

**PLANNING COMMISSION REPORT**  
**Regular Agenda -- Public Hearing Item**

PC Staff Report  
08/24/2009

**ITEM NO. 11: AMENDMENTS TO DEVELOPMENT CODE; LANDSCAPE PLANS (SMS)**

**TA-6-15-09:** Consider Text Amendments to Article 10 of the City of Lawrence Land Development Code to amend standards for landscape plans. Initiated by the Lawrence – Douglas County Planning Commission on May 20, 2009.

**RECOMMENDATION:** Staff recommends that the Planning Commission recommend approval of the proposed amendment [TA-6-15-09] to Section 20-1001 of Chapter 20, Land Development Code and forward the proposed amendment to the City Commission for approval.

**Reason for Request:** The Planning Commission initiated this amendment on May 20, 2009 along with other amendments aimed at making development standards more reasonable for property owners while maintaining the stated purposes established in the code.

**RELEVANT GOLDEN FACTOR**

- Conformance with the Comprehensive Land Use Plan is the relevant factor that applies to this request. Adoption of new regulatory tools, one of which is the zoning regulations, is an implementation step in Chapter 13 of *Horizon 2020*, the City/County Comprehensive Land Use Plan.

**PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

- None to date.

**KEY POINTS/ OVERVIEW OF PROPOSED AMENDMENT**

- The requirements listed in 20-1001(d) do not distinguish among the various types of site plans that may be submitted. The development community has expressed concern that the requirement to always require a landscape plan to be prepared by a registered Landscape Architect increases the cost to prepare a site plan for standard and minor site plans that may not involve extensive landscape changes. Since site plan applications are reviewed by the City's Horticulture Manager, staff has concluded that this specific requirement is not specifically necessary and agrees it may unnecessarily add cost to the application process.
- Large-scale new development typically involves an entire team of design professionals, including landscape architects, whether the code requires it or not. Therefore, removal of this requirement should not impact the quality of plans submitted for major development projects.

### **CONFORMANCE WITH *HORIZON 2020***

Streamlining procedures is identified as a key action in the Implementation Chapter of *Horizon 2020*. Reducing the potential cost associated with development applications submitted for review is one method to improve the review process.

### **CRITERIA FOR REVIEW & DECISION-MAKING**

Section 20-1302(f) provides review and decision-making criteria on proposed text amendments. It states that review bodies shall consider at least the following factors:

- 1) Whether the proposed text amendment corrects an error or inconsistency in the Development Code or meets the challenge of a changing condition; and**

**Staff Response:** The Development Code originally included the requirement to submit plans prepared by a registered landscape architect in response to lack of standards regarding landscape plans in the previous code. The other requirements listed in 20-1101(d) regarding the contents of the landscape plan provide the detail necessary to review development proposals. These plans can be provided by a number of qualified design professionals. The proposed amendment addresses the cost issue that is associated with this specific requirement.

- 2) Whether the proposed text amendment is consistent with the Comprehensive Plan and the stated purpose of this Development Code (Sec. 20-104).**

**Staff Response:** As discussed above, the comprehensive plan recognizes the need to adopt implementation tools that provide a consistent and predictable process to address development proposals that are determined to be consistent with the plan. The removal of this one specific requirement regarding the preparation of landscape plans will not reduce the ability to receive quality plans for review.

The existing text for Section 20-1001 is shown below. New text is shown in **bold, italic underlined font**; deletions are shown as ~~struck through~~. The amendment includes changes to provide consistency with recent changes or proposed changes in Article 13.

## 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.~~