

**LAND DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS,  
TEXT AMENDMENTS, OCTOBER 11, 2016 EDITION**

Amending Sections 20-402, 20-403, 20-529, and 20-1768

**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. 9296**

First Reading: October 4, 2016

Second Reading: October 11, 2013

Date of Publication: \_\_\_\_\_

**SECTION 1:** Chapter 20, Article 4, Section 20-402, of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto is hereby amended and shall read as follows:

**20-402 RESIDENTIAL DISTRICT USE TABLE**

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		Base Zoning Districts														Use-Specific Standards (Sec. 20-)
		RS40	RS20	RS10	RS7	RS5	RS3	RS0	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
RESIDENTIAL USE GROUP																
Household Living	Accessory Dwelling Unit	A*	A*	A*	A*	-	-	-	-	-	-	-	-	-	-	534
	Attached Dwelling	-	-	S*	S*	S*	S*	S*	P*	P*	P*	P*	P*	-	P*	503
	Cluster Dwelling	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	702
	Detached Dwelling	P*	P*	P*	P*	P*	P*	P*	S*	S*	S*	S*	S*	-	S*	508
	Duplex	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	-	P*	503
	Manufactured Home	-	-	-	-	-	-	-	S	S	S	S	S	-	-	
	Manufactured Home, Residential-Design	P*	P*	P*	P*	P*	P*	P*	S*	S*	S*	S*	S*	-	S*	513
	Mobile Home	-	-	-	-	-	-	-	-	-	S	S	S	-	-	
	Mobile Home Park	-	-	-	-	-	-	-	-	-	S*	S*	S*	-	-	514
	Multi-Dwelling Structure	-	-	-	-	-	-	-	P*	-	P*	P*	P*	-	P*	517
	Non-Ground Floor Dwelling	--	--	--	--	--	--	P*	--	--	--	--	--	--	P*	517/542
	Work/Live Unit	--	--	--	--	--	--	P*	--	--	--	--	--	--	P*	517/542
	Zero Lot Line Dwelling	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	531
	Home Occupation, Type A or B	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	A*	537
Group Living	Assisted Living	S	S	S	S	S	S	P	P	P	P	P	P	P	P	
	Congregate Living	-	-	-	-	-	-	-	P*	-	P*	P*	P*	-	P*	546
	Dormitory	-	-	-	-	-	-	-	-	-	-	-	-	P	-	
	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	P	-	
	Group Home, General [11 or more]	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
	Group Home, Limited [10 or fewer]	P	P	P	P	P	P	P	P	P	P	P	P	-	P	
PUBLIC AND CIVIC USE GROUP																
Community Facilities	Adult Day Care Home	S	S	S	S	S	S	P	P	P	P	P	P	P	P	
	Cemeteries	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	505
	College/University	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
	School	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
	Cultural Center/ Library	S	S	S	S	S	S	S	S	S	S	S	S	P	S	

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-)
		RS40	RS20	RS10	RS7	RS5	RS3	RS0	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
	Day Care Center	S*/A	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*/A*	S*	507
	Day Care Home, Class A	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	A*	507
	Day Care Home, Class B	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	-	S*	507
	Detention Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Event Center, Small	S	S	S				S					S		S	
	Event Center, Large	S	S	S				S					S		S	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	512
	Postal Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Public Safety	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
	Funeral and Interment	-	-	-	-	-	-	P*	-	-	-	-	-	-	P*	505
	Temporary Shelter	A*	A*	A*	A*	A*	A*	S*/A*	A*	A*	A*	A*	A*	A*	S*/A*	544/522
	Social Service Agency	--	--	--	--	--	--	P	--	--	--	--	--	--	P	
	Community Meal Program	A*	A*	A*	A*	A*	A*	S/A*	A*	A*	A*	A*	A*	A*	S/A*	522
	Utilities, Minor	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	S	S	-	S	
Medical Facilities	Community Mental Health Facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
	Extended Care Facility, General	-	-	-	-	-	-	S	P	P	P	P	P	P	P	
	Extended Care Facility, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Health Care Office, Health Care Clinic	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Outpatient Care Facility	-	-	-	-	-	-	P*	-	-	-	-	-	P*	P*	519
Recreational Facilities	Active Recreation	S	S	S	S	S	S	S	S	S	S	S	S	-	S	
	Entertainment & Spectator Sports, General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Entertainment & Spectator Sports, Limited	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Nature Preserve/Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	-	P	
	Private Recreation	P	P	P	P	P	P	P	P	P	P	P	P	-	P	
	Participant Sports & Recreation, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Participant Sports & Recreation, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

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-)
		RS40	RS20	RS10	RS7	RS5	RS3	RSO	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
Religious Assembly	Campus or Community Institution	-	-	-	-	-	-	-	P*	P*	P*	P*	P*	P*	P*	522
	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	522
COMMERCIAL USE GROUP																
Animal Services	Kennel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Livestock Sale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Sales and Grooming	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Veterinary	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
Eating & Drinking Establishments	Accessory Bar	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Bar or Lounge	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Brewpub	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Fast Order Food	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Fast Order Food, Drive-in	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Nightclub	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Private Dining Establishments	S*	S*	S*	S*	S*	-	S*	-	-	-	-	-	-	S*	539
	Restaurant, High-turnover	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Restaurant, Quality	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Office	Administrative and Professional	-	-	-	-	-	-	P*	-	-	-	-	-	P*	P*	518
	Financial, Insurance & Real Estate	-	-	-	-	-	-	P*	-	-	-	-	-	P*	P*	510
	Payday Advance, Car Title Loan Business							P*						P*	P*	510
	Other	-	-	-	-	-	-	P	-	-	-	-	-	P	P	543
Facilities	Accessory	-	-	-	-	-	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
	Commercial	-	-	-	-	-	-	S	-	-	-	-	-	-	-	
Retail Sales & Services	Agricultural Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Building Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Business Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Business Support	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

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		RS40	RS20	RS10	RS7	RS5	RS3	RSO	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
	Construction Sales and Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Food and Beverage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Mixed Media Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Personal Convenience Services	-	-	-	-	-	-	P*	-	-	-	-	-	-	P*	520
	Personal Improvement Services	-	-	-	-	-	-	P*	-	-	-	-	-	P*	P*	521
	Repair Service, Consumer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Retail Sales, General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Retail Establishment, Large	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Retail Establishment, Medium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Retail Establishment, Specialty	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Sexually Oriented Businesses	Sexually Oriented Media Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Sex Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Sexually Oriented Theater	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Transient Accommodations	Bed and Breakfast	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	P*	-	P*	504
	Campground	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Elderhostel	-	-	-	-	-	-	-	-	-	-	-	-	S	-	
	Hotel, Motel, Extended Stay	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Vehicle Sales & Service	Cleaning (e.g., car wash)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Fleet Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Gas and Fuel Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Heavy Equipment Repair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Heavy Equipment Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Inoperable Vehicles Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Light Equipment Repair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Light Equipment Sales/Rental	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	RV and Boats Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

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		RS40	RS20	RS10	RS7	RS5	RS3	RSO	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
INDUSTRIAL USE GROUP																
Industrial Facilities	Explosive Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Industrial, General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Maker Space, Limited	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
	Maker Space, Intensive	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
	Laundry Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Manufacturing & Production, Limited	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Manufacturing & Production, Technological	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Research Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Salvage Operation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Wholesale, Storage & Distribution	Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Light	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Mini-Warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
OTHER USES GROUP																
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	-	-	-	-	-	-	-	-	-	-	-	-	S*	-	501
Urban Agriculture	Agriculture, Crop	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	533, 548
	Agriculture, Large Animal	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	502
	Agriculture, Small Animal	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	533, 547
	Farmers Market	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	549
	On-Site Agricultural Sales	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	550
	Urban Farm	S*	S*	S*	S*	-	-	-	-	-	-	-	-	-	-	533, 551
Communications Facilities	Amateur and Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	A*	536
	Broadcasting Tower	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Communications Service Establishment	-	-	-	-	-	-	P	-	-	-	-	-	-	P	
	Telecommunications Antenna	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Wireless Facilities - Antenna															
	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	529
Wireless Support Structure																

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		RS40	RS20	RS10	RS7	RS5	RS3	RSO	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	
	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Recycling Facilities	Large Collection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Small Collection	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Processing Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

**SECTION 2:** Chapter 20, Article 4, Section 20-403, of the Code of the City of Lawrence, Kansas, 2015 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	IM	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*	A*	508
	Duplex	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	503
	Manufactured Home	-	-	-	-	-	-	-	-	-	-	-	-	-	P	A	
	Manufactured Home, Residential-Design	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	513
	Mobile Home	-	-	-	-	-	-	-	-	-	P	-	P	-	P	A	
	Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Multi-Dwelling Structure	-	P*	P*	-	P*/S*	P*		P*	-	-	-	-	-	S	A	517

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	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	
	Congregate Living	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	546
	Dormitory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	
	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	-	-	-	-	-	-	A	
	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	A	
	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*	A*	P*	-	-	-	507
	Day Care Home, Class A	P	P	P*	-	P	P	-	P	-	-	-	-	-	-	-	
	Day Care Home, Class B	S*/A*	P*	S*	-	P	P	-	P	-	-	-	-	-	-	-	507
	Detention Facilities	-	-	-	-	-	-	-	-	-	S	S	S	-	S	-	
	Event Center, Small	S	S	P	P	P	P	P	P	P	P				S		
	Event Center, Large			S	S	P	P	P	P	P	P				S		
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	-	P*	-	-	-	P*	-	512
	Postal & Parcel Service	-	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	Public Safety	S	P	P	P	P	P	P	P	P	P	P	P	-	P	-	
	School	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	
	Funeral and Interment	-	P*	-	P*	P*	P*	P*	P*	P*	P*	-	-	A*	-	-	505
	Temporary Shelter	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*/A*	S*	S*/A*	-	S*	-	S*	S*/A*	544/522
	Social Service Agency	P	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Community Meal Program	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S/A*	S	S/A*	-	S	-	S	S/A*	522
	Utilities, Minor	P*/S*	P*/S*	P*/S	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	-	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	P	P	S	P	-	



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	IM	IG	OS	GPI	H	
Medical Facilities	Community Mental Health Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	
	Extended Care Facility, General	-	S	-	S	-	-	-	-	S	-	-	-	-	-	A	
	Extended Care Facility, Limited	P	P	P	P	-	-	-	-	-	-	-	-	-	S	A	
	Health Care Office, Health Care Clinic	P	S	P	P	P	P	P	P	P	P	-	-	-	P	A	
	Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	
	Outpatient Care Facility	P*	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	-	P*	A*	519
Recreational Facilities	Active Recreation	S	P	P	S	S	P	P	P	P	P	-	S	S	A*/S*	A	532
	Entertainment & Spectator Sports, General	-	-	-	-	P	P	P	P	-	-	-	-	-	S	-	
	Entertainment & Spectator Sports, Limited	-	P	P	-	P	P	P	P	-	-	-	-	S	P	-	
	Participant Sports & Recreation, Indoor	-	P	P	-	P	P	P	P	P	P	-	-	-	P	A	
	Participant Sports & Recreation, Outdoor	-	-	S	-	-	P	P	P	P	P	-	-	-	A*/S*	-	532
	Passive Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
	Nature Preserve/ Undeveloped	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
	Private Recreation	P	P	P	-	P	P	-	P	-	-	-	-	P	P	A	
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	-	P/S*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509
	Brewpub	-	P*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509

<b>Key:</b> <b>A = Accessory</b> <b>P = Permitted</b> <b>S = Special Use</b> <b>* = Standard Applies</b> <b>- = Use not allowed</b>		Base Zoning Districts															Use-Specific Standards (Sec. 20-)
		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Fast Order Food	P*	P*	P	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	511/509
	Fast Order Food, 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	A	P	-	P	A	518
	Financial, Insurance & Real Estate	P*	P	P	P	P	P	P	P	P	P	-	-	-	-	A	510
	Payday Advance, Car Title Loan Business	P*	P	P	P	P	P	P	P	P	P	-	-	-	-	A	510
	Other	P	P	P*	P	P	P	P	P	P	P	A	P	-	-	-	543
Parking Facilities	Accessory	A*	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	-	P	A	
Retail Sales & Service	Agricultural Sales	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
	Building Maintenance	-	P	S	-	P	P	P	P	-	P	P	P	-	A	A	
	Business Equipment	-	P	P	-	P	P	P	P	P	P	P	-	-	-	-	
	Business Support	-	P	P	P	P	P	P	P	P	P	P	P	-	-	A	
	Construction Sales and Service	-	-	-	-	-	P	P	P	-	P	-	P	-	-	A	
	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 Services	P*	P	P	-	P	P	P	P	-	P	-	-	-	-	A	520
	Personal Improvement Services	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

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	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*	-	-	-	-	-	-	-	-	-	-	-	-	504
	Campground	-	-	-	-	-	P	P	P	-	-	-	-	S	-	-	
	Hotel, Motel, Extended Stay	-	-	P	-	P	P	P	P	-	P	-	-	-	-	A	
Vehicle Sales & Service	Cleaning (Car Wash)	-	S	-	-	-	P	P	P	-	P	A	P	-	-	-	
	Fleet Storage	-	-	-	-	-	P	P	P	-	P	P	P	-	-	A	
	Gas and Fuel Sales	-	S	S	-	-	P	P	P	-	P	P	P	-	-	-	
	Truck Stop	-	-	-	-	-	-	S	-	-	-	-	S	-	-	-	
	Heavy Equipment Repair	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Heavy Equipment Sales/Rental	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
	Inoperable Vehicles Storage	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Light Equipment Repair	-	S	-	-	S	P	P	P	-	P	-	P	-	-	-	
	Light Equipment Sales/Rental	-	P*	-	-	S	P	P	P	-	P	-	P	-	-	-	545
	RV and Boats Storage	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
INDUSTRIAL USE GROUP																	
a	Explosive Storage	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Industrial, General	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	
	Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	
	Laundry Service	-	-	-	-	-	P	P	P	-	P	P	P	-	-	-	
	Maker Space, Limited	P	P	P	P	P	P	P	P	P	P	P	P	-	A/S	-	
	Maker Space, Intensive	-	S	S	S	S	S	S	S	P	P	P	P	-	A/S	-	
	Manufacturing & Production, Ltd.	-	-	P	-	S	S	S	S	P	P	P	P	-	-	-	
	Manufacturing & Production, Tech.	-	-	-	-	S	P	P	P	P	P	P	P	-	-	-	
	Research Service	-	-	-	S	S	P	P	P	P	P	P	P	-	-	-	
	Scrap and Salvage Operation	-	-	-	-	-	-	-	-	-	S*	-	S*	-	-	-	527
Wholesale, Storage & Distribution	Exterior Storage	-	-	-	-	-	A*	A*	A*	A*	A*	A*	A*	-	A*	A*	538
	Heavy	-	-	-	-	-	S	S	S	-	S	-	P	-	-	-	
	Light	-	-	-	-	-	P	P	P	P	P	P	P	-	S	-	
	Mini-Warehouse	-	-	-	-	-	P	P	P	-	P	-	P	-	-	-	
OTHER USES GROUP																	
Adaptive Reuse	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
	Greek Housing Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Urban Agriculture	Agriculture, Crop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	533, 548
	Agriculture, Large Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Agriculture, Small Animal	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	533, 547
	Farmers Market	P	P	P	P	P	P	P	P	P	P	S	S	S	A	-	549
	On-Site Agricultural Sales	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	-	550
	Urban Farm	-	-	-	-	-	-	-	-	-	P*	P*	P*	-	-	-	533, 554
Amateur Radio Stations	Amateur & Receive-Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536

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		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	
	Broadcasting Tower	-	-	-	-	S	-	-	-	P	P	P	P	-	-	A	
	Communications Service Establishment	P	P	P	P	P	P	P	P	P	P	-	P	-	P	A	
	Telecommunications Antenna <i>Wireless Facility - Antenna</i>	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
	Telecommunications Tower <i>Wireless Support Structure</i>	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	S*	S*	A*	A*	529
	Satellite Dish	A*	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	P	-	-	-	540
	Small Collection	P	P	P*	P	P	P	P	P	P	P	-	P	-	A	A	540
	Processing Center	-	-	-	-	-	-	-	-	-	S	S	S	-	-	-	

**SECTION 3.** Existing Chapter 20, Article 5, Section 20-529 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby repealed in its entirety, it being the intent of the Governing Body that Section 4, *infra*, supersede it.

**SECTION 4.** The Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby amended by adding Chapter 20, Article 5, Section 20-529 which reads as follows:

## 20-529 WIRELESS FACILITIES

### (1) Purpose

The Governing Body recognizes that facilitating the development of wireless service technology benefits both the residents and the economic development of the City of Lawrence. The purpose of these standards is to ensure that residents, businesses, and industry within the City enjoy reliable access to wireless telecommunications networks, while, at the same time, safeguarding the health, safety, welfare, and aesthetics of the community. Accordingly, these standards are intended to ensure that the location, installation, construction, and modification of Wireless Facilities within the City comply with all Federal and State laws and regulations and are consistent with the City's Land Development Code.

## **(2) Definitions**

The following words, terms, and phrases, when used in this Section, shall, except where the context clearly indicates otherwise, have the following meanings:

**(A) Accessory Equipment** means any equipment serving or being used in conjunction with Wireless Facilities or Wireless Support Structures, including but not limited to utility or transmission equipment, power supplies, generators, batteries, cables equipment buildings, cabinets and storage sheds, shelters, or similar structures.

**(B) Antenna** means telecommunications equipment that transmits or receives radio waves necessary for the provision of Wireless Services.

**(C) Co-location** means the mounting or installation of Wireless Facilities, including Antennas, on a building, structure, Wireless Support Structure, utility pole, or other existing structure for the purposes of transmitting or receiving radio waves for telecommunications purposes.

**(D) Disguised Wireless Facility** means any Wireless Facility that is integrated as an architectural feature of a structure so that the existence of the Wireless Facility is not readily apparent to the casual observer, or any Wireless Support Structure that is disguised to resemble a tree, flag pole, steeple, clock tower, or other similar building element.

**(E) Major Modification** means any improvement that results in a substantial change to a Wireless Facility or to a Wireless Support Structure. Major modifications include, but are not limited to increasing the height of the Wireless Support Structure by more than ten feet or ten percent, whichever is greater, expansion of the area of Accessory Equipment, and any similar improvement. Co-location of new Wireless Facilities, including Antennas, on an existing Wireless Support Structure shall not be deemed a Major Modification.

**(F) Minor Modification** means any improvement that results in some material change to a Wireless Facility or a Wireless Support Structure, but of a level, quantity, or intensity that is less than a Major Modification.

**(G) Monopole** means a single, free-standing, pole-type structure supporting Wireless Facilities, including Antennas.

**(H) Ordinary Maintenance** means maintenance to ensure that Wireless Facilities, Wireless Support Structures, and Accessory Equipment are maintained in safe operating condition. Ordinary Maintenance shall include, but not be limited to inspections, modifications of Wireless Facilities and Wireless Support Structures to ensure structural integrity, exchanging Antennas or Accessory Equipment on a like-for-like basis, relocating Antennas already in place, or other similar actions that fall short of being a Minor Modification.

**(I) Wireless Facility** means any equipment at a fixed location that enables wireless telecommunications between user telecommunications devices and telecommunications networks.

**(J) Wireless Service Provider** means a provider of Wireless Services.

**(K) Wireless Service** means "personal wireless services," "personal wireless service facilities," and "commercial mobile services" as those terms are defined at 47 U.S.C. § 332(c)(7)(C) and (d), as amended, which are provided to telecommunications devices through the implementation and use of Wireless Facilities.

**(L) Wireless Support Structure** means any freestanding structure, such as a Monopole, or other self-supporting tower, or other suitable structure designed to support or capable of supporting Wireless Facilities, including Antennas. Wireless Support Structures do not include telephone poles, electrical utility poles, or any towers used for the distribution or transmission of electrical services.

### **(3) Approvals Required**

**(A) Special Use Permit.** No new Wireless Facility, no new Wireless Support Structure, no Co-location that results in a Major Modification of an existing Wireless Facility or Wireless Support Structure, and no Major Modification of an existing Wireless Facility or Wireless Support Structure shall be allowed in any zoning district of the City absent the issuance, upon application, of a Special Use Permit in accordance with the procedures established at Section 20-1306 of this Chapter, as amended.

**(B) Site Plan Approval.** No Co-location that is a Minor Modification of an existing Wireless Facility or Wireless Support Structure and no Minor Modification of an existing Wireless Facility or Wireless Support Structure shall be allowed in any zoning district of the City absent approval, upon application, of a Site Plan in accordance with the procedures established at 20-1305 of this Chapter, as amended.

### **(4) Terms of Approval; Renewal; Limits**

**(A) Term.** Any Special Use Permit or Site Plan Approval issued hereunder, assuming all conditions of approval are met and maintained, shall be valid for a period of ten years. Any renewal thereof, which shall be subject to administrative approval, shall be for a period of five years. At the time of renewal, the Owner/Applicant shall demonstrate to the Planning Director that the Wireless Facility or Wireless Support Structure remains in compliance with the original conditions of approval.

**(B) Limits.** Commencing on the date of issuance of any Special Use Permit or Site Plan Approval hereunder, the Owner/Applicant shall have a period of one year in which to commence construction or installation of the Wireless Facility or Wireless Support Structure and shall thereafter

diligently pursue construction or installation to its completion. Failure to commence construction or installation within one year of receiving a permit or approval or failure to diligently pursue construction or installation to its completion shall cause the Special Use Permit or Site Plan Approval to lapse and to be deemed null and void.

#### **(5) Application**

At the time of application for a Special Use Permit or for Site Plan Review for any Wireless Facility or Wireless Support Structure, the Owner/Applicant shall submit the following:

**(A)** A completed Application, on a form supplied by the Planning Director, signed by the Owner(s) of the subject property or signed by an Applicant if accompanied by written authorization of the Owner(s) granting to the Applicant the authority to submit the Application in behalf of the Owner.

**(B)** Elevation drawings showing the height of the proposed Wireless Facility including Antennas (and any lightning rod or lightning arrester), and all Accessory Equipment, including any buildings and structures.

**(C)** A Site Plan, drawn to scale, including: **(i)** the information required by Section 20-1305(f) of the City Code, as amended; **(ii)** the location of existing or proposed Wireless Facilities or Wireless Facility Support Structures; **(iii)** other existing or proposed structures; **(iv)** the location of Accessory Equipment and/or other Accessory Uses; **(v)** the location of access road(s), access road surface materials, and any parking area; **(vi)** the height, location, and construction materials of fences or other barriers; **(vii)** a Landscape Plan, in accordance with Section 20-1001(d) of the City Code, as amended; **(viii)** land elevation contours; and **(ix)** zoning and uses of properties neighboring the subject property.

**(D)** If the project involves a new Wireless Support Structure, a signed and sealed report from a qualified professional engineer, licensed to practice in the State of Kansas, that includes: **(i)** the height and design of the proposed Wireless Support Structure; **(ii)** the height for all potential mounting positions for Antennas and the minimum separation distances between Antennas; **(iii)** the capacity of the Wireless Support Structure, including the number and types of Antennas that can be accommodated; **(iv)** a statement that the Wireless Support Structure is designed, in accordance with this Section, to collapse upon itself in the event of failure, including the projected fall zone of any such Wireless Support Structure; and **(v)** any other information that may be necessary or requested by the Planning Director to evaluate the Application.

**(E)** If the project involves a new Wireless Support Structure, the application shall include: **(i)** line-of-sight diagrams or photo simulations showing the proposed Wireless Support Structure against the skyline and viewed from at least three different vantage points within the surrounding area; **(ii)** a statement that the Owner/Applicant considered Co-location, where it considered Co-location, and why Co-location would not meet the Owner/Applicant's needs; and **(iii)** a statement that the



proposed Wireless Support Structure will be made available to other Wireless Service Providers for Co-location at commercially reasonable rates, or a statement that the Owner/Applicant is seeking a waiver of the Co-location requirement and why such waiver is being sought.

**(F)** If the project involves Co-location on an existing structure, a signed and sealed report from a qualified professional engineer, licensed to practice in the State of Kansas, that establishes that the existing building or structure is structurally sound and can safely accommodate the proposed Co-location.

**(F)** If the project involves a new Wireless Support Structure or a Major Modification of an existing Wireless Support Structure, a fee, not to exceed \$2,000, as established by the Governing Body, which amount shall recapture the City's costs of processing the application.

**(G)** If the project involves a Co-location or anything else that is not a Major Modification, a fee, not to exceed \$500, as established by the Governing Body, which amount shall recapture the City's costs of processing the application.

## **(6) General Standards**

### **(A) Co-location:**

**(i)** Wireless Support Structures shall be designed to accommodate at least three Wireless Service Providers. The compound area supporting the Wireless Support Structure likewise shall be of adequate size to accommodate Accessory Equipment for at least three Wireless Service Providers.

**(ii)** Whenever it is economically and technically feasible, and it is aesthetically appropriate, as determined by the Governing Body, the Planning Commission, or the Planning Director, Disguised Wireless Facilities shall be designed to accommodate the Co-location of other Wireless Service Providers.

**(iii)** Upon written request of the Owner/Applicant, the Governing Body, the Planning Commission, or the Planning Director may waive the City's Co-location requirements if it is determined, as demonstrated by technical evidence presented by the Owner/Applicant, that Co-location at the site is non-essential to the public interest, that construction of a shorter Wireless Support Structure with fewer Wireless Facilities, including Antennas, will promote community compatibility or interests, or that Co-location would cause interference with other existing Wireless Facilities.

**(B) Building Permits:** All new Wireless Support Structures, all Major Modifications of existing Wireless Facilities, and all Accessory Equipment shall not be installed or constructed without the issuance of a Building Permit in accordance with Chapter V, Article 1 of the City Code.

**(C) Replacement of Existing Wireless Facilities:** The replacement of any existing Wireless Facility or Wireless Support Structure shall require compliance with the terms of this Section and shall require, as may be pertinent, either approval and issuance of a Special Use Permit in accordance with the procedures established at Section 20-1306 of this Chapter, as amended, or approval of a Site Plan in accordance with the procedures established at Section 20-1305 of this Chapter, as amended.

**(D) Setbacks:**

**(i) Non-residential Zoning Districts.** Unless otherwise provided herein, Wireless Support Structures shall be set back from all property lines a distance equal to fifty percent of the height of the proposed Wireless Support Structure, as measured from its base to its highest point (excluding the height of any lightning rod or lightning arrester). In addition, where the Wireless Support Structure is located on property zoned for non-residential use that is adjacent to property zoned for residential use, the Wireless Support Structure must be setback from any such residential property line a distance equal to the height of the Wireless Support Structure, as measured from its base to its highest point (excluding the height of any lightning rod or lightning arrester). Setbacks for Accessory Equipment and other structures shall be governed by the underlying zoning district.

**(ii) Residential and Mixed-use Zoning Districts.** Unless otherwise provided herein, Wireless Support Structures shall be set back from all property lines a distance equal to the height of the Wireless Support Structure, as measured from its base to its highest point (excluding the height of any lightning rod or lightning arrester). Setbacks for Accessory Equipment and other structures shall be governed by the underlying zoning district.

**(iii) Waiver.** The Planning Commission may recommend and the Governing Body may approve a waiver from these setback requirements if it finds that all of the following conditions are met: **(a)** that the waiver will not adversely affect the public health, safety, or general welfare of the community; **(b)** that the waiver will not adversely affect the rights of adjacent property owners or residents; **(c)** that strict application of the provisions of this section would constitute unnecessary hardship on the Owner/Applicant; and **(d)** that waiver is appropriate under the circumstances.

**(E) Height:**

**(i) Non-residential Zoning Districts.** Unless otherwise provided herein, Wireless Support Structures shall have a maximum height of one hundred fifty feet, measured from the

base of the Wireless Support Structure to its highest point (excluding the height of any lightning rod or lightning arrester).

**(ii) Residential and Mixed-used Zoning Districts.** Unless otherwise provided herein, Wireless Support Structures shall have a maximum height of one hundred twenty feet, measured from the base of the Wireless Support Structure to its highest point (excluding the height of any lightning rod or lightning arrester).

#### **(F) Separation Requirements:**

**(i)** All new Wireless Facilities, except Disguised Wireless Facilities, shall be located a minimum of 1,000 feet from existing Wireless Support Structures. The distance shall be measured from the base of the existing Wireless Support Structure to the base of the proposed Wireless Facility.

**(ii)** The Planning Commission may recommend and the Governing Body may grant a waiver from the 1,000-foot separation requirement if the Owner/Applicant demonstrates that a waiver will not adversely affect the public health, safety, or general welfare of the community and that strict application of this section would constitute unnecessary hardship.

#### **(7) Design Standards**

**(A) Access:** Paved access shall be provided to all Wireless Facilities, Wireless Support Structures, and Accessory Equipment. The Governing Body, the Planning Commission, or the Planning Director may, upon a finding that it constitutes an unnecessary hardship, waive this requirement. Paved access shall not be required for Co-locations.

#### **(B) Accessory Equipment:**

**(i)** All Accessory Equipment that are buildings, cabinets, storage sheds, and shelters shall be used only to store equipment and other supplies necessary for the operation of the Wireless Facility or Wireless Support Structure. Equipment not used in direct support of such operation shall not be stored on the site.

**(ii)** All Accessory Equipment that are buildings or structures shall meet all Building design standards, as listed in this Chapter, shall require a Building Permit, and shall conform to Height and Setback restrictions established for the zoning district in which the site is located.

**(iii)** All Accessory Equipment shall be designed to be compatible with and to blend into its surrounding environment through the use of color, camouflage, screening, landscaping, and architecture.

**(iv)** Lighting of Accessory Equipment for basic security purposes is permitted. However, such lighting shall be shielded and shall be directed downward. Floodlights are prohibited.

**(v)** The addition of related equipment to any building or structure that is Accessory Equipment shall not increase the height of said building or structure **(a)** more than 20% of the height of the existing building or structure or **(b)** more than the maximum height allowed in the zoning district in which the site is located, whichever is less.

**(C) Antennas:**

**(i)** No Antenna may be attached to any Wireless Support Structure or Co-located on any other structure, unless the Wireless Support Structure or other structure is at least forty feet in height.

**(ii)** The addition or Co-location of any Antenna on a Wireless Support Structure or any other structure shall not increase the height of said building or structure **(a)** more than 20% or **(b)** more than the maximum height allowed in the zoning district in which the site is located, whichever is less.

**(iii)** Antennas Co-located on existing structures shall not be subject to Setback requirements.

**(iv)** No Antenna may be Co-located on any structure designated by the City as an historic structure, or on any structure located within an Historic District Overlay District or an Urban Conservation Overlay District unless the Historic Resources Commission first approves the location and the design.

**(v)** To the extent that it is feasible and the engineer's report demonstrates that the roof is structurally sound and can safely accommodate it, any Accessory Equipment to an Antenna Co-located on an existing structure shall be located on the roof of the existing building or structure. However, said Accessory Equipment shall not occupy more than 25% of the total roof area. Such Accessory Equipment shall be shielded from view from neighboring properties and rights of way.

**(D) Cables/Conduit:** All cable runs should be through portals and maintained within the Wireless Support Structure. Where cable or conduit is required to be located on the outside of any Wireless Support Structure, the cable or conduit shall be painted or covered by material to match the color of the Wireless Support Structure.

**(E) Color:** Unless otherwise required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or the City, Wireless Support Structures, excluding Disguised Wireless Facilities, shall have a galvanized gray or light blue finish.

**(F) Disguised Wireless Facilities:**

**(i)** A Disguised Wireless Facility must be enclosed, camouflaged, screened, obscured, or otherwise not apparent to the casual observer. A Disguised Wireless Facility must be integrated into another structure as an architectural facility or must be designed to resemble an object or structure that does not have the appearance of a monopole or other Wireless Facility.

**(ii)** The Disguised Wireless Facility must meet the requirements of the underlying zoning district, including, but not limited to height, setback, and use restrictions.

**(G) Landscaping:** The Wireless Facility shall comply with all landscaping requirements of Article 10 of this Chapter and shall be maintained by the Owner/ Applicant. In cases where the property is not visible from adjacent properties or rights of way or where landscaping is not necessary, appropriate, or feasible, the Governing Body, the Planning Commission, or the Planning Director may waive this requirement.

**(H) Lighting and Marking:** Wireless Facilities and Wireless Support Structures shall not be lighted or marked unless required by the FCC, the FAA, or the City.

**(I) Security and Fencing:** Ground-mounted Accessory Equipment and related structures shall be secured and enclosed within fencing not less than six feet in height. Fencing shall be constructed with materials that are designed to be compatible with and to blend in to the surrounding areas. Every Wireless Facility shall be protected from trespass by unauthorized persons to discourage climbing of structures.

**(J) Signage:** No advertising or other display shall be permitted on any Wireless Facility or Wireless Support Structure, unless such is required by the FCC, the FAA , or the City.

**(K) Wireless Support Structures:**

**(i)** All new Wireless Support Structures shall be of monopole design. Guyed and lattice towers are prohibited.

**(ii)** All new Wireless Support Structures located in districts zoned residential or mixed use, or located within 500 feet of any property or district zoned residential or mixed use, shall be Disguised Wireless Facilities as defined in this Section.

**(iii)** All Wireless Support Structures shall be designed and constructed such that if a failure does occur, the Wireless Support Structure will collapse on itself and will not collapse on structures at or near the site.

(iv) No Wireless Support Structure shall, except during construction, have a platform, crow's nest, or like structure surrounding it or attached to it.

(v) No Wireless Support Structure may be located in a designated Historic District Overlay District or Urban Conservation Overlay District unless the Historic Resources Commission first approves the location and the design.

## **(8) Final Decision**

**(A) Time Limits.** Within 150 calendar days of receiving an application for a new Wireless Support Structure or within 90 calendar days of receiving any other application hereunder, the City shall:

(i) review the application in light of the standards of this Section and applicable provisions of the Land Development Code;

(ii) make a final decision to approve or disapprove the application;

(iii) advise the Owner/Applicant by written notice of the City's final decision, which final decision shall be supported by written substantial evidence in the record. Such final decision shall be deemed effective on the date of the written notice.

**(B) Commencement of Time.** The time limits for final decision shall commence upon the City's acceptance of a complete application. If an application is incomplete, the City shall notify the Owner/Applicant within thirty days of its deficiencies and, in such case, the time limits shall not commence until a complete application has been submitted and accepted by the City. Alternatively, the time limits may commence upon a date agreed upon in writing by the City and the Owner/Applicant.

**(C) Effect of Lapse of Time.** Unless otherwise agreed upon by the Owner/Applicant and the City, an application shall be deemed approved if (i) the City fails to issue a final decision with the time limits established at subsection 7(A) and (ii) the Owner/Applicant provides to the City written notice that the applicable time limits have lapsed.

**(D) Appeal.** Any party aggrieved by the City's final decision approving or disapproving an application or any party aggrieved by the Owner/Applicant's written notice that the time limits have lapsed may appeal said result to the District Court of Douglas County, Kansas, in accordance with K.S.A. 60-2101(d), as amended.

## **(9) Miscellaneous Provisions**

**(A) Abandonment and Removal.** Any Wireless Facility or Wireless Support Structure that is not operated for a period of one year shall be deemed abandoned. The Owner/Applicant shall remove any abandoned

Wireless Facility or Wireless Support Structure at his, her, or its expense within 180 days after abandonment. If the structure is not removed within that time frame, then the City may remove the structure and, to the extent allowed by law, assess the costs of removal against the property.

**(B) Interference.** All Wireless Facilities shall be constructed, installed, operated, and maintained in accordance with all applicable federal, state, and local laws, ordinances, and regulations so as not to interfere or cause interference with existing telecommunications, including but not limited to radios, televisions, computers, and City and/or County emergency broadcast systems.

**(C) Nonconforming Wireless Facilities.** Wireless Facilities and Wireless Support Structures that were legally permitted on or before the effective date of this Ordinance shall be considered lawful nonconforming structures. Major Modifications and Minor Modifications to nonconforming structures shall be permitted in accordance with the provisions of this Section. Replacement of any nonconforming structure shall be with a structure that complies with the provisions of this Section. If any nonconforming facility or structure is damaged by more than 60% of its fair market value, it shall only be replaced by a conforming facility or structure if it is legal to do so.

**(D) Ordinary Maintenance.** Ordinary Maintenance, as defined herein, shall be exempt from the permitting and approval requirements of this Section.

## **(10) Exemptions**

**(A)** The provisions of this Section shall not apply to the following:

**(i)** Any Wireless Facility, including Amateur and Receive-only Antennas, that are:

**(a)** less than 75 feet in height;

**(b)** located in the Rear Yard of a residentially zoned Parcel; and

**(c)** Owned and operated by a federally licensed amateur radio operator.

**(d)** Wireless Facilities that are exempt under this Subsection shall not be considered, be deemed available, or be used for Co-location.

**(ii)** Broadcast Towers; and

**(iii)** Satellite Dishes.

**SECTION 5.** Existing Chapter 20, Article 5, Section 20-1768 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby repealed in its entirety, it being the intent of the Governing Body that Section 6, *infra*, supersede it.

**SECTION 6.** The Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby amended by adding Chapter 20, Article 17, Section 20-1768 which reads as follows:

**20-1768 WIRELESS FACILITIES**

Any equipment at a fixed location that enables wireless telecommunications between user telecommunications devices and telecommunications networks. Wireless Facilities include, but are not limited to Accessory Equipment, Antennas, Co-locations, Disguised Wireless Facilities, and Wireless Support Structures:

**(1) Accessory Equipment** means any equipment serving or being used in conjunction with Wireless Facilities or Wireless Support Structures, including but not limited to utility or transmission equipment, power supplies, generators, batteries, cables equipment buildings, cabinets and storage sheds, shelters, or similar structures.

**(2) Antenna** means telecommunications equipment that transmits or receives radio waves necessary for the provision of Wireless Services.

**(3) Co-location** means the mounting or installation of Wireless Facilities, including Antennas, on a building, structure, Wireless Support Structure, utility pole, or other existing structure for the purposes of transmitting or receiving radio waves for telecommunications purposes.

**(4) Disguised Wireless Facility** means any Wireless Facility that is integrated as an architectural feature of a structure so that the existence of the Wireless Facility is not readily apparent to the casual observer, or any Wireless Support Structure that is disguised to resemble a tree, flag pole, steeple, clock tower, or other similar building element.

**(5) Wireless Support Structure** means any freestanding structure, such as a Monopole, or other self-supporting tower, or other suitable structure designed to support or capable of supporting Wireless Facilities, including Antennas. Wireless Support Structures do not include telephone poles, electrical utility poles, or any towers used for the distribution or transmission of electrical services.

**(i) Monopole** means a single, free-standing, pole-type structure supporting Wireless Facilities, including Antennas.