



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

TA-6-17-09

Boarding Houses & Cooperatives



Current Code

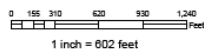
- Boarding Houses and Cooperatives permitted by right in RM12, RM15, RM24, RM32, and RMO Districts
- Permitted with site plan approval up to 12 sleeping rooms and 24 occupants *if* parking and other standards upheld
- Parking – 1.5 spaces per 2 lawful occupants (ex – 8 occupants yields 6 required parking spaces)



Boarding House Statistics

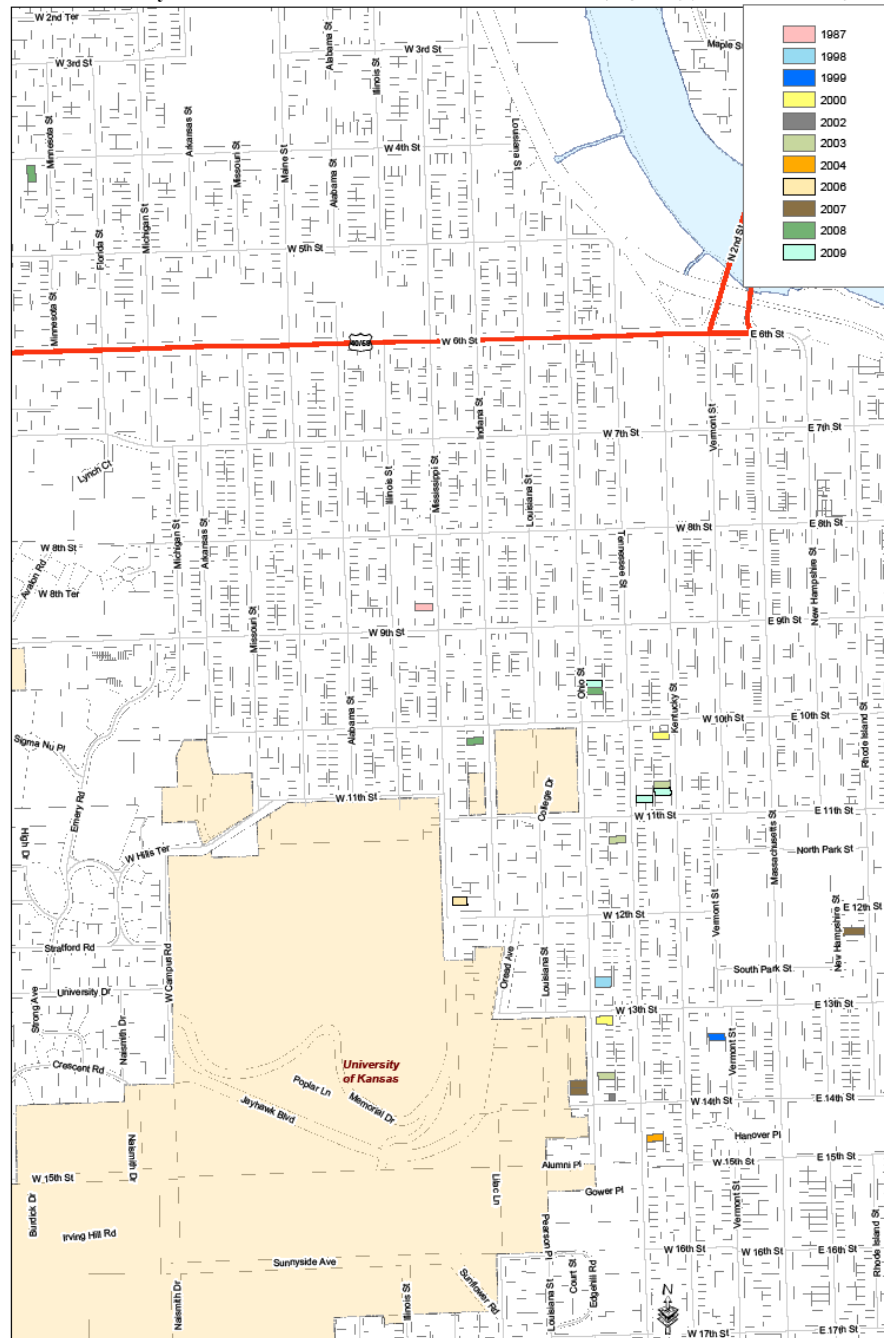
- 1980s – 1 approved
- 1990s – 2 approved
- 2000s – 21 approved
- Data may be misleading, however, as site planning boarding houses did not receive serious consideration until after 2002 when the definition of “Family” was modified and attention turned to multi-family dwellings that housed more than four unrelated individuals
- The Douglas County Appraiser’s Office identifies 17 boarding houses in the Oread Neighborhood and 25 city-wide

Site Planned Boarding Houses by Year



DISCLAIMER NOTICE

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Key Points

- TA initiated by PC May 20, 2009
- Process running concurrently with Oread Neighborhood Plan
- City-wide implications



Main Issues Identified

- Definition of Family – conflict between a limit of 4 unrelated persons in multi-family zoning and potential for 24 occupants in a Boarding House (actual range is between 6-12 occupants)
- Parking standards may encourage Boarding Houses (less required compared with apartments)
- Area dedicated to trash facilities lacking
- Behavior associated with communal living versus independent living – noise, parties, trash
- Uncharacteristic building additions to existing structures
- Boarding Houses provide benefit to issues of demo by neglect, life-safety issues, new investment, etc.



Processing History

- PC initiated in May, 2009
- PC hearing – August 24, 2009
- PC hearing – October 26, 2009
- Stakeholder meeting – December 2, 2009
- PC hearing – December 16, 2009



Range of Options (August Mtg)

- **Option 1 – Delete the Boarding House use from the Land Development Code and rely on other multi-family types of uses to meet the demand for high-density, student housing.**
- **Option 2 – Maintain the Boarding House use in its current form.**
- **Option 3 – Revise the definition of Boarding House to reduce the maximum number of bedrooms and sleeping space to a number that would be in less conflict with the restrictions applied in the definition of “Family” – 6 or 8 perhaps - and maintain the current standards for this use.**
- **Option 4 - Revise the definition of Boarding House to reduce the maximum number of bedrooms and sleeping space to a number that would be in less conflict with the restrictions applied in the definition of “Family” – 6 or 8 perhaps - and create use standards for this use as follows.**
 - **Prohibit the expansion of a structure to convert it to a Boarding House or limit the expansion of a Boarding House to no more than 10% of the current gross floor area of the structure or some other reasonable amount.**
 - **Limit the size of any deck structure to no more than 200 square feet or some other reasonable area to accommodate the maximum occupancy of the Boarding House.**
 - **Require that an area for trash storage be designated on the site regardless of whether a shared trash site will be used to begin operation of the House.**



Proposed Language (October)

- Relabel use from “Boarding House and Cooperative” to “Congregate Living” and redefine
- Permitted by right up to 6 bedrooms and 6 occupants
- SUP required after threshold is exceeded
- Parking – 1 space per occupant
- Uncovered decks on side or rear limited to 15 square feet per occupant
- PC split on this language and deferred for additional concept development



Proposed Code Language (December – after stakeholder meeting)

- Relabel use from “Boarding House and Cooperative” to “Congregate Living”
- By right with no SUP requirement and no limit to bedrooms or occupants
- Parking – 1 space per bedroom for new structures; new ratio for converted structures to encourage the use of large structures
- Uncovered decks and patios limited to 20 square feet per occupant (increase from 15 sq. ft. in Oct.)
- Limits on physical expansion established



Proposed Language (Detailed)

1. A Congregate Living use shall be permitted only with site plan approval.
2. Limitations on Expansion
 - For an existing Congregate Living Structure or a Structure converted to a Congregate Living use, the Structure, for the life of the Structure, shall not be enlarged greater than 20% of its existing Floor Area, including livable space, unlivable space, and covered decks and patios.
 - A site plan for a Congregate Living use is not eligible for approval if the Floor Area of the Structure proposed to house the use has been expanded greater than 20% within three years of submitting the site plan application for the Congregate Living use.
 - If a Structure is razed and a new Congregate Living Structure is proposed within three years after its demolition, then the Congregate Living Structure shall not exceed the Floor Area plus 20% of the razed Structure.
 - This section does not apply to expansions in Floor Area occurring prior to _____ (the effective date of this section).
3. Parking shall be provided at the following rates.
 - For new construction: 1 parking space per bedroom
 - For conversion of an existing Structure:
 - 6 or less bedrooms – 4 spaces required
 - 7 or greater bedrooms – 4 plus .5 spaces per bedroom over 6 bedrooms
4. Uncovered decks and patios shall be limited to twenty (20) square feet of area per bedroom.
5. A trash receptacle area compliant with the Development Code, the City Code, and amendments thereto, and with policies established by the Solid Waste Division of the City shall be designated on the site plan and either used or reserved for use on the site to accommodate waste generated by the residents.



Recommendation

- PC Recommendation – Dec. 16, 2009
 - Recommend approval 6-2 of December version as presented by Staff
- Action requested
 - Adopt ordinance no. 8482 if appropriate