



**(1) Applicability**

The use-specific standards of this section shall apply to any **Congregate Living** use or structure.

**(2) Standards**

- (i) A **Congregate Living** use shall be permitted only with site plan approval.
- (ii) Limitations on Expansion
  - a. At the time of its conversion to the **Congregate Living** use and for the life of a **Congregate Living** use upon its establishment, a **Structure** containing a **Congregate Living** use shall not be enlarged greater than 20% of its existing building footprint, measured at grade and including covered (roofed) decks, patios, and porches.
  - b. A site plan for a **Congregate Living** use is not eligible for approval if the building footprint, measured at grade and including covered (roofed) decks, patios, and porches, of an existing **Structure** proposed to contain the use has been expanded greater than 20% within three years of submitting the site plan application for the **Congregate Living** use.
  - c. This section does not apply to expansions in building footprint occurring prior to \_\_\_\_\_ (the effective date of this section).
- (iii) A trash receptacle area compliant with the Development Code, the City Code, and amendments thereto, and with policies established by the Solid Waste Division of the City shall be designated on the site plan and either used or reserved for use on the site to accommodate waste generated by the residents.

**20-902 OFF-STREET PARKING SCHEDULE A**

Unless otherwise expressly stated in this article, Off-street **Parking Spaces** shall be provided in accordance with the minimum ratios of the following, Schedule A.

| Use Category                          | Minimum Number of Vehicle Parking Spaces Required      | Minimum Number of Bicycle Parking Spaces |
|---------------------------------------|--|--|
| <b>RESIDENTIAL USE GROUPS</b>         |  |  |
| <b>HOUSEHOLD LIVING</b>               |  |  |
| Accessory Dwelling Unit               | See 20-534 for standards                               | None                                     |
| Attached Dwelling                     | 2 per Dwelling Unit                                    |  |
| Cluster Dwelling                      |  |  |
| Detached Dwelling                     |  |  |
| Duplex                                | 1 per bedroom  |  |
| Manufactured Home                     | 2 per Dwelling Unit                                    |  |
| Manufactured Home, Residential-Design |  |  |
| Mobile Home                           |  |  |
| Mobile Home Park                      | 2 per Dwelling Unit (1 may be located in common area)  |  |
| Multi-Dwelling Structure              | 1 per bedroom, + 1 per 10 units (visitors and guests)† |  |

| Use Category  | Minimum Number of Vehicle Parking Spaces Required                         | Minimum Number of Bicycle Parking Spaces |
|---|---|--|
| Non-Ground Floor Dwelling   | 1 per bedroom   | None                                     |
| Work/Live Unit  | 1 per Dwelling Unit   |  |
| Zero Lot Line Dwelling  | 2 per Dwelling Unit   |  |
| Home Occupation, Type A or B  | See 20-537 for standards  |  |
| <b>GROUP LIVING</b>   |   |  |
| Assisted Living   | 1 per independent living unit; 0.5 per Assisted Living unit               | None                                     |
| <del>Boarding Houses and Cooperatives</del><br><b>Congregate Living</b> | <del>1.5 per 2 lawful occupants</del><br><b>1 per bedroom<sup>1</sup></b> | 1 per 4 auto spaces                      |
| Dormitory and Scholarship Halls   | <del>1.5 per 2</del> <b>.75 per</b> lawful occupants                      | 1 per 4 auto spaces                      |
| Fraternity and Sorority Houses  | <del>1.5 per 2</del> <b>.75 per</b> lawful occupants                      | 1 per 4 auto spaces                      |
| Group Homes, General  | 1 + 1 per employee  | None                                     |
| Group Homes, Limited  | 2 per Dwelling Unit   |  |

**Footnotes: 1) Whenever a structure 3,500 gross square feet or larger as of (date of the ordinance) on a property 8,775 square feet in size or less is renovated as a Multi-Dwelling Structure or Congregate Living use, parking shall be provided at the overall rate of .5 spaces per one (1) bedroom.**

#### 20-912 ACCESSIBLE PARKING FOR PHYSICALLY DISABLED PERSONS

A portion of the total number of required off-street [Parking Spaces](#) in each off-street [Parking Area](#) shall be specifically designated, located and reserved for use by persons with physical disabilities.

##### (a) **Spaces Required**

The following table shows the minimum number of accessible spaces that shall be provided. [Parking Spaces](#) designed for persons with disabilities are counted toward fulfilling off-street parking standards. These standards may not be varied or waived.

| Total <a href="#">Parking Spaces</a> Provided | Required Number of Accessible Spaces |                           |                                      |
|---|--------------------------------------|---------------------------|--------------------------------------|
|   | Auto                                 | Van                       | Total                                |
| 1 – 25  | 0                                    | 1                         | 1                                    |
| 26 – 50                                       | 1                                    | 1                         | 2                                    |
| 51 – 75                                       | 2                                    | 1                         | 3                                    |
| 76 – 100                                      | 3                                    | 1                         | 4                                    |
| 101 – 150                                     | 4                                    | 1                         | 5                                    |
| 151 – 200                                     | 5                                    | 1                         | 6                                    |
| 201 – 300                                     | 6                                    | 1                         | 7                                    |
| 301 – 400                                     | 7                                    | 1                         | 8                                    |
| 401 – 500                                     | 7                                    | 2                         | 9                                    |
| 501 – 1,000                                   | 7 per 8 accessible spaces            | 1 per 8 accessible spaces | 2% of total spaces                   |
| 1,001+  | 7 per 8 accessible spaces            | 1 per 8 accessible spaces | 20, plus 1 per 100 spaces over 1,000 |

(b) **Special Requirements for Medical Care Facilities**

Facilities providing medical care and other services for persons with mobility impairments shall provide accessible [Parking Spaces](#) as follows:

- (1) All outpatient facilities shall provide at least one accessible [Parking Space](#), or spaces equal to ten percent (10%) of the total number of [Parking Spaces](#) provided, whichever is greater.
- (2) Facilities that specialize in treatment or services for persons with mobility impairments shall provide at least one accessible [Parking Space](#), or spaces equal to 20% of the total number of [Parking Spaces](#) provided, whichever is greater.

(c) **Special Requirements for [Congregate Living and](#) Multiple-unit Residential**

**[New construction, additions to, or alterations of Congregate Living residences containing 4 or more sleeping units shall comply with the accessibility requirements of both the Fair Housing Act and the International Building Code as adopted by the City of Lawrence.](#)**

Multiple-unit residential [Buildings](#) containing 4 or more [Dwelling Units](#) shall provide accessible [Parking Spaces](#) as follows:

- (1) Designated accessible [Parking Spaces](#) shall be provided for at least two percent (2%) of the [Dwelling Units](#).
- (2) Designated accessible [Parking Spaces](#) shall be provided at facilities that serve accessible [Buildings](#), such as swimming pools and clubhouses.
- (3) Additional designated accessible [Parking](#) shall be provided at the request of residents with disabilities, on the same terms and with the full range of choices that are provided for other residents of the project.
- (4) Designated accessible [Parking Spaces](#) shall comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

(d) **Exemptions**

[Detached Dwellings](#), [Attached Dwellings](#) and [Duplexes](#) are exempt from the requirements to provide accessible [Parking Spaces](#). However, accessible [Parking](#) shall be provided at the request of residents with disabilities.

(e) **Minimum Dimensions**

All [Parking Spaces](#) reserved for persons with disabilities shall comply with the [Parking Space](#) dimension standards of this section, provided that [Access](#) aisles shall be provided immediately abutting such spaces, as follows:

(1) **Car-Accessible Spaces**

Car-accessible spaces shall have at least a 5-foot wide [Access](#) aisle abutting the designated [Parking Space](#).

(2) **Van-Accessible Spaces**

Van-accessible spaces shall have at least an 8-foot wide [Access](#) aisle abutting the passenger [Access](#) side of the designated [Parking Space](#).

(f) **Location of Spaces**

Required spaces for persons with disabilities shall be located in close proximity to [Building](#) entrances and be designed to permit occupants of vehicles to reach the [Building](#) entrance on an unobstructed path. Curb ramps shall be provided whenever

an accessible route crosses a curb in the parking lot. Curb ramps may not be located within required [Access](#) aisle.

(g) **Signs and Marking**

Required spaces for persons with disabilities shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs shall be posted directly in front of the [Parking Space](#) at heights that will be visible to the types of vehicles for which they are designed, specifically 60 to 82 inches. Signs shall comply with the Manual on Uniform Traffic Control Devices issued by the Federal Highway Administration.

20-1503 NONCONFORMING [STRUCTURES](#)

(e) **Loss of Nonconforming Status; Damage or Destruction**

- (1) Once a nonconforming [Structure](#) is abandoned, its nonconforming status is lost and the [Structure](#), or any replacement, shall comply with the regulations of the [Zoning District](#) in which it is located, even if the compliance means that the [Structure](#) shall not remain and no replacement [Structure](#) may be constructed. A nonconforming [Structure](#) will be considered abandoned when any of the following occurs:
  - (i) the intent of the [Owner](#) to discontinue all uses in the [Structure](#) is apparent;
  - (ii) no use has been maintained in the [Structure](#) for a period of 12 months or more and no concerted effort has been undertaken by the [Owner](#) to maintain the use;
  - (iii) a demolition permit has been applied for;
  - (iv) all equipment and furnishings have been removed from the [Premises](#) and have not been replaced by similar or other equipment and furnishings within 90 days, unless other facts show intention to resume use of the [Structure](#); or
  - (v) a [Building](#) Permit to reconstruct a damaged nonconforming [Structure](#) in accordance with Sec. (3) has not been secured within 12 months of the date of occurrence of the damage, or construction under that permit has not been diligently pursued.
- (2) When a nonconforming [Structure](#) (other than a [Detached Dwelling](#) located in an RS [Base District](#) **or a Congregate Living structure in an RM Base District which has an approved site plan on file with the city**) is damaged to the extent of more than 60% of its fair market value, the [Structure](#) may not be restored except in conformity with the regulations of the [Base District](#) and any applicable [Overlay District](#). When a [Detached Dwelling](#) located in an RS [Base District](#) **or a Congregate Living structure located in an RM Base District which has an approved site plan on file with the city** is damaged to any extent, it may be restored at its former location without first being required to obtain a variance, provided that, a [Building](#) Permit for the restoration is obtained within 12 months of the date of occurrence of the damage, in accordance with Section (3).
- (3) A [Building](#) Permit to reconstruct a damaged [Structure](#) pursuant to Section (2) shall be obtained within 12 months of the date of occurrence of the damage, and once issued, construction shall be diligently pursued.

**20-1701 GENERAL TERMS**

|                                 |  |
|---------------------------------|--|
| <p><b>Boarding House</b></p>    | <p>A <b>Dwelling</b> or part thereof where meals and/or lodging are provided for compensation for one (1) or more persons, not transient guests, and where there are not more than 12 sleeping rooms, nor sleeping space for more than 24 people.</p>  |
| <p><b>Congregate Living</b></p> | <p>A <b>Dwelling Unit</b> that contains sleeping units where 5 or more unrelated residents share a kitchen and communal living areas and/or bathing rooms and where lodging is provided for compensation for persons who are not transient guests. <b>Congregate Living</b> is commonly referred to as a <b>lodging house, boarding house, rooming house, or cooperative</b> but is not considered a <b>Dormitory, fraternity or sorority house, Assisted Living, Extended Care Facility, Group Home or similar group living use.</b></p>  |
| <p><b>Family</b></p>            | <p>(1) A person living alone; (2) two or more persons related by blood, marriage, or legal adoption; (3) in an RS Zoning District, a group of not more than three persons not related by blood or marriage, living together as a single <b>Housekeeping Unit</b> in a <b>Dwelling Unit</b>, as distinguished from a group occupying a <b>Dormitory, Boarding House, Congregate Living, lodging house,</b> motel, hotel, fraternity house or sorority house; or (4) in a Zoning District other than RS, a group of not more than four persons not related by blood or marriage, living together as a single <b>Housekeeping Unit</b> in a <b>Dwelling Unit</b>, as distinguished from a group occupying a <b>Dormitory, Boarding House, Congregate Living, lodging house,</b> motel, hotel, fraternity house or sorority house.</p> |

**20-1731 GROUP LIVING**

Residential occupancy of a **Dwelling Unit** by other than a “Household” and providing communal kitchen/dining facilities. Typical uses include occupancy of fraternity and sorority houses, **Assisted Living, Boarding Houses and Cooperatives and Congregate Living.**