

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

**FROM:** Planning Staff

**CC:** Scott McCullough, Director of Planning and Development Services  
Sheila Stogsdill, Assistant Planning Director

**Date:** For April 5, 2011 City Commission meeting

**RE:** Text Amendment Initiation to potentially add an RM64 District

The request was made by Paul Werner Architects to initiate a text amendment to the *Land Development Code* to add an RM64 (Multi-Dwelling Residential) District. Currently the densest multi-dwelling district is the RM32 District which permits 32 dwelling units per acre and allow a maximum height of 45'.

This proposal represents a significant increase in allowable density compared to what the existing zoning code allows and the maximum density of 54 units per acre allowed in the pre-2006 code. Therefore, additional study and community discussion is needed. Additionally, the request proposes that 2-bedrooms or smaller units in the multi-dwelling structures in this new district would be calculated as .5 dwelling units for density calculations.

There have been three text amendments requested (including the recent text amendment to the RM32 District TA-6-8-10) that could potentially increase density in residential districts. Studying all three of these options together to form a recommendation is preferred.

The application is attached for your reference.

**Action requested:** Consider initiating a text amendments to various sections of the Land Development Code – Code of the City of Lawrence, Kansas regarding a new Multi-Dwelling Residential District.



## REQUEST FOR INITIATION of a TEXT AMENDMENT

### APPLICATION FORM

#### APPLICANT/AGENT INFORMATION

Contact Joy Rhea  
Company Paul Werner Architects  
Address 123 West 8th Street  
City Lawrence State KS ZIP 66044  
Phone (785) 832-0404 Fax (785) 832-0890  
E-mail joyr@paulwernerarchitects.com Mobile/Pager ( )   
Pre-Application Meeting Date 2-16-2011 Planner Scott McCullough

Are you submitting any other applications? If so, please state which one(s).

**Please identify the section of the Development Code or Subdivision Regulations proposed to be amended.** 20-402, 20-601

**Please provide proposed amendment. (Attach additional sheets if needed)**

To include a new zoning district of RM64 to the development code. The uses and setbacks allowed in RM64 would be the same as those found in RM32 except the maximum height would increase to 65' and footnote 7 would be added to section 20-601 and would read, "Dwelling Units per acre shall be calculated as follows: studio, 1 bedroom and 2 bedroom units count as .5 Dwelling Units, and 3 or more bedroom units count as 1 Dwelling Unit." This wording is suggested in order to encourage developers to build 1 and 2 bedroom apartments.



**Please respond to the following questions to the best of your knowledge. In reviewing and making decisions on proposed text amendments review bodies shall consider the following factors. (Attach additional sheets if needed.)**

- 1. Does the proposed text amendment correct an error or inconsistency in the Development Code or Subdivision Regulations?** If so, please provide the specific error found and/or reference the specific section of the Development Code that is inconsistent with the section identified to be amended above.

See Attached Sheet

- 2. Does the proposed amendment meet the challenge of a changing condition?**  
**If so, please explain.**

See Attached Sheet

- 3. Is the proposed amendment consistent with Horizon 2020? Please explain.**

See Attached Sheet

- 4. Is the proposed amendment consistent with the stated purpose of the Development Code? See Sec. 20-104 of the Development Code for the stated purpose.**

See Attached Sheet



City of Lawrence  
Douglas County  
PLANNING & DEVELOPMENT SERVICES

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<http://www.lawrenceplanning.org>

### SIGNATURE

By execution of my/our signature, I/we do hereby officially apply to request initiation of the proposed text amendment as indicated above.

Signature(s): Jay D. Khea Date 3.21.11  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

### STAFF USE ONLY

Application No. \_\_\_\_\_  
Date Received \_\_\_\_\_  
Planning Commission Date \_\_\_\_\_  
Fee \$ \_\_\_\_\_  
Date Fee Paid \_\_\_\_\_

**MEMORANDUM**

FROM : Joy Rhea  
TO : Lawrence/Douglas County Planning Department  
Scott McCullough  
RE : RM64 Text Amendment  
DATE : March 21, 2011

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**Does the proposed text amendment correct an error or inconsistency in the Development Code or Subdivision Regulations?**

1. The proposed RM64 text amendment creates a zoning district which allows greater residential density not currently allowed in the development code. A zoning category with greater density would reduce sprawl and the inevitable cost by the City, of long term maintenance for roads and other public infrastructure. A successful strategy to minimizing sprawl is by providing an opportunity for greater density development in the appropriate area and by meeting the necessary criteria. It should be noted that the Smart Code offers greater density than the Development Code however; it also offers storefronts in the same zoning district which isn't appropriate for all areas of Lawrence where an RM64 zoning district might be located.

**Does the proposed amendment meet the challenge of a changing condition?**

2. The proposed amendment meets the challenge of a changing condition. It allows currently non-conforming uses allowed under the former Development Code to redevelop if necessary, but more importantly it allows for responsible land use by new development to build as densely as possible in the appropriate areas and by meeting the necessary criteria. In addition, by allowing 1 and 2 bedroom units, geared toward students and professionals will create a better social environment and a larger population mix. Density is a tool to reduce sprawl and with a denser zoning district, with the appropriate mix of bedrooms per unit, the proposed RM 64 district would meet the challenge of reducing urban sprawl.

**3. Is the proposed amendment consistent with Horizon 2020?**

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Horizon 2020 serves as a guideline for development and states on page 5-1, "A mixture of housing types, styles and economic levels should be encouraged for new residential and infill developments." Horizon 2020 also states on page 5-5, "High-density residential development, reflecting an overall density of 16 to 21 dwelling units per acre, is recommended at selected locations near high-intensity activity areas or near existing high density residential developments." It is important to note that Horizon 2020's definition for high-density doesn't currently and didn't previously list the allowable high density provided in the old or new zoning code but instead serves as a guideline for directing the type and location of high density development. Since Horizon 2020's initial adoption in 1996 public acceptance of creating more dense developments have changed as well as the concentrated effort to provide green developments with as minimal of a footprint as possible. While the City of Lawrence is not a densely populated metropolitan area with a million residents it does not exempt the community from taking on green development practices such as adopting a dense zoning district for development in order to reduce the building footprints in the City of Lawrence and Douglas County.

**Is the proposed amendment consistent with the stated purpose of the Development Code?**

4. The proposed amendment is consistent with the Development code in that it does not endanger the health, safety and general welfare of the citizens of Lawrence.