



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

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To: File
From: Planning Staff
Date: June 16, 2010
Re: Parking for Duplex or Detached Dwelling when off of an alley
Document: Lawrence Development Code
Section: 20-908

This interpretation clarifies the permitted configuration for Duplex and Detached Dwelling parking when such parking is accessed from an alley. This interpretation is in response to a letter from Dan Hermreck, with Residential Design, dated May 19, 2010 and received by the Planning and Development Services department on May 21, 2010. This interpretation does not address parking for any land uses other than Duplex and Detached Dwelling.

The primary code section that must be reviewed is 20-908:

20-908 LOCATION

(a) General

Except as otherwise expressly provided in this section, required off-street parking and loading spaces shall be located on the same [Lot](#) as the [Principal Use](#) (See Section 20-909 for possible exceptions).

(b) Residential Districts

No part of a [Parking Area](#), other than a [Driveway](#), may be located within 25 feet of a Street right-of-way in any residential [Zoning District](#).

- (1) No more than 4 vehicles may be parked on [Driveways](#) or turnarounds within the required Front or [Side Setback](#) of any [Lot](#) in a residential [Zoning District](#). Single or double [Driveways](#) and turnarounds may not be used to provide required off-street parking within the required [Front](#) or [Exterior Side Setback](#) with the exception of when they are serving a [Duplex](#) or [Detached House](#).
- (2) [Driveway](#) widths may not exceed 26 feet in residential Districts. All [Driveway](#) cuts into the Street require a permit and must be approved by the City Engineer in conformance with the standards outlined in Chapter 16, Article 3 of the City Code.
- (3) In RS3 and RS5 Districts, residential [Driveways](#) may be constructed a maximum of 12' wide to reduce pavement width and maintain the character of the neighborhood.



The code does not specifically lend direction on how to treat parking when taken directly off of an alley and the standards included in section 20-908 appear to be intended for lots that are accessed from streets and not alleys. However, the same site planning principles can be extended to alley configurations. Principles of appropriate parking design - maintaining appropriate setbacks and open areas on the lot, maintaining a residential character and user efficiency, reducing the “parking lot” effect, etc. - are valuable whether in the front, side, or rear of a lot.

The question before us is whether a parking configuration can be established that permits “end-to-end (or tandem) vehicle stacking” in a “Driveway”, a code defined term, as well as “side-to-side vehicle stacking” in a parking area directly off of the alley. Under the 2006 Development Code, and in practice, the department has permitted one or the other, but not both, in order to maintain the site planning principles noted above.

The code limits driveways to 26 feet wide for RS districts other than RS3 and RS5, where the width is limited to 12’ wide, which Chapter 16, Article 3 of the City Code designates as a double driveway. In the example provided for this interpretation request, parking is shown in a side-to-side configuration with one, two-car garage accessed from the row of parking along the alley. A conventional design for lots that are accessed from the front or side off of a street would not permit this configuration. Any additional side-to-side vehicle stacking would need to be located farther onto the lot so that the driveway at the curb cut is not greater than 26 feet wide.

However, parking off of alleys does differ from conventional street access for Detached Dwelling and Duplex developments. Alleys are recognized for their utilitarian function and side-to-side stacking is permitted by practice for single rows of parking when accessed from an alley. Driveways not greater than 26’ wide are permitted for end-to-end parking when accessed from an alley. The subject question is whether a single row of side-to-side parking that is wider than 26’ can then have a garage, of any stall width, accessed by the parking area as depicted in the subject request.

Staff is of the opinion that the intent and values of the code standards are met if a garage is permitted to be constructed adjacent to either a single row of off-alley, side-to-side vehicle parking as shown below, or at the terminus of a driveway that is no wider than 26’ in an end-to-end configuration. Driveways in the RS3 and RS5 districts should enjoy the benefit of the 26’ width when placed off of an alley as an incentive to reduce driveways along the streets.

Employing both end-to-end and side-to-side parking, however, does not meet the spirit of the code standards and is not permitted as noted below. Permitting multiple rows of side-to-side and end-to-end parking, or mixing the configurations, would create a large parking lot in the rear of the structure and would, in its cumulative effect, diminish the residential character of the area in staff’s opinion.

A distinction must be made for carports. In staff’s opinion, an enclosed garage structure affords the highest ability to maintain the residential character for the subject uses; however, carports are an allowed structure and so this interpretation includes carports.

Interpretation

The diagrams below depict the **permitted** configurations for Detached Dwelling and Duplex development where parking is accessed from an alley. All setbacks and other code standards must also be met:

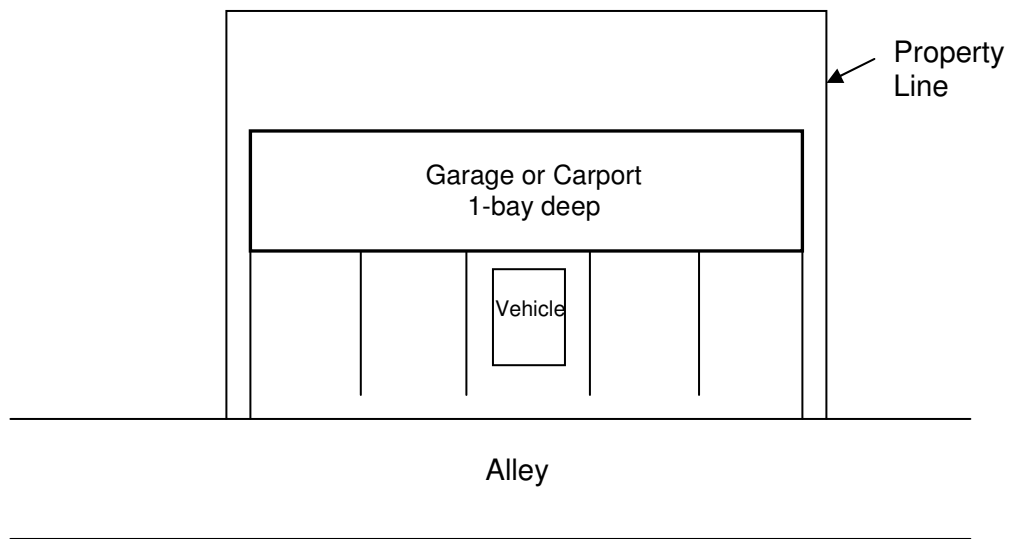


Figure 1 - permitted

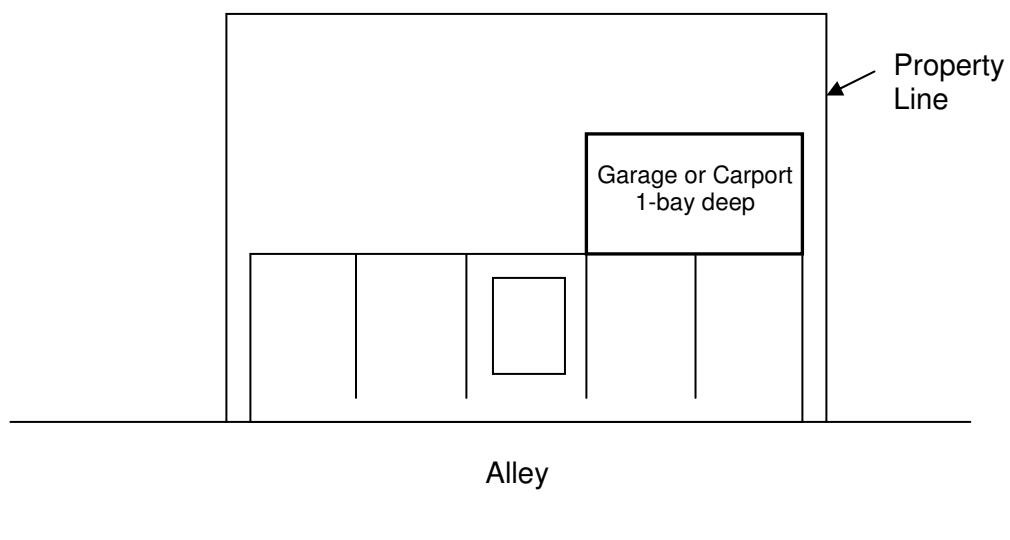


Figure 2 - permitted

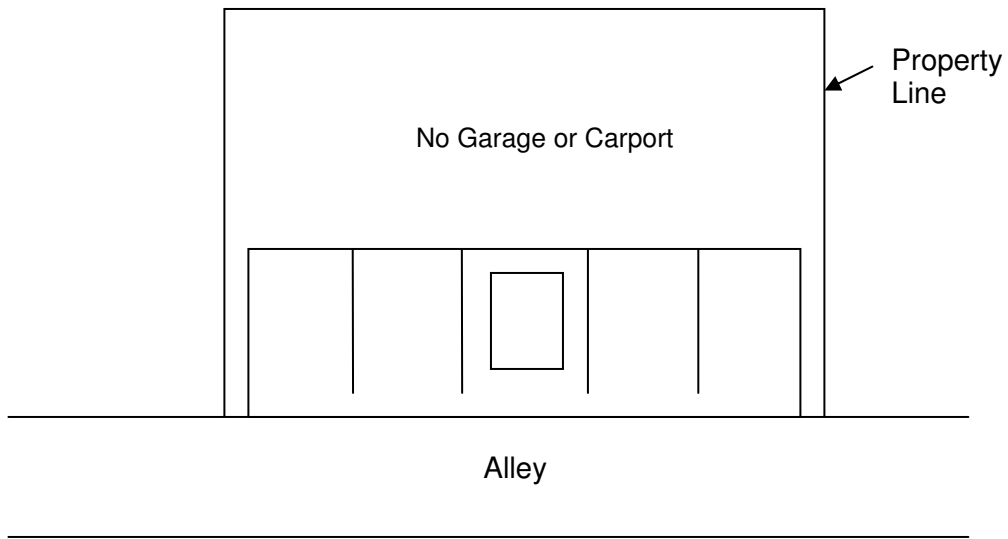


Figure 3 - permitted

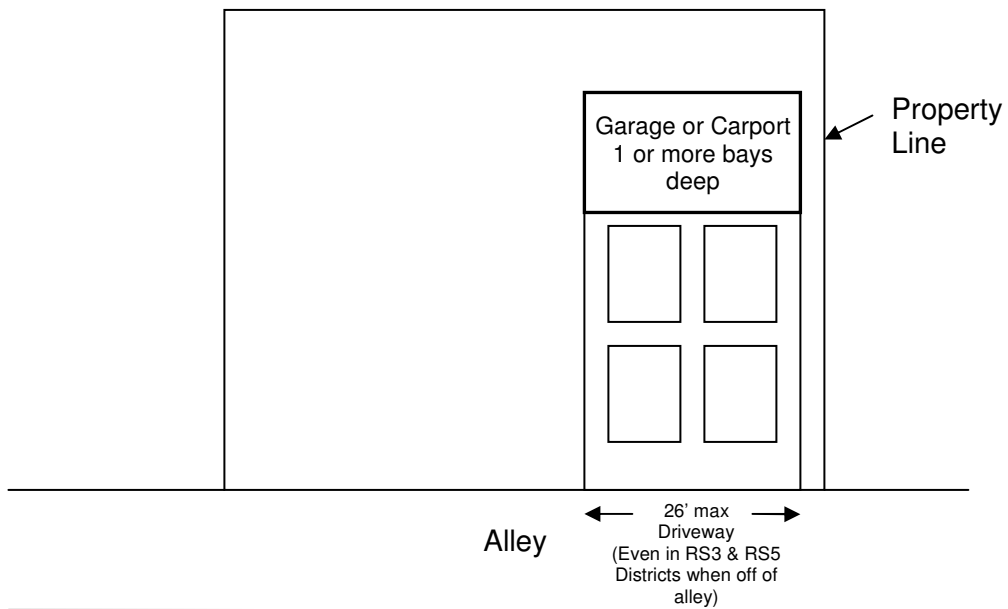


Figure 4 - permitted

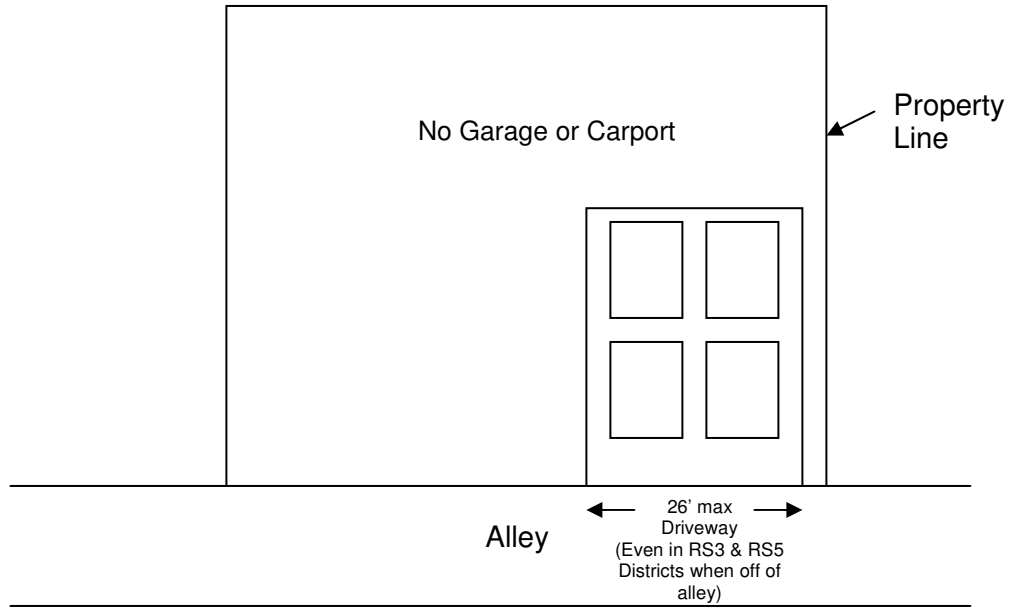


Figure 5 - permitted

Configurations **not permitted**, whether or not a garage is constructed adjacent to the open parking area:

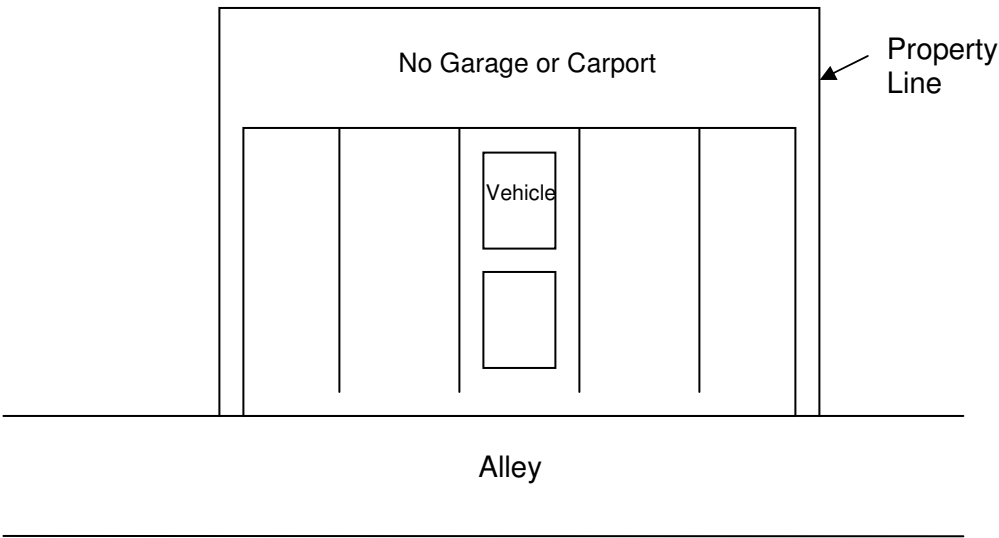


Figure 6 - not permitted

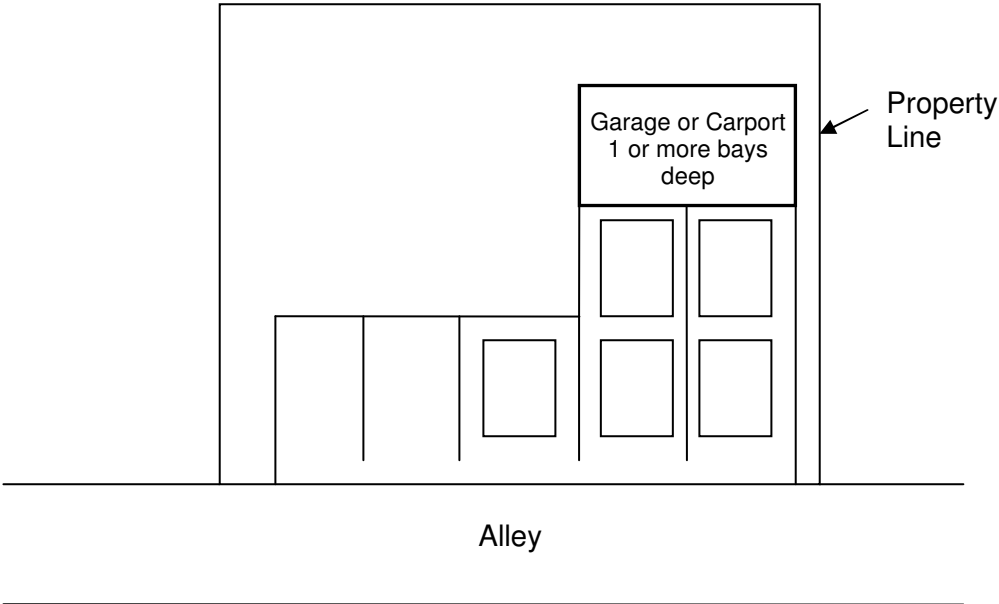


Figure 7 - not permitted

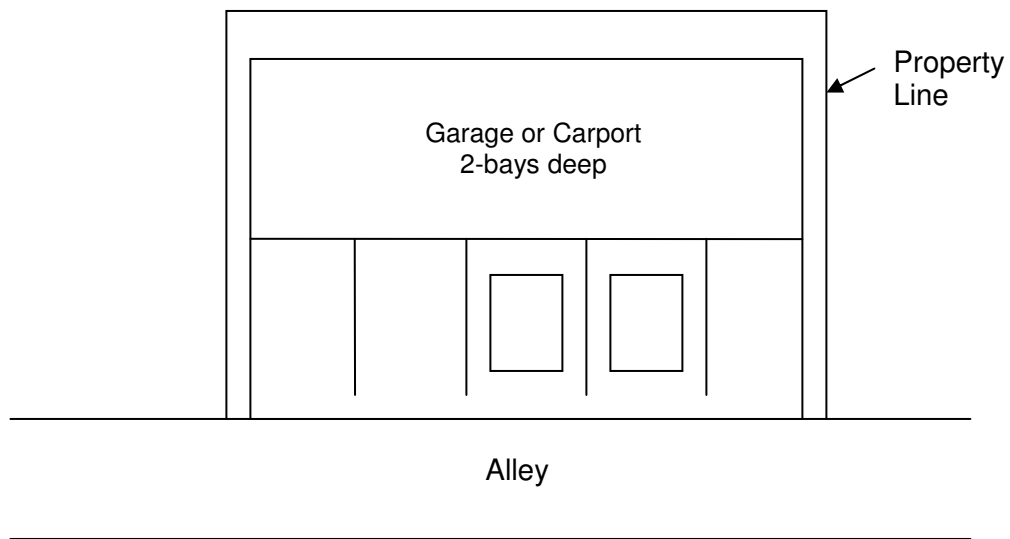


Figure 8 - not permitted

5072 COMANCHE LN.

MCLOUTH, KS 66054

1.913.796.6978

DAN HERMRECK
RESIDENTIAL DESIGN

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RECEIVED

MAY 21 2010

**City County Planning Office
Lawrence, Kansas**

May 19, 2010

Scott McCullough
Planning Director
City of Lawrence

Dear Mr. McCullough

I am writing in reference to a project we are working on at 903 Alabama. I have been in contact with Lynne Braddock-Zollner from your office and she suggested I request a code interpretation from you.

The code portion in question is **Article 9, Section 20-909 (b) (1)**.

I have attached a site plan sketch of what the owner wishes to do re: the parking and a copy of the code excerpt.

The question is if we have 2 spaces in the garage and 2 spaces stacked behind the garage adjacent to the alley, can we also have 2 spaces designated to the north adjacent to the alley?

Lynne was unsure how the code notation: *"....with the exemption of when they are serving a Duplex or Detached House"* would apply to this situation.

Your consideration would be appreciated.

If I can answer any questions, please don't hesitate to call. Lynne is familiar with this as well.

Sincerely,



Dan Hermreck

(b) Residential Districts

No part of a Parking Area, other than a Driveway, may be located within 25 feet of a Street right-of-way in any residential Zoning District.

- (1) No more than 4 vehicles may be parked on Driveways or turnarounds within the required Front or Side Setback of any Lot in a residential Zoning District. Single or double Driveways and turnarounds may not be used to provide required off-Street Parking within the required Front or Exterior Side Setback with the exception of when they are serving a Duplex or Detached House.
- (2) Driveway widths may not exceed 26 feet in residential Districts. All Driveway cuts into the Street require a permit and must be approved by the City Engineer in conformance with the standards outlined in Chapter 16, Article 3 of the City Code.
- (3) In RS3 and RS5 Districts, residential driveways may be constructed a maximum of 12' wide to reduce pavement width and maintain the character of the neighborhood.

(c) Nonresidential Districts

The location of off-Street Parking Areas in Commercial and Industrial Zoning Districts shall comply with the adopted city design standards and the following standards: (Ord. 8098)

District	Allowed Location	Minimum Setback from Right-of-Way (feet)	Minimum Setback from Residential Lot Lines (feet)
CN1	Not allowed between the Facade of the Building with the main entrance and the Street.	15	10
CO			
CN2			
CD	Prohibited between a Building and any Street		
CC	No restriction except as specified in Article 5.		
CR			
CS			
IBP			
IL			
IG			

20-909 Shared and Off-Site Parking

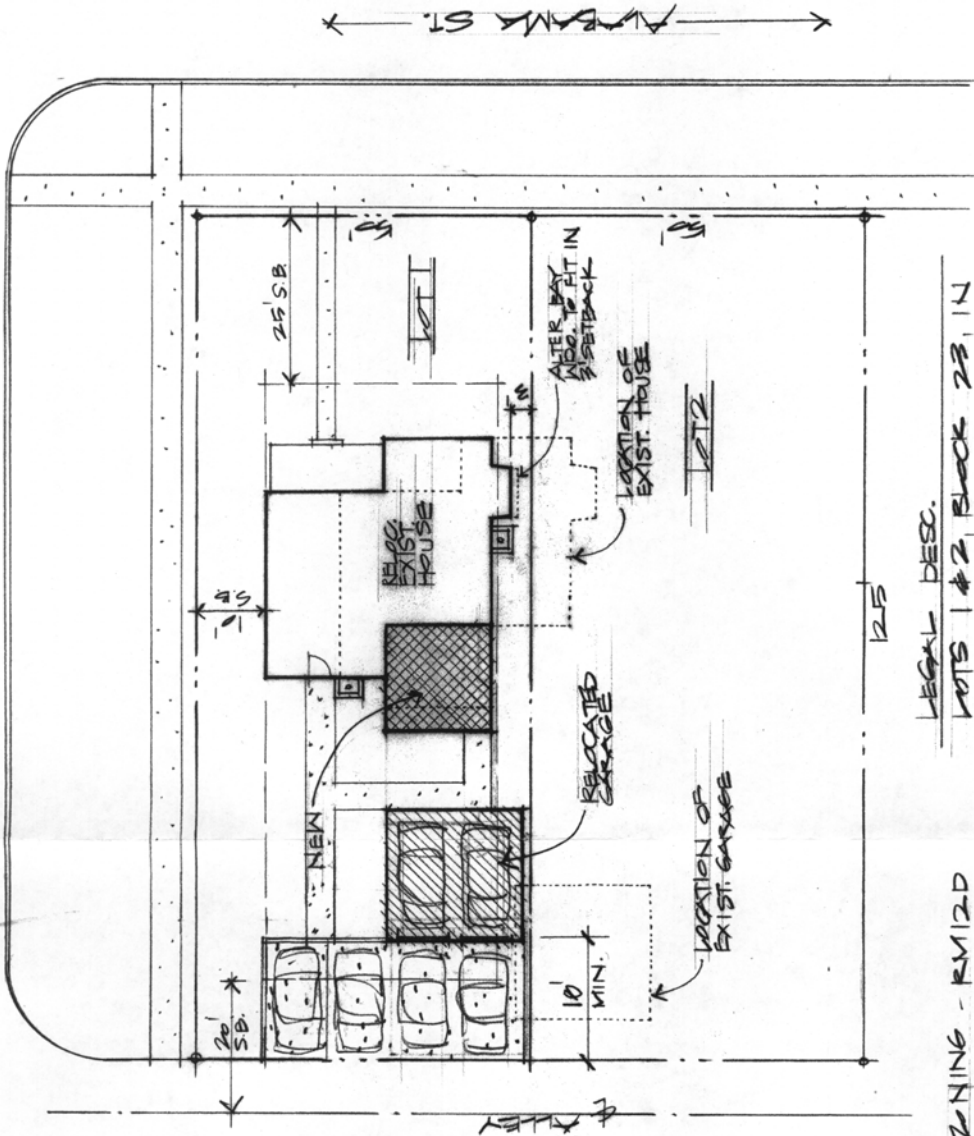
(a) Purpose

The shared and off-site off-Street Parking provisions of this section are intended to encourage efficient use of land and resources by allowing users to share off-Street Parking facilities in situations where a mix of uses creates staggered peak periods of Parking demand and to locate off-Street Parking facilities on a different site than the uses served by the Parking.

(b) Approval Procedure

Shared or off-site off-Street Parking arrangements require review and approval in accordance with the Site Plan Review procedures of Sec. **20-1305**.

NINTH ST.



EXIST. STRUCTURE

SQUARE FOOTAGES

	BSMNT	1ST	2ND
EXISTING	504 SF	190 SF	145 SF
+ NEW	702 SF	256 SF	120 SF (ROOF)
TOTALS	1206 SF	1206 SF	873 SF

2/26/10 REV. 4/1/10
903 ALABAMA ST.