Potential Text Amendments

May 21, 2009
Updated November 24, 2010

The items below have been identified by staff and other users, as noted, as potential revisions to the Lawrence Land Development Code and the Lawrence – Douglas County joint subdivision regulations. They are listed in order of section of the code.

Articles or sections highlighted in yellow were initiated for revision by the Planning Commission at their May 20, 2009 regular meeting or in subsequent meetings as noted. Articles or sections highlighted in green were identified by the Planning Commission at their May 20, 2009 regular meeting for a future round of initiation, though this prioritization is subject to change as other items are identified. Articles or Sections highlighted in pink were initiated by either the Planning Commission or City Commission on the date noted. The Planning Office will request initiation of amendments as resources permit.

Article or Section	Potential Amendment	Status
County Zoning Code	Drafting comprehensive revisions to the County Zoning Code.	Will be scheduled for PC consideration summer 2010.
Articles 4, 9 and 17	Amendments for use terminology consistency. **Staff**	
402 **403** **510** **1744**	Separate payday loans from other FIRE office uses in use table, and definitions and use standards, if applicable. **PC discussion**	
403	Amend the Nonresidential District Use Table to make "Explosive Storage" uses permitted only with an SUP in the IG Districts. **Requested by League of Women Voters**	
403	Consider a Text Amendment to 20-403 of the Development Code to permit hotel/motel/extended uses in the IBP District. **Staff Initiated TA-4-4-10**	PC initiated on April 26, 2010. CC considered Nov, 16, 2010 and deferred for additional info on IBP district.
Article 5 or 6	Include comprehensive standards for energy related site elements such as wind turbines, solar panels, and other alternative forms of energy generators. **Product of Mayor's Climate Protection Task Force and several public inquiries**	Initiated by PC May 20, 2009
601(a)	(1) Revise Density and Dimensional standards as they relate to RM12D to review alignment between Min. Lot Area and Max. Dwelling Units per acre standards, and (2) consider revising standards to recognize more practical and realistic dimensions for a duplex lot (may be more reasonable to retitle district	Initiated by PC May 20, 2009

	to RM7D since developing 7 units per acre is more practical than developing to 12 units per acre.) **Requested by local design professionals and Staff TA-6-13-09**	
601(b)	Add Max. Dwelling Units per acre standards in the nonresidential district density and dimensional (D&D) standards table. Residential uses are permitted in CN1, CN2, CD, CC, CS, IL, IG, GPI and H Districts, but the D&D table that contains these districts does not speak to permitted residential densities. **Staff**	
701(j)	Definition of 'Immediately adjacent' is used, but not defined. Definitions of 'adjacent' and 'immediately adjacent' should be included. The term adjoining property is defined in the public notice section for site plans (20-1305(g)) for the purpose of that section only. **Staff**	
702(c)&(e)	(c) states that cluster development is permitted in all residential districts and the CN1 District but (e) limits housing type to detached dwelling units on individual lots. This seems to be inconsistent with the types of dwellings that are permitted in these districts. This is a consistency issue. If clusters are permitted in RM, then why are only detached dwellings permitted in clusters? **Staff**	
Article 8	Comprehensive revisions to when dedications are made during the plat process. (1) Consider requiring dedications with final plat instead preliminary plat. (2) Consider providing administrative authority to permit minor adjustments in the number of lots or lot layout after preliminary plat approval. **Requested by local design professionals TA-3-3-10**	Initiated by the CC on February 16, 2010. Staff actively working on revisions.
801(e)(1) 806 813(d)(2)	Language currently states that a division created in conformance with this article retains its right to a building permit. This should be clarified to exclude 806 Certificates of Survey, property in the original tract but not included in a RDP. It is important to make it clear that the property owner will lose his right to a building permit to the property and any existing residence if he does a C of S on his property and does not include the existing house in a RDP. 20-813(d)(2) should also be considered as it states an existing residence would still be eligible for a Building permit if it was built prior to these regulations and is located on a parcel which meets sanitary code area requirements. **Staff**	
804(f)(1)&(2)	804(f) states that future divisions can not occur until after annexation and that they must then be made in accordance with 810 (the standards?) Was this supposed to be 809-major subdivision? **Staff**	
802	Add language which clarifies that to be an acceptable application submittal for a property division (minor sub., plat, or certificate of survey) the lots or parcels created by the division must be contiguous and the legal description of the survey, minor subdivision or plat must have the same point of beginning. **Staff**	
804(b)	Why are cluster developments limited to properties that are between 20 and	

805(b)	40 acres? There are cases where a 40 acre property contains mostly floodplain and a cluster would be the best way to develop (to allow the clustering of rdps). What is accomplished by permitting cluster development only on small properties? (They only have to survey the property and register deeds for properties between 20 and 40 acres, then they can develop as several clusters). May need to discuss with others to find the reasoning behind the acreage limitations. **Staff**	
807(e)(vii)	Consider removing the requirement to have a vertical benchmark on the C of S. Speak with County Surveyor. **Requested by local design professionals**	
808	Add language clarifying that minor subdivisions should be tied to a block corner from the previous plat (Major Subdivision) or street centerline by providing dimensions or bearings from that point. **Requested by City GIS Coordinator**	
810(a)(2)(iv)	Should this be revised to say that corner lots shall be 20% wider than the required minimum lot width of the zoning district instead of what it currently says? **Staff**	
810(a)(2)(vi)	Clarify the requirements for the design of residential lots in the City. **Staff**	
813 **814** **815**	Amend to prohibit construction over easements. **Staff**	
815	RDP is defined as a land division created from a Parent Parcel, but the cluster and large parcel divisions (804 and 805) create RDPs without parent parcels. The definition should be revised to state what a RDP is, not how it is created. **Staff**	
815(b)	Amend SR if necessary to ensure the definition of "Lot" and/or "Setback Line" is correct and is consistent with the definition of "Lot" and "Setback line" in the Development Code. **Staff**	
Article 9	Comprehensive revisions to parking and access standards. **Staff and local design professionals**	Initiated by PC May 20, 2009. Staff actively working on revisions.
1303 **1306**	Consider charging the applicant a publication fee for the zoning and SUP ordinances. **Staff**	Initiated by PC May 20, 2009
1602?	After discussing the possibility of building over lot lines, or developing one project over several lots; staff suggested drafting a TA to prohibit building over lot lines. Maybe we could add language that requires re-platting when a single development contains several lots and subst. redevelopment is	

	proposed. (maybe a simpler 'land combination' process similar to the county's would be better than requiring re-platting) **Staff**	
1701	Review definition of "Boarding House" and its impacts to neighborhoods to determine if it contradicts goals related to limiting occupancy in RM districts. **Requested by individuals in Oread Neighborhood and other neighborhood associations. TA-6-17-09**	Initiated by PC May 20, 2009 Lengthy history. Scheduled for December 2010 PC consideration.
1722	Ensure definition for Dwelling, Attached is consistent with that found in Section 20-1734(1) and 20-1734(2) and consider eliminating 20-1722 (we don't need a definition for Attached Dwelling located in two different places). **Staff**	
1723	Ensure definition for Dwelling, Detached is consistent with that found in Section 20-1734(2) (tip – it isn't) and consider eliminating 20-1722 (we don't need a definition for Detached Dwelling located in two different places). **Staff**	
1734(5)	Consider amending definition for Multi-Dwelling Structure to clarify what is meant by "…three (3) or more dwelling units that share common walls or floors/ceilings with one (1) or more units." And to include triplexes and four-plexes as common *for example* uses, if appropriate. It appears that attached units that are not on separate lots (i.e. those that are not defined as Attached Dwellings) such as townhouses, triplexes and four-plexes should fit within the definition of Multi-Dwelling Structure, but the for example uses listed give the reader the impression that Multi-Dwelling Structure simply means an apartment building. It's really a broader term than that. **Staff**	
1734	Ensure definitions for Dwelling, Attached and Dwelling, Detached are consistent with that found in Section 20-1722 and 20-1723 and/or consider eliminating 20-1722/1723 (we don't need definitions in both places). **Staff**	
1734	Move all defined Household Dwelling terms (as shown in the Use Tables) so that they are all defined under this section for clarity. Some Household Dwelling terms are defined in two different places. **Staff**	

Text Amendments Completed

Various Articles	Consider amendment to the City of Lawrence Land Development Code, Chapter 20, Sections 20-214, 20-215, 20-216, 20-1305 and 20-1701 to add reference to the Industrial Design Standards.	**Complete** - Ordinance Nos. 8593 and 8588 adopted November 16, 2010
Various Articles	Revise current standards for Environmentally Sensitive Lands to provide clarity on protected lands and provide flexibility on how lands shall be set aside via the development process.	**Complete** - Ordinance No. 8304 adopted August 3, 2010
Various Articles	Revise code to permit limited shelters as accessory uses in religious institutions.	**Complete** - Ordinance No. 8406 adopted June 2, 2009.
403	Consider a Text Amendment to 20-403, 20-601(b) and 20-601(b)(1) of the Development Code; to permit hotel/motel/extended uses in the IL District.	**Complete** - Ordinance No. 8512 adopted April 27 2010
402 403	Add Non-Ground Floor Dwelling and Work/Live Unit as uses permitted in the CS District (consider other districts as well).	**Complete** - Ordinance No. 8454 adopted October 13, 2009
403	Consider a Text Amendment to 20-403, 20-509(3), and 20-524 of the Development Code; to permit Bar & Restaurant uses in the MU District.	**Complete** - Ordinance No. 8530 adopted June 22, 2010
501	Amend a typographical error in Section 20-501(8) that would replace "Historic Resources Commission" with "Planning Commission".	**Complete** - Ordinance No. 8533 adopted June 22, 2010
517	Review ratio of dwelling units to commercial space in the CS and other commercial districts to encourage more residential living units (mixed use).	**Complete** - Ordinance No. 8454 adopted October 13, 2009
Article 5	Revise code to allow the keeping of chickens and ducks.	**Complete** - Ordinance No. 8428 adopted July 28, 2009
Article 9	Reduce interior parking lot landscaping requirements to be more practical.	**Complete** - Ordinance No. 8429 adopted July 28, 2009
Article 9	Revise how parking is calculated to reduce conflict between the current code and former code.	**Complete** - Ordinance No. 8453 adopted September 22, 2009
1001(d)(7)	Eliminate requirement that landscape plans be prepared by landscape architect	**Complete** - Ordinance No. 8455 adopted September 22, 2009
Article 12	Consider Text Amendments to the City of Lawrence Land Development Code, Chapter 20, Article 12 to reference 2010 effective dates for new Floodplain Overlay District Maps and related regulation changes.	**Complete** - Ordinance No. 8541 adopted July 6, 2010
Article 12	Article 12- Floodplain Regulations to review General and Additional Standards for Residential and Non-Residential Construction.	**Complete** - Ordinance No. 8484 adopted January 19, 2010
1311	Consider revisions to clarify what may be appealed and the process relative to an application that is being considered through an otherwise public process.	**Complete** - Ordinance No. 8535 adopted June 22, 2010
Article 13	Revise time frames to gain consistency amongst SUPs, Site Plans,	**Complete** - Ordinance No.

	development plans, plats, etc and established longer timeframes for approvals.	8419 adopted June 23, 2009
Article 13	Revise the methods required to request or receive extensions of approval for the various types of development applications to delete the standard of permitting only one administrative extension.	**Complete** - Ordinance No. 8419 adopted June 23, 2009
Article 13	Revisions to exempt certain projects in the CD, Downtown Commercial District, from site planning requirements and to revise certain requirements in Article 13 Development Review Procedures related to Major, Standard, and Minor Development Projects	**Complete** - Ordinance No. 8465 adopted October 13, 2009
Article 13	(1) Revise the Notice Letter for site plans to read more accurately as it relates to the appeal process. (2) Consider expanding the notice buffer for site plans to capture a greater number of affected property owners.	**Complete** - Ordinance No. 8419 adopted June 23, 2009