

**LAND DEVELOPMENT CODE OF THE CITY OF LAWRENCE,  
KANSAS TEXT AMENDMENTS, JULY 12, 2011 EDITION**

Amending Section  
20-701

**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. 8641**

First Reading: July 12, 2011

Second Reading: July 19, 2011

Date of Publication:

**SECTION ONE:** Chapter 20, Article 7, Section 20-701 of the Code of the City of Lawrence, Kansas, 2010 Edition, and amendments thereto is hereby amended and shall read as follows:

**20-701 PLANNED DEVELOPMENT OVERLAY DISTRICT**

**(a) Purpose**

The PD, [Planned Development](#), regulations are intended to:

- (1) ensure development that is consistent with the [Comprehensive Plan](#);
- (2) ensure that development can be conveniently, efficiently and economically served by existing and planned utilities and services;
- (3) allow design flexibility that results in greater public benefits than could be achieved using conventional [Zoning District](#) regulations;
- (4) preserve environmental and historic resources; and
- (5) promote attractive and functional residential, nonresidential, and mixed-use developments that are compatible with the character of the surrounding area.

**(b) Procedure**

PDs shall be reviewed and approved in accordance with the procedures of Section 20-1304.

**(c) Developer's Statement of Intent**

Each PD application shall include a comparison of the proposed development with the standards of the [Base District](#) and the otherwise applicable standards of this Development Code. Applications shall also include a Statement by the applicant describing how the proposed development provides greater benefits to the City than would a development carried out in accordance with otherwise applicable Development Code standards.

**(d) Effect of Other Development Code Standards**

Except as expressly authorized by the regulations of this section and approved as part of a PD plan (in accordance with the procedures of Section 20-1304), all of the standards of this Development Code apply to development within a PD District.

**(e) Minimum District Size**

Minimum area for a PD district shall be ~~five-½~~ acres. The minimum district size may be reduced by the City Commission, provided that such a decrease is warranted to support the public benefit likely to result from the proposed development.

**(f) Standards Eligible for Modification**

As a condition of approval, the [Planning Commission](#) or City Commission may designate by ordinance or as a note on the face of the development plan, any specific use, [Structure](#) or [Building Type](#) which shall be restricted and excluded as part of the [Planned Development](#) Overlay District. The City Commission may modify the following standards during the PD approval process. Standards not listed are not eligible for modification.

(1) **Allowed Uses**

The **Planning Commission** shall recommend, and the City Commission shall approve, a list of uses allowed in a PD at the time of PD preliminary approval. Regardless of the fact that the approved uses may be determined by reference to a **Base District**, the list of approved uses shall be incorporated into and made a condition of the PD approval. The City Commission may approve only uses that are allowed in the **Base District**, provided that:

- (i) PDs in Single-Dwelling and Multi-Dwelling (RS and RM) Districts may include land area for commercial uses at a ratio of up to 50 square feet of land area per Dwelling Unit.
- (ii) commercial uses, in addition to those otherwise permitted by right, may be approved in a PD in an RS or RM District, if the PD includes a minimum area of 10 acres or more than 100 Dwelling Units.

(2) **Lot Size**

The minimum Lot size standards of the **Base District** may be reduced by the City Commission, provided that Lot sizes shall be adequate to safely accommodate all proposed Buildings and site features.

(3) **Residential Density**

**(i) Density Increase**

The City Commission may increase the maximum Net Density beyond that of the **Base District** by up to 25% if the City Commission determines that such an increase is warranted to support the public benefit likely to result from the proposed development.

**(ii) Density Calculation**

For the purpose of calculating Net Density in Multi-Dwelling Structures, a studio or 1-bedroom unit shall count as .4 Dwelling Unit, a 2-bedroom shall count as .6 Dwelling Unit, a 3-bedroom unit shall count as .8 Dwelling Unit, and 4 or more bedroom units shall count as 1 Dwelling Unit. Minimum outdoor area, as required in Article 20-601(a), shall be met based on the total calculated Dwelling Unit count and not the actual number of Dwelling Units.

Example of Actual and Calculated Dwelling Unit Count

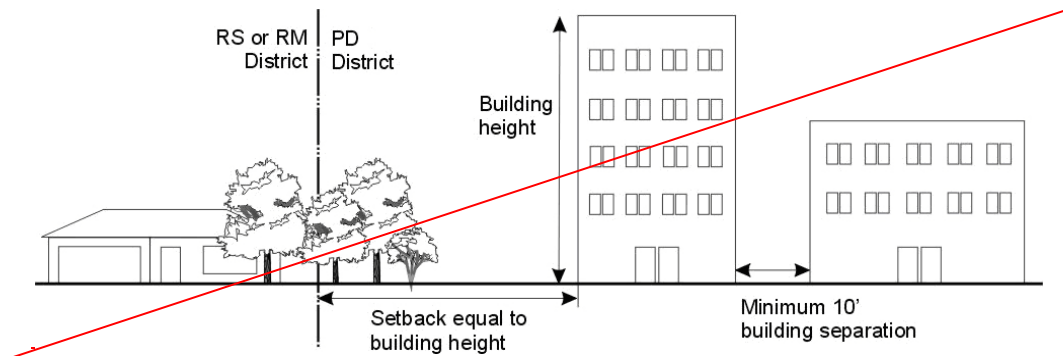
<u>Dwelling Unit Types</u>	<u>Actual # of Dwelling Units</u>	<u>Calculated # of Dwelling Units</u>	<u># of Bedrooms</u>	<u>Req. Outdoor Area (square feet) (Calc du * 50 sf)</u>
<u>20 4-bedroom units</u>	<u>20</u>	<u>20 * 1 = 20</u>	<u>20 * 4 = 80</u>	<u>20 * 50 = 1,000 sf</u>
<u>26 3-bedroom units (.8)</u>	<u>26</u>	<u>26 * .8 = 20</u>	<u>26 * 3 = 78</u>	<u>20 * 50 = 1,000 sf</u>
<u>34 2-bedroom units (.6)</u>	<u>34</u>	<u>34 * .6 = 20</u>	<u>34 * 2 = 68</u>	<u>20 * 50 = 1,000 sf</u>

<u>52</u> <u>1-bedroom</u> <u>units (.4)</u>	<u>52</u>	<u>52 * .4 = 20</u>	<u>52 * 1 = 52</u>	<u>20 * 50 =</u> <u>1,000 sf</u>
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(4) **Setbacks**

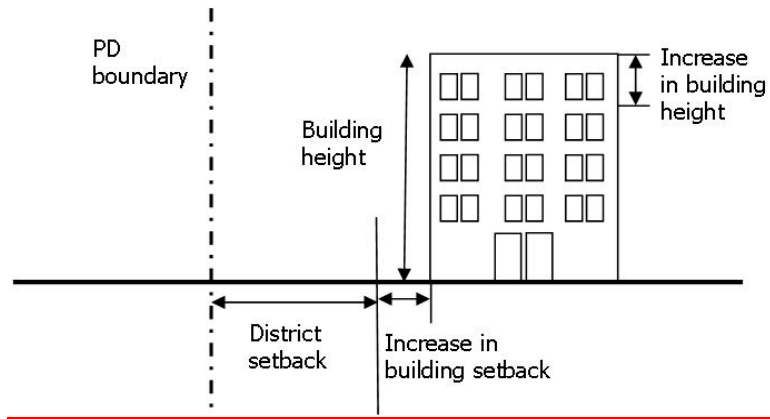
The minimum **Setback** standards of the **Base District** may be reduced by the City Commission, provided that:

- (i) ~~Buildings located within the PD, and along any District boundary that is adjacent to RS and or RM Zoning Districts shall be Setback a distance at least equal to the Height of the proposed Building. The zoning district adjacent to the PD district is more intense than the base district of the PD according to the Lesser Change Table in Section 20-1303; and~~
- (ii) All exterior walls of detached **Buildings** shall be separated by a minimum distance of 10 feet.
- (iii) Balconies shall not be located along peripheral site **Setbacks** adjacent to RS zoned properties unless privacy **Screening** and Landscaping is included in the design.



(g) **Height**

The City Commission may increase maximum **Height** limits of the **Base District** if the Commission determines that such an increase is warranted to support the public benefit likely to result from the proposed development. **Height** increases shall be permitted only for **Buildings** set back from the boundary of the PD by the ~~Height of the proposed Building plus 25 feet Base District Setback plus the increase in the height of the Building~~, so that the primary impact of the increased **Height** is on property within the PD.



(h) **Balconies**

Balconies above the second Story of a multi-Dwelling Unit Building are prohibited along the exterior of a Planned Development unless the Building Setback is increased to at least double the required minimum Setback and Landscaping is enhanced with two or more of the following features: a minimum 4' Berm, a solid Screening fence (6' minimum Height) or a masonry wall (6' minimum Height). This provision shall apply only to those exterior sides of a Planned Development that are adjacent to RS zoning or to detached Dwelling Units.

(i) **Parking and Loading**

The City Commission may decrease or increase the number of off-Street Parking and loading spaces required for residential uses for good cause shown. The City Commission may decrease the number of off-Street Parking for non residential uses with the submission of a parking study prepared by the applicant as outlined in Section 20-905(b). Parking and loading areas shall comply with all otherwise applicable design standards.

~~(j) **Buffer Areas**~~

~~Development within 60 feet of the peripheral boundary of the PD shall be limited to the following:~~

- ~~(1) use category, Heights, Setbacks and minimum Lot sizes permitted in the Zoning District immediately adjoining the proposed PD on the date of preliminary development plan approval of the PD; and~~
- ~~(2) a landscaped buffer, including a Berm (minimum 4' in Height), a masonry wall (minimum of 6' in Height) or a fence (minimum 6' in Height).~~

~~(k)~~(i) **Common Open Space**

(1) **Amount Required**

The PD shall include at least 20% of the total site area as Common Open Space. Environmentally sensitive lands, if present, shall be protected and included within the Common Open Space. 50% of the Common Open Space shall be developed as Recreational Open Space unless environmentally sensitive lands are present, in which case the amount of Recreational Open Space may be reduced to no less than 5% and no more than 10% of the Common Open Space, with the intent being to preserve all or as much environmentally sensitive lands as possible in their natural state.

(2) **General Provisions**

See Section 20-703 for General Provisions applicable to Open Space in a PD or Cluster Development.

## ~~(k)~~ **Additional Requirements and Standards**

### **(1) Unified Control**

No application for a PD will be accepted or approved unless all of the property included in the application is under unified Ownership or a single entity's control.

### **(2) Street Access**

PDs that will generate 100 or more average daily trips (based on traffic generation estimates of the Institute of Transportation Engineers' [Trip Generation](#) Manual, 7th edition, or subsequent edition, or based on local estimates provided by the City) shall have [Access](#) to an [Arterial Street](#) using a [Frontage](#) or rear [Access](#) road or by taking direct [Access](#) to a [Collector Street](#).

Individual residential [Building Lot](#) shall not take direct [Access](#) to an [Arterial Street](#) or a non-[Residential Collector Street](#). Each individual residential [Lot](#) shall have [Frontage](#) on a public or [Private Street](#) that has been constructed to the [Public Street](#) standards of the City.

### **(3) Sidewalks**

Sidewalks built to City specifications shall be built along both sides of all public and [Private Streets](#). On [Local Streets](#), sidewalks shall be at least 5 feet in width; on all other Streets sidewalks shall be at least 6 feet in width.

### **(4) Landscaping**

The Landscaping and [Screening](#) standards of Article 10 apply to PDs. In addition, any part of the development area not used for [Buildings](#), [Structures](#), Parking, Streets, or [Accessways](#) shall be landscaped with a sufficient mixture of grass, vegetative Ground Cover, trees, and [Shrubs](#), except those areas designated to be preserved with natural vegetation.

### **(5) Preservation of Natural Features**

Mature stands of trees or individually significant mature trees, vegetative cover, watercourses and other natural site features shall be preserved to the greatest extent possible. At a minimum the common open space provisions in this section and the standards of Article 10 apply.

### **(6) Zoning Map**

Approved PDs shall be identified on the [Official Zoning District Map](#).

### **(7) Additional Conditions**

The [Planning Commission](#) may recommend, and the City Commission may impose, other reasonable conditions and standards, as deemed necessary to ensure consistency with the purposes of this section and those of this Development Code. Such conditions may include limitations on the types of uses, [Structures](#) or [Building Types](#) to be allowed in the PD. When such conditions are imposed, an application will not be deemed approved until the applicant has complied with all of the conditions of approval.

## ~~(m)~~ **Additional Standards for PD's with Residential and Nonresidential Uses**

In PDs containing both residential and nonresidential uses, the nonresidential uses shall be designed, located, and oriented on the site so that such uses are directly accessible to residents of the PD. For the purposes of this Section, directly accessible shall mean pedestrian/[Bicycle](#) and automobile [Access](#) by way of improved sidewalks or paths and Streets that do not involve leaving the PD or using a major [Thoroughfare](#). "Directly accessible" does not necessarily mean that nonresidential

uses need to be located in a particular location but that the siting of such uses considers the accessibility of the residential component of the PD to the nonresidential use.