

ORDINANCE NO. 8455

AN ORDINANCE PERTAINING TO CHAPTER 20, THE DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS OF THE CODE OF THE CITY OF LAWRENCE, 2009 EDITION AND AMENDMENTS THERETO; AMENDING CHAPTER 20, ARTICLE 10 SECTION 20-1001 PERTAINING TO LANDSCAPE STANDARDS AND REPEALING THE EXISTING SECTION.

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

SECTION ONE: Chapter 20, Article 10, Section 20-1001 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1001 GENERAL

(a) Purpose

The regulations of this article are intended to:

- (1) maintain the City's quality, heritage and character by enhancing its visual appearance through the use of [Landscaping](#);
- (2) enhance environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, filtering of stormwater runoff, abatement of noise, glare and heat;
- (3) replenish the local stock of native trees by encouraging the use of plant materials that are native to or generally suitable for planting in the region;
- (4) [Screen](#) large off-street [Parking Areas](#) and other unsightly equipment and materials from view of persons on Streets or adjoining properties;
- (5) buffer incompatible uses;
- (6) help prevent light spillover; and
- (7) preserve and protect mature stands of existing trees, where the trees have a minimum [Caliper](#) of 12" or larger from destruction and removal.

(b) Applicability

Unless otherwise expressly stated, the [Landscaping](#) and [Screening](#) standards of this article apply to any of the following: **Development Activity that requires Site Plan Review in accordance with Section 20-1305 of this Development Code.**

- (1) ~~the construction of any [Principal Building](#);~~
- (2) ~~the addition to or enlargement of any [Principal Building](#) by more than twenty percent (20%) of its existing [Gross Floor Area](#) (or smaller additions if the aggregate area of such additions over a period of 18 months exceeds the twenty percent (20%) threshold);~~
- (3) ~~the addition to or enlargement of any [Principal Building](#) by more than 1,500 square feet (or smaller additions if the aggregate area of such additions over a period of 18 months exceeds 1,500 square feet);~~

- ~~(4) the construction or installation of any surface **Parking Area** containing 5 or more off street **Parking Spaces** (or smaller additions if the aggregate of such additions over a period of 18 months triggers the 5 space threshold);~~
- ~~(5) all areas of a site or development that are not covered by **Buildings** or **Impervious Surfaces**; and~~
- ~~(6) a change in use of the property that requires rezoning to a more intensive zoning classification or Special Use approval.~~

(c) Exemptions

The following are expressly exempt from compliance with the **Landscaping** and **Screening** standards of this article:

- (1) the construction or expansion of a single **Detached Dwelling**;
- (2) the construction or expansion of a **Duplex**; and
- (3) agricultural uses.

(d) Contents of a Landscape Plan

All **Landscaping** plans shall include at least the following information:

- (1) the location, size, planting type and quantity of all proposed **Landscape Materials** along with common and botanical names of all species. The size, grading and condition shall be specified according to American Association of Nurseryman Standards;
- (2) the location, size and common name of all existing plant material to be retained on the site and a copy of the **Tree Protection** plan for implementation during construction;
- (3) mature sizes of plant material shall be drawn to **Scale** and identified on the plan by a name or appropriate key;
- (4) the location of hose connection, spigots and other watering sources;
- (5) the location of all trees, 12 inch **Caliper** or larger, that are proposed for removal; and
- (6) the location, dimensions, and design of all **Screening** required by this chapter.
- ~~(7) The signature and seal of a registered Landscape Architect.~~

SECTION TWO: Existing Chapter 20, Article 10, Section 20-1001 is hereby specifically repealed it being the intent that the provisions of this ordinance supersede the repealed code provisions.

SECTION THREE: Severability. 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 effect 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.