

City of Lawrence, Kansas
Administrative Policy

Subject: Ch. 21 SmartCode: Consolidate Review Committee	Applies to: Planning and Development Services	
Effective Date: May 31, 2019	Revised Date:	
Approved By: Consolidated Review Committee	Total Pages: 4	Policy Number: AP-126

1.0 Purpose

The purpose of the Consolidated Review Committee (CRC) is to serve as the administrative review and approval body, and for considering and granting of minor deviations, as outlined in Chapter 21 of the Lawrence City Code.

2.0 Organization

A. The Consolidated Review Committee is designated in Chapter 21, Section 21-100.4.2 of the City of Lawrence Code. The CRC shall review, make recommendations and carry out the actions as directed by Chapter 21: SmartCode of the Lawrence City Code, which includes but is not limited to:

- i. The CRC shall be the administrative approval body for Article 5 applications (21-100.4.2).
- ii. The CRC shall determine whether a deviation requires a warrant or variance pursuant to guidelines developed by the CRC (21-100.5.1). The CRC shall have the authority to approve or disapprove a request for warrants (21-100.5.2).
- iii. Review, report, and/or recommend Article 3 (New Community Scale) and Article 4 (Infill Community Scale) plans.
- iv. Determine the correct definition of a term if that term is not defined in Chapter 21 (Section 21-700.1).

B. The CRC is comprised of representatives from the following City of Lawrence departments:

- i. Planning & Development Services Director or designee
- ii. Lawrence – Douglas County Fire/Medical Prevention Chief or designee
- iii. Parks & Recreation Director or designee
- iv. Municipal Services & Operations Director or designee

3.0 Meetings

Meetings of the CRC shall be ad hoc as required within Chapter 21 of the Lawrence City Code. The Planning & Development Services Director shall schedule a meeting of the CRC when required.

4.0 Quorum

A quorum shall consist of three (3) members of the CRC. In the absence of a quorum, the members present shall reschedule the meeting and absent members shall be notified by the Planning & Development Services Director or designee.

5.0 Voting

Each department shall have one (1) vote. A tie vote of the CRC on a warrant request shall be considered a denial of the request.

6.0 Consolidated Review Committee Criteria for Warrants

A. Authority

Warrants are administrative rulings that would permit a practice that is not consistent with a specific provision of this Code but is justified by the Purpose of this Code. The CRC is authorized to approve or disapprove a request for a Warrant as provided by Section 21-100.5.2. Warrants shall not be granted for the items outlined in Section 21-100.5.5 of Chapter 21.

B. Applicability

The request for a warrant shall only review that portion necessary to rule on the issue under consideration. Mere financial loss or the loss of a potential financial advantage does not constitute grounds for the granting of a warrant. Warrants shall be considered unique and shall not set precedent for others.

C. Variances

A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only in accordance with the procedures established by the Board of Zoning Appeals (Section 21-100.5.3).

D. Application Filing

A request for the consideration of a warrant shall be made in writing to the Planning & Development Services Director and shall provide written explanations to all of the following criteria:

- i. How the requested warrant is consistent with and upholds the Purpose section of the SmartCode (Section 21-100.2).
- ii. b. How the requested warrant is justified by its intent or by hardship that is unique to this property and/or the application of the SmartCode to this property.
- iii. c. How the requested warrant would further and advance the Purpose of the SmartCode.

7.0 Application Review Guidelines

- A.** The CRC may grant a warrant if the request can demonstrate that the purpose and intent of the code is fulfilled, if the development project otherwise meets sound site planning principles, and good cause is shown by the applicant. Authority for the development of these guidelines for the CRC is granted in Section 21-100.5.1.
- B.** The CRC shall grant a warrant if the committee substantially finds the following:
 - i. The warrant is demonstrated by the applicant to result in a development that is consistent and furthers the Purpose of the SmartCode.
 - ii. The requested warrant will not seriously subvert the desired development outcomes of the SmartCode envisioned for the City of Lawrence of being a compact, walkable, and diverse community.
 - iii. The requested warrant is consistent with the overall development pattern of the subject area.

8.0 Appeals of a Consolidate Review Committee Decision

- A.** Appeals of the CRC's decision on Article 5a or 5b applications; indirectly warrants, may be taken to the City Commission by filing a notice of appeal with the Planning Director. Appeals shall be filed within 10 days of a decision to approve or disapprove Article 5a or 5b applications. (Section 21-100.4.13)
- B.** Except where Chapter 21 provides for an appeal to another quasi-judicial or administrative body, any person, official or agency aggrieved by a final decision on an application provided for in this Code desiring to appeal said decision shall file the appeal in the district court of Douglas County within thirty (30) days of the making of the decision (Section 21-100.3.3).
- C.** Unless specifically provided for otherwise in Chapter 21, the Board of Zoning Appeals is authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an

administrative official in the administration or enforcement of the provisions of this Code. The City Commission, Planning Commission and the CRC are not "administrative officials" for purposes of this Code and the Board of Zoning Appeals shall have no jurisdiction to consider an appeal from any action, determination or failure to act by the City Commission, Planning Commission, or CRC (Section 21-100.7.11).