

**DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS
TEXT AMENDMENTS, JUNE 22, 2010 EDITION**

Amending Sections
20-201, 20-223, 20-403, 20-509 and 20-1108

**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. 8530

First Reading: June 15, 2010

Second Reading: June 22, 2010

Date of Publication: May 10, 2010

SECTION ONE: Chapter 20, Article 2 Section 20-201 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-201 THE DISTRICTS

(a) Base Districts

The [Zoning Districts](#) presented in this chapter are referred to as “[Base Districts](#)” because they establish the basic zoning regulations that apply to all properties classified in, or shown on, the Official [Zoning District Map](#) as in that [Zoning District](#). All land in the City has a [Base District](#) classification. [Base District](#) regulations control the types of uses allowed and the way in which uses and [Buildings](#) may be developed on a site. The [Base District](#) regulations are the default regulations—they always control unless expressly overridden by or pursuant to any applicable [Overlay Zoning District](#) regulations.

(b) Districts Established

The following [Base Districts](#) are included in this Development Code. The [Base Districts](#) established by this Development Code are intended to be applied in accordance with the [Comprehensive Plan](#).

District Name	Map Symbol	Corresponding Comprehensive Plan Designation
RS, Single-Dwelling Residential Districts [square feet per Dwelling Unit]:		
Single-Dwelling Residential–40,000 sq. feet	RS40	Very Low-Density
Single-Dwelling Residential–20,000 sq. feet	RS20	Low-Density
Single-Dwelling Residential–10,000 sq. feet	RS10	Low-Density
Single-Dwelling Residential–7,000 sq. feet	RS7	Low-Density
Single-Dwelling Residential–5,000 sq. feet	RS5	Low- or Medium-Density
Single-Dwelling Residential–3,000 sq. feet	RS3	Medium-Density
RSO, Single-Dwelling Residential-Office District [square feet per Dwelling Unit]:		
Single-Dwelling Residential-Office -- 2,500 sq. feet.	RSO	Low or Medium-Density
RM, Multi-Dwelling Residential Districts [Dwelling Units per acre]:		
Multi-Dwelling Residential– 12 d.u. per acre	RM12/ RM12D	Medium-Density
Multi-Dwelling Residential -- 15 d.u. per acre	RM15	Medium-Density
Multi-Dwelling Residential– 24 d.u. per acre	RM24	High-Density
Multi-Dwelling Residential– 32 d.u. per acre	RM32	High-Density
RMG, Multi-Dwelling Residential-Greek Housing District:		
Multi-Dwelling Residential-Greek Housing	RMG	High-Density
RMO, Multi-Dwelling Residential-Office District [Dwelling Units per acre]:		
Multi-Dwelling Residential-Office–22 d.u. / acre	RMO	High-Density
C, Commercial Districts:		
Inner Neighborhood Commercial	CN1	NA
Office Commercial	CO	Office or Office/Research
Neighborhood Shopping Center	CN2	Neighborhood Commercial Center
Downtown Commercial	CD	Regional Commercial Center

District Name	Map Symbol	Corresponding Comprehensive Plan Designation
Community Commercial	CC	Community Commercial Centers
Regional Commercial	CR	Regional Commercial Center
Strip Commercial	CS	NA
I, Industrial Districts:		
Industrial/Business Park	IBP	Office or Office/Research
Limited Industrial	IL	Warehouse and Distribution or Industrial
General Industrial	IG	Warehouse and Distribution or Industrial
Special Purpose Base Districts:		
<i>Mixed Use</i>	<i>MU</i>	<i>NA</i>
General Public and Institutional	GPI	NA
Hospital	H	NA
Planned Unit Development	PUD[name]	NA
Planned Residential Development	PRD[name]	NA
Planned Commercial Development	PCD[name]	NA
Planned Industrial Development	PID[name]	NA
Planned Office District	POD[name]	NA
Urban Reserve	UR	NA
University/University – Kansas University	U/U-KU	NA
Open Space	OS	NA
Lawrence SmartCode Districts (Chapter 21 of the Code of the City of Lawrence):		
General SmartCode District	SC	NA
T1 – The Natural Zone	T1	NA
T2 – The Rural Zone	T2	NA
T3 – The Sub-Urban Zone	T3	NA
T4 – The General Urban Zone	T4	NA
T5 – The Urban Center Zone	T5	NA
T5.5 – The Special Urban Center Zone	T5.5	NA
CS – Civic Space	CIVIC	NA

SECTION TWO: Chapter 20, Article 2, Section 20-223 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-223 MU, MIXED USE DISTRICT

(c) **Purpose**

The MU, Mixed Use District, is primarily intended to permit a variety of land uses together in one or more **Structures** on a site including governmental, retail, office, public and **Community Facilities**, institutional, religious, and residential uses in a pedestrian-oriented and transit-oriented setting. Retail and service uses that attract and generate foot traffic are encouraged to be located at ground level along the **Public Frontage**. Development in the Mixed Use District shall include both residential and nonresidential uses.

(d) **Where Appropriate**

The Mixed Use District zoning classification may not be appropriate in all areas of the City of Lawrence. Specific standards apply to Mixed-Use Developments. See Section 20-1108. ~~To be eligible for rezoning to the Mixed Use District, a site proposed for Mixed-Use development shall be:~~

- ~~(1) Within one-quarter of a mile of **Designated Transit Route** at the time the rezoning is initiated; and~~
- ~~(2) Near or adjacent to the intersection of **Arterial Streets** as per the adopted Major **Thoroughfares** Map; or~~
- ~~(3) Within one-quarter of a mile of university campuses; or~~
- ~~(4) Within one-quarter of a mile of downtown, the boundaries of which are described in Chapter 6 of Horizon 2020; or~~
- ~~(5) Immediately adjacent to public parks or open space; or~~
- ~~(6) An existing nonresidential development proposed for redevelopment.~~

(c) **Compatibility**

Mixed-Use developments shall be compatible with existing development which surrounds the proposed Mixed-Use development. Specific standards apply to Mixed-Use Developments. See Section 20-1108. ~~Compatibility is best achieved through a transition in **Building** form, **Scale** and intensity rather than through uses, peripheral buffers or **Landscaping**. In furtherance of this purpose, development zones shall be designated on the property proposed for the Mixed-Use development. Such zones shall be designated to govern the permitted **Density**, **Building Height** and **Building Scale** and to assure compatibility between the proposed development and surrounding existing development.~~

(e) **Development Zones**

~~Development zones govern permitted **Density** on the site as well as **Building Height**, **Scale** and form. The three development zones are hierarchical in terms of development intensity permitted. A proposal to rezone to the MU District need not designate all three development zones. Development zones shall be designated to ensure compatibility with surrounding existing development. In cases where a~~

rezoning to the MU District is proposed for a site which is surrounded by existing detached residential development, a ~~Tertiary Development Zone~~ shall be required to be designated adjacent to such existing development in order to ensure compatibility of ~~Height, Scale~~ and form.

(1) ~~Primary Development Zone~~

The ~~Primary Development Zone~~ is that area of land within a Mixed-Use development which is designated for the most intense development allowed by the District. ~~Primary Development Zones~~ shall contain ~~Vertical Mixed Use Structures~~ with a mixture of both residential and nonresidential uses and no interruption of ~~Building Frontage~~ along the ~~Public Frontage~~. Where a ~~Primary Development Zone~~ enfronts upon a ~~Public Frontage~~, such area shall be designated as ~~Primary Public Frontage~~. A ~~Primary Public Frontage~~ shall be designed to accommodate heavy pedestrian traffic and ground-level nonresidential uses. Residential uses shall not be permitted on the ground level of ~~Structures~~ in the ~~Primary Development Zone~~.

(2) ~~Secondary Development Zone~~

The ~~Secondary Development Zone~~ is that area of land within a Mixed-Use development which is designated for less intense development, relative to that permitted by a ~~Primary Development Zone~~. ~~Secondary Development Zones~~ may contain ~~Vertical Mixed Use Structures~~, ~~Horizontal Mixed Use Structures~~ or single-use ~~Structures~~ with interruption of ~~Building Frontage~~ along the ~~Public Frontage~~ allowed only for ~~Access to Parking Areas~~, for ~~Alleys~~ or service lanes. Where a ~~Secondary Development Zone~~ enfronts a ~~Public Frontage~~ such area shall be designated as ~~Secondary Public Frontage~~. A ~~Secondary Public Frontage~~ shall be designed to accommodate moderate amounts of pedestrian traffic, and if planned, vehicular ~~Access to Parking Areas~~ and service lanes in a manner that minimizes pedestrian vehicular conflict. ~~Secondary Development Zones~~ may contain both nonresidential ground-level uses as well as ground level residential uses.

(3) ~~Tertiary Development Zone~~

The ~~Tertiary Development Zone~~ is that area of land within a Mixed-Use development which is designated for the least intense development, relative to that permitted in the other zones. ~~Tertiary Development Zones~~ shall permit a development intensity which is no greater than that of surrounding existing development. Such zones shall permit a development form which is consistent with that of surrounding existing development (i.e. two-~~Story~~ detached residential ~~Dwellings~~ across the street from existing ~~Structures~~ which are of the same form, etc.). Nonresidential uses shall only be permitted in a ~~Tertiary Development Zone~~ if the existing surrounding development contains such nonresidential uses. A ~~Tertiary Development Zone~~ shall only permit a residential use type which exists in surrounding development.

(f) ~~Designation of Development Zones~~

The applicant for any rezoning to the MU District shall propose development zones for the entire site proposed to be rezoned. The proposed designation shall be included with the application for rezoning. No application for rezoning to the MU District shall be considered complete and sufficient without this information. The proposed designation shall include, at a minimum, the following information:

- (4) ~~A plan or graphic representation depicting the location and arrangement of each proposed development zone for the entire site proposed to be rezoned. The plan or graphic shall include the following:~~
- ~~(i) A general location map showing the subject property's location;~~
 - ~~(ii) Existing and proposed Lot lines on the subject property;~~
 - ~~(iii) Existing and proposed rights-of-ways of the subject property;~~
 - ~~(iv) The existing zoning and land use of the subject property;~~
 - ~~(v) The existing zoning and land use of surrounding properties;~~
 - ~~(vi) The Height and Floor Area footprint of individual Structures in surrounding existing development;~~
 - ~~(vii) The Building form (i.e. Vertical Mixed Use Structure, Horizontal Mixed Use Structure, Attached Structure or Detached Structure) of surrounding existing development;~~
 - ~~(viii) A written narrative describing how each development zone proposed is compatible with surrounding existing development in terms of Building Height, Building form, and land use.~~

(g) Development Standards

~~Development constituting a Major Development Project shall comply with the General Development standards for Mixed Use Districts (Section 20-1108). Any Structure(s) which existed prior to being rezoned to the Mixed Use District may become nonconforming with regard to the Development standards of Section 20-1108. Such Structures, if involuntarily damaged or destroyed may be reconstructed as they existed if and only if the conditions of Section 20-1503(e)(2) are satisfied. The following situations are exempt from the Development standards of Section 20-1108:~~

- ~~(1) Structures which existed prior to being rezoned to the Mixed Use District shall be allowed to remain as developed until such Structure is proposed to be demolished and redeveloped;~~
- ~~(2) The intensification of the use of property in the MU District that increases the off-street parking requirements shall not constitute a Major Development Project.~~

(f) (d) Principal Uses

~~Principal Uses are allowed in MU District in accordance with the Use Table of Article 4.~~

(g) (e) Accessory Uses and Structures

~~Accessory Uses and Structures are permitted by right in connection with any lawfully established Principal Use, except as otherwise expressly provided in this Development Code. Also, unless otherwise stated, Accessory Uses are subject to the same regulations as the Principal Use. Accessory Uses and Structures, including Home Occupations, are subject to the regulations of Article 5.~~

(h) (f) Density and Dimensional Standards

~~Unless expressly stated below, a~~All development in the MU District shall comply with the Density and Dimensional Standards of Article 6. The following additional Density and Dimensional Standards shall apply in the MU District:

(1) Site Requirements

~~Development sites between 20,000 square feet and 20 acres in area are permitted in the MU District. For Mixed Use developments on sites greater than 20 acres in area, see Section 20-701(f) [Planned Developments](#).~~

(2) Lot Requirements

~~All [Lots](#) in the MU District shall be a minimum of 3,000 square feet.~~

(b) Pedestrian and Vehicular Access

~~In areas designated as the [Primary Public Frontage](#), vehicular [Access](#) to individual [Lots](#) may be permitted only from a public [Alley](#). In areas designated as [Secondary Public Frontage](#) or [Tertiary Public Frontage](#), vehicular [Access](#) may be permitted from the [Alley](#) or Street. Pedestrian [Access](#) shall be permitted from the Street, public [Alley](#) or pathway.~~

(e) Alterations to Designated Transit Routes

~~The provisions of Section 20-223(b)(1) shall apply to Mixed-Use development in the MU [Zoning District](#). If the [Designated Transit Route](#) is altered such that it is no longer within one-quarter of a mile of a Mixed-Use development, then an approved Mixed-Use development shall not be made a nonconforming use.~~

~~(k)~~ (g) Other Regulations

~~There are a number of other Development standards that may apply to development in [Base Districts](#), including but not limited to the following:~~

(1) General Development Standards

~~Specific standards apply to Mixed-Use Developments. See Article 11.~~

(2) Landscaping

~~Specific standards apply to Mixed-Use Developments. See Article 10.~~

(3) Off-Street Parking and Loading

~~Specific standards apply to Mixed-Use Developments. See Articles 9 & 11.~~

(4) Outdoor Lighting

~~Specific standards apply to Mixed Use Developments. See Section 20-1103.~~

(5) Overlay Districts

~~See Article 3.~~

SECTION THREE: Chapter 20, Article 4, Section 20-403 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
RESIDENTIAL USE GROUP																
Household Living	Accessory Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	534
	Attached Dwelling	P*	-	P*	-	-	-	-	-	-	-	-	-	P*	-	503
	Cluster Dwelling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	702
	Detached Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	P*	P*	508
	Duplex	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	503
	Manufactured Home	-	-	-	-	-	-	-	-	-	-	-	-	P	P	
	Manufactured Home, Residential-Design	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	513
	Mobile Home	-	-	-	-	-	-	-	-	-	P	P	-	P	P	
	Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Multi-Dwelling Structure	-	P*	P*	-	P*/S*	P*		P*	-	-	-	-	S	P	517
	Non-Ground Floor Dwelling	P*	P*	P*	-	P*	P*	-	P*	-	-	-	-	-	-	517/542
	Work/Live Unit	P*	P*	P*	-	P*/S*	P*	-	P*	-	P*	-	-	-	-	517/541
	Zero Lot Line Dwelling	P*	-	P	-	-	-	-	-	-	-	-	-	-	-	531
	Home Occupation, Type A or B	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	
Group Living	Assisted Living	-	-	P	-	-	-	-	-	-	-	-	-	S	S	
	Boarding Houses & Cooperatives	-	-	P	-	-	-	-	-	-	-	-	-	-	-	
	Dormitory	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	-	-	-	-	-	P	
	Group Home, Limited (10 or less)	P	-	P	-	-	-	-	-	-	-	-	-	-	-	
	PUBLIC AND CIVIC USE GROUP															
Community Facilities	Cemetery	P*	P*	-	P*	-	P*	P*	P*	P*	P*	-	P*	P*	-	505
	College/University	S	P	P	P	P	P	P	P	P	P	P	-	P	P	
	Cultural Center/Library	S	P	P	S	P	P	-	-	P	-	-	S	P	A	
	Day Care Center	S*	P*	S*	S*	S*	P*	P*	P*	P*	P*	P*	-	-	-	507

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	Undeveloped Private Recreation	P	P	P	-	P	P	-	P	-	-	-	P	P	P	
Religious Assembly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	522
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	522
COMMERCIAL USE GROUP																
Animal Services	Kennel	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Livestock Sale	-	-	-	-	-	S	S	S	-	P	P	-	-	-	
	Sales and Grooming	P	P	P	P	P	P	P	P	-	P	P	-	-	-	
	Veterinary	-	P	P	P	P	P	P	P	P	P	P	-	-	-	
Eating & Drinking Establishments	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	-	-	-	509
	Accessory Restaurant	-	-	-	-	-	-	-	-	A	-	-	-	-	-	
	Bar Or Lounge	-	-	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	509
	Brewpub	-	P*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	509
	Fast Order Food	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	511 & 509
	Fast Order Food, With Drive-In	-	S	-	-	-	P	P	P	-	P	-	-	-	-	
	Nightclub	-	-	-	-	P*	-	P*	P*	-	-	-	-	-	-	509
	Private Dining Establishments	P*	P*	-	P*	P*	P*	P*	P*	P*	-	-	-	-	-	539
	Restaurant, Quality	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	524
Office	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	A*	518
	Financial, Insurance & Real Estate	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	A*	510
	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	537
Parking Facilities	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	-	S	S	S	S	P	P	P	P	P	P	-	P	A	
Retail Sales & Service	Building Maintenance	-	P	S	-	P	P	P	P	-	P	P	-	A	A	
	Business Equipment	-	P	P	-	P	P	P	P	P	P	-	-	-	-	
	Business Support	-	P	P	P	P	P	P	P	P	P	P	-	-	A	
	Communications	-	P	P	P	P	P	P	P	P	P	-	-	-	A	
	Construction Sales	-	-	-	-	-	P	P	P	-	P	P	-	-	A	

Key: <i>A = Accessory</i> <i>P = Permitted</i> <i>S = Special Use</i> <i>* = Standard Applies</i> <i>- = Use not allowed</i>		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	and Service															
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	511
	Mixed Media Store	P*	P*	P*	P*	P*	P*	P*	P*	-	P*		-	-	-	516 528
	Personal Convenience	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	A*	520
	Personal Improvement	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	A*	A*	521
	Repair Service, Consumer	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	A*	525
	Retail Establishment, Large	-	-	-	-	-	P*	P*	S*	-	-	-	-	-	-	526
	Retail Establishment, Medium	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
	Retail Establishment, Specialty	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	526
Sexually Oriented Businesses	Sexually Oriented Media Store	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	528
	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	528
	Sex Shop	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
	Sexually Oriented Theater	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	528
Transient Accommodation	Bed and Breakfast	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	20-504
	Campground	-	-	-	-	-	P	P	P	-	-	-	S	-	-	
	Hotel, Motel, Extended Stay	-	-	P	-	P	P	P	P	-	-	-	-	-	A	
Vehicle Sales & Service	Cleaning (e.g., Car Wash)	-	S	-	-	-	P	P	P	-	P	P	-	-	-	
	Fleet Storage	-	-	-	-	-	P	P	P	-	P	P	-	-	A	
	Gas and Fuel Sales	-	S	S	-	-	P	P	P	-	P	P	-	-	-	
	Heavy Equipment Repair	-	-	-	-	-	P	P	P	-	P	P	-	-	-	
	Heavy Equipment Sales/Rental	-	-	-	-	-	P	P	P	-	P	P	-	-	-	

[illegible]

Key: <i>A = Accessory</i> <i>P = Permitted</i> <i>S = Special Use</i> <i>* = Standard Applies</i> <i>- = Use not allowed</i>		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IG	OS	GPI	H	
	Broadcasting Tower	-	-	-	-	S	-	-	-	P	P	P	-	-	A	
	Communications Service Establishment	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	A*	506
	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	A*	A*	529
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	-	-	-	-	-	-	-	-	-	-	S*	-	-	-	515
Recycling Facilities	Large Collection	-	-	-	-	-	P	P	P	-	P	P	-	-	-	540
	Small Collection	P	P	P*	P	P	P	P	P	P	P	P	-	A	A	540
	Processing Center	-	-	-	-	-	-	-	-	-	P	P	-	-	-	

SECTION FOUR: Chapter 20, Article 5, Section 20-509 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-509 **EATING AND DRINKING ESTABLISHMENTS**

The restrictions in (1) and (2) shall apply to a **Licensed Premises** use. The **Fast Order Food** establishments in 3 and 4 are not permitted to be a Licensed Premise:

(1) **Accessory Uses to Hotels**

A hotel with 50 or more rooms may have a restaurant as an **Accessory Use**; a restaurant may be permitted as a second **Principal Use** on the same property as a smaller hotel, subject to all of the other conditions applicable to the use and the district in which it is located, including separate Parking requirements.

A hotel with 100 or more rooms may have a **Bar** as an **Accessory Use**, subject to all of the other conditions applicable to the use and the district in which it is located, including separate Parking requirements.

A hotel with 150 or more rooms may have a **Nightclub** or other live entertainment as an **Accessory Use**.

(2) **Accessory Bars**

In any **Zoning District** allowing a Restaurant as a permitted use and allowing an **Accessory Bar**, the **Accessory Bar** shall be allowed only subject to the following standards:

- (i) the **Accessory Bar** shall not constitute more than 25% of the **Floor Area** of the eating & drinking establishment;
- (ii) the **Accessory Bar** shall not have a separate Street entrance; and
- (iii) if at any time the sales of alcoholic beverages in the eating & drinking establishment constitute more than 55% of gross sales for any two months or longer measuring period, the **Bar** shall be deemed to be a **Principal Use** and the operator shall be subject to penalties under this Development Code for operation of an unlawful use.

(3) Standards that Apply in ~~ML~~ CN1 and CN2 Districts

Fast Order Food establishments shall be permitted in ~~ML~~ CN1 and CN2 Districts provided that the **Gross Floor Area** shall not exceed 3,000 square feet.

(4) Standards that Apply in CO District

Fast Order Food establishments are permitted in the CO District provided that the total **Floor Area** does not exceed 10 percent (10%) of the total **Gross Floor Area** of all floors of the office **Building** or of all **Buildings** in the office complex in which the use is located.

(5) Standards that Apply in CD District

The following restrictions apply to **Licensed Premises** in the CD district:

- (i) The **Licensed Premises** use in CD shall be required to derive from the sales of food for consumption on the **Premises** not less than 55% of all the **Licensed Premises'** gross receipts for a calendar year from sales of food and beverages on such **Premises**.

- (ii) The City Manager or his/her designee shall establish an administrative procedure for the investigation and enforcement of this requirement that shall include the annual reporting of appropriate sales and receipt information from [Licensed Premises](#) governed by this Section.

(6) **Standards that Apply in the MU District**

A [Bar or Lounge](#) Bar or Lounge Special Use shall only be allowed for property applying and approved for a zoning map amendment to the MU District after July 1, 2010. A [Bar or Lounge](#) use shall be prohibited for all property with MU District zoning granted prior to July 1, 2010.

SECTION FIVE: Chapter 20, Article 11, Section 20-1108 of the Code of the City of Lawrence, Kansas, 2009 Edition, and amendments thereto is hereby amended and shall read as follows:

20-1108 GENERAL DEVELOPMENT STANDARDS FOR **MIXED USE** (MU) DISTRICTS

(a) Applicability

~~Development constituting a Major Development Project shall comply with the General Development Standards for Mixed Use Districts (Section 20-1108). Any Structure(s) which existed prior to being rezoned to the Mixed Use District may become nonconforming with regard to the Development Standards of Section 20-1108. Such Structures, if involuntarily damaged or destroyed may be reconstructed as they existed if and only if the conditions of Section 20-1503(e)(2) are satisfied. The following situations are exempt from these Development Standards:~~

- ~~(1) Structures which existed prior to being rezoned to the Mixed Use District shall be allowed to remain as developed until such Structure is proposed to be demolished and redeveloped;~~
- ~~(2) The intensification of the use of property in the MU District that increases the off-street parking requirements shall not constitute a Major Development Project.~~

~~Development constituting a Major Development Project shall include a mixture of residential and nonresidential uses together in one Structure or in separate Structures, designed to form a Pedestrian-Scale environment. All Mixed Use developments shall require site plan review and approval.~~

(a) Where Appropriate

The Mixed Use District zoning classification may not be appropriate in all areas of the City of Lawrence. To be eligible for rezoning to the Mixed Use District, a site proposed for Mixed-Use development shall be:

- ~~(3) Within one-quarter of a mile of Designated Transit Route at the time the rezoning is initiated; and~~
- ~~(4) Near or adjacent to the intersection of Arterial Streets as per the adopted Major Thoroughfares Map; or~~
- ~~(5) Within one-quarter of a mile of university campuses; or~~
- ~~(6) Within one-quarter of a mile of downtown, the boundaries of which are described in Chapter 6 of Horizon 2020; or~~
- ~~(7) Immediately adjacent to public parks or open space; or~~
- ~~(8) An existing nonresidential development proposed for redevelopment.~~

(b) Alterations to Designated Transit Routes

The provisions of Section 20-1108(a)(1) shall apply to Mixed Use development in the MU Zoning District. If the Designated Transit Route is altered such that it is no longer within one-quarter of a mile of a Mixed-Use development, then an approved Mixed Use development shall not be made a nonconforming use.

(c) Compatibility

Mixed Use developments shall be compatible with existing development which surrounds the proposed Mixed-Use development. Compatibility is best achieved through a transition in Building form, Scale and intensity rather than through uses, peripheral buffers or Landscaping. In furtherance of this purpose, development zones shall be designated on the property proposed for the Mixed Use development. Such zones shall be designated to govern the permitted Density, Building Height and Building Scale and to assure compatibility between the proposed development and surrounding existing development.

(b) Terms Defined

The following terminology is used frequently in this Section and is provided below for reference.

Building Frontage	That portion of a Building or Structure that is adjacent to or faces the Public Frontage .
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 .
Designated Transit Route	Any bus route identified on the route map published by the Lawrence Transit System or KU on Wheels transit system.
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.
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 .
Massing	The size and shape of Structure(s) individually and their arrangements relative to other Structure(s) .
Mixed Use Structure, Horizontal	A Building or Structure containing two or more different uses distributed horizontally throughout the Structure .
Mixed Use Structure, Vertical	A Building or Structure , a minimum of two stories in Height , containing two or more different uses distributed vertically throughout the Structure .
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.
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.
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.
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.
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.
Scale	A quantitative measure of the relative Height and Massing of Structure(s) Building(s) and spaces.
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.
Subsurface Utility Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for public utilities.
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.
Work/Live Unit	A space within a Building that consists of a Non-Ground Floor Dwelling which is Accessory to a nonresidential use and has direct internal Access to the nonresidential use.

(a) (d) Applicability

The provisions of this section shall apply to all construction and development in the Mixed Use District, except as expressly exempted in this section.

Development constituting a Major Development Project shall comply with the General Development standards for Mixed Use Districts (Section 20-1108). Any Structure(s) which existed prior to being rezoned to the Mixed Use District may become nonconforming with regard to the Development standards of Section 20-1108. Such Structures, if involuntarily damaged or destroyed may be reconstructed as they existed if and only if the conditions of Section 20-1503(e) (2) are met. The following situations are exempt from the Development standards of Section 20-1108:

- (1) Any Structure(s) which existed prior to being rezoned to the Mixed Use District may become nonconforming with regard to the Development standards of Section 20-1108. Such Structures, if involuntarily damaged or destroyed may be reconstructed as they existed if and only if a building permit for the restoration is obtained within 12 months of the date of the occurrence of the damage and once issued, construction shall be diligently pursued.
- (2) Structures which existed prior to being rezoned to the Mixed Use District shall be allowed to remain as developed until such Structure is proposed to be demolished and redeveloped, improved or modified as a Major Development Project. Improvements or modifications proposed and approved as a Minor or Standard Development Project are required to be compliant with the standards of this section, the Development Code and/or the Commercial Design Standards, unless otherwise determined by the Planning Director.

- (3) The intensification of the use of property *in Structures which existed prior to being rezoned* to the MU District that increases the off-street parking requirements shall not constitute a Major Development Project.
- (4) *If a use exists at the time of a zoning map amendment to the MU district, but is regulated as a Special Use upon adoption of the zoning map amendment to the MU District, the use will be considered an approved Special Use and will be allowed to continue without a separate public hearing for the Special Use. Any alterations or expansions of the use are subject to the Special Use amendment procedures of Section 20-1306.*

(e) Mixed Use Development

Development *in the Mixed Use District* constituting a Major Development Project shall include a mixture of residential and nonresidential uses together in one Structure or in separate Structures, designed to form a pedestrian-Scale environment. All Mixed Use developments shall require site plan review and approval.

(f) Development Zones

Development zones govern permitted Density on the site as well as Building Height, Scale and form. The three development zones are hierarchical in terms of development intensity permitted. A proposal to rezone to the MU District need not designate all three development zones. Development zones shall be designated to ensure compatibility with surrounding existing development. In cases where a rezoning to the MU District is proposed for a site which is surrounded by existing detached residential development, a Tertiary Development Zone shall be required to be designated adjacent to such existing development in order to ensure compatibility of Height, Scale and form.

(1) Primary Development Zone

The Primary Development Zone is that area of land within a Mixed Use development which is designated for the most intense development allowed by the District. Primary Development Zones shall contain Vertical Mixed Use Structures with a mixture of both residential and nonresidential uses and no interruption of Building Frontage along the Public Frontage. Where a Primary Development Zone ~~enfro~~ fronts upon a Public Frontage, such area shall be designated as Primary Public Frontage. A Primary Public Frontage shall be designed to accommodate heavy pedestrian traffic and ground-level nonresidential uses. Residential uses shall not be permitted on the ground level of Structures in the Primary Development Zone.

(2) Secondary Development Zone

The Secondary Development Zone is that area of land within a Mixed Use development which is designated for less-intense development, relative to that permitted by a Primary Development Zone. Secondary Development Zones may contain Vertical Mixed Use Structures, Horizontal Mixed Use Structures or single-use Structures with interruption of Building Frontage along the Public Frontage allowed only for Access to Parking Areas, for Alleys or service lanes. Where a Secondary Development Zone ~~enfro~~ fronts a Public Frontage such area shall be designated as Secondary Public Frontage. A Secondary Public Frontage shall be designed to accommodate moderate amounts of pedestrian traffic, and if planned, vehicular Access to Parking Areas and service lanes in a manner that minimizes pedestrian-vehicular conflict. Secondary Development

Zones may contain both nonresidential ground-level uses as well as ground level residential uses.

(3) Tertiary Development Zone

The Tertiary Development Zone is that area of land within a Mixed Use development which is designated for the least-intense development, relative to that permitted in the other zones. Tertiary Development Zones shall permit a development intensity which is no greater than that of surrounding existing development. Such zones shall permit a development form which is consistent with that of surrounding existing development (i.e. two-Story detached residential Dwellings across the street from existing Structures which are of the same form, etc.). Nonresidential uses shall only be permitted in a Tertiary Development Zone if the existing surrounding development contains such nonresidential uses. A Tertiary Development Zone shall only permit a residential use type which exists in surrounding development.

(g) Designation of Development Zones

The applicant for any rezoning to the MU District shall propose development zones for the entire site proposed to be rezoned. The proposed designation shall be included with the application for rezoning. No application for rezoning to the MU District shall be considered complete and sufficient without this information. The proposed designation shall include, at a minimum, the following information:

- (1)** A plan or graphic representation depicting the location and arrangement of each proposed development zone for the entire site proposed to be rezoned. The plan or graphic shall include the following:

 - (i)** A general location map showing the subject property's location;
 - (ii)** Existing and proposed Lot lines on the subject property;
 - (iii)** Existing and proposed rights-of-ways of the subject property;
 - (iv)** The existing zoning and land use of the subject property;
 - (v)** The existing zoning and land use of surrounding properties;
 - (vi)** The Height and Floor Area footprint of individual Structures in surrounding existing development;
 - (vii)** The Building form (i.e. Vertical Mixed Use Structure, Horizontal Mixed Use Structure, Attached Structure or Detached Structure) of surrounding existing development;
 - (viii)** A written narrative describing how each development zone proposed is compatible with surrounding existing development in terms of Building Height, Building form, and land use.

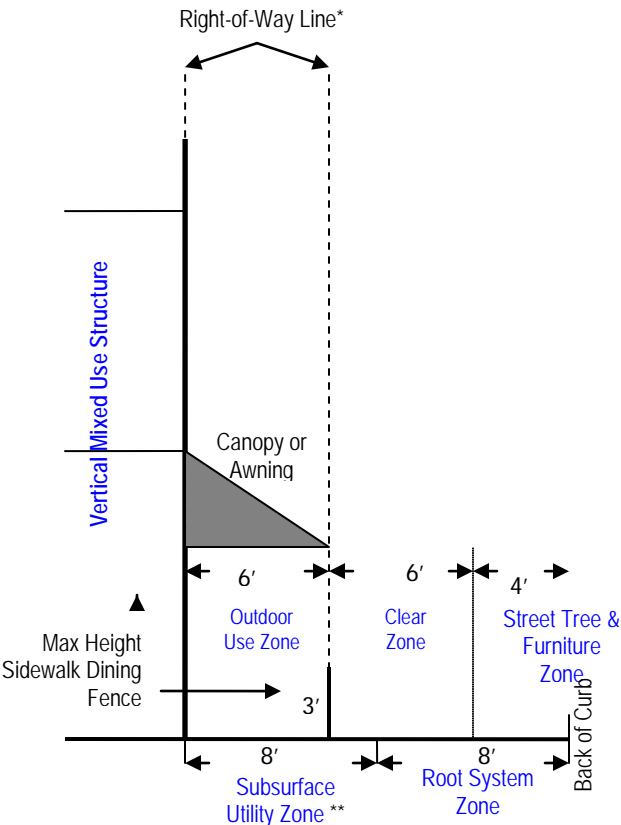
(b) (h) Public Frontage Form Standards

In order to ensure the design of pedestrian-oriented **Mixed Use** developments, each development proposed shall comply with the following standards based upon the applicable **Public Frontage**. The site plan proposed shall clearly demonstrate that the following **Public Frontage** form standards are satisfied.

(1) Primary Public Frontages

A **Primary Public Frontage** shall be planned and designed for all **Public Frontages** in association with any designated **Primary Development Zone**. The site plan shall demonstrate that each **Primary Public Frontage** is planned and designed in accordance with the standards shown below.

Primary Public Frontage



*When an **Outdoor Use Zone** is designated within the ROW a Use of Right-of-Way License Agreement shall be executed prior to Site Plan approval.

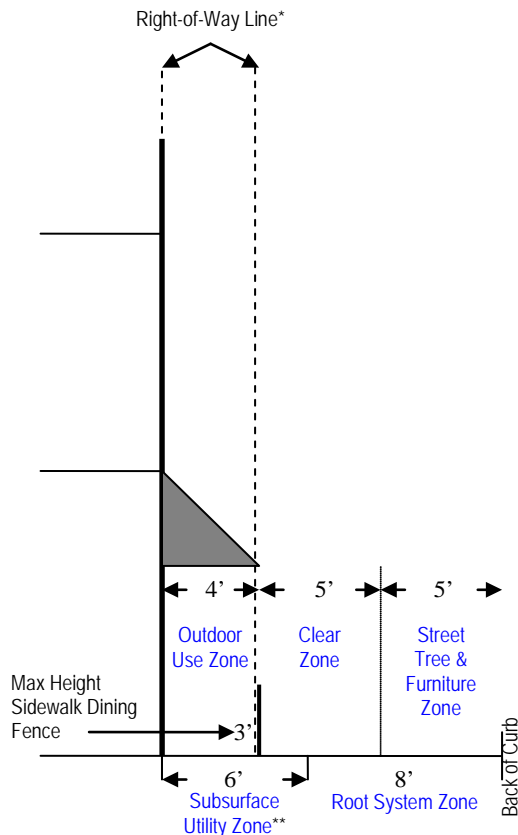
** When a **Subsurface Utility Zone** is located on private property or behind the ROW line, a Utility **Easement** shall be filed at the Douglas County Register of Deeds with Book and Page number noted on the approved Site Plan.

(2) **Secondary Public Frontages**

A **Secondary Public Frontage** shall be planned and designed for all **Public Frontages** in association with any designated **Secondary Development Zone**. The site plan shall demonstrate that each **Secondary Public Frontage** is planned and designed in accordance with the standards shown below.

Secondary Public Frontage

With ground-level **building frontage** designated for Nonresidential Uses.

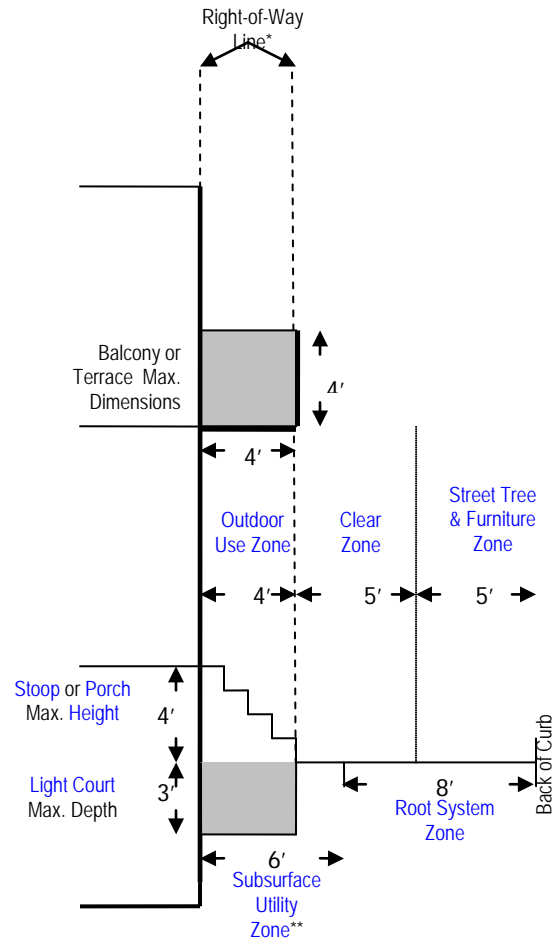


*When an **Outdoor Use Zone** is designated within the ROW, a Use of Right-of-Way License Agreement shall be executed prior to Site Plan approval.

When a **Subsurface Utility Zone is located on private property or behind the ROW line, a **Utility Easement** shall be filed at the Douglas County Register of Deeds with Book and Page number noted on the approved Site Plan.

Secondary Public Frontage

With ground-level **Building Frontage** designated for Residential Uses.

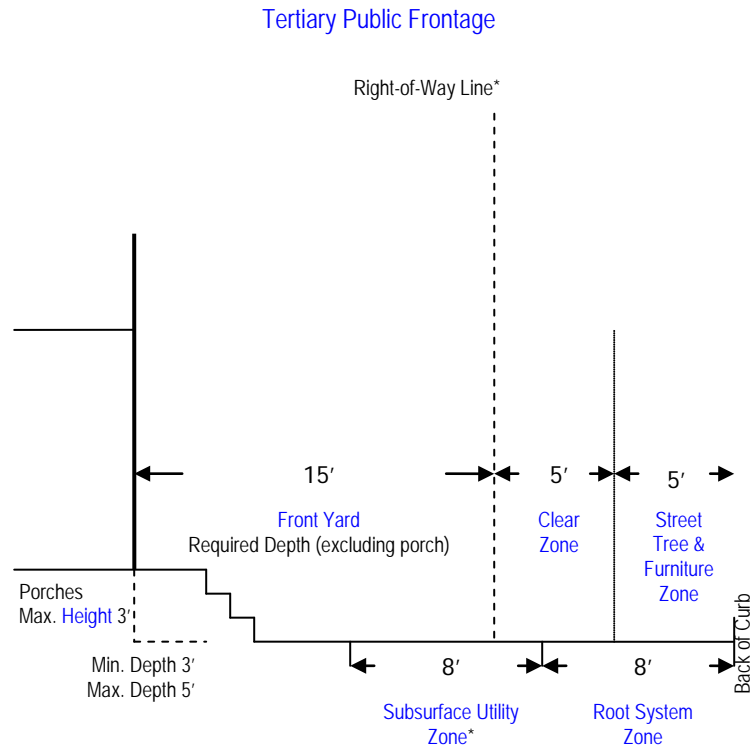


*When an **Outdoor Use Zone** is designated within the ROW, a Use of Right-of-Way License Agreement shall be executed prior to Site Plan approval.

When a **Subsurface Utility Zone is located on private property, or behind the ROW line, a **Utility Easement** shall be filed with the Douglas County Register of Deeds with Book and Page number noted on the approved Site Plan.

(3) **Tertiary Public Frontages**

A **Tertiary Public Frontage** shall be planned and designed for all **Public Frontages** in association with any designated **Tertiary Development Zone**. The site plan shall demonstrate that each **Tertiary Public Frontage** is planned and designed in accordance with the standards shown below.



*When a **Subsurface Utility Zone** is located on private property or behind the ROW line, a **Utility Easement** shall be filed at the Douglas County Register of Deeds with Book and Page number noted on the approved Site Plan.

(4) **Deviations**

Deviations from these **Public Frontage** form standards may be granted by the **Planning Director** during site plan review in the following circumstances:

- (i) The width of the **Subsurface Utility Zone** and **Root System Zone** may be altered based upon a recommendation by the City Utility Department and/or Parks and Recreation Department staff in order to resolve a conflict between placement of trees, **Landscaping** and utilities;
- (ii) The width of the any above-surface zone may be altered by the **Planning Director** if he/she determines that such alteration promotes pedestrian safety.

(i) Pedestrian and Vehicular Access

In areas designated as the [Primary Public Frontage](#), vehicular [Access](#) to individual [Lots](#) may be permitted only from a public [Alley](#). In areas designated as [Secondary Public Frontage](#) or [Tertiary Public Frontage](#), vehicular [Access](#) may be permitted from the [Alley](#) or [Street](#). Pedestrian [Access](#) shall be permitted from the [Street](#), public [Alley](#) or pathway.

(d) (j) Building Form & Use Standards

The following [Building](#) forms shall be permitted in the [Mixed Use](#) District:

(1) Vertical Mixed Use Structures

Such [Structures](#) shall be a minimum of two stories in [Height](#) above [Grade](#) and shall contain both nonresidential uses and residential uses distributed vertically throughout the [Structure](#).

(i) Where Permitted

[Vertical Mixed Use Structures](#) shall only be permitted in the [Primary Development Zone](#) and [Secondary Development Zone](#). The [Density](#) and dimensional standards of Article 6 for each development zone shall apply.

(ii) Nonresidential Uses

Any permitted nonresidential use may be located in a [Vertical Mixed Use Structure](#).

(iii) Location of Nonresidential Uses

The ground-level or street-level of [Vertical Mixed Use Structures](#) shall be designed, constructed, and reserved for occupation by nonresidential uses.

(iv) Residential Uses

[Non-Ground Floor Dwelling\(s\)](#) shall be permitted in [Vertical Mixed Use Structures](#). [Work/Live Units](#) are permitted when the nonresidential component of the unit occupies the [Building Frontage](#).

(2) Horizontal Mixed Use Structures

Such [Structures](#) shall contain a mixture of nonresidential uses and residential uses distributed horizontally throughout the [Structure](#). The location of the uses within as [Horizontal Mixed Use Structure](#) shall be as follows.

(i) Where Permitted

[Horizontal Mixed Use Structures](#) shall only be permitted in the [Secondary Development Zone](#) and the [Tertiary Development Zone](#). The [Density](#) and dimensional standards of Article 6 for each development zone shall apply.

(ii) Nonresidential Uses

Any permitted nonresidential use may be located in a [Horizontal Mixed Use Structure](#).

(iii) Location of Nonresidential Uses

The [Building Frontage](#) of a [Horizontal Mixed Use Structure](#) shall be designed, constructed, and reserved for occupation by nonresidential uses.

(iv) Residential Uses

Attached Dwellings shall be permitted in [Horizontal Mixed Use Structures](#). Live/Work Unit(s) are permitted in [Horizontal Mixed Use Structures](#) with direct internal [Access](#) between the residential and nonresidential components of the unit, however, the nonresidential component of the unit must occupy the [Building Frontage](#) with the residential component of the unit located behind the nonresidential component.

(3) Attached Structures

Such [Structures](#) are designed to contain either nonresidential or residential use(s). Such [Structures](#) are not designed to contain both residential and nonresidential uses and therefore are not considered to be [Mixed Use Structures](#). Attached [Structures](#) may contain a variety of nonresidential uses (such as retail and office) or a variety of residential uses (such as townhomes or rowhomes, i.e. [Attached Dwellings](#)).

(i) Where Permitted

Attached [Structures](#) shall only be permitted in the [Secondary Development Zone](#) and the [Tertiary Development Zone](#). The [Density](#) and dimensional standards of Article 6 for each development zone shall apply.

(4) Detached Structures

Such [Structures](#) are designed to contain either a single nonresidential or a single residential use. Such [Structures](#) are designed to contain a single use.

(i) Where Permitted

Detached [Structures](#) shall only be permitted in the [Tertiary Development Zone](#). Detached residential [Structures](#) (i.e. Detached Dwellings) shall be required in [Tertiary Development Zones](#) when surrounding existing [Structures](#) are of the same form.

~~(e)~~ (k) Parking Area Standards

The following Automobile and [Bicycle](#) Parking provisions apply to all development in the MU District in addition to the provisions of Article 9 not described below. If the provisions of Article 9 conflict or are inconsistent with any of the provisions within this Section, the regulations of this Section shall apply.

(1) Required Automobile Parking

(i) Provision of On-Street Parking

On-Street parking shall be counted toward the minimum off-Street parking requirements for a given use as per Section 20-902. On-Street Parking may be provided on all Streets forming the perimeter boundary of or within a [Mixed Use](#) development with the exception of Streets classified as [Principal Arterial Streets](#) according to the adopted Major [Thoroughfares](#) Map of the City of Lawrence. When a [Principal Arterial Street](#) forms the perimeter boundary of, or is contained within a [Mixed Use](#) development parking may be designed in the form of a [Slip Road](#) as approved by the City Engineer.

(ii) Shared Off-Street Parking

The applicant may elect to use the [Shared Parking](#) provisions of Section 20-909 to calculate the required parking for the [Mixed Use](#) development. All uses within [Mixed Use](#) development, except Detached Dwellings on

individual [Lots](#) are encouraged to share parking rather than provide parking on a use by use basis on individual properties.

(iii) Location of Off-Street [Parking Areas](#)

[Parking Areas](#) shall not be permitted in a designated [Primary Development Zone](#). All [Parking Areas](#) shall be located within the site area of the [Mixed Use](#) development and within 1,320 feet of any use for which it is designated to provide parking. [Parking Areas](#) shall be located in accordance with the provisions of Section 20-908(c).

(iv) Access to Off-Street [Parking Areas](#)

Access to a [Parking Area](#) shall not be permitted through a designated [Primary Public Frontage](#).

(2) [Bicycle Parking Areas](#)

The provisions of Article 9 shall apply.

(f) (l) Development Bonuses

A development bonus is an incentive-based tool that permits an increase in the allowable development potential of a property in exchange for helping the community achieve goals as stated in the Lawrence/Douglas County [Comprehensive Land Use Plan](#). [Mixed Use](#) developments in the MU District which contain features it identified as public goals in the table below may be eligible to increase development potential based upon the number of points earned. The applicant shall make a request for development bonus(es) in writing with the site plan application. The request shall state the goal(s) provided, points earned and development bonus redeemed for the points earned. Such information shall also be stated on the approved site plan.

Public Goal	Points Earned
Goal I: Provision of Moderately-Priced Dwelling Units	
Percentage of all Dwelling Units which are considered to be Moderately-Priced Dwelling Units	100 points for the first 10%; PLUS 10 points for each 1% provided in addition to 10%
Goal II: Provision of a variety of housing types	
At least two (2) of the following five (5) housing types must be provided in order to redeem points.	
Non-Ground Floor Dwellings	25 if two (2) of the types are provided; 50 if three (3) of the types are provided; 75 if four(4) of the types are provided; 100 if five (5) of the types are provided;
Attached Dwellings	
Live/Work Units	
Assisted Living or Independent Living	
Zero-Lot Line Dwellings	
*The points earned for provision of the above-mentioned goals may be combined	
Goal III: Provision of transit-supportive development	
Location adjacent to Designated Transit Stop	100 points if located directly adjacent to a transit stop and if stop is integrated into the Mixed Use Development and transit stop/pedestrian amenities are provided.
Goal IV: Ensuring availability of adequate public facilities	
Location within ½ mile of a fire station	10 points
Location within 1 mile of a police station	10 points
Location within ¼ mile of a public park or open space	25 points
Location within ¼ mile of a school or cultural center	25 points
Redevelopment of an existing commercial or nonresidential center with adequate utility and transportation Infrastructure to support redevelopment	75 points

Public Goal	Points Earned
Location adjacent to the intersection of two streets classified as either Minor Arterial or Principal Arterial according to the adopted Major Thoroughfares Map	15 points
Goal V: Ensuring Protection of Environmental Quality	
Provision of a green roof or rooftop garden to control stormwater runoff (determination of materials used to constitute a green roof or rooftop garden shall be made by the City Stormwater Engineer)	75 points
Provision of a stormwater best management practice as per the adopted BMP Manual	25 to 50 points (as determined by the City's Stormwater Engineer)
Construction of a Structure with LEED (Leadership in Energy Efficient Design) Certification	100 points per mixed-use Structure certified;
Construction of a residential Structure with ENERGY STAR Certification	25 points per attached or detached Dwelling certified;
Protection of Sensitive Land Features as per Section 20-1101(d)(4) otherwise not required to be protected or preserved	25 points per feature preserved

(g) (m) Redemption of Development Bonus

(1) Increase in Residential [Density](#)

In a designated [Primary Development Zone](#), the maximum residential [Density](#) permitted as stated in Section 20-601(c) may be increased at the rate of 1 additional [Dwelling Unit](#) per acre for every 10 points earned. For instance, if a development proposal earns 20 points an additional 2 [Dwelling Units](#) per acre may be constructed (for a total of 34) in the [Primary Development Zone](#). Points earned in any development zone may be transferred to the [Primary Development Zone](#) for redemption.

(2) Increase in [Building Height](#)

In a designated [Primary Development Zone](#), [Building Height](#) may be increased above the permitted maximum [Height](#) as stated in Section 20-601(c) at the rate of 12 feet for every 100 points earned. Points earned in any development zone may be transferred to the [Primary Development Zone](#) for redemption.

(3) Increase in [Building Coverage](#) above Maximum

In the [Secondary Development Zone](#), [Building](#) coverage may be increased above the maximum permitted as per Section 20-601(c) up to 100% coverage for 75 points earned. Only those points earned through provision of features of Goal V may be redeemed for an increase in [Building](#) coverage.

(4) Reduction in Minimum Parking Requirement

The minimum number of [Parking Spaces](#) required may be reduced at a rate of 1 [Parking Space](#) for every 5 points earned. Only those points earned through provision of features of Goal III may be redeemed for a reduction in the minimum parking requirement.

(5) Increase in [Impervious Surface Coverage](#) above Maximum

In the [Secondary Development Zone](#), [Impervious Surface](#) coverage may be increased above the maximum permitted as per Section 20-601(c) up to 100% coverage for 75 points earned. Only those points earned through provision of a feature of Goal V may be redeemed for an increase in [Building](#) coverage.

(b) (n) Terms Defined

The following terminology is used frequently in this Section and is provided below for reference.

Building Frontage	That portion of a Building or Structure that is adjacent to or faces the Public Frontage .
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 .
Designated Transit Route	Any bus route identified on the route map published by the Lawrence Transit System or KU on Wheels transit system.
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.
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 .
Massing	The size and shape of Structure(s) individually and their arrangements relative to other Structure(s) .
Mixed Use Structure, Horizontal	A Building or Structure containing two or more different uses distributed horizontally throughout the Structure .
Mixed Use Structure, Vertical	A Building or Structure , a minimum of two stories in Height , containing two or more different uses distributed vertically throughout the Structure .
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.
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.
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.
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.

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.
Scale	A quantitative measure of the relative Height and Massing of Structure(s) Building(s) and spaces.
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.
Subsurface Utility Zone	A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for public utilities.
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.
Work/Live Unit	A space within a Building that consists of a Non-Ground Floor Dwelling which is Accessory to a nonresidential use and has direct internal Access to the nonresidential use.

~~(h)~~ (o) Other Regulations

There are a number of other development standards that may apply to [Mixed Use](#) development, including but not limited to the following:

(1) **Use Standards**

For standards applicable to uses in the [Mixed Use](#) District see Article 5.

(2) **Density and Dimensional Standards**

For [Density](#) and Dimensional Standards of the [Mixed Use](#) District see Article 6.

(3) **Off-Street Parking and Loading**

For parking standards not provided in this Section see Article 9.

(4) **Landscaping & Screening**

For [Landscaping](#) & [Screening](#) requirements see Article 10.

(5) **Outdoor Lighting**

See Section 20-1103.