

Memorandum

City of Lawrence

Planning & Development Services

TO: David L. Corliss, City Manager

FROM: Scott McCullough, Director

CC: Cynthia Boecker, Assistant City Manager
Diane Stoddard, Assistant City Manager

Date: For October 13, 2009 City Commission Agenda

RE: Minor revisions to TA 7-18-09

The City Commission approved TA 7-18-09 related to the Development Review Procedures on October 6, 2009. Subsequent to the first reading, staff determined that additional language related to one element of the text amendment is necessary for clarification of the code language. The amendment provides that for site plan processing:

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.

The clarification staff proposes is to add the following language to the end of the sentence above in three places in the code related to site plan processing.

Standards not waived by the *Planning Director* will remain eligible for consideration of a variance by the Board of Zoning Appeals.

This language clarifies that if the Director does not waive a code standard, then that standard remains eligible for variance consideration by the Board of Zoning Appeals, which is the mechanism the code provides for varying from the code. This addition does not change the intent of the language, but serves to clarify an important part of the revised process.

Revisions are noted in **red, bold, underlined** print on the accompanying ordinance.