

**DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS
TEXT AMENDMENTS, OCTOBER 13, 2009 EDITION**

Amending Sections
20-1302, 20-1305, and 20-1701

**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. 8465

First Reading: October 6, 2009

Second Reading: October 13, 2009

Date of Publication:

ORDINANCE NO. 8465

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 13, SECTIONS 20-1302 AND 20-1305 PERTAINING TO DEVELOPMENT REVIEW PROCEDURES AND CHAPTER 20, ARTICLE 17, SECTION 20-1701 BY ADOPTING AND INCORPORATING BY REFERENCE THE "DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, TEXT AMENDMENTS, OCTOBER 13, 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, Kansas 2009 Edition and amendments thereto, is hereby amended as follows:

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, October 13, 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, October 13, 2009 Edition" shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8465" 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, October 13, 2009 Edition" marked as may be deemed expedient.

SECTION TWO: Existing Chapter 20, Article 13, Sections 20-1302, 20-1305, and Article 17, Section 20-1701 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.

SECTION ONE: Chapter 20, Article 13, Section 20-1302 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1302 TEXT AMENDMENTS

(a) Initiation

An amendment to the text of the zoning ordinance Development Code may be initiated by the City Commission, the [Planning Commission](#), or, as to provisions affecting Urban Conservation Districts, by the [Historic Resources Commission](#); and adopted in accordance with the rules of that body. Applications for zoning map text amendments may also be initiated by private parties and shall be filed with the [Planning Director](#). The application shall be in writing and shall include the proposed text and the reasons for proposing the amendment. The [Planning Director](#) shall forward the application to the City Commission for review and consideration of initiating the amendment taking into consideration the need for the amendment. Any proposed amendment shall follow the process set forth in this section after initiation.

(b) Public Hearing Notice

Newspaper notice of the [Planning Commission](#)'s public hearing shall be provided in accordance with Section 20-1301(q).

(c) Staff Review/Report

The [Planning Director](#) will review each proposed text amendment in accordance with the review and decision-making criteria of subsection ~~(e)(3)~~ (f) of this Section and, if deemed necessary, distribute the proposed amendment to other agencies and reviewers. Based on the results of those reviews, the [Planning Director](#) will provide a report on the proposed amendment to the [Planning Commission](#) and City Commission.

(d) [Planning Commission](#)'s Review/Recommendation

The [Planning Commission](#) shall hold a public hearing on the proposed text amendment, review the proposed text amendment in accordance with the review and decision-making criteria of subsection ~~(e)(3)~~ (f) of this Section and recommend in writing that the City Commission approve, approve with modifications or deny the proposed amendment. The [Planning Commission](#) is also authorized to forward the proposed amendment to the City Commission with no recommendation.

(e) City Commission Decision

After receiving the [Planning Commission](#)'s recommendation, the City Commission shall take one of the following actions on the proposed text amendment:

- (1) approve, approve with modifications, or deny; or
- (2) return the application to the [Planning Commission](#) for further consideration, together with a written explanation of the reasons for the City Commission's failure to approve or disapprove.
 - (i) The [Planning Commission](#), after considering the explanation by the City Commission, may resubmit its original recommendations with its reasons for doing so or submit a new or amended recommendation.
 - (ii) Upon the receipt of such recommendation, the City Commission may, by a simple majority vote, approve the proposed text amendment, approve it with modifications, or deny it.
 - (iii) If the [Planning Commission](#) fails to deliver its recommendations to the City Commission following the [Planning Commission](#)'s next regular meeting after receipt of the City Commission's report, the City Commission will consider such course of inaction on the part of the [Planning Commission](#) as a resubmission of the original recommendations and proceed accordingly.
- (3) The City Commission may act by a simple majority vote, except for action pursuant to Section 20-1302(e)(1) that is contrary to the [Planning Commission](#)'s recommendations, in which case the action shall be by a 2/3 majority vote of the full membership of the City Commission.

(f) Review and Decision-Making Criteria

In reviewing and making decisions on proposed zoning text amendments, 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
- (2) whether the proposed text amendment is consistent with the [Comprehensive Plan](#) and the stated purpose of this Development Code (See Section 20-104).

(g) Date of Effect

The Development Code text amendment will become effective upon publication of the adopting ordinance.

SECTION TWO: Chapter 20, Article 13, Section 20-1305, of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1305 SITE PLAN REVIEW

(a) Purpose

The purpose of requiring Site Plan Review and approval is to ensure compliance with the standards of this Development Code prior to the commencement of [Development Activity](#) and to encourage the compatible arrangement of [Buildings](#), off-street parking, lighting, [Landscaping](#), pedestrian walkways and sidewalks, ingress and egress, and drainage on the site and from the site, any or all of these, in a manner that will promote safety and convenience for the public and will preserve property values of surrounding properties. Site Plans for ~~commercial development~~ **uses included in the Commercial Use Groups of Sections 20-402 and 20-403** shall comply with the Commercial Design Standards and Guidelines adopted by the City Commission on July 25, 2006 by Resolution No. 6669.

For the purposes of this section:

- (1) A change to a less intensive use shall be defined as:
 - (i) a change in use of a site or [Structure](#) in which the Development Code requires less parking for the proposed new or modified use; or
 - (ii) that the operational characteristics of the proposed new or modified use are such that they generate less activity on the site, or result in a decrease in the number of days or hours of operation of the site.
- (2) A change to a more intensive use shall be defined as:
 - (i) change in use of a site or [Structure](#) in which the Development Code requires more parking for the proposed new or modified use; or
 - (ii) that the operational characteristics are such that they generate more activity on the site, or result in an increase in the number of days or hours of operation of the site.

(b) Applicability

In any **Zoning District**, except as expressly exempted below in Section 20-1305(c), an administratively reviewed and approved site plan shall be required for:

(1) **Minor Development Projects**

Any development proposing the minor modification of a site, **as determined by the Planning Director**, which does not meet the criteria for a **Standard** or **Major Development Project**, or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a **Minor Development Project**.

(i) **Requirements of Site Plan Review**

- a. Amendments to an approved site plan depicting the proposed modification or improvements; and
- b. Verification that the use is permitted by zoning; and
- c. Verification that adequate parking is available.

(ii) **Public Notice**

The public notice procedures of Section 21-1305(g) are not applicable.

(iii) **Compliance with City Codes**

- a. Only those improvements or modifications proposed and approved as a **Minor Development Project** review are required to be compliant with the standards of this Development Code and/or the Commercial Design Standards, **unless otherwise determined by the Planning Director to be waived for good cause shown by the applicant. The Planning Director may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the Planning Director will remain eligible for consideration of a variance by the Board of Zoning Appeals.**
- b. Existing conditions of the site are not required to become compliant with all standards of this Development Code and/or the Commercial Design

Standards other than those standards which are deemed necessary, by the [Planning Director](#), to ensure the health, safety and welfare of the public and/or user of the site.

(2) [Standard Development Projects](#)

~~Any development proposing the modification of a site which does not have an approved site plan on file with the Planning Office, or a change in use on a site with an approved site plan on file with the Planning Office which meets the following criteria or proposes the following:~~

- ~~a. Any change in use to a more intensive use; or~~
- ~~b. A change in use to a less intensive use on a site without an approved site plan on file with the Planning Office; or~~
- ~~c. A modification to a site which alters the [Parking Area](#), drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns; or~~
- ~~d. A development in commercial [Zoning Districts](#) including redevelopment or modifications to the exterior style, design or material type of a [Structure](#) that is subject to the Commercial Design Standards; or~~
- ~~e. An outdoor dining use in the CD and CN1 [Zoning Districts](#) and any outdoor dining use located in any other [Zoning District](#) that would result in an increase of the number of [Parking Spaces](#) required; or~~
- ~~f. The construction of one or more new [Buildings](#) with a [Gross Floor Area](#) of 1,499 square feet or less; or~~
- ~~g. The construction of additions with a [Gross Floor Area](#) of 1,499 square feet or less, or less than twenty percent (20%) of the existing [Building](#); or~~
- ~~h. The installation or addition of less than 1,499 square feet of [Impervious Surface](#) coverage; or~~
- ~~i. Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the [Planning Director](#).~~

a. For any property containing existing development which does not have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project:

1. a change in use to a less intensive use and where physical modifications to the site, excluding interior [Building](#) modifications, are proposed; or
2. A change in use to a more intensive use regardless of whether physical modifications to the site are proposed; or
3. the substantial modification of a site, defined as:

- a. The construction of any new [Building](#)(s) on the site; or
- b. The construction of any [Building](#) addition that contains a [Gross Floor Area](#) of ten percent (10%) or more of the [Gross Floor Area](#) of existing [Building](#)(s); or
- c. Separate incremental [Building](#) additions below ten percent (10%) of the [Gross Floor Area](#) of existing buildings if the aggregate effect of such [Development Activity](#) over a period of 24 months would trigger the 10% threshold; or
- d. The addition of [Impervious Surface](#) coverage that exceeds 10% of what exists; or
- e. Any modification determined by the [Planning Director](#) to be substantial.

b. For property which does have an approved site plan on file with the Planning Office and which does not meet the criteria for a [Major Development Project](#), any development proposing the following shall be considered a [Standard Development Project](#):

1. any change in use of a site to a more intensive use regardless of whether modifications to the site are proposed; or
2. any modification of a site which meets the following criteria or proposes the following:

- a. A modification to a site which alters the [Parking Area](#), drive aisles, or on-site pedestrian and vehicular circulation and traffic patterns with impacts to the interior of the site; or*
- b. A development, redevelopment, or modifications to the exterior style, design or material type of a [Structure](#) that is subject to the Commercial Design Standards; or*
- c. An outdoor dining or hospitality use in the CD and CN1 [Zoning Districts](#) and any outdoor dining use located in any other [Zoning District](#) that would result in an increase of the number of [Parking Spaces](#) required; or*
- d. In the IG zoning district, the construction of one or more new [Building\(s\)](#) or building additions that contain a [Gross Floor Area](#) of less than fifty percent (50%) of the [Gross Floor Area](#) of existing [Building\(s\)](#); or*
- e. In any zoning district other than IG, the construction of one or more new [Buildings](#) or building additions that contain a [Gross Floor Area](#) of less than twenty percent (20%) of the [Gross Floor Area](#) of existing [Building\(s\)](#); or*
- f. In the IG zoning district, the installation or addition of less than fifty percent (50%) of existing [Impervious Surface](#) coverage; or*
- g. In any zoning district other than IG, the installation or addition of less than twenty percent (20%) of existing [Impervious Surface](#) coverage; or*
- h. Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the [Planning Director](#).*

(i) Requirements of Site Plan Review

- a. For sites without an existing approved site plan a site plan meeting all the specifications of Section 20-1305(f) must be submitted for administrative review.
- b. For sites with an approved site plan on file at the Planning Office, the existing plan, if determined appropriate by the [Planning Director](#), may be amended.

(ii) **Public Notice**

The public notice procedures of Section 20-1305(g) are applicable.

(iii) **Compliance with City Codes**

- a. Those improvements or modifications proposed and approved by Standard Site Plan review are required to be compliant with the standards of this Development Code and/or the Commercial Design Standards, **unless otherwise determined by the Planning Director to be waived for good cause shown by the applicant. The Planning Director may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the Planning Director will remain eligible for consideration of a variance by the Board of Zoning Appeals.**
- b. Other features of the site may be required to become compliant with all standards of this Development Code and/or the Commercial Design Standards as determined by the Planning Director in order to ensure the health, safety and welfare of the public and/or user of the site.

(3) **Major Development Projects**

Any development proposing the following:

- a. ~~Any modification to a site that alters Parking Areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns, that the Planning Director determines to be significant; or~~
- b. ~~Any Significant Development Project; defined as:~~
 1. ~~The construction of one or more new Buildings with a Gross Floor Area of 1,500 square feet or more;~~
 2. ~~The construction of additions with a Gross Floor Area of 1,500 square feet or more, or twenty percent (20%) or more, of the existing Building;~~

- ~~3. Separate incremental additions below 1,500 square feet or 20% amount if the aggregate effect of such Development Activity over a period of 18 consecutive months would trigger the 1,500 square feet or 20% threshold;~~
- ~~4. The alteration or intensification of any use that increases off-street parking requirements pursuant to Article 9; or~~
- ~~5. The installation or addition of more than 1,500 square feet of impervious site cover.~~

a. Any Development Activity on a site that is vacant or otherwise undeveloped; or

b. Any Significant Development Project on a site that contains existing development, defined as:

- 1. Any modification to a site that alters Parking Area(s), drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns, that the Planning Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or*
- 2. In the IG zoning district, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of fifty percent (50%) or more of the Gross Floor Area of existing Building(s); or*
- 3. In any zoning district other than IG, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of twenty percent (20%) or more, of the Gross Floor Area of existing Building(s); or*
- 4. Separate incremental Building additions below 50% for IG zoning and 20% for all other zoning districts of the Gross Floor Area of existing Building(s) if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 50% (for IG) or*

20% (for all other zoning districts) threshold; or

5. The installation or addition of more than 50% for IG zoning and 20% for all other zoning districts of existing [Impervious Surface](#) coverage.

(i) Requirements of Site Plan Review

Submitted site plans shall meet all the specifications of Section 20-1305(f).

(ii) Public Notice

The public notice procedures of Section 20-1305(g) are applicable.

(iii) Compliance with City Codes

Full compliance with all City Codes, including this Development Code and the Commercial Design Standards, is required for the entire site, unless otherwise determined by the [Planning Director](#) to be waived for good cause shown by the applicant. The [Planning Director](#) may only waive code requirements if it can be demonstrated that the intent of the code is fulfilled and if the development project otherwise meets sound site planning principles. Standards not waived by the [Planning Director](#) will remain eligible for consideration of a variance by the [Board of Zoning Appeals](#).

(c) Exemptions

The following are expressly exempt from the Site Plan Review procedures of this section:

- (1) changes to [Detached Dwelling](#)(s) or [Duplex](#)(es), as well as site improvements on [Lots](#) containing [Detached Dwelling](#)(s) and [Duplex](#)(es). However, if such types of Dwellings are designed to form a complex having an area of common usage, such as a [Parking Area](#) or private recreational area, and such complex contains a combined total of four (4) [Dwelling Units](#) or more, Site Plan Review is required;.
- (2) changes to developments for which plans have been reviewed and approved pursuant to the Special Use or [Planned Development](#) procedures of this Development Code. This provision is intended to clarify that Site Plan Review is not required for projects that have received equivalent review through other Development Code procedures;.

- (3) changes expressly exempted from Site Plan Review process by the underlying [Zoning District](#);
- (4) changes that could be considered ordinary maintenance, and which do not change the exterior style, design, or material type; or
- (5) a change in use to a less intensive use where development exists but where no physical modifications to the site, excluding interior [Building](#) modifications, are proposed and where an approved site plan is not on file with the Planning Office.
- (6) any [Development Activity](#) on a site where development exists but where an approved site plan is not on file with the Planning Office that proposes the following:
 - (i) The construction of any [Building](#) addition that contains less than ten percent (10%) of the current [Building's Gross Floor Area](#); or
 - (ii) Separate incremental [Building](#) additions below 10% of the [Gross Floor Area](#) of existing [Buildings](#) if the aggregate effect of such [Development Activity](#) over a period of 24 consecutive months would trigger the 10% threshold; or
 - (iii) The addition of [Impervious Surface](#) coverage that does not exceed 10% of what exists.
- (7) any change in use, regardless of whether it is less or more intense than the current use, or any [Development Activity](#) in the CD district of an existing developed site where the effect of the change in use or [Development Activity](#) does not increase a [Building's](#) footprint or the number of [Building](#) stories. For purposes of this subsection, adding HVAC equipment; fire escapes; awnings; patios, decks and other outdoor areas less than fifty (50) square feet in area, and similar appurtenances, as determined by the [Planning Director](#), shall not be considered as increasing the [Building's](#) footprint. This provision shall not exempt a property in the CD district from any other City Code standard, including review by the [Historic Resources Commission](#). Outdoor dining uses and hospitality areas, regardless of their size, and other outdoor uses and areas that exceed fifty (50) square feet in area shall not be exempt from the requirement to site plan under this provision.

- (8) changes otherwise exempted from Site Plan Review by state or federal law.

(d) Pre-application Meetings

A pre-application meeting with the [Planning Director](#) is required at least 7 [Working Days](#) prior to the formal submission of a Site Plan application. See Section 20-1301(d).

(e) Initiation and Application Filing

Site Plan Review applications shall be filed with the [Planning Director](#). At the time of submittal and payment of fees, the applicant shall submit the required number of legible and complete site plans requested at the pre-application meeting, ~~not to exceed a total of 30 site plans.~~

(f) Application Contents

- (1) A site plan shall:
 - (i) **For any Standard or Major Development Project be**
Be prepared by an architect, engineer, landscape architect, or other qualified professional and show the name, business address and licensing information for that professional in the information block on each sheet;
 - (ii) Be prepared at a scale of one inch equals 30 feet or larger for sites of five or fewer acres and be prepared at a scale of one inch equals 40 feet for sites over five acres **or at a scale determined to be appropriate by the [Planning Director](#),**
 - (iii) Be arranged so that the top of the plan represents north or, if otherwise oriented, is clearly and distinctly marked;
 - (iv) Show boundaries and dimensions graphically; ~~and~~ **(separated iv and v into two statements)**
 - (v) Contain a written legal description of the property; identification of a known vertical & horizontal reference mark approved by the city engineer; and, show a written and graphic scale;
 - (vi) **Show existing conditions of the site:**
 - a. Show existing public and [Private Street](#) system,
 - b. platted or unplatted Ownership,
 - c. type and location of [Structures](#),

- d. curb cuts on adjacent properties and along the opposite side of the street.
- (vii) Show topography extending 400 50 feet beyond the outside boundaries of the proposed site plan ~~for sites that are not adjacent to existing development and show topography extending 50 feet beyond the outside boundaries of the proposed site plan for infill development sites;~~
- (viii) Show the present and proposed topography of the site. Present and proposed topography (contour interval not greater than two feet) shall be consistent with City of Lawrence aerial topography. Where land disturbance, grading or development has occurred on a site or within 100 feet of the subject site since the date the City of Lawrence obtained aerial topography, an actual field survey shall be required;
- (ix) Show the location of existing utilities and [Easements](#) on and adjacent to the site including
- a. **Show the location of** power lines, telephone lines, & gas lines.
- b. Show the vertical elevation (if available) and horizontal location of existing sanitary sewers, water mains, storm sewers and culverts within and adjacent to the site.
- (x) **Show** ~~the~~ location of ground mounted transformers and air conditioning units ~~shall be shown on the site plan and~~ **how** such units shall be screened if visible from the Street or when adjacent to a [Structure](#) on an adjoining [Lot\(s\)](#). In any instance, the location of such units shall occur behind the Front and [Side Setback](#) lines as set forth in Section 20-601 in the [Density](#) and Dimensional Standards Tables;
- (xi) Show, by use of directional arrow, the proposed flow of storm drainage from the site. Provide the supplemental stormwater information required by [City Regulations](#), and provide on the site plan a site summary table, **in the format noted below**, which indicates: the area (in sq. ft.) and percentage of the site proposed for development as a [Building\(s\)](#); development as a paved surface; undeveloped and planted with grass, [Ground Cover](#), or similar vegetative surface.

<u>PROPERTY SURFACE SUMMARY</u>			
<u>Summary of Existing Conditions</u>		<u>Summary after project completion</u>	
<u>Total Buildings</u>	<u># ft.²</u>	<u>Total Buildings</u>	<u># ft.²</u>
<u>Total Pavement</u>	<u># ft.²</u>	<u>Total Pavement</u>	<u># ft.²</u>
<u>Total Impervious</u>	<u># ft.²</u>	<u>Total Impervious</u>	<u># ft.²</u>
<u>Total Pervious</u>	<u># ft.²</u>	<u>Total Pervious</u>	<u># ft.²</u>
<u>Total Property Area</u>	<u># ft.²</u>	<u>Total Property Area</u>	<u># ft.²</u>

the location of existing and proposed **Structures** and indicate the number of stories, **Floor Area**, and entrances to all **Structures**;

- (xiii) Show the location and dimensions of existing and proposed curb cuts, **Access** aisles, off-street parking, loading zones and walkways;
- (xiv) Indicate location, height, and material for **Screening** walls and fences;
- (xv) List the type of surfacing and base course proposed for all parking, loading and walkway areas;
- (xvi) Show the location and size, and provide a landscape schedule for all perimeter and interior **Landscaping** including grass, **Ground Cover**, trees and **Shrubs**;
- (xvii) ~~Show both Gross and Net public areas for proposed offices and commercial establishments. The proposed use, the required number of off-street **Parking Spaces**, and the number of off-street **Parking Spaces** shown **provided** shall be listed on the site plan. If the exact use is not known at the time a site plan is submitted for review, the off-street parking requirements shall be calculated by the general use group using the greatest off-street parking requirement of that use;~~
- (xviii) ~~Show the proposed location, direction and amount of illumination of proposed lighting. Provide information on **Screening** proposed for the lighting and steps taken to prevent glare.~~
- (xix) Designate a trash storage site on each site plan **appropriate for the number of occupants proposed.** ~~or a note explaining how refuse removal will be handled. The size of the trash storage receptacle, its~~

location and an elevation of the enclosure shall be approved by the Director of Public Works prior to approval of the site plan. If a modification to the location of the trash storage area is required during the construction phase **or thereafter**, both the Planning and Public Works Directors must approve the modification before it occurs **a revised site plan can be approved.**

(xx) For CN2, CC and CR Districts, be prepared for all of the contiguous area in that **Zoning District** under the same Ownership. If the entire site is not proposed for development in the immediate future, then the initial Site Plan application shall contain a proposed phasing schedule, showing which sections of the property shall be developed in which order and showing in which phases the **Easements**, **Driveways**, **Parking Areas** and **Landscaping** will be included. The **Planning Director** may require adjustments in the provision of **Easements**, **Driveways**, **Parking Areas** and **Landscaping** among the various phases as a condition of approval;

(xxi) Provide at least one north-south and one east-west elevation **drawing** of the property from the Street right-of-way (property line) at a reasonable scale to illustrate **Building** shape, **Height**, and **Screening** proposed and to determine compliance with the Commercial Design Standards and Guidelines.

a. Photographs of the property may be submitted when no physical changes to the building facades are proposed.

(xxii) **Show the intersection visibility triangle required in Section 20-1102.**

(xxiii) **Show the location and height of any sign structures that would not be located on a **building**.**

(2) A note shall be provided on the site plan for a public or governmental **Building**(s) and facility(ies) indicating that it has been designed to comply with the provisions of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for **Buildings** and facilities, appendix A to 28 CFR Part 36.

(3) If the site plan is for a multiple-**Dwelling** residential **Structure** containing at least four (4) **Dwelling Units**, a note shall appear on the site plan indicating it has been designed to

comply with the minimum provisions of the Final Fair Housing Accessibility Guidelines, 24 CFR, Chapter 1, Subchapter A, Appendix II, of the Fair Housing Act of 1968, as amended.

- (4) A photometric plan, pursuant to Section 20-1103(c) shall be required for site plan approvals. **Show the proposed location, direction and amount of illumination of proposed lighting. Provide information on Screening proposed for the lighting and steps taken to prevent glare.** ~~Light sources shall be shielded to prevent point source glare from adjacent properties or streets.~~

(g) Public Notice

- (1) Notice of the proposed site plan shall be posted on the property covered by the site plan, in accordance with Section 20-1301(q)(4). In addition, written notice of the proposed site plan shall be mailed to the **Owner** of record of all property within 200 feet of the subject property, and to all **Registered Neighborhood Associations** whose boundaries include the subject property or are adjacent to the neighborhood the subject property is located in. The notice shall be sent by the applicant by regular mail, postage pre-paid. The applicant shall submit a Certificate of Mailing at the time of submission of the Site Plan application. An application for Site Plan Review will not be considered complete without an executed Certificate of Mailing. The notice shall provide:
 - (i) a brief description of the proposed **Development Activity**;
 - (ii) the projected date for construction of the proposed use;
 - (iii) the person, with contact telephone number and address, designated by the applicant to respond to questions concerning the proposed site plan;
 - (iv) the date the site plan application will be submitted to the **Planning Director** for review; and a Statement with substantially the following information:

**Notice of Site Plan Review pending before the Lawrence Douglas County
Planning Office**

*This letter is being sent to the **Owner** of property within 200 feet of, or a **Registered Neighborhood Association** encompassing, the proposed development described further in this letter. It is being sent for the purpose of informing the notified person and other interested parties about the proposed development. This letter is being provided solely to advise nearby **Landowners** of the pending proposed development. This letter does not grant the recipient and/or **Landowners** any additional rights to challenge this proposed development beyond those granted as part of the normal appeal process. For further information, contact the applicant's designated representative at (xxx) xxx-xxxx or the Lawrence-Douglas County Planning Office at (785) 832-3150.*

- (2) The failure to receive notice of Site Plan Review by an adjoining **Landowner** or **Registered Neighborhood Association** will not affect the validity of Site Plan approval or review.

(h) Staff Review/Action

The **Planning Director** will review each Site Plan application and, within 30 days, the **Planning Director** shall take one of the following actions:

- (1) approve the Site Plan application;
- (2) identify those modifications that would allow approval of the Site Plan application;
- (3) approve the Site Plan application with conditions; or
- (4) disapprove the Site Plan application.

(i) Notice of Decision

Notice of the decision, including the **Planning Director's** findings and basis for decision in light of the criteria of Section 20-1305(j), shall be mailed to the applicant and all other parties who have made a written request for notification.

(j) Approval Criteria

In order to be approved, a Site Plan shall comply with all of the following criteria:

- (1) the site plan shall contain only platted land;
- (2) the site plan shall comply with all standards of the City Code, this Development Code and other adopted City policies and adopted neighborhood or area plans;

- (3) the proposed use shall be allowed in the District in which it is located or be an allowed nonconforming use;
- (4) vehicular ingress and egress to and from the site and circulation within the site shall provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well and shall also conform with adopted corridor or [Access Management](#) policies; and,
- (5) the site plan shall provide for the safe movement of pedestrians on the subject site.

(k) Appeals

Appeals of the [Planning Director](#)'s decision on a Site Plan application may be taken to the City Commission by filing a notice of appeal with the [Planning Director](#). Appeals shall be filed within 9 days of a decision to approve or disapprove a Site Plan application.

(l) Right to Appeal

The following persons and entities have standing to appeal the action of the [Planning Director](#) on applications for Site Plan approval:

- (1) the applicant;
- (2) the City Commission;
- (3) the neighborhood association for the neighborhood the site plan is located in or is adjacent to; or
- (4) record [Owner](#) of all adjoining property **within 200 feet of the subject property**, as the term "adjoining property" is defined in ~~Section 20-1305(g)~~.

(m) Action on Appeal

- (1) The City Commission shall consider the appealed Site Plan decision as a new matter, inviting public comment before acting on the original application. Mailed notice of the City Commission's meeting shall be provided **to the appealing party and the applicant** a minimum of 14 days prior to the Commission's meeting.
- (2) After considering the matter, the City Commission shall act on the original Site Plan application, applying the criteria of Section (j), taking action as provided in Section (h) and giving notice of its decision as provided in Section 20-1305(i).

(n) Modifications to Approved Site Plans

- (1) An applicant who wishes to alter or revise an approved Site Plan shall contact the [Planning Director](#).
- (2) The [Planning Director](#) is authorized to approve, without public notice, any modification that complies with the approval criteria of Section (j) as long as the [Planning Director](#) determines that the proposed modification does not represent a material change that would create a substantial adverse impact on surrounding [Landowners](#).
- (3) Any other modification may be approved only after re-notification in accordance with Section 20-1305(g). The action of the [Planning Director](#) on such an application shall be reported in a staff report at the next meeting of the City Commission and shall be appealable by any party aggrieved within 15 days of such meeting, in accordance with the appeal procedures of Section 20-1311.

(o) Expiration; Vesting of Rights

- (1) In the event the [Landowner](#) fails to obtain a [Building Permit](#) within 24 months after final approval of the Site Plan has been granted, then such Site Plan shall expire in accordance with the following provisions:
 - (i) For good cause shown, the expiration date may be extended by the City Commission for a period not to exceed 24 months. The application for extension or modification may be made by letter to the [Planning Director](#) and will be considered only if received before the expiration date of the Site Plan. The [Planning Director](#) shall place such request, with any recommendation of the [Planning Director](#) on the agenda of the City Commission.

The [Planning Director](#) shall notify the applicant by mail of the date of the proposed consideration by the City Commission. Mailed Notice of the extension request shall also be provided by the Planning Office in accordance with Section 20-1301(q)(3). On that date, the City Commission shall hear from the applicant and the [Planning Director](#) and may hear from other interested parties.

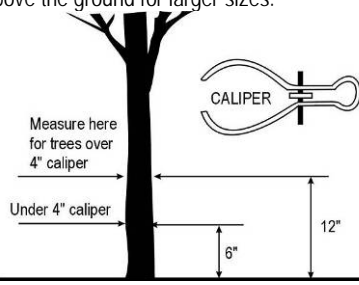
- (ii) No action by the City shall be necessary to cause the Site Plan to expire. Its expiration shall be considered a condition of the original approval. After the expiration date, or extended expiration date, any further application for a [Building](#) Permit or for other [Development Activity](#) on the site shall be considered as though the Site Plan had not been granted.
- (2) Approval of a Site Plan does not, in itself, vest any rights under K.S.A. Sect. 12-764. Rights vest only after the related [Building](#) Permit is issued and substantial construction is begun in reliance on that permit.
- (3) Rights in an entire Site Plan shall vest under K.S.A. Sec. 12-764 upon timely issuance of an initial [Building](#) Permit and completion of construction in accordance with that [Building](#) Permit, or upon timely completion of substantial site improvements in reliance on the approved Site Plan.

SECTION THREE: Chapter 20, Article 17, Section 20-1701, of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1701 GENERAL TERMS

Term	Definition
Access	A way or means of approach to provide vehicular or pedestrian physical entrance to a property.
Access, Cross	A service drive providing vehicular Access between two or more contiguous sites so the driver need not enter the public Street system.
Access Management	The process of managing Access to land development while preserving the regional flow of traffic in terms of safety, capacity and speed.
Accessory Dwelling Unit	A Dwelling Unit that is incidental to and located on the same Lot as the Principal Building or use, when the Principal Building or use is a Dwelling .
Accessory Structure	A subordinate Structure , the use of which is clearly incidental to, or customarily found in connection with, and located on the same Lot as the Principal Building or use.
Accessory Use	A use that is clearly incidental to, customarily found in connection with, and (except in the case of off- Street Parking Space) located on the same Lot as the Principal Use to which it is related.
Accessway , also Access Drive	Any Driveway , Street , turnout or other means of providing for the movement of vehicles to or from the public roadway system.
Adult Care Home	See Group Home
Agent (of Owner or Applicant)	Any person who can show certified written proof that he or she is acting for the Landowner or applicant.
Airport /Lawrence Municipal Airport	The location from which take-offs and landings may be made by any manned aircraft, excluding free balloons, within the corporate limits of the City of Lawrence, Kansas.
Airport Hazard	Any Structure or tree or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at any Airport or is otherwise hazardous to such landing or taking off of aircraft.
Alley	A public or private way not more than 20 feet wide primarily designed to serve as a secondary means of Access to abutting property.
Antenna	Any system of wires, poles, rods, reflecting discs or similar devices used for the reception or transmission of electromagnetic waves which system is attached to an Antenna support Structure or attached to the exterior of any Building . The term includes devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom which may be mounted upon and rotated through a vertical mast, tower or other Antenna support Structure .

Term	Definition
Antenna, Receive-Only	An Antenna capable of receiving but not transmitting electromagnetic waves, including Satellite Dishes .
Antenna, Amateur Radio	An Antenna owned and utilized by an FCC-licensed amateur radio operator or a citizens band radio Antenna .
Arterial	A Street classified as an Arterial in the Lawrence/Douglas County MPO Transportation Plan, as amended.
Arterial Street, Minor	A Street which is anticipated to have 2-4 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.
Arterial Street, Principal	A Street which is anticipated to have 4-6 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.
Assisted Living	Building or group of Buildings containing Dwellings designed for occupancy by persons 55 years or older where the Dwelling Units are independent but include special support services such as central dining and limited medical or nursing care.
Basement	Any floor level below the first Story in a Building , except that a floor level in a Building having only one floor level shall be classified as a Basement unless such floor level qualifies as a first Story as defined herein.
Base District	Any Zoning District delineated on the Official Zoning District Map under the terms and provisions of this Development Code, as amended, for which regulations governing the area, use of Buildings , or use of land, and other regulations relating to the development or maintenance of existing uses or Structures , are uniform; but not including Overlay Zoning Districts .
Base District, Special Purpose	A District established to accommodate a narrow or special set of uses or for special purposes. The use of this term in the Development Code applies to Districts beyond the conventional residential, commercial, industrial and agricultural districts. Examples include government and public institutional uses, open space uses, hospital use, planned unit developments that pre-date the Effective Date of this Development Code or newly annexed urban reserve areas.
Berm	An earthen mound at least two feet (2') above existing Grade designed to provide visual interest, Screen undesirable views and/or decrease noise.
Bicycle	A two-wheeled vehicle for human transportation, powered only by energy transferred from the operator's feet to the drive wheel.
Bicycle- Parking Space	An area whose minimum dimensions are two feet by six feet or two feet by four feet for upright storage.
Big Box	See Retail Establishment , Large.
Block	A Parcel of land entirely surrounded by public Streets , highways, railroad rights-of-way, public walks, parks or green strips, or drainage channels or a combination thereof.
Block Face	That portion of a Block or Tract of land facing the same side of a single Street and lying between the closest intersecting Streets .
Boarding House	A Dwelling or part thereof where meals and/or lodging are provided for compensation for one (1) or more persons, not transient guests, and where there are not more than 12 sleeping rooms, nor sleeping space for more than 24 people.
Bufferyard	A combination of physical space and vertical elements, such as plants, Berms , fences, or walls, the purpose of which is to separate and Screen changes in land uses from each other.
Build-to-Line (minimum Building setback)	An imaginary line on which the front of a Building or Structure must be located or built and which is measured as a distance from a public right-of-way.
Building	Any Structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property. When such a Structure is divided into separate parts by one or more walls unpierced by doors, windows, or similar openings and extending from the ground up, each part is deemed a separate Building , except as regards minimum Side Setback requirements as herein provided.
Building Envelope	The three-dimensional space on a Lot on which a Structure can be erected consistent with existing regulations, including those governing maximum Height and bulk and the Setback lines applicable to that Lot consistent with the underlying Zoning District , or as modified pursuant to a Variance , a site review, or prior City approval.
Building Frontage	That portion of a Building or Structure that is adjacent to or faces the Public Frontage.
Building, Principal	A Building in which is conducted the Principal Use of the Building site on which it is situated. In any residential District , any Dwelling shall be deemed to be the Principal Building on the site on which the same is located.
Building Type (also referred to as housing type)	A residential Structure defined by the number of Dwelling Units contained within.

Term	Definition
Caliper	<p>The American Association of Nurserymen standard for trunk measurement of nursery stock, as measured at six (6) inches above the ground for trees up to and including four-inch Caliper size, and as measured at 12 inches above the ground for larger sizes.</p> 
City Regulations	Provisions of the Lawrence City Code or other provisions located in ordinances adopted by the City.
Clear Zone	An area designated within the Public Frontage of a Mixed Use Project which reserves space for a sidewalk. The Clear Zone shall be clear of any obstruction to a minimum height of eight (8) above grade.
Cross Access Agreement	A document signed and acknowledged by Owner of two or more adjoining pieces of property establishing Easements , licenses or other continuing rights for Access across one property to one or more other properties.
Collector Street	A Street which is anticipated to have two (2) travel lanes designed for speeds ranging from 25-35mph and which serves a collecting function by distributing traffic between local neighborhood Streets and Arterial Streets .
Collector Street, Minor	See Collector, Residential
Collector Street, Residential	Residential collector is a special category of collector street characterized by lower speeds & the residential nature of land uses along the corridor. Bicycle & pedestrian facilities are strongly recommended for residential collectors. Various traffic-calming treatments may be used to reduce travel speeds. Residential collector streets with adjacent residential land uses should be limited to two lanes. These streets can serve as a connector street between local streets and the thoroughfare system.
Collector Street System	A system of one (1) or more Collector Streets that allow traffic to be distributed to at least two (2) Arterial Streets .
Common Open Space	A Parcel of land, water, water course, or drainageway within a site designated for a Planned Development or Cluster Housing Project, designed and intended for the use or enjoyment of all the residents and Landowners of the Planned Development or Cluster Housing Project. Common Open Space , except for Common Open Space designated as Natural Open Space , may contain such supplementary Structures and improvements as are necessary and appropriate for the benefit and enjoyment of all the residents and Landowners of the Planned Development or Cluster Housing Project. Common open space shall not include space devoted to streets and parking areas.
Comprehensive Plan also Comprehensive Land Use Plan	The Lawrence/Douglas County Comprehensive Plan , also known as "Horizon 2020," and any other applicable plans adopted by the Lawrence/Douglas County Metropolitan Planning Commission , as amended or superceded by adoption of a replacement plan from time to time.
Conservation Easement	A non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic or open-space values of real property, assuring its availability for agricultural, forest, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. In case of any conflict between this definition and K.S.A. §58-3810, as it may be amended from time to time, the amended statute shall control and shall be used in the construction and interpretation of this Development Code.
Deciduous	A tree or Shrub with foliage that is shed annually.
Deferred Item	An item that has been deferred from a published agenda by the Planning Director , Planning Commission or the City Commission (City or County Commission), or by the applicant.
Density	A measure of the number of Dwelling Units contained within a given area of land, typically expressed as units per acre.
Density, Gross	The numerical value obtained by dividing the total number of Dwelling Units in a development by the total area of land upon which the Dwelling Units are proposed to be located, including rights-of-way of publicly dedicated Streets .
Density, Net	The numerical value obtained by dividing the total number of Dwelling Units in a development by the area of the actual Tract of land upon which the Dwelling Units are proposed to be located, excluding rights-of-way of publicly dedicated Streets .
Designated Transit Route	Any bus route identified on the route map published by the Lawrence Transit System or KU on Wheels transit system.

Term	Definition
Development Activity	Any human-made change to Premises , including but not limited to: <ul style="list-style-type: none"> (a) the erection, conversion, expansion, reconstruction, renovation, movement or Structural Alteration, or partial or total demolition of Buildings and Structures; (b) the subdivision of land; (c) changing the use of land, or Buildings or Structures on land; or (d) mining, dredging, filling, grading, paving, excavation, drilling, or Landscaping of land or bodies of water on land.
Development Project, Major (Ord. 8098 8465)	<p>Any modification to a site that alters parking Lots, drive aisles, or impacts on site pedestrian and vehicular circulation and traffic patterns, that the Planning Director determines to be significant; or:</p> <p>Any Significant Development Project, defined as:</p> <ul style="list-style-type: none"> (1) The construction of one or more new Buildings with a gross Floor Area of 1,500 square feet or more; (2) The construction of additions with a gross Floor Area of 1,500 square feet or more, or twenty percent (20%) or more, of the existing Building; (3) Separate incremental additions below the 1,500 square feet or 20% amount if the aggregate effect of such Development Activity over a period of 18 consecutive months would trigger the 1,500 square feet or 20% threshold; (4) The alteration or intensification of any use that increases off-Street Parking requirements pursuant to Article 9; or (5) The installation or addition of more than 1,500 square feet of impervious site cover. <p><u>Any development proposing the following:</u></p> <ul style="list-style-type: none"> a. <u>Any Development Activity on a site that is vacant or otherwise undeveloped; or</u> b. <u>Any Significant Development Project on a site that contains existing development, defined as:</u> <ul style="list-style-type: none"> 1. <u>Any modification to a site that alters Parking Areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns that the Planning Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or</u> 2. <u>In the IG zoning district, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of fifty percent (50%) or more of the Gross Floor Area of existing Building(s); or</u> 3. <u>In any zoning district other than IG, the construction of one or more Building(s) or building additions that contain a Gross Floor Area of twenty percent (20%) or more of the Gross Floor Area of existing Building(s); or</u> 4. <u>Separate incremental Building additions below 50% for IG zoning and 20% for all other zoning districts of the Gross Floor Area of existing Building(s) if the aggregate effect of such Development Activity over a period of 24 consecutive months would trigger the 50% (for IG) or 20% (for all other zoning districts) threshold; or</u> 5. <u>The installation or addition of more than 50% for IG zoning and 20% for all other zoning districts of existing Impervious Surface coverage.</u>
Development Project, Minor (Ord. 8098 8465)	Any development proposing the minor modification of a site which does not meet the criteria for a Standard or Major Development Project , or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a

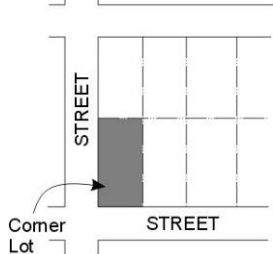
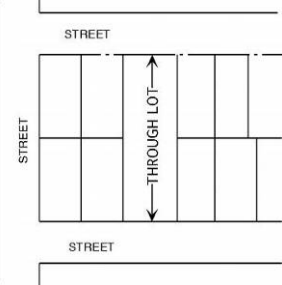
Term	Definition
	<p>Minor Development Project.</p> <p><u>Any development proposing the minor modification of a site, as determined by the Planning Director, which does not meet the criteria for a Standard or Major Development Project, or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a Minor Development Project.</u></p>
<p>Development Project, Standard (Ord. 8098, 8465)</p>	<p>Any development proposing the modification of a site which does not have an approved site plan on file with the Planning Office, or a change in use on a site with an approved site plan on file with the Planning Office which meets the following criteria or proposes the following:</p> <ul style="list-style-type: none"> (a) Any change in use to a more intensive use; or (b) A change in use to a less intensive use on a site without an approved site plan on file with the Planning Office; or (c) A modification to a site which alters the Parking Area, drive aisles, or impacts on site pedestrian and vehicular circulation and traffic patterns; or (d) A development in commercial zoning districts including redevelopment or modifications to the exterior style, design or material type of a Structure that is subject to the Commercial Design Standards; or (e) An outdoor dining use in the CD and CN1 zoning districts and any outdoor dining use located in any other zoning district that would result in an increase of the number of parking spaces required; or (f) The construction of one or more new Buildings with a Gross Floor Area of 1,499 square feet or less; or (g) The construction of additions with a Gross Floor Area of 1,499 square feet or less, or less than twenty percent (20%) of the existing Building; or (h) The installation or addition of less than 1,499 square feet of Impervious Surface coverage; or (i) Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the Planning Director. <p><u>a. For any property containing existing development which does not have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project:</u></p> <ul style="list-style-type: none"> 1. <u>a change in use to a less intensive use and where physical modifications to the site, excluding interior Building modifications, are proposed; or</u> 2. <u>A change in use to a more intensive use regardless of whether modifications to the site are proposed; or</u> 3. <u>the substantial modification of a site, defined as:</u> <ul style="list-style-type: none"> a. <u>The construction of any new Building(s) on the site; or</u> b. <u>The construction of any Building addition that contains a Gross Floor Area of ten percent (10%) or more of the Gross Floor Area of existing Building(s); or</u> c. <u>Separate incremental Building additions below ten percent (10%) of the Gross Floor Area of existing buildings if the aggregate effect of such Development Activity over a period of 24 months would trigger the 10% threshold; or</u> d. <u>The addition of Impervious Surface coverage that exceeds 10% of what exists; or</u> e. <u>Any modification determined by the Planning Director to be substantial.</u>

Term	Definition
	<p>b. <u>For property which does have an approved site plan on file with the Planning Office and which does not meet the criteria for a Major Development Project, any development proposing the following shall be considered a Standard Development Project:</u></p> <ol style="list-style-type: none"> 1. <u>any change in use of a site to a more intensive use regardless of whether modifications to the site are proposed; or</u> 2. <u>any modification of a site which meets the following criteria or proposes the following:</u> <ol style="list-style-type: none"> a. <u>A modification to a site which alters the Parking Area, drive aisles, or on-site pedestrian and vehicular circulation and traffic patterns with impacts to the interior of the site; or</u> b. <u>A development, redevelopment, or modifications to the exterior style, design or material type of a Structure that is subject to the Commercial Design Standards; or</u> c. <u>An outdoor dining or hospitality use in the CD and CN1 Zoning Districts and any outdoor dining use located in any other Zoning District that would result in an increase of the number of Parking Spaces required; or</u> d. <u>In the IG zoning district, the construction of one or more new Building(s) or building additions that contain a Gross Floor Area of less than fifty percent (50%) of the Gross Floor Area of existing Building(s); or</u> e. <u>In any zoning district other than IG, the construction of one or more new Building(s) or building additions that contain a Gross Floor Area of less than twenty percent (20%) of the Gross Floor Area of existing Building(s); or</u> f. <u>In the IG zoning district, the installation or addition of less than fifty percent (50%) of existing Impervious Surface coverage; or</u> g. <u>In any zoning district other than IG, the installation or addition of less than twenty percent (20%) of existing Impervious Surface coverage; or</u> h. <u>Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the Planning Director.</u>
Development Zone, Primary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for the most intense development proposed for the mixed use development.
Development Zone, Secondary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for less intense development than the Primary Development Zone, but more intense development than the Tertiary Development Zone. The Secondary Development Zone may serve as a transitional zone within a larger Mixed Use Development.
Development Zone, Tertiary	Land area in a Mixed Use development designated at time of rezoning to the Mixed Use District and reserved for the least intense development proposed for the mixed use development.
Dependent Living Facility	See Extended Care Facility
Director, Planning	See Planning Director
Distance Between Structures	The shortest horizontal distance measured between the vertical walls of two Structures as herein defined perpendicular to an axis, all points along which are midway between the vertical walls.
District, Zoning	A portion of the territory of the City of Lawrence within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.
Dormitory	A Building occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals and in which there are more than eight (8) sleeping rooms or 16 sleeping accommodations. As such the rooms are let on a weekly or monthly basis or for greater period of time and are not available to the general public on a nightly basis as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the Building , provided that the main entrance to these facilities is from within the Building .

Term	Definition
Drip Line	An imaginary ground line around a tree that defines the limits of the tree canopy.
Driveway	A private drive or way providing Access for vehicles to a single Lot or facility.
Driveway, Joint-Use	A privately-owned Driveway that provides Access to 2 or more Lots in a commercial or industrial Development, such as in a shopping center (without Lots) or a business or industrial park.
Driveway, Shared	A single Driveway serving two or more adjoining Lots .
Driveway Apron (or Approach)	The Driveway area or approach located between the sidewalk and the curb. When there is no sidewalk, the apron or approach shall be defined as extending a minimum of six (6) feet from the back of the curb toward the Lot Line .
Dwelling	A Building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer, or Mobile Home .
Dwelling Unit	One room, or a suite of two or more rooms, designed for or used by one Family or Housekeeping Unit for living and sleeping purposes and having only one kitchen or kitchenette.
Easement	A grant by a property Owner to the use of land by the public, a corporation, or persons for specific purposes such as the construction of utilities, drainageways, pedestrian Access , and roadways.
Effective Date	The date the ordinance adopting this Development Code takes effect.
Elderhostel	A Building occupied as the more-or-less temporary abiding place of individuals who are either: 1) participating in a travel-study program for senior citizens offered by a university or college; or 2) participating in a visiting faculty program at a university or college. These individuals are lodged with or without meals. These Buildings typically contain more than eight (8) sleeping rooms or 16 sleeping accommodations. The rooms are let on a weekly or monthly basis or for greater period of time, but are not available to the general public on a nightly basis, as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the Building , provided that the main entrance to these facilities is from within the Building .
Evergreen (Coniferous) Tree	An Evergreen Tree , usually of pine, spruce or juniper genus, bearing cones and generally used for its Screening qualities. A Coniferous Tree may be considered a Shade Tree if it is at least five (5) feet in Height when planted and reaches a mature Height of at least 20 feet.
Extended Care Facility (Dependent Living or Nursing Care Facility), General	A long term facility or a distinct part of an institution occupied by nine (9) or more persons with a disability who require the provision of health care services under medical supervision for twenty-four (24) or more consecutive hours and who need not be related by blood or marriage. An Extended Care Facility must be licensed by one (1) or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended Care Facilities include facilities for the provision of skilled nursing care, hospice care and similar services.
Extended Care Facility (Dependent Living or Nursing Care Facility), Limited	A long term facility or a distinct part of an institution occupied by not more than ten (10) persons, including eight (8) or fewer persons with a disability who need not be related by blood or marriage, and who require the provision of health care services under medical supervision for twenty-four (24) or more consecutive hours, and also not to be occupied by more than two (2) staff residents who need not be related by blood or marriage to each other or to other residents of the home. An Extended Care Facility must be licensed by one (1) or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended Care Facilities include facilities for the provision of skilled nursing care, hospice care and similar services.
Extended Stay Lodging	A Building , including a single- Family residence, or group of Buildings providing living and sleeping accommodations for short-term occupancy, typically three (3) months or less. Bed & Breakfasts, hotels and motels are not considered extended stay facilities, although hotels and motels may provide this service. Extended stay facilities using single- Family Dwellings are not considered rental housing and are not subject to the rental licensing provisions of the City.
Exterior Storage	Outdoor storage of any and all materials related to the principal use of the Lot or site, not including areas for special events, temporary outdoor events or seasonal events, transient merchant sales areas, or any other outdoor area dedicated to the sale of retail goods, regardless of the proprietor. Outdoor storage and sales areas, open to the public and in which transactions may occur are not considered Exterior Storage areas.

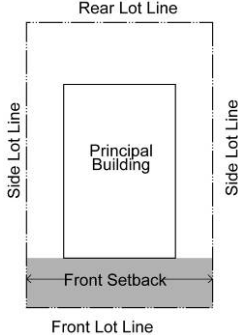
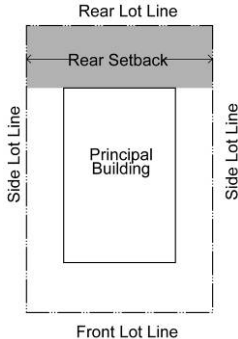
Term	Definition
Facade	Exterior face (side) of a Building which is the architectural front, sometimes distinguished by elaboration or architectural or ornamental details.
Family	(1) A person living alone; (2) two or more persons related by blood, marriage, or legal adoption; (3) in an RS Zoning District , a group of not more than three persons not related by blood or marriage, living together as a single Housekeeping Unit in a Dwelling Unit , as distinguished from a group occupying a Dormitory , Boarding House , lodging house, motel, hotel, fraternity house or sorority house; or (4) in a Zoning District other than RS, a group of not more than four persons not related by blood or marriage, living together as a single Housekeeping Unit in a Dwelling Unit , as distinguished from a group occupying a Dormitory , Boarding House , lodging house, motel, hotel, fraternity house or sorority house.
Floodplain	The land inundated by a flood of a given magnitude as determined by the Flood Insurance Study or by an approved Hydrologic & Hydraulic Study.
Floor Area	The sum of the horizontal areas of each floor of a Building , measured from the interior faces of the exterior walls or from the centerline of walls separating two Buildings .
Floor Area, Gross	The sum of the horizontal areas of the several stories of a Building , measured from the exterior faces of exterior walls, or in the case of a common wall separating two Buildings , from the centerline of such common wall.
Floor Area, Net	The horizontal area of a floor or several floors of a Building or Structure ; excluding those areas not directly devoted to the principal or Accessory Use of the Building or Structure , such as storage areas or stairwells, measured from the exterior faces of exterior or interior walls.
Floor Area Ratio (F.A.R.)	The sum of the horizontal areas of the several floors inside the exterior walls (<i>excluding basements</i>) of a Building or a portion thereof divided by the Lot Area .
Foot-candle	A unit of measurement referring to the illumination incident to a single point. One (1) Foot-Candle is equal to one (1) lumen uniformly distributed over an area of one (1) square foot.
Frontage	All the property on one side of a Thoroughfare between two intersecting Thoroughfares (crossing or terminating), or if the Thoroughfare is Dead-Ended , then all of the property abutting on one side between an intersecting Thoroughfare and the Dead-End .
Frontage Road, Private	Any thoroughfare that is not publicly owned and maintained and that is parallel and adjacent to any Lot Frontage as defined above.
Grade	The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the Building and the Lot Line or, when the Lot Line is more than 5 feet from the Building , between the Building and a line five feet from the Building .
Greek Housing	A group living Structure occupied by a university approved fraternity or sorority, certified by the Panhellenic Association or Intrafraternity Council at KU. Residential occupancy by the majority of residences primarily follows the academic calendar for fall and spring semesters each year.
Ground Cover	Living Landscape Materials or living low-growing plants other than turf grasses, installed in such a manner so as to provide a continuous cover of the ground surface and which, upon maturity, normally reach an average maximum Height of not greater than 24 inches.
Ground Floor	A level of Building floor which is located not more than 2 feet below nor 6 feet above finished Grade .
Group Home (or Adult Care Home), General	Any Dwelling occupied by 11 or more persons, including eight (8) or more persons with a disability who need not be related by blood or marriage and staff residents who need not be related by blood or marriage to each other or to other residents of the home. The Dwelling is licensed by one (1) or more of the following regulatory agencies of the State: Dept. of Social and Healing Arts, Behavioral Sciences Regulatory Board, or State Board of Healing Arts. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). A Special Use Permit is required before operation of the home can begin.
Group Home (or Adult Care Home), Limited	Any Dwelling occupied by not more than ten (10) persons, including eight (8) or fewer persons with a disability who need not be related by blood or marriage and not to exceed two (2) staff residents who need not be related by blood or marriage to each other or to other residents of the home. The Dwelling is licensed by one (1) or more of the following regulatory agencies of the State: Dept. of Social and Healing Arts, Behavioral Sciences Regulatory Board, or State Board of Healing Arts. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802).
Growing or Planting Season	From the beginning of March to the end of June and from the beginning of September to the beginning of December.

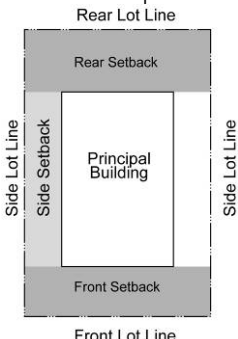
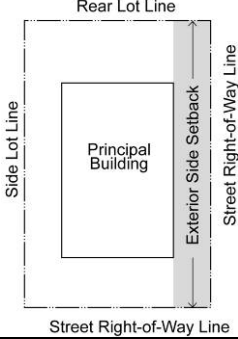
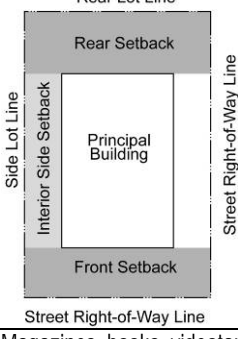
Term	Definition
Height (Building)	Refers to the vertical distance from the finished Grade , or base flood elevation where applicable, to the highest point of the coping of: a flat roof, the deck line of a mansard roof, or the average Height of the highest gable of a pitch or hip roof.
Historic Resources Commission (HRC)	The Commission established by Sections 22-201 – 22-205, part of the Conservation of Historic Resources of the Code of the City of Lawrence
Home Occupation	An Accessory Use that complies with the provisions of Section 20-537.
Housekeeping Unit	A suite of one or more rooms having separate cooking facilities, used as the domicile or home of one Family .
Housing for the Elderly	See Assisted Living or Extended Care Facility
HRC	See Historic Resources Commission
Hydrologic and Hydraulic Study	See Hydrologic and Hydraulic Study definition in Section 20-1205
Impervious Surface	That portion of developed property which contains hard-surfaced areas (primed and sealed AB3, asphalt, concrete and Buildings) which either prevent or retard the entry of water into the soil material.
Inactive File	An application, either complete or incomplete, which has had no new information submitted within a period of twelve (12) or more months. New information within this context shall be information that responds to a request for additional information or that provides additional information essential to completing a review of the request in response to the land use review criteria, retail market information, or traffic impact analysis.
Infrastructure	Those man-made Structures which serve the common needs of the populations, such as: potable water systems, wastewater disposal systems, solid waste disposal sites or retention areas, storm drainage systems, electric, gas or other utilities, bridges, roadways, Bicycle paths or trails, pedestrian sidewalks, paths or trails and transit stops.
Landowner	See Owner
Landscaped Peninsula	A concrete curbed planting area typically found in Parking Lots to provide areas for trees and Shrubs between Parking Spaces and along the terminus of single and double Parking aisles.
Landscape Material	Such living material as trees, Shrubs , Ground Cover /vines, turf grasses, and non-living material such as: rocks, pebbles, sand, bark, brick pavers, earthen mounds (excluding pavement), and/or other items of a decorative or embellishing nature such as: fountains, pools, walls, fencing, sculpture, etc.
Landscaping	Any combination of living plants such as trees, Shrubs , plants, vegetative Ground Cover or turf grasses. May include structural features such as walkways, fences, benches, works of art, reflective pools, fountains or the like. Landscaping shall also include irrigation systems, Mulches , topsoil use, soil preparation, re-vegetation or the preservation, protection and replacement of trees.
Licensed Premises	A Premises where alcoholic liquor or cereal malt beverages, or both, by the individual drink as defined by K.S.A. Chapter 41, and amendments thereto, is served or provided for consumption or use on the Premises with or without charge. This term shall include drinking establishments, Class A Private Clubs, Class B Private Clubs, and cereal malt beverage retailers, all as defined by K.S.A. Chapter 41, and amendments thereto and City Regulations .
Light Court	An area within the Public Frontage in a Mixed Use development adjacent to the Building Frontage which provides a means of outdoor light to reach an underground level of a Structure . It may also provide a means of emergency exit from the Structure but shall not serve as a primary entrance or exit to the Structure .
Light Truck	A truck or other motor vehicle, one ton or less in rated capacity, with a single rear axle and single pair of rear wheels.
Livestock	Any animal customarily kept for producing food or fiber.
Local Street	A Street which is anticipated to have two (2) travel lanes at desirable speeds of up to 30mph and which provides Access to abutting property and primarily serves local traffic.
Local Street System	A system of two (2) or more Local Streets that allow traffic to be distributed throughout a neighborhood.
Lot	A contiguous Parcel or Tract of land located within a single Block fronting on a dedicated public Street that is occupied or utilized, or designated to be occupied, developed, or utilized, as a unit under single Ownership or control. A Lot may or may not coincide with a Lot shown on the official tax maps or on any recorded subdivision or deed.
Lot Area	The total horizontal area within the Lot Lines of a Lot .
Lot Frontage	See Frontage

Term	Definition
Lot, Corner	<p>A Lot abutting upon two or more Streets at their intersection, or upon two parts of the same Street, such Streets or part of the same Street forming an angle of more than 45° and of less than 135°. The point of intersection of the Street Lines is the corner. Any portion of a Corner Lot that is more than 100 feet from the point of intersection of the two Street Lines or the two tangents of the same Street shall not be considered a Corner Lot.</p> 
Lot, Through	<p>A Lot abutting two Streets, not at their intersection. Any Lot meeting the definition of Corner Lot shall not be considered a Through Lot; any Lot abutting two Streets and not meeting the definition of a Corner Lot shall be considered a Through Lot.</p> 
Lot Depth	The mean horizontal distance between the Front Lot Line and Rear Lot Line of a Lot .
Lot Line	A boundary of a Lot .
Lot Line, Exterior Side	A Side Lot Line separating a Lot from a Street other than an Alley .
Lot Line, Front	The Street Line at the front of a Lot . On Corner Lots , the Landowner may choose either Street Frontage as the Front Lot Line .
Lot Line, Rear	The Lot Line opposite and most distant from, and parallel or closest to being parallel to, the Front Lot Line . A triangular Lot has no Rear Lot Line .
Lot Line, Side	A Lot Line that is not a Front Lot Line or Rear Lot Line .
Lot Width	Lot Width is the distance between Side Lot Lines measured at the point of the required Front Setback or chord thereof.
Manufactured Home	Any Structure that is manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards (generally know as the HUD Code) established in 1976 pursuant to 42 U.S.C. Sec. 5403, but does not comply with the standards and provisions of Section 20-513.
Manufactured Home, Residential-Design	Any Structure that is manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards (generally know as the HUD Code) established in 1976 pursuant to 42 U.S.C. Sec. 5403 and that also complies with the standards and provisions of Section 20-513. (Ord. 8098)
Massing	The size and shape of Structure(s) individually and their arrangements relative to other Structure(s) .
Mature Trees, Stand of	An area of ½ acre or more covered by densely wooded growth of mature trees having a minimum Height of 25 feet.
Minimum Elevation of Building Opening	The minimum elevation above sea level at which a Building located in the Floodplain may have a door, window, or other opening.
Mixed Use	The development of a Lot, Tract or Parcel of land, Building or Structure with two (2) or more different uses including, but not limited to: residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.
Mixed Use Structure, Horizontal	A Building or Structure containing both nonresidential and residential uses distributed horizontally throughout the Structure .
Mixed Use Structure, Vertical	A Building or Structure , a minimum of two stories in height, containing both nonresidential and residential uses distributed vertically throughout the Structure .

Term	Definition
Mobile Home	Any vehicle or similar portable Structure having no foundation other than wheels or jacks or skirtings and so designed or constructed as to permit occupancy for Dwelling or sleeping purposes. Mobile Home includes any Structure that otherwise meets this description, but that was not subject to the National Manufactured Home Construction and Safety Standards (generally known as the HUD Code), established in 1976 pursuant to 42 U.S.C. Sec. 5403, at the time it was manufactured. Mobile Homes are considered to be Dwelling Units only when they are parked in a Mobile Home Park .
Moderately-Priced Dwelling Unit	A Dwelling Unit marketed and reserved for occupancy by a household whose income is equal to or less than 80% of the City of Lawrence's median household income, as defined by the most current U.S. Department of Housing and Urban Development (HUD) guidelines.
Mulch	Non-living organic material customarily used to retard soil erosion and retain moisture.
Natural Drainageway	Natural rivers, streams, channels, creeks or other areas that naturally convey Stormwater runoff or portions thereof that have not been channelized and which is unaltered and retains a predominantly natural character.
Natural Open Space	Common Open Space that includes undisturbed natural resources, such as Floodplains , Wetlands , steep slopes, and Woodlands .
Nodal Development Plan	A land use plan for all four corners of an intersection that applies to the redevelopment of existing commercial center areas or new commercial development for neighborhood, community or regional commercial centers, as described in Horizon 2020, and is designed to avoid continuous lineal and shallow Lot Depth developments along Street corridors through the use of natural and man-made physical characteristics to create logical terminus points for the Node.
Node	An identifiable grouping of uses subsidiary and dependent upon a larger urban grouping of similar related uses.
Non-encroachable Area	That portion of a Lot or development set aside for enjoyment of the natural features or sensitive areas contained within it that cannot be encroached upon by Building or Development Activity , excluding encroachment for common maintenance needs of the land, its vegetation, natural stream beds, etc.
Non-Ground Floor Dwelling(s)	Residential Dwelling(s) permitted in any Vertical Mixed Use Structure which are located above the ground level or first level of the Structure or below the ground level or first level of a Structure and do not have direct internal access to a nonresidential use.
Nursing Care Facility	See Extended Care Facility
Official Zoning District Map	A map or maps outlining the various Zoning District boundaries of the City of Lawrence, Kansas.
Open Porch	A roofed space attached to a Building on one side and open on the three remaining sides.
Open Use of Land	A use that does not involve improvements other than grading, drainage, fencing, surfacing, signs, utilities, or Accessory Structures . Open uses of land include, but are not limited to, auction yards, auto wrecking yards, junk and salvage yards, dumps, sale yards, storage yards and race tracks.
Ornamental Tree	A Deciduous tree possessing qualities such as flowers, fruit, attractive foliage, bark or shape, with a mature Height generally under 40 feet.
Outdoor Use Zone	An area designated for outdoor use by a nonresidential or residential tenant within the Public Frontage in a Mixed Use development. At ground level, Outdoor Use Zones may include sidewalk dining, sidewalk sales, product demonstrations or any use accessory and incidental to a permitted nonresidential use in the Mixed Use District. Outdoor Use Zones may also include upper level uses such as balconies or terraces as well as Building -mounted signs.
Overlay Zoning District (or Overlay Zoning District)	Any Zoning District included in this Development Code with the word "overlay" in its title. The Overlay Zoning District regulations are found in Article 3 of this Development Code.
Owner	An individual, association, partnership or corporation having legal or equitable title to land other than legal title held only for the purpose of security. For the purpose of notice, the Owner may be determined using the latest Douglas County Appraiser's assessment roll.
Parcel	A Lot or contiguous tracts owned and recorded as the property of the same persons or controlled by a single entity.
Parking Access	Any public or private area, under or outside a Building or Structure , designed and used for parking motor vehicles including parking Lots , garages, private Driveways and legally designated areas of public Streets .
Parking Area	An area devoted to off- Street Parking of vehicles on any one Lot for public or private use.
Parking Space	A space for the parking of a motor vehicle or Bicycle within a public or private Parking Area . Typically Parking Spaces for private uses are located off the public right-of-way.
Peak Hour	The four (4) highest contiguous 15-minute traffic volume periods.
Pedestrian Scale (human scale)	Means the proportional relationship between the dimensions of a Building or Building element, Street , outdoor space or Streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.

Term	Definition
Planned Development	Developments processed and considered in accordance with the procedures specified in the Planned Development Overlay Zoning District provisions of Sec. 20-701 and in the Cluster Housing Projects provisions of Sec. 20-702. Generally, an area of land controlled by the Landowner to be developed as a single entity, commonly pursuant to an Overlay Zoning District , for a number of Dwelling Units , office uses, commercial uses, or combination thereof, if any, wherein a development plan detailing the proposed development and adjacent areas directly impacted thereby is reviewed and approved by the appropriate decision maker. In approving the development plan, the decision maker may simultaneously modify specified standards of the Base District.
Planning Commission	The Lawrence-Douglas County Metropolitan Planning Commission established by City Ordinance 3951/ County Resolution 69-8 on March 24th, 1969.
Planning Director	The Director of the Lawrence-Douglas County Metropolitan Planning Commission or her or his designee.
Premises	A Lot , together with all Buildings and Structures thereon.
Principal Building	See Building , Principal
Principal Use	The primary purpose for which land or a Structure is utilized, based in part on the amount of Floor Area devoted to each identifiable use. The main use of the land or Structures as distinguished from a secondary or Accessory Use .
Prominent Natural Geographic Features with Rocky Outcropping	A rocky protrusion having greater than a 3:1 slope, a minimum Height of 20' above the surrounding Grade and covering an area of one (1) or more acres. Exposed rock area is 50% or more limestone or sandstone.
Public Frontage	The publicly-owned layer between the Lot line or Street Line and the edge of the vehicular lanes. The public frontage may include sidewalks, street planters, trees and other vegetated landscaping, benches, lamp posts, and other street furniture.
Public Frontage, Primary	The Public Frontage along a designated Primary Development Zone. Primary Public Frontages are commonly associated with pedestrian-oriented urban commercial and retail areas in Mixed Use settings. They are commonly served by or are accessible to public transit and may contain medium to high residential densities and Vertical Mixed Use Structures . Primary Public Frontages are designed to accommodate heavy pedestrian traffic, street vendors and sidewalk dining and typically consist of a sidewalk or clear area paved from the back of curb of the Thoroughfare to the Building Frontage or Right-of-way line, reserving space for street furniture.
Public Frontage, Secondary	The Public Frontage along a designated Secondary Development Zone. Secondary Public Frontages are commonly associated with pedestrian-oriented Thoroughfares and Mixed Use settings. They are designed to accommodate moderate amounts of pedestrian traffic and typically consist of a sidewalk or clear area adjacent to the Building Frontage or Right-of-way line, reserving space for street furniture, and a landscaped strip with street trees between the back of curb of the Thoroughfare and the sidewalk or clear area.
Public Frontage, Tertiary	The Public Frontage along a designated Tertiary Development Zone. Tertiary Public Frontages are commonly associated with pedestrian-friendly Thoroughfares in lower intensity mixed residential settings, consisting of a 5' wide sidewalk and street trees. Tertiary Public Frontages are designed to accommodate pedestrians who seek to walk to a nearby destination.
Recreational Open Space	Common Open Space that is improved and set aside, dedicated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, ball courts, and picnic tables.
Recyclable Materials	Reusable materials including but not limited to metals, glass, plastic, paper and yard waste, which are intended for remanufacture or reconstitution for the purpose of using the altered form. Recyclable Materials do not include refuse or hazardous materials. Recyclable Materials may include used motor oil collected and transported in accordance with environmental and sanitation codes.
Registered Neighborhood Association	A neighborhood or local interest group that represents a defined area of the City and that has registered with the Planning Director in accordance with the applicable registration procedures of the Planning Director .
Regulatory Flood	See Base Flood definition in Article 12.
Regulatory Floodplain	See Floodplain definition in Article 12.
Regulatory Floodway	See Floodway definition in Article 12.
Regulatory Floodway Fringe	See Floodway Fringe definition in Article 12.
Residential Collector	See Collector, Residential
Residential-Design Manufactured Home	See Manufactured Home , Residential-Design

Term	Definition
Retail Establishment, Large	An establishment engaged in retail sales, where the aggregate of retail uses within a Building is 100,000 or more gross square feet of Floor Area that may or may not include ancillary uses with internal Access from the Principal Use Building .
Retail Establishment, Medium	An establishment engaged in retail sales, provided the aggregate of retail uses within a Building is less than 100,000 gross square feet of Floor Area .
Retail Establishment, Specialty	An establishment engaged in retail sales where new or used goods or secondhand personal property is offered for sale to the general public by a multitude of individual vendors, usually from compartmentalized spaces within a Building . A specialty retail sales establishment shall not exceed 100,000 gross square feet of Floor Area and may have an unlimited number of individual vendors within it.
Root System Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for the root system of street trees and landscaping planted in the Street Tree & Furniture Zone.
Sadomasochistic Practices	Flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed or naked.
Satellite Dish	A dish Antenna , with ancillary communications equipment, whose purpose is to receive communication or other signals from orbiting satellites and other extraterrestrial sources and carry them into the interior of a Building .
Scale	A quantitative measure of the relative Height and Massing of Structure(s) Building(s) and spaces.
Screen or Screening	A method of visually shielding, obscuring, or providing spatial separation of an abutting or nearby use or Structure from another by fencing, walls, Berms , or densely planted vegetation, or other means approved by the Planning Director .
Setback	The minimum horizontal distance by which any Building or Structure must be separated from a street right-of-way or Lot line. (See also 20-602(e))
Setback, Front	<p>The Setback required between a Building and the Front Lot Line.</p> 
Setback, Rear	<p>The Setback required between a Building and the Rear Lot Line.</p> 

Term	Definition
Setback, Side	<p>The Setback required between a Building and the Side Lot Line.</p> 
Setback, Side (Exterior)	<p>The Setback required between a Building and the Exterior Side Lot Line.</p> 
Setback, Side (Interior)	<p>The Setback required between a Building and the Interior Side Lot Line.</p> 
Sexually Oriented Media	Magazines, books, videotapes, movies, slides, CD-ROMs or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas .
Sexually Oriented Novelties	Instruments, devices or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.
Shade Tree	Usually a Deciduous tree, rarely an Evergreen ; planted primarily for its high crown of foliage or overhead Canopy .
Shared Parking	Development and use of Parking Areas on two (2) or more separate properties for joint use by the businesses or Owner of these properties.
Shrub	A Deciduous , Broadleaf, or Evergreen plant, smaller than an Ornamental Tree and larger than Ground Cover , consisting of multiple stems from the ground or small branches near the ground, which attains a Height of 24 inches.
Significant Development Project	(1) The construction of one or more new Buildings with a gross Floor Area of 1,500 square feet or more; (2) The construction of additions with a gross Floor Area of 1,500 square feet or more, or twenty percent (20%) or more, of the existing Building ; (3) Separate incremental additions below the 1,500 square feet or 20% amount if the aggregate effect of such Development Activity over a period of 18 consecutive months would trigger the 1,500 square feet or 20% threshold; (4) The alteration or intensification of any use that increases off- Street Parking requirements pursuant to Article 9; or (5) The installation or addition of more than 1,500 square feet of impervious site cover. (Ord. 8098)

Term	Definition
Slip Road	A road which provides access to and runs a course parallel to an Arterial Street or other limited access street or highway. Slip Roads are commonly used along boulevards to provide access to adjacent properties, on-street parking, and to buffer high-speed traffic lanes from pedestrian areas. Slip roads may also be known as access roads.
Special Purpose Base District	See Base District , Special Purpose
Specified Anatomical Areas	(1) Less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid State, even if completely and opaquely covered.
Specified Sexual Activities	Human genitals in a State of sexual stimulation or arousal or acts of human masturbation, sexual intercourse or sodomy or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
Story	That portion of a Building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost Story shall be that portion of a Building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a Basement or unused under-floor space is more than six (6) feet above Grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above Grade as defined herein at any such point, or unused under-floor space shall be considered a Story .
Stream Corridor	A strip of land 100 feet wide, of which the centerline shall be the centerline of a stream that is not an intermittent stream or an intermittent stream specifically identified in the Comprehensive Plan as a significant intermittent stream subject to protection.
Street, Arterial	Arterial Streets are the highest level of Street classification, generally providing for longer distance trips with relatively high traffic volumes and high speeds for the context. Principal Arterials permit traffic flow through the urban area and between major destinations. Minor Arterials collect and distribute traffic from principal Arterials and expressway to Streets of lower classification, and, in some cases, allow traffic to directly Access destinations.
Street, Collector	A Collector Street provides for land Access and traffic circulation within and between residential neighborhoods and commercial and industrial areas. They distribute traffic movements from these areas to the Arterial Streets . Collectors do not typically accommodate long through trips and are not continuous for long distances.
Street, Cul-de-sac	A Street having only one outlet and being permanently terminated by a vehicle Turnaround at the other end.
Street, Dead-End	A Street having only one outlet and which does not benefit from a Turnaround at its end.
Street , Expressway	Any divided Street or highway with no Access from Abutting property and which has either separated or at- Grade Access from other public Streets and highways.
Street , Freeway	Any divided Street or highway with complete Access Control and Grade separated interchanges with all other public Streets and highways.
Street , Limited Local	A Local Street providing Access to not more than eight Abutting single-Family residential Lots .
Street , Local	Local Streets provide direct Access to adjacent land uses. Direct Access from a Local Street to an Arterial Street should be discouraged.
Street, Marginal Access	A Street that is generally parallel and adjacent to an Arterial Street or other limited- Access Street and that is designated to provide direct Access to adjacent property. Marginal Access Streets are commonly known as " Frontage Roads ."
Street, Private	Any tract of land or access easement set aside to provide vehicular Access within a Planned Development that is not dedicated or intended to be dedicated to the City and is not maintained by the City. Owners of a private street may choose to gate access to this type of street from the general public.
Street, Public	A way for vehicular traffic, whether designated as a local, collector, arterial, freeway or other designation, which is improved to City standards, dedicated for general public use, and maintained by the City. The term shall also include alleys.
Street, Ultimate Design	The Street design that is based on the planned carrying capacity of the roadway consistent with its functional classification on the Major Thoroughfares Maps in the Comprehensive Plan .
Street Line	The line separating the Street right-of-way from the abutting property.
Street Tree and Furniture Zone	An area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for street trees and other landscaping as well as street furniture including, but not limited to benches, street lights and transit stops.
Streetscape	The built and planned elements of a street that define the street's character.
Structural Alteration	Any change in the supporting or structural members of a Building , including but not limited to bearing walls, columns, beams or girders, or any substantial change in the roof, exterior walls, or Building openings.

Term	Definition
Structure	A Building or anything constructed that requires permanent location on the ground or attachment to something having a permanent location on the ground, including but not limited to fences, signs, billboards, and Mobile Homes .
Subsurface Utility Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for public utilities.
Thoroughfare	Any public right-of-way that provides a public means of Access to abutting property.
Tract (of land)	An area, Parcel , site, piece of land or property that is the subject of a development application or restriction.
Transitional Use	A permitted use or Structure that, by nature or level and scale of activity, acts as a transition or buffer between two (2) or more incompatible uses.
Tree Protection	Means the measures taken, such as temporary fencing and the use of tree wells, to protect existing trees from damage or loss during and after construction projects.
Trip Generation	The total number of vehicle trip ends produced by a specific land use or activity.
Unnecessary Hardship	The condition resulting from application of these regulations when viewing the property in its environment that is so unreasonable as to become an arbitrary and capricious interference with the basic right of private property ownership, or convincing proof exists that it is impossible to use the property for a conforming use, or sufficient factors exist to constitute a hardship that would in effect deprive the Owner of their property without compensation. Mere financial loss or the loss of a potential financial advantage does not constitute Unnecessary Hardship .
Vertical Mixed Use Structure	See Mixed Use Structure, Vertical
Wetlands	Any Parcel or portion of a Parcel which meets the state or federal definition of Wetlands that are under the jurisdiction of state or federal laws. Synonymous with "jurisdictional wetland".
Woodlands	Natural hardwood forests, whether or not actively forested.
Work/Live Unit	A space within a Building that consists of a Dwelling Unit which is accessory to a nonresidential use and has direct internal access to the nonresidential use.
Working Days	Monday through Friday, 8AM to 5PM excluding city holidays
Yard	Any Open Space located on the same Lot with a Building , unoccupied and unobstructed from the ground up, except for accessory Buildings , or such projections as are expressly permitted by these regulations. "Yard" refers to the actual open area that exists between a Building and a Lot Line , as opposed to the Required Yard or open area (referred to as a " Setback ") <div data-bbox="750 1060 1128 1480" data-label="Diagram"> </div>
Yard, Front	A space extending the full width of a Lot between any Building and the Front Lot Line and measured perpendicular to the Building at the closest point to the Front Lot Line .
Yard, Rear	A space extending the full width of a Lot between the Principal Building and the Rear Lot Line and measured perpendicular to the Building at the closest point to the Rear Lot Line .
Yard, Required	The unobstructed Open Space measured from a point on a Principal Building to the Lot Line from the ground upward, within which no Structure shall be located, except as permitted by this Development Code. It is the three-dimensional equivalent of the required Setbacks for every Lot .
Yard, Side	A space lying between the side line of the Lot and the nearest line of the Principal Building and extending from the Front Yard to the Rear Yard , or in the absence of either of such front or Rear Yards , to the front or Rear Lot Lines . Side-yard widths shall be measured perpendicular to the side Lot Lines of the Lot .
Zoning District	A portion of the territory of the City of Lawrence within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.