-	-	-	-	-	-	507
	Detention	-	-	-	-	-	-	-	-	-	S	P	-	-	-	
	Lodge, Fraternal and Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	-	P*	-	-	P*	-	512
	Postal & Parcel Service	-	P	P	P	P	P	P	P	P	P	P	-	P	-	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	-	P	-	
	School	P	P	P	P	P	P	P	P	-	-	-	-	P	-	
	Funeral and Interment	-	P*	-	P*	P*	P*	P*	P*	P*	P*	-	A*	-	-	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	S*	-	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	P	-	P	P	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	S	-	S	S/A*	522
	Utility, Minor	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	-	530
	Utility and Service, Major	S	S	S	S	S	S	S	S	S	S	P	S	P	-	
Medical Facilities	Extended Care Facility, General	-	S	-	S	-	-	-	-	S	-	-	-	-	P	
	Extended Care Facility, Limited	P	P	P	P	-	-	-	-	-	-	-	-	S	P	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	-	-	P	A	
	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	P*	P*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	-	S	A*/S*	A	532
	Entertainment & Spectator Sports, Gen.	-	-	-	-	P	P	P	P	-	-	-	-	S	-	
	Entertainment & Spectator Sports, Ltd.	-	P	P	-	P	P	P	P	-	-	-	S	P	-	
	Participant Sports & Recreation, Indoor	-	P	P	-	P	P	P	P	P	P	-	-	P	A	
	Participant Sports & Recreation, Outdoor	-	-	S	-	-	P	P	P	P	P	-	-	A*/S*	-	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Nature Preserve/Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Private Recreation	P	P	P	-	P	P	-	P	-	-	-	P	P	P	
Group Assembly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	522

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	522
COMMERCIAL USE GROUP																
Animal Services	Kennel	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Livestock Sale	-	-	-	-	-	S	S	S	-	P	P	-	-	-	
	Sales and Grooming	P	P	P	P	P	P	P	P	-	P	P	-	-	-	
	Veterinary	-	P	P	P	P	P	P	P	P	P	P	-	-	-	
Eating & Drinking Establishments	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	-	-	-	509
	Accessory Restaurant	-	-	-	-	-	-	-	-	A	-	-	-	-	-	
	Bar Or Lounge	-	-	-	-	P*	P*	P*	P*	-	-	-	-	-	-	509
	Brewpub	-	P*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	509
	Fast Order Food	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	511 & 509
	Fast Order Food, With Drive-In	-	S	-	-	-	P	P	P	-	P	-	-	-	-	
	Nightclub	-	-	-	-	P*	-	P*	P*	-	-	-	-	-	-	509
	Private Dining Establishments	P*	P*	-	P*	P*	P*	P*	P*	P*	-	-	-	-	-	539
	Restaurant, Quality	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	524
Office	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	A*	518
	Financial, Insurance & Real Estate	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	A*	510
	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	537
Parking Facilities	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	-	S	S	S	S	P	P	P	P	P	P	-	P	A	
Retail Sales & Service	Building Maintenance	-	P	S	-	P	P	P	P	-	P	P	-	A	A	
	Business Equipment	-	P	P	-	P	P	P	P	P	P	-	-	-	-	
	Business Support	-	P	P	P	P	P	P	P	P	P	P	-	-	A	
	Communications	-	P	P	P	P	P	P	P	P	P	-	-	-	A	
	Construction Sales and Service	-	-	-	-	-	P	P	P	-	P	P	-	-	A	
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	511
	Mixed Media Store	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	516 528
	Personal Convenience	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	A*	520
	Personal Improvement	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	A*	A*	521
	Repair Service, Consumer	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	525
	Retail Establishment,	-	-	-	-	-	P*	P*	S*	-	-	-	-	-	-	526

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	Large Retail Establishment, Medium Retail Establishment, Specialty	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
		-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
Sexually Oriented Businesses	Sexually Oriented Media Store	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	528
	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	528
	Sex Shop	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
	Sexually Oriented Theater	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
Transient Accommodation	Bed and Breakfast	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	20-504
	Campground	-	-	-	-	-	P	P	P	-	-	-	S	-	-	
	Hotel, Motel, Extended Stay	-	-	P	-	P	P	P	P	-	-	-	-	-	A	
Vehicle Sales & Service	Cleaning (e.g., Car Wash)	-	S	-	-	-	P	P	P	-	P	P	-	-	-	
	Fleet Storage	-	-	-	-	-	P	P	P	-	P	P	-	-	A	
	Gas and Fuel Sales	-	S	S	-	-	P	P	P	-	P	P	-	-	-	
	Heavy Equipment Repair	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Heavy Equipment Sales/Rental	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Inoperable Vehicles Storage	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Light Equipment Repair	-	S	-	-	S	P	P	P	-	P	P	-	-	-	
	Light Equipment Sales/Rental	-	P*	-	-	S	P	P	P	-	P	P	-	-	-	545
	RV and Boats Storage	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
INDUSTRIAL USE GROUP																
Industrial Facilities	Explosive Storage	-	-	-	-	-	-	-	-	-	-	P	-	-	-	
	Industrial, General	-	-	-	-	-	-	-	-	-	P	P	-	-	-	
	Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	P	-	-	-	
	Laundry Service	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Manufacturing & Production, Ltd.	-	-	P	-	S	S	S	S	P	P	P	-	-	-	
	Manufacturing & Production, Tech.	-	-	-	-	S	P	P	P	P	P	P	-	-	-	

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
Wholesale, Storage & Distribution	Research Service	-	-	-	S	S	P	P	P	P	P	P	-	-	-	
	Scrap and Salvage Operation	-	-	-	-	-	-	-	-	-	S*	S*	-	-	-	527
	Exterior Storage	-	-	-	-	-	A*	A*	A*	A*	A*	A*	-	A*	A*	538
	Heavy	-	-	-	-	-	S	S	S	-	S	P	-	-	-	
	Light	-	-	-	-	-	P	P	P	P	P	P	-	S	-	
	Mini-Warehouse	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
OTHER USES GROUP																
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Agriculture	Agricultural Sales	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Agriculture, Animal Husbandry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Agriculture, Crop	P	P	P	P	-	P	P	P	P	P	P	-	P	-	
Communications Facilities	Amateur and Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
	Broadcasting Tower	-	-	-	-	S	-	-	-	P	P	P	-	-	A	
	Communications Service Establishment	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	A*	506
	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	A*	A*	529
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	-	-	-	-	-	-	-	-	-	-	S*	-	-	-	515
Recycling Facilities	Large Collection	-	-	-	-	-	P	P	P	-	P	P	-	-	-	540
	Small Collection	P	P	P*	P	P	P	P	P	P	P	P	-	A	A	540
	Processing Center	-	-	-	-	-	-	-	-	-	P	P	-	-	-	

SECTION THREE: Chapter 20, Article 6, Section 20-602 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-602 MEASUREMENT OF AND EXCEPTIONS TO DENSITY AND DIMENSIONAL STANDARDS

(a) Generally

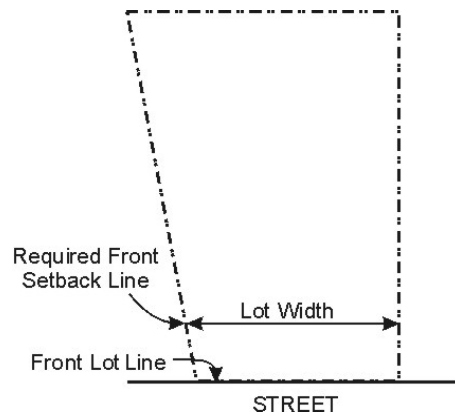
See the rules of Section 20-107(d), regarding the rounding of fractions, for all relevant calculations of minimums and maximums pursuant to this Article.

(b) Lot Area

The area of a Lot includes the total horizontal surface area within the Lot's boundaries, not including submerged lands, public Access Easements or rights-of-way. For Nonconforming Lots, see Section 20-1504.

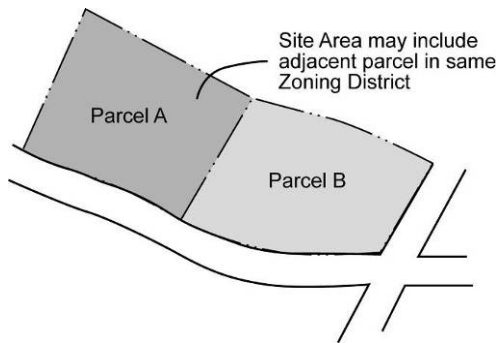
(c) Lot Width

Lot Width is the distance between Side Lot Lines measured at the point of the required Front Setback or chord thereof.



(d) Site Area

For purposes of Minimum and Maximum Site Area requirements, site area is the total contiguous land area included within a Zoning District. For example, if the minimum site area requirement of a Zoning District is 2 acres, no property may be rezoned to that District unless it includes a minimum site area of 2 acres or it abuts another Parcel in the same Zoning District and the site area of the combined Parcel is at least 2 acres in area. If there is a maximum site area requirement, no property may be rezoned to that Zoning District unless the maximum site area, including the site area of abutting Parcel in the same Zoning District, does not exceed the maximum site area for that Zoning District.

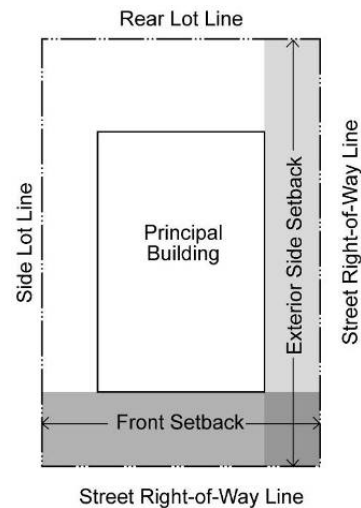


(e) **Setbacks and Required Yards**

(1) **Front and Exterior Side Setbacks**

Front and **Exterior Side Setbacks** extend the full width of a **Lot** and are measured from the Street right-of-way line. The Front and **Exterior Side Setbacks** will overlap at the outside corner of the **Lot**. The following exceptions apply:

- (i) In any District where 35% or more of the **Frontage** on one side of a Street between two intersecting Streets is improved with **Buildings** whose **Front Setbacks** do not vary more than 15 feet from the required **Front Setbacks** of the **Base District**, any new **Building** erected may comply with the average **Front Setback** of the existing **Buildings**.



- (ii) The widths of developed Lots will be used to determine the percentage of **Frontage** that is developed.
- (iii) The actual **Setbacks** of **Buildings** fronting on the Street will be used to determine the average **Front Setback**.

(2) **Rule for Through Lots**

A **Through Lot** shall have two **Front Setbacks**, at opposite ends of the **Lot**. The **Front Setback** provisions of this section shall apply to both. Other sides of a **Through Lot** shall be subject to **Side Setback** standards.

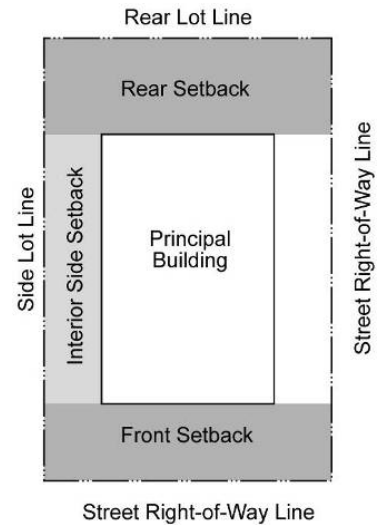
(3) Interior Side Setbacks

(i) Measurement

Interior Side Setbacks extend from the required Front Setback line to the required Rear Setback line and are measured from the Side Lot Line. If no Front or Rear Setback is required, the required Setback area shall run to the opposite Lot Line.

(ii) Exception

The width of one Interior Side Setback may be reduced by the Planning Director to a width of not less than 3 feet if the sum of the widths of the two Interior Side Setbacks on the same Lot is not less than the combined required minimum for both Side Setbacks. This reduction may be authorized only when the Planning Director finds the reduction is warranted by the location of existing Buildings or conducive to the desirable development of two or more Lots.

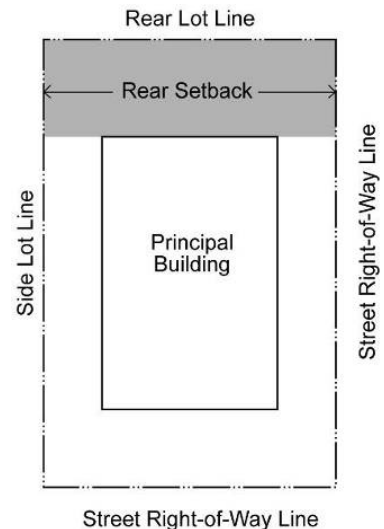


(4) Rear Setbacks

(i) Measurement

Rear Setbacks extend the full width of the Lot and are measured from the Rear Lot Line.

- a. In calculating the required depth of a Rear Setback abutting an Alley, the Rear Setback may be measured from the centerline of the abutting Alley.
- b. On Corner Lots in RS10 and RS7 Districts, Structures may be located at an angle, with the long axis of the Lot facing the intersecting Street Lines. In such cases, the Front and Side Setback standards of Section 20-216(d) apply, but the minimum Rear Setback is reduced to 20 feet.



(5) Setbacks for Speaker Box Systems

There shall be a minimum of one hundred (100) feet between any speaker box system, such as those commonly used at fast order food establishments, and any residence in a residential district.

(i) Screening

- (ii) Any area intended or employed for a use that requires Special Use approval under Article 4 shall be located at least 50 feet from any residential Lot or District or be so Screened as to provide visual and auditory privacy to such Lot or District.

(6) Permitted Exceptions to Required Yard and Setback Standards

Required Yards and Setbacks shall be unobstructed from the ground to the sky except that the following features may be located therein to the extent indicated:

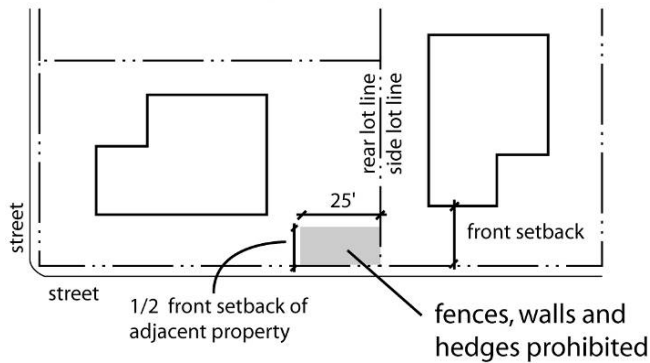
- (i) Cornices, canopies, eaves or other architectural features may project into Required Yards up to 2.0 feet.
- (ii) Unenclosed fire escapes may project into Required Yards and/or Setbacks, provided that they are set back at least 3 feet from all Lot Lines.
- (iii) An uncovered stair and necessary landings may project into Required Yards and/or Setbacks, provided that they are set back at least 3 feet from all Lot Lines, and the stair and landing may not extend above the entrance floor of the Building except for a railing not exceeding 4 feet in Height.
- (iv) Bay windows, balconies, and chimneys may project into Required Yards and/or Setbacks up to 2 feet, provided that such features do not occupy, in the aggregate, more than 1/3 the length of the Building wall on which they are located.
- (v) Mechanical Structures are items such as heat pumps, air conditioners, emergency generators, and water pumps. Mechanical Structures are not allowed in required Front or Side Yards, but they may be located in required Rear Yards if they are located at least 5 feet from the Rear Lot Line.
- (vi) Vertical Structures are items such as flag poles, trellises and other garden Structures, play Structures, radio

Antennas, and lamp posts. Vertical Structures are allowed in Required Yards if they are no taller than 30 feet. If they are taller, they are not allowed in required Setbacks, except that flag poles are allowed in any Required Yard.

- (vii) Uncovered horizontal Structures are items such as decks, stairways, entry bridges, wheelchair ramps, swimming pools, hot tubs and tennis courts that extend no more than 2.5 feet above the ground are allowed in required Setbacks; such Structures may be enclosed by fences, in accordance with other provisions of this section but shall not be otherwise enclosed. Swimming pools shall be fenced in accordance with Chapter 5, City Code.
- (viii) Covered Accessory Structures (Buildings) are items such as garages, greenhouses, storage Buildings, wood sheds, covered decks, **coops for fowl**, and covered porches. Covered Accessory Structures that are six feet or less in Height are allowed in required Side and Rear Yards, and covered Accessory Structures greater than six feet in Height are allowed in the required Rear Yard where an Alley abuts the Rear Lot Line, but no covered Accessory Structure is allowed in a required Front Yard.

In addition, coops for fowl shall meet all setback requirements established in Article 5 of Chapter III of the City Code. Setback standards contained in Article 5 of Chapter III of the City Code are not subject to Board of Zoning Appeals review.

- (ix) Fences, walls or hedges up to six feet in Height (at any point) above the elevation of the surface of the ground may be located in any Required Yard, except:
 - a. as otherwise provided in City Code Chapter 16, Article 6; and
 - b. on Corner Lots with a Rear Lot Line that abuts a Side Lot Line of another Lot in a Residential District, no fence, wall or hedge within 25 feet of the common Lot Line may be closer to the Exterior Side Lot Line than one-half the depth of the actual Front Setback of the Lot that fronts on the side Street.



(7) Setbacks Along Designated Thoroughfares

The minimum Front and Exterior Side Setbacks for each Lot that abuts a Street shown on the Lawrence/Douglas County MPO Transportation Plan, as amended, shall be measured from the recommended ultimate right-of-way line for each classification of Street.

(f) Building Coverage

Building coverage refers to the total area of a Lot covered by Buildings or roofed areas, as measured along the outside wall at ground level, and including all projections, other than Open Porches, fire escapes, and the first 2.0 feet of a roof overhang. Ground-level Parking, open recreation areas, uncovered patios and plazas will not be counted as Building coverage.

(g) Outdoor Area

(1) Purpose

The required outdoor area standards assure opportunities for outdoor relaxation or recreation. The standards help ensure that some of the land not covered by Buildings is of an adequate size, shape and configuration to be useable for outdoor recreation or relaxation. The requirement for outdoor area serves as an alternative to a large Rear Setback and is an important aspect in addressing the livability of a residential Structure on a small Lot.

(2) Requirements

- (i) The minimum outdoor area for each Dwelling Unit shall be a contiguous area and may be on the ground or above ground.
- (ii) The area shall be surfaced with lawn, pavers, decking, or sport court paving that allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it

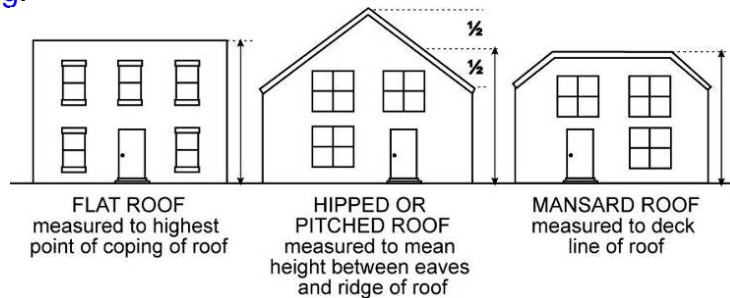
may not be fully enclosed. [Driveways](#) and [Parking Areas](#) may not be counted toward fulfillment of the outdoor area requirement.

- (iii) The required outdoor area may not be located in the required [Front Setback](#) or [Exterior Side Setback](#).

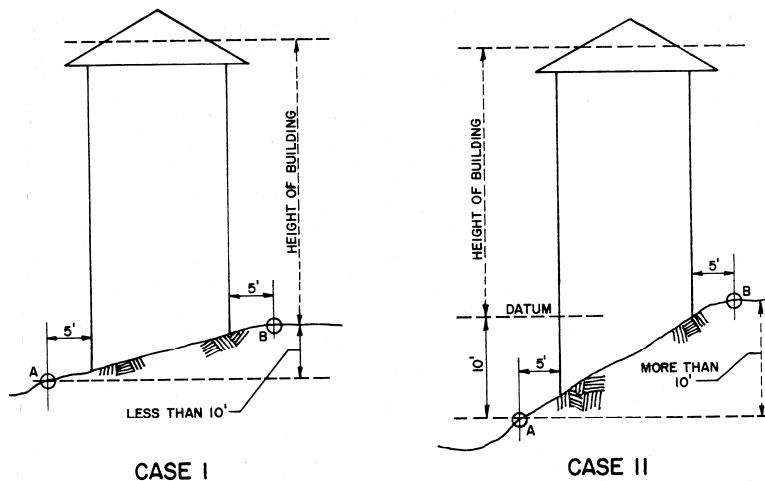
(h) **Height**

(1) **Measurement**

[Building Height](#) is measured as the distance between a reference datum and (1) the highest point of the coping of a flat roof; (2) the deck line of a mansard roof; or (3) the average [Height](#) of the highest gable of a pitched or hipped roof. The reference datum is either of the following, whichever yields a greater [Height](#) of [Building](#):



- (i) The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the [Building](#) when such sidewalk or ground surface is not more than 10 feet above lowest [Grade](#). (See “Case I” in accompanying illustration.)
- (ii) An elevation 10 feet higher than the lowest [Grade](#) when the sidewalk or ground surface described in subparagraph Section 20-602(h)(1)(i) above is more than 10 feet above lowest [Grade](#). (See “Case II” in accompanying illustration.)



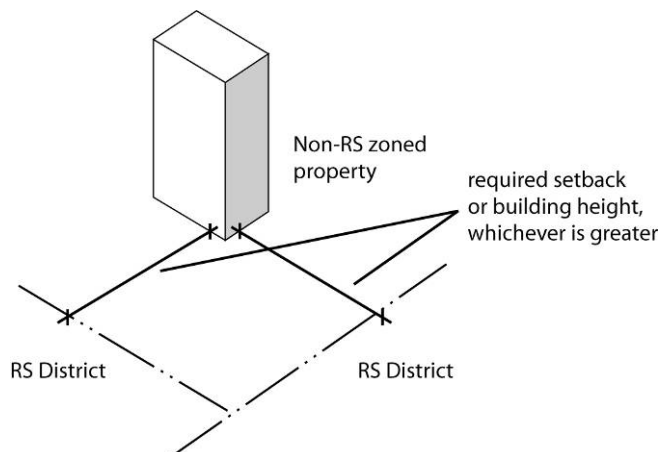
(2) Height Limit on Projects Adjoining Certain Residential Zoning Districts

(i) Applicability

The Height limitations set out in this Section shall apply to any Building constructed in a non-RS Zoning District on a Parcel adjoining, or separated only by an Alley or a Public Street from, a Parcel of land in any RS Zoning District, except that this limit shall not apply to any Building constructed in the CD Zoning District.

(ii) Height Limit Related to Setback

Any Building or Structure to which this Section is applicable shall be set back from the Yard line adjoining the RS Zoning District by the minimum Setback established in Section 20-601 when the Building or Structure is the same or lesser Height than the Building or Structure on the adjoining RS Lot. When the Height of the Building or Structure exceeds the Height of the Building or Structure on the adjoining RS Lot, the minimum Setback for the non-RS zoned property shall be equal to the Building's Height.



(3) Exceptions

- (i) Except as specifically provided herein, the **Height** limits of this Development Code do not apply to any roof **Structures** for housing elevators, stairways, tanks, ventilating fans, solar energy Collectors, or similar equipment required in the operation or maintenance of a **Building**, provided that such **Structures** do not cover more than 33% of the roof area or extend over ten (10) feet in **Height** above the maximum **Height** allowed by the **Base Districts**.
- (ii) Except as specifically provided herein, the **Height** limitations of this Development Code do not apply to radio **Antennas**, television **Antennas**, church spires, steeples, clock towers, water towers, flag poles, construction cranes, or similar attached and non-habitable **Structures**, which may be erected above the **Height** limit, nor to fire or parapet walls provided that such walls may not extend more than five (5) feet above the roof.
- (iii) **Telecommunication Towers** may exceed the **Zoning District Height** limit if reviewed and approved as a Special Use in accordance with Section 20-1306.

SECTION FOUR: Chapter 20, Article 17, Section 20-1708 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1708 AGRICULTURE, ANIMAL

Activities that primarily involve raising, producing or keeping of animals. Examples include breeding or raising of fowl or other animals; stables; riding academies; kennels or other animal boarding places that are not otherwise specifically defined in this Development Code. **The keeping of fowl in compliance with the requirements of Article 5 of Chapter III of the City Code shall not constitute an animal agriculture use.**