

Module 1: Zoning Districts & Uses

STEERING COMMITTEE DRAFT

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CLARION

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Comment

General comments applicable to this Module 1 Draft Code:

Content. This draft is a combination of new content, revised current regulations, and/or carried-forward current content. Concepts and standards from the current LDC have been updated, revised, and relocated to create the new Lawrence LDC. Throughout the draft there are footnotes that describe the source section, significant changes, or commentary for many of the provisions that originated in the current Land Development Code. At this stage of the project, however, the process of creating an updated LDC is focused on new drafting and improvements, not tracking the location of edits.

Cross-reference hyperlinks. Where cross-references are provided in this draft, they are a hyperlink to the section referenced. To go to the section in the cross reference, hover over the reference and then press Control + Click (left mouse). To go back to the original location, click Alt + Left Arrow.

Cross-reference updates. A reference to a section or other provision reads "Section <> [current Code reference]" means that the cross-reference to that specific section or provision will be inserted once that part of the Code has been drafted.

For example, a reference in this Module to the Development Standards will be provided in the Consolidated Draft once those regulations have been drafted in Module 2.

Because this is the first Module, this document contains numerous references to future Modules or drafts of the Code.

Future Modules include:

Module 2: Development Standards

Module 3: Administration and Procedures

The entire LDC will be brought together, and all cross-references provided, in the Consolidated Draft.

Article 1. General Provisions

[To be drafted in Module 3: Administration and Procedures]

Article 2. Zoning Districts General Provisions

Comment

Generally. This article includes the standards for the zoning districts in Lawrence. As recommended in the Code Assessment, the lineup of zoning districts was revised to rename some districts, consolidate some districts, and include new districts to accommodate the changing needs of the City and to be more closely aligned with the Plan 2040 Comprehensive Plan. The SmartCode has not been carried forward, but informed form and dimensional concepts in the zoning districts and use regulations.

District organization. Each zoning district includes a purpose statement, a table indicating what minimum and maximum dimensional standards apply to lots and buildings within that district, and an illustration of how those dimensional standards are applied to buildings and lots, and demonstrating the general character and context of that district in terms of bulk and layout.

20-201 Official Zoning Map

(a) Incorporation of Map¹

- (1) The boundaries of the zoning districts established by this Code are shown on a map or series of maps designated the Official Zoning Map.
- (2) The Official Zoning Map, including all notations, references, data and other information shown on the Official Zoning Map, is adopted and made a part of this Code.
- (3) The Official Zoning Map shall be maintained by the Director, in accordance with K.S.A. 12-753.
- (4) In the case of any dispute regarding the zoning classification of property subject to this Code, the original maps maintained by the Director shall govern. The Director is responsible for producing all updates of the Official Zoning Map.

(b) Interpretation of Boundaries

- (1) Unless otherwise indicated on the Official Zoning Map, district boundaries shall follow lot lines, the center lines of streets or alleys or the specified distances from such features, railroad right-of-way lines, or lot lines.
- (2) Where uncertainty exists about the boundaries of a zoning district, or when the street or property existing on the ground is different than that shown on the Official Zoning Map, the Director is authorized to determine the location of such boundaries. The Director's interpretation may be appealed to the Board of Zoning Appeals in accordance with Section <> [20-1311].

¹ Current 20-108(a), simplified.

20-202 Zoning District Establishment

(a) Conversion from 2006 LDC

The incorporated area of Lawrence is divided into the zoning districts as shown in Table 20-2-, below.

Table 20-2-1: Lawrence LDC Proposed Zoning Districts	
Current Districts	New Zoning Districts
Residential	
RS40 Single-Dwelling Residential–40,000 sq. feet	R-1: Residential Very Low Density
RS20 Single-Dwelling Residential–20,000 sq. feet	
RS10 Single-Dwelling Residential–10,000 sq. feet	
RS7 Single-Dwelling Residential–7,000 sq. feet	R-2: Residential Low Density
RS5 Single-Dwelling Residential–5,000 sq. feet	
RS3 Single-Dwelling Residential–3,000 sq. feet	R-3: Residential Medium Density
RM12/RM12D Multi-Dwelling Residential– 12 d.u. per acre	
RM15 Multi-Dwelling Residential -- 15 d.u. per acre	
RM24 Multi-Dwelling Residential– 24 d.u. per acre	R-4: Residential High Density
RM32 Multi-Dwelling Residential– 32 d.u. per acre	
New	R-5: Residential Very High Density
RMG Multi-Dwelling Residential-Greek Housing (*Remove and allow Greek Housing as a Permitted or Special Use in the appropriate high density residential and mixed zoning districts)	
Mixed and Commercial	
CN1 Inner Neighborhood Commercial	M-1: Mixed Small Neighborhood
RSO Single-Dwelling Residential-Office - 2,500 sq. feet.	
MU Mixed Use	
CN2 Neighborhood Shopping Center	M-2: Mixed Large Neighborhood
CO Office Commercial	
RMO Multi-Dwelling Residential-Office–22 d.u. / acre	
CS Strip Commercial	M-3: Mixed Corridor
MU Mixed Use	
CC Community Commercial	CC: Commercial Center
CR Regional Commercial	
CD Downtown Commercial	CD: Downtown Commercial
Industrial	
IBP Industrial/Business Park	IBP-R: Industrial Business Park, Retired
IL Limited Industrial	IL: Light Industrial
IM Medium Industrial	

Table 20-2-1: Lawrence LDC Proposed Zoning Districts	
Current Districts	New Zoning Districts
IG General Industrial	IG: General Industrial
Special Purpose	
GPI General Public and Institutional	P-1: Civic and Institutional
H Hospital	
OS Open Space	P-2: Open Space
U/KU University/Kansas University	U: University (includes U-KU and U-HINU)
UR Urban Reserve	UR: Urban Reserve
Planned Unit Development	
PUD (Previously PRD, PCD, PID, POD)	PD: Planned Development
Overlay	
ASO Airspace Overlay	ASO: Airspace Overlay
FP Floodplain Management Regulations Overlay	FP: Floodplain Management Regulations Overlay
HD Historic District Overlay	HD: Historic District Overlay
HL Historic Landmark Designation Overlay	HL: Historic Landmark Designation Overlay
PUD (Previously PRD, PCD, PID, POD)	PD: Planned Development Overlay
UC Urban Conservation Overlay	UC: Urban Conservation Overlay

(b) Districts to Regulate Development and Implement the Comprehensive Plan

- (1) Table 20-2-2 identifies which zoning district appropriately implement a given residential density, commercial type, or industrial intensity designation ("Development Designations") identified in Plan 2040.
- (2) A Development Designation is a broad identifier of future land use and typically can be implemented through more than one zoning district. A dot in the table below indicates that the zoning district implements the corresponding Plan 2040 Development Designation and is therefore an appropriate option for zoning or rezoning of land for that Development Designation.
- (3) A blank cell (no dot) in the table below indicates that the zoning district is not an appropriate option for rezoning of land within the corresponding Development Designation.
- (4) This Code includes zoning districts that pre-date and do not implement the Plan 2040 Development Designations. These zoning districts have been carried forward to this Code and remain current and conforming zoning, but lack of implementation of a Development Designation may be considered reason for rezoning denial. This Code also includes zoning districts that have been retired and to which property may not be rezoned.

Table 20-2-2: Comprehensive Plan Implementation

Category	Residential Density					Commercial Type					Industrial Intensity			
Designation	Very Low	Low	Med	High	Very High	Sm Nhd	Lg Nhd	MU	Com	Reg	Ltd	Light	Med	Heavy
Residential														
R-1	■	■												
R-2		■												
R-3			■											
R-4				■										
R-5					■									
Mixed & Commercial														
M-1			■			■	■	■						
M-2				■			■	■						
M-3				■	■			■						
CC				■	■			■	■	■				
CD					■					■				
Industrial														
IBP-R											■			
IL									■			■	■	
IG														■

20-203 Dimensional Standards General Rules and Exceptions

(a) Measurement of and Exceptions to Density and Dimensional Standards²

(1) Building Coverage

Building coverage refers to the total area of a lot covered by buildings or roofed areas such as gazebos and covered parking areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, and the first two feet of a roof overhang. Uncovered ground-level parking areas, open recreation areas, uncovered patios and plazas will not be counted as building coverage.

(2) Building Height³

(i) Measurement

Building height is the vertical distance between the average finished grade between the lowest and highest grades along the foundation and the highest point of the roof or facade (see graphic).

² Current 20-602, unless otherwise noted. Removed current 20-602(d) related to minimum and maximum site area requirements. Current 20-602(g) related to outdoor area measurements will be addressed in the Site and Structure standards in Module 2. Current 20-602(3)(ii) related to exceptions for interior side setbacks not carried forward – administrative adjustments to setbacks will be discussed and drafted in Module 3.

³ New, simplified approach to measuring height.

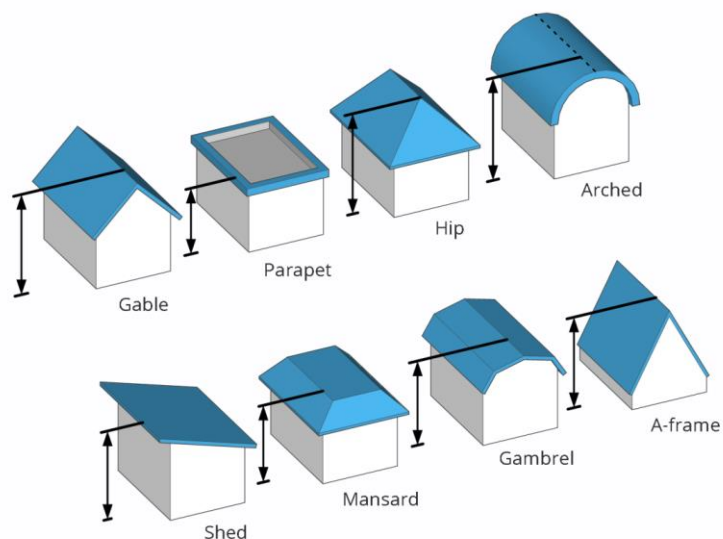


Fig. 20-2-A. Building Height Measurement⁴

(ii) Permitted Height Exceptions

Zoning district height limit exceptions are permitted as follows:

Table 20-2-3: Permitted Height Exceptions⁵	
Permitted Projection	Height Increase (Maximum)
Fire walls or parapet walls	5 feet
Radio antennas, television antennas, church spires, steeples, clock towers, water towers, flag poles, or similar attached and non-habitable structures	Any distance
Roof structures for housing elevators, stairways, tanks, ventilating fans, solar energy collectors, or similar equipment required in the operation or maintenance of a building	10 feet if the structure(s) does not cover more than 33% of the roof area; solar energy collectors may exceed the 33% coverage limitation ⁶

(3) Lot Area

The area of a lot includes the total horizontal surface area within the lot's boundaries. For nonconforming lots, see Article 17, Nonconformities.

⁴ Example graphic to be updated to match Lawrence document colors. Additional graphic demonstrating how to calculate average finished grade will be added in future drafts.

⁵ Removed current 20-602(h)(3)(iii).

⁶ Solar energy collectors excluded from roof area limitation to increase flexibility of design and encourage sustainable building practices.

(4) Lot and Property Lines

(i) Lot Line

A platted boundary of a lot.

a. Lot Line, Front

The street line at the front of a lot. On corner lots, the shorter frontage shall be designated as the front lot line.⁷

b. Lot Line, Interior Side

A lot line that is not a front lot line or rear lot line.

c. Lot Line, Street Side⁸

A side lot line separating a lot from a street other than an alley.

d. Lot Line, Rear

The lot line opposite and most distant from, and parallel or closest to being parallel to, the front lot line. A triangular lot has no rear lot line.

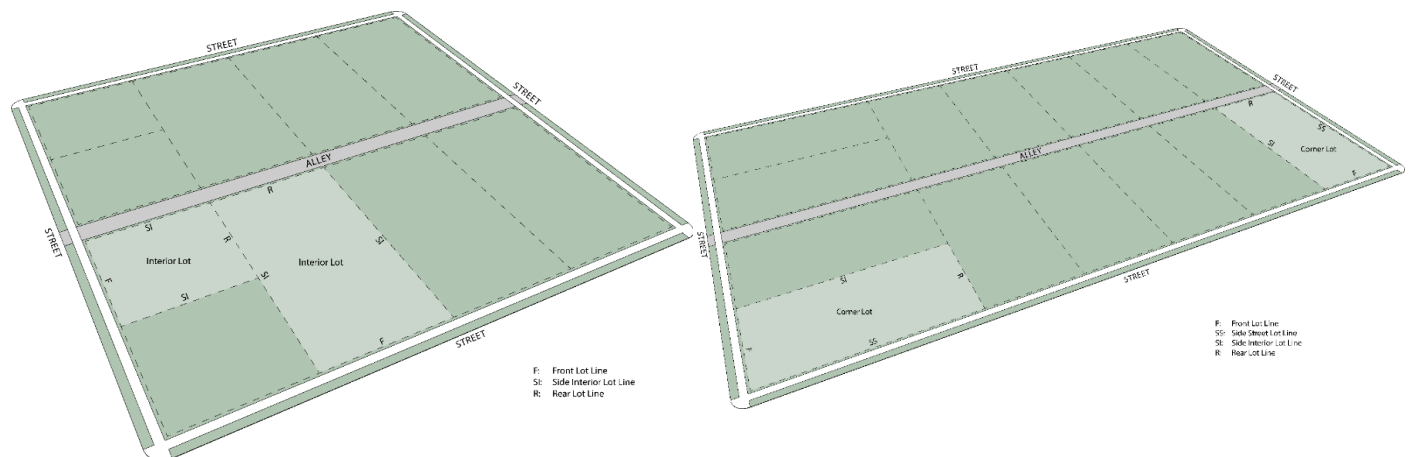


Fig. 20-2-B. Lot Lines on Interior and Corner Lots

(ii) Property Line

The legally described boundary line that indicates the peripheral boundary of a parcel, tract, lot, or block to delineate ownership and setback requirements.

(iii) Irregular Lots⁹

In the case of irregularly shaped lots, the rear lot line shall be those lines that are most nearly opposite the front lot line. To the maximum extent possible, setbacks of irregular lots will match the setbacks of adjacent lots.

⁷ New interpretation of front lot line – replaces ability for property owner to make that determination.

⁸ Replaced "exterior side."

⁹ New. Example graphic to be updated to match Lawrence document colors

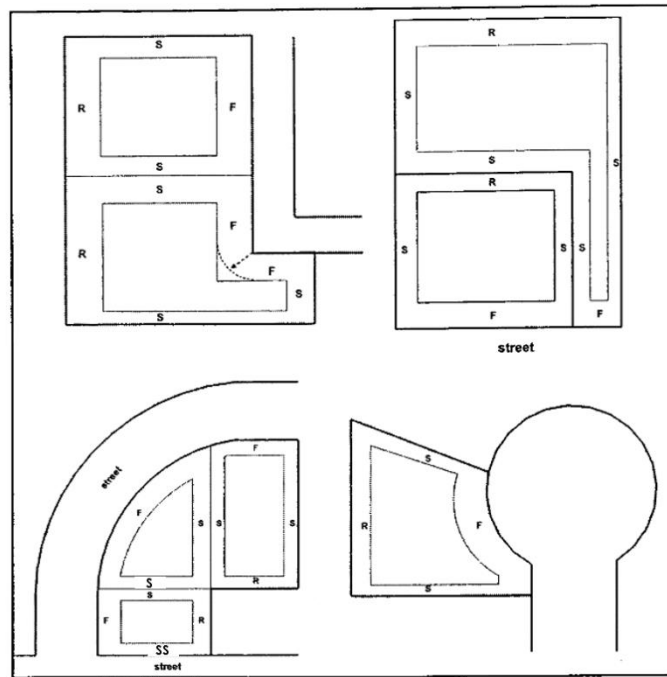


Fig. 20-2-C. Lot Lines and Setbacks on Irregular Lots

(5) Lot Types¹⁰

(i) Corner Lot

A lot at the junction of two or more intersecting or intercepting streets where the angle of intersection of the lot lines does not exceed 135 degrees.

(ii) Double Frontage (Through) Lot

A lot having a pair of opposite lot lines along two relatively parallel public rights-of-way, and that is not a corner lot.

(iii) Flag Lot¹¹

A lot not meeting the minimum lot width or public street frontage requirements, and where access to a public street is limited to a narrow strip of land or private access way.

¹⁰ [Example graphic to be updated to match Lawrence document colors.

¹¹ New definition.

(iv) Interior Lot

Any lot that is not a corner lot.

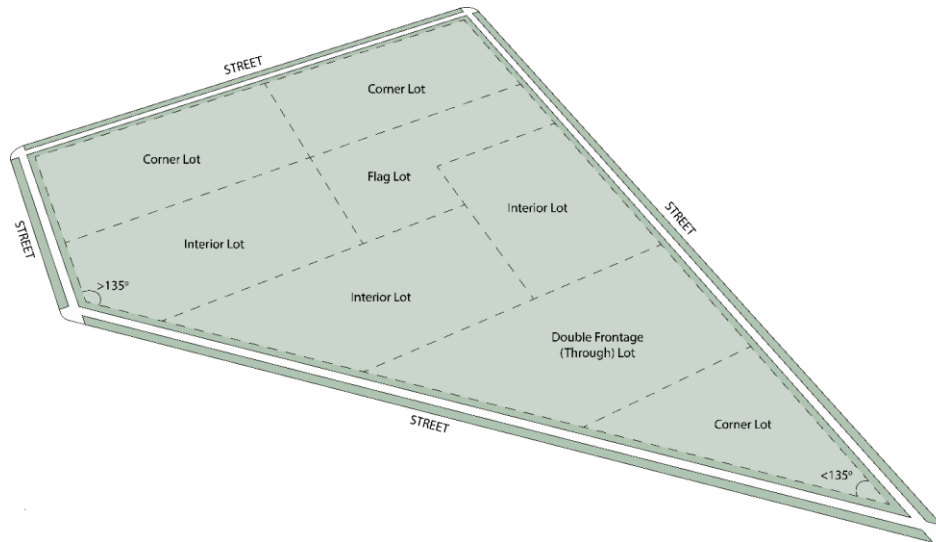


Fig. 20-2-D. Lot Types

(6) Lot Width

Lot width is the distance between side lot lines measured at the point of the required front setback or chord of the front setback. The chord of the front setback is the line segment that joins two points at the side lot lines of a curved lot.

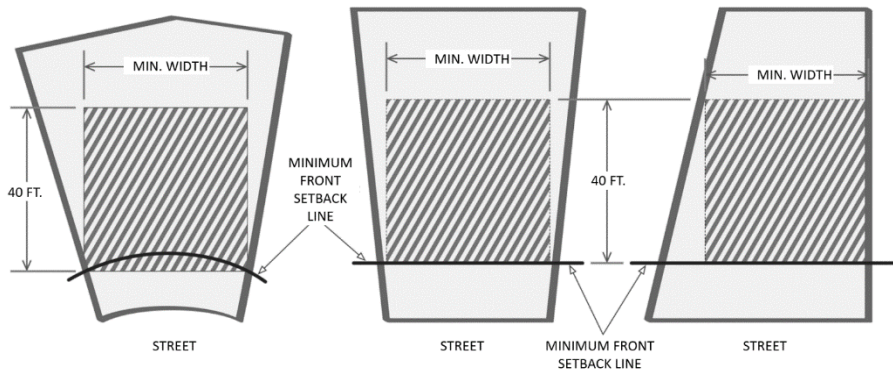


Fig. 20-2-E. Lot Width Measurement¹²

(7) Rule for Through Lots

A through lot shall have two front setbacks, at opposite ends of the lot. The front setback provisions of this section shall apply to both. Other sides of a through lot

¹² Example graphic to be updated to match Lawrence document colors.

shall be subject to side setback standards. For exceptions to fencing standards, see <> [Article 14, Landscaping and Buffering].¹³

(8) Setbacks

(i) Measurement

- a. Front and street side setbacks extend the full width of a lot and are measured from the property line.¹⁴ The front and street side setbacks will overlap at the outside corner of the lot.
- b. Interior side setbacks extend from the required front setback line to the required rear setback line and are measured from the side property line. If no front or rear setback is required, the required setback area shall run to the opposite lot line.
- c. Rear setbacks extend the full width of the lot and are measured from the rear property line.¹⁵

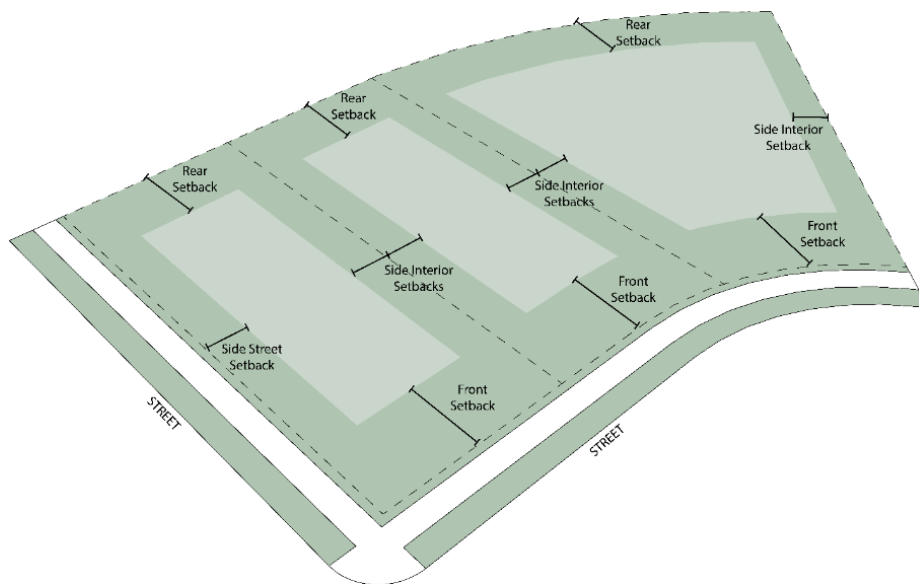


Fig. 20-2-F. Building Setbacks

(ii) Setback Averaging¹⁶

Regardless of the minimum front setback required by the zoning district, a front or street side setback may be reduced to the average of the setbacks of the side of the street between two intersecting streets, referred to as "frontage" below, in accordance with the following:

¹³ The landscaping standards will include the requirement for a through lot to identify a front and rear yard for the purpose of installing privacy fences – the "rear" yard of a through lot would not be subject to fencing limitations applied to the front setback.

¹⁴ Replaced "street right-of-way line" with property line. Reference new definition of property line.

¹⁵ Example graphic to be updated to match Lawrence document colors.

¹⁶ Replaces current 20-601

- a. 35 percent or more of the frontage shall include existing buildings where the front setbacks do not vary more than 15 feet from the required from setbacks of the base district;
- b. The widths of developed lots will be used to determine the percentage of frontage that is developed; and
- c. The actual setbacks of buildings fronting on the street will be used to determine the average front setback.

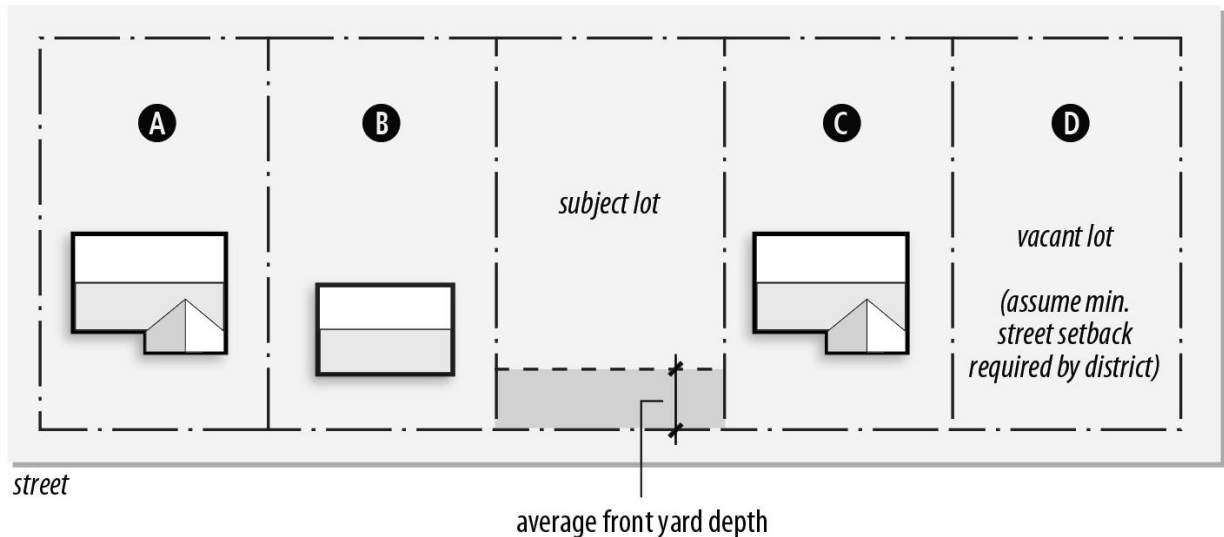


Fig. 20-2-G. Setback Averaging Calculation¹⁷

(iii) Setbacks Along Designated Thoroughfares

The minimum front and street side setbacks for each lot that abuts a street shown on the Lawrence-Douglas County MPO Transportation Plan, as amended, shall be measured from the recommended ultimate right-of-way line for each classification of street. This requirement may be waived by the City Engineer if the City Engineer determines that measuring one or more setback from the ultimate right-of-way line is impracticable due to site or terrain conditions, utility locations, or the infeasibility of expansion of the road to the ultimate right-of-way location.

(iv) Permitted Exceptions to Required Setbacks

Required setbacks shall be unobstructed from the ground to the sky except that the following features may project into a setback area:

¹⁷ Example graphic, including labels, to be updated to match proposed text and Lawrence document colors.

Article 2. Zoning Districts General Provisions
20-203 Dimensional Standards General Rules and Exceptions

20-203(a) Measurement of and Exceptions to Density and Dimensional Standards

Table 20-2-4: Permitted Setback Encroachments

Permitted Encroachment	Encroachment into Principal Structure Setback
Window projections including bay windows, balconies, and chimneys	All setbacks, Up to 2 feet, provided that such features do not occupy, in the aggregate, more than 1/3 the length of the building wall on which they are located
Cornices, canopies, eaves or other architectural features	All setbacks: Up to 2 feet
Covered accessory structures (e.g., greenhouses, storage buildings, wood sheds, covered decks, coops for fowl or other agricultural structures)	Side setback: Allowed, if 6 feet or less in height Rear setback: Allowed, provided they are at least 5 feet from the rear property line
Fences, walls, or hedges up to 6 feet in height (at any point)	All setbacks: Allowed, except as otherwise provided in City Code Chapter 16, Article 6 and on corner lots with a rear property line that abuts a side property line of another lot in a Residential district, no fence, wall or hedge within 25 feet of the common property line may be closer to the street side property line than one-half the depth of the actual front setback or maximum zoning district setback, whichever is less, of the lot that fronts on the side street
Neighborhood community exchanges boxes ¹⁸	Front and side setbacks: Allowed in Residential, Mixed, and Commercial districts provided the portion of the yard occupied by the box does not exceed 2 square feet
Mechanical structures (e.g., heat pumps, air conditioners, emergency generators, and water pumps)	Rear setback: Allowed, provided they are at least 5 feet from the rear property line
Uncovered horizontal structures (e.g., decks, stairways, entry bridges, wheelchair ramps, swimming pools, hot tubs and tennis courts)	All setbacks: Allowed if the structure extends no more than 2.5 feet above the ground and not enclosed other than with a fence
Uncovered stair and necessary landings	All setbacks: Allowed, provided they are at least 3 feet from all property lines and the stair and landing may not extend above the entrance floor of the building except for a railing not exceeding 4 feet in height
Unenclosed fire escapes, including below grade window wells	All setbacks: Allowed, provided they are at least 3 feet from all property lines
Vertical structures (e.g., flag poles, trellises and other garden structures, play structures, radio antennas, and lamp posts)	All setbacks: Allowed if 30 feet or less in height or a flagpole of any height

¹⁸ New.

(b) Neighborhood Transition Standards¹⁹

(1) Applicability

This section shall apply to any building proposed to be constructed in a Mixed or Commercial, Industrial, or Special Purpose district on a parcel (non-protected lot) adjoining, or separated only by an alley or a public street from, a parcel of land in any R-1 or R-2 district (Protected Residential Districts), except that this limit shall not apply to any building constructed in the CD district.

(i) Height Transition Areas

A height transition area of 25 feet in width is established on the non-protected lot along each side and rear property line abutting an existing residence in a Protected Residential District. All new construction and additions within the height transition area are limited in height to no more than the maximum height of the Protected Residential District. Beyond the 25-foot transition zone, the height limit in the non-protected zoning district is the maximum height for the applicable zoning district.

(ii) New Primary Structure Height Greater than 35 Feet

New primary buildings with a height greater than 35 feet shall reduce the perceived height of the building when viewed from the Protected Residential District lots by using at least one of the following techniques.²⁰

- a. "Stepping down" building height of any portion of the building within 100 feet of the side and rear lot lines abutting a lot zoned in any Residential district to a maximum of 35 feet; or

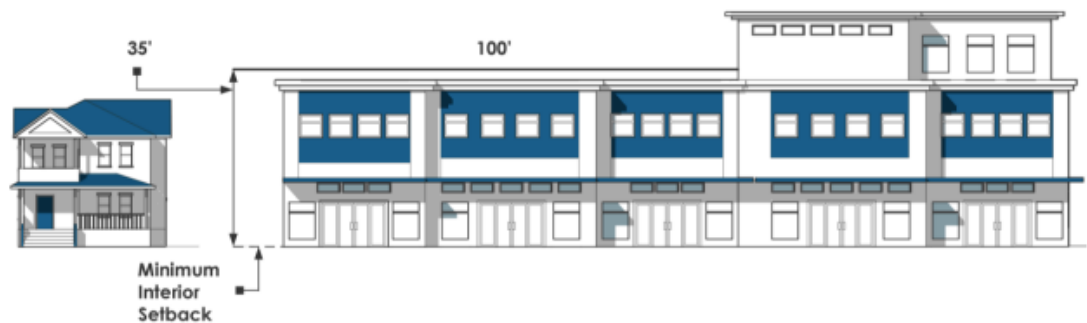


Fig. 20-2-H. Building Step Down Requirement

- b. Increasing the side and rear setbacks abutting the residentially zoned lots by at least 10 feet beyond the minimum principal building setback in the R-1 or R-2 district.

¹⁹ Similar to current 20-602(h)(2), revised to limit applicability to specific residential districts and address height transitions without requiring extensive setback areas.

²⁰ Both graphics, including labels, will be updated to match Lawrence document and colors.

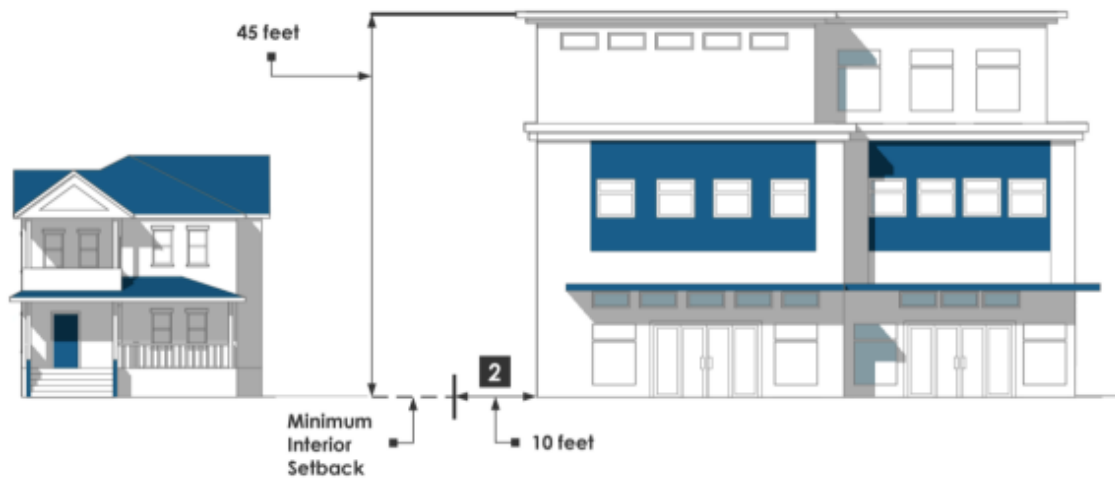


Fig. 20-2-I. Increased Building Setback Requirement

20-204 Occupancy Standards²¹

Occupancy means residing or sleeping at a dwelling unit the majority of a person's time. Unless otherwise expressly stated in this Code, all household living uses, as identified in Table 20-8-1: Principal Use Table, shall be limited to one household per dwelling unit. A household is defined as any of the following:

- (a) A single person occupying a dwelling unit;
- (b) Any number of people related to each other by blood, marriage or other committed partnership, adoption, fostering, or guardianship;
- (c) Up to 5 adults of any relationship, plus any minor related children (as defined above);
- (d) Up to 8 adults of any relationship with a disability according to the definition in the Federal Fair Housing Act, and who do not meet this Code's definition of a Congregate Living or Residential Care use;
- (e) Up to 8 older adults (55 or older) who do not meet this Code's definition of a Congregate Living or Residential Care Use.

²¹ New occupancy limitations applied broadly to all residential uses, rather than specific to zoning districts.

Article 3. Residential Zoning Districts²²

20-301 Residential Districts Established

The following Residential zoning districts are established in this Code as summarized in Table 20-3-1, below. When the Code refers to Residential zoning districts, these districts are included.

Table 20-3-1: Residential Zoning Districts Summary		
Legacy Zoning Districts	Zoning District Name	Section
RS40 Single-Dwelling Residential–40,000 sq. feet	R-1: Residential Very Low Density	20-303
RS20 Single-Dwelling Residential–20,000 sq. feet		
RS10 Single-Dwelling Residential–10,000 sq. feet		
RS7 Single-Dwelling Residential–7,000 sq. feet	R-2: Residential Low Density	20-304
RS5 Single-Dwelling Residential–5,000 sq. feet		
RS3 Single-Dwelling Residential–3,000 sq. feet	R-3: Residential Medium Density	20-305
RM12/RM12D Multi-Dwelling Residential– 12 d.u. per acre		
RM15 Multi-Dwelling Residential -- 15 d.u. per acre		
RM24 Multi-Dwelling Residential– 24 d.u. per acre	R-4: Residential High Density	20-306
RM32 Multi-Dwelling Residential– 32 d.u. per acre		
New	R-5: Residential Very High Density	20-307
RMG Multi-Dwelling Residential-Greek Housing	[Removed]	

²² The street access standards of all districts have been removed and will be addressed in the Mobility and Connectivity article during the drafting of Module 2.

Comment

This version has summary dimensional tables for all proposed zoning districts to allow easier review and comparison of the new district line-up. These dimensions will be moved into the individual districts for the public review draft.

Table 20-3-2: Residential District Dimensional Summary

SF = Square Feet FT = Feet N/A = Not Applicable

Current Zoning Districts	RS10, RS20, RS40	RS5, RS7	RS3, RM12, RM12D, RM15	RM24, RM32	New
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5
Lot Standards					
Lot Area, Minimum	23	24	25	26	
Dwelling, Detached and Duplex	10,000 SF	5,000 SF	3,000 SF	3,000 SF	Not Allowed
Dwelling, Attached	Not Allowed	2,000 SF	1,800 SF	1,200 SF	1,200 SF
Multunit Dwelling	Not Allowed	Not Allowed	No minimum lot size, must meet lot, setback, and coverage standards		
Lot Width, Minimum	70 FT ²⁷	40 FT ²⁸	25 FT ²⁹	50 FT ³⁰	50 FT
Density, Minimum	No minimum	4 units/acre	6 units/acre	15 units/acre	32 units/acre
Density, Maximum	4 units/acre ³¹	6 units/acre ³²	15 units/acre ³³	32 units/acre ³⁴	No Maximum
Building Setbacks (Minimum)					
Principal Building					

²³ Current minimum requirements: RS40 – 40,000 SF, RS20 – 20,000 SF, and RS10 – 10,000 SF.

²⁴ Current minimum requirements: RS7 – 7,000 SF and RS5 – 5,000 SF.

²⁵ Current minimum requirements: RS3 – 3,000, RM12/RM12D – 6,000 SF, and RM15 – 6,000 SF.

²⁶ Current minimum requirements: RM24 – 6,000 SF and RM32 – 10,000 SF.

²⁷ Current minimum requirements: RS40 – 150 FT, RS20 – 100 FT, and RS10 – 70 FT.

²⁸ Current minimum requirements: RS7 – 60 FT and RS5 – 40 FT.

²⁹ Current minimum requirements: RS3 – 25 FT, RM12/RM12D – 60 FT, and RM15 – 60 FT.

³⁰ Carried forward current minimum R24 and R32 requirements.

³¹ Current maximum density requirements: RS40 – 40,000 SF/DU, RS20 – 20,000 SF/DU, and RS10 – 10,000 SF/DU.

³² Current maximum density requirements: RS5 – 5,000 SF/DU and RS7 – 7,000 SF/DU.

³³ Current maximum density requirements: RS3 – 3,000 SF/DU, RM12/RM12D – 12 DU/acre, and RM15 – 15 DU/acre.

³⁴ Current maximum density requirements: RM24 – 24 DU/acre and RM32 – 32 DU/acre.

Table 20-3-2: Residential District Dimensional Summary

SF = Square Feet FT = Feet N/A = Not Applicable

Current Zoning Districts	RS10, RS20, RS40	RS5, RS7	RS3, RM12, RM12D, RM15	RM24, RM32	New
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5
Front & Street Side ³⁵	20 FT ³⁶	20 FT ³⁷	15 FT ³⁸	15 FT ³⁹	15 FT
Interior Side	10 FT ⁴⁰	5 FT	5 FT	5 FT	5 FT
Rear ⁴¹	20 FT ⁴²	15 FT ⁴³	10 FT ⁴⁴	10 FT ⁴⁵	10 FT
Accessory Building ⁴⁶					
Front	30 FT	30 FT	25 FT	25 FT	25 FT
Street Side	25 FT	25 FT	20 FT	20 FT	20 FT
Interior Side	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]
Rear	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]	5 FT or 0 FT [1]
Coverage (Maximum)					
Principal Building Coverage	40% ⁴⁷	50% ⁴⁸	50% ⁴⁹	60% ⁵⁰	65%
Accessory Building Coverage	See 20-811(b)(3)				

³⁵ Removed distinction between lots abutting rear and side lot lines.

³⁶ Front decreased from 25 FT in all districts. Decreased from 25 FT in all districts for lots abutting interior side lot lines. Decreased from 25 FT in the RS40 and increased from 15 FT in the RS10 district for lots abutting a rear lot line.

³⁷ Front decreased from 25 FT in RS7. Decreased from 25 FT in RS7 for lots abutting interior side lots and increased from 10 FT in both districts for lots abutting a rear lot line.

³⁸ Front decreased from 25 FT in RM12/RM12D and RM15. Decreased from 25 FT in RM12/RM12D and RM15 for lots abutting interior side lines and increased from 10 FT in all districts for lots abutting a rear lot line.

³⁹ Front decreased from 25 FT in both districts. Decreased from 25 FT in both districts for lots abutting interior side lot lines and increased from 10 FT in both districts for lots abutting a rear lot line.

⁴⁰ Decreased from 20 FT in the RS40 and RS20 districts.

⁴¹ Distinction between rear setbacks on single and double frontage lots not carried forward.

⁴² Decreased from 30 FT in all districts.

⁴³ Decreased from 30 FT in RS7 and 20 FT on RS5.

⁴⁴ Decreased from 20 FT in RS3 and RM12/RM12D and 25 FT in RM15.

⁴⁵ Decreased from 20 FT in both districts.

⁴⁶ Front and street side requirements are new. Interior and rear side carry forward current 20-533(3).

⁴⁷ Current maximum requirements: RS40 – 15, RS20 – 30, and RS10 – 40.

⁴⁸ Current maximum requirements: RS7 – 45 and RS5 – 50.

⁴⁹ Carried forward current maximum requirement for all districts.

⁵⁰ Current maximum requirements: RM24 – 50 and RM32 – 60.

Table 20-3-2: Residential District Dimensional Summary

SF = Square Feet FT = Feet N/A = Not Applicable

Current Zoning Districts	RS10, RS20, RS40	RS5, RS7	RS3, RM12, RM12D, RM15	RM24, RM32	New
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5
Impervious Surface Coverage	70% ⁵¹	75% ⁵²	75% ⁵³	80% ⁵⁴	85%
Height (Maximum)					
Principal Building Height	35 FT ⁵⁵	35 FT ⁵⁶	4 stories not to exceed 45 FT ⁵⁷	4 stories not to exceed 45 FT ⁵⁸	5 stories not to exceed 55 FT
Accessory Building Height	25 FT or the height of the principal building on the same lot, whichever is less				
Notes: [1] When the lot abuts an alley and no part of the structure overhangs or otherwise encroaches onto the alley.					

20-302 Purpose⁵⁹

The Residential zoning districts are intended to:

- (a) Implement the vision, goals, and action items of the Comprehensive Plan;
- (b) Provide appropriately located areas for a variety of housing types and densities to create housing opportunities for the community;
- (c) Ensure new developments maintain and enhance the unique character of Lawrence; and
- (d) Provide compatible transitions from residential neighborhoods to more intensive uses for both established and new neighborhood areas.

⁵¹ Current maximum requirements: RS40 – 25, RS20 – 50, and RS10 – 70.

⁵² Current maximum requirements: RS7 – 70 and RS5 – 75.

⁵³ Carried forward current maximum requirement for all districts.

⁵⁴ Current maximum requirements: RM24 – 75 and RM32 – 80.

⁵⁵ Carried forward current maximum requirement for all districts.

⁵⁶ Carried forward current maximum requirement for all districts.

⁵⁷ Current maximum requirements: RS3: 35 FT, RM12/RM12D – 35 FT, and RM15 – 45 FT.

⁵⁸ Current maximum requirement for RM24 and RM32 is 45 FT.

⁵⁹ New, includes language from policies in the Residential section of Chapter 3, Growth and Development, in Plan 2040.

20-303 R-1: Residential Very Low Density⁶⁰

(a) Purpose

The purpose of the R-1 district is to accommodate residential development on relatively large lots plus a limited number of related civic uses while ensuring compatibility with surrounding patterns of development.

(b) Dimensional Standards⁶¹

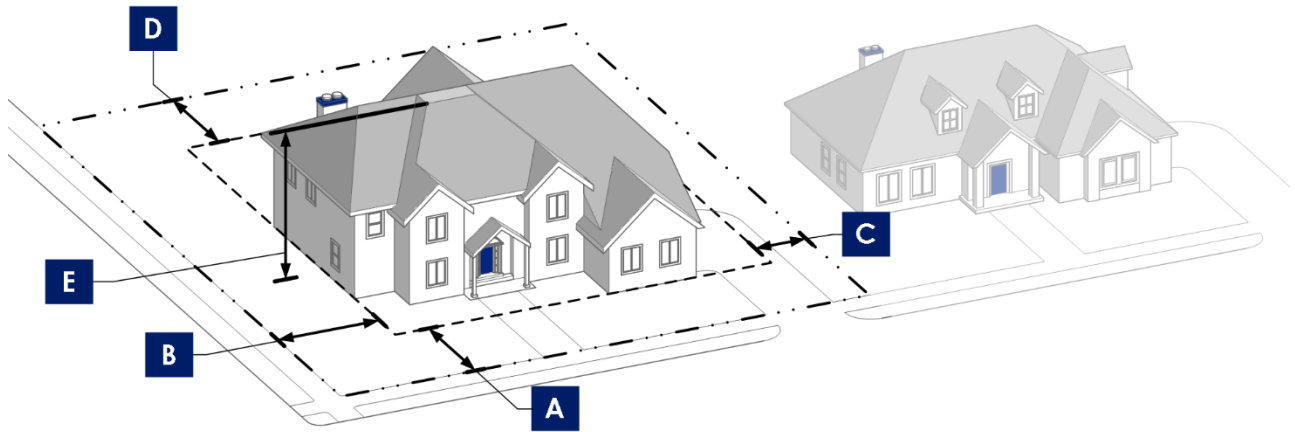


Table 20-3-3: R-1 Lot and Building Standards

Lot Standards			Accessory Building Setbacks (Minimum)		
Lot Area, Minimum			Front	30 FT	
Dwelling, Detached and Duplex		10,000 SF	Street Side	25 FT	
Dwelling, Attached		Not Allowed	Interior Side	5 FT or 0 FT [1]	
Dwelling, Multiunit		Not Allowed	Rear	5 FT or 0 FT [1]	
Lot Width, Minimum		70 FT	Coverage (Maximum)		
Density, Minimum Maximum		N/A 4 units/acre	Principal Building Coverage	40%	
Principal Building Setbacks (Minimum)			Accessory Building Coverage	See 20-811(b)(3)	
A	Front	20 FT	Impervious Surface Coverage	70%	
B	Street Side	20 FT	Building Height (Maximum)		
C	Interior Side	10 FT	E	Principal Building	35 FT
D	Rear	20 FT		Accessory Building	[2]

Notes:

- [1] When the lot abuts an alley and no part of the structure overhangs or otherwise encroaches onto the alley.
[2] 25 FT or the height of the principal building on the same lot, whichever is less.
[3] See Section 20-203, Dimensional Standards General Rules and Exceptions.

⁶⁰ New. Consolidates current RS10, RS20, and RS40 districts.

⁶¹ Graphic to be updated to include an accessory structure in future drafts.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-3-4: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-304 R-2: Residential Low Density⁶²

(a) Purpose

The purpose of the R-2 district is to accommodate residential development on medium-sized lots in established neighborhoods, plus a limited number of related civic uses, while ensuring compatibility with surrounding patterns of development. This district may be used as a transition between large-lot residential development and small-lot residential development.

(b) Dimensional Standards⁶³

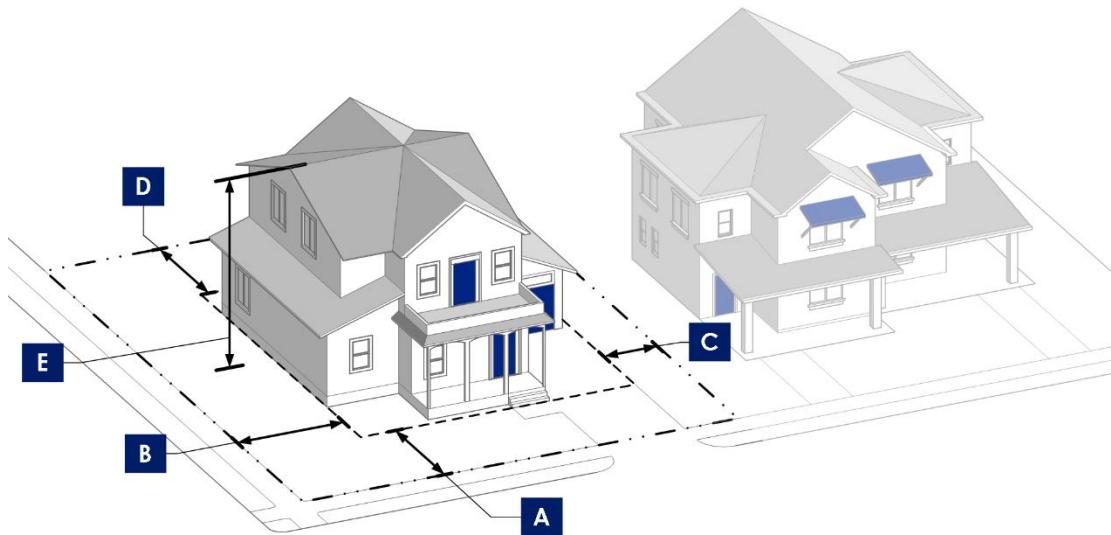


Table 20-3-5: R-2 Lot and Building Standards				
Lot Standards		Accessory Building Setbacks (Minimum)		
Lot Area, Minimum			Front	
Dwelling, Detached and Duplex			Street Side	
Dwelling, Attached			Interior Side	
Dwelling, Multiunit			Rear	
Lot Width, Minimum		Coverage (Maximum)		
Density, Minimum Maximum		Principal Building Coverage		
Principal Building Setbacks (Minimum)		Accessory Building Coverage		
A	Front	Impervious Surface Coverage		
B	Street Side	Building Height (Maximum)		
C	Interior Side	E	Principal Building	
D	Rear		Accessory Building	

⁶² New. Consolidates current RS5 and RS7 districts.

⁶³ Graphic to be updated to include an accessory structure in future drafts.

Table 20-3-5: R-2 Lot and Building Standards

Notes:

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-3-6: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-305 R-3: Residential Medium Density⁶⁴

(a) Purpose

The purpose of the R-3 district is to accommodate neighborhoods with a flexible mix of compact detached, attached, and multi-unit housing as well as civic and limited commercial uses. This district may be used as a transition district between small-lot residential development and urban-scale residential, commercial, and civic development.

(b) Dimensional Standards⁶⁵



Table 20-3-7: R-3 Lot and Building Standards

Lot Standards		Accessory Building Setbacks (Minimum)	
Lot Area, Minimum		Front	
Dwelling, Detached and Duplex		Street Side	
Dwelling, Attached		Interior Side	
Dwelling, Multiunit		Rear	
Lot Width, Minimum		Coverage (Maximum)	
Density, Minimum Maximum		Principal Building Coverage	
Principal Building Setbacks (Minimum)		Accessory Building Coverage	
A Front		Impervious Surface Coverage	
B Street Side		Building Height (Maximum)	
C Interior Side		E Principal Building	
D Rear		Accessory Building	

⁶⁴ New. Consolidates current RM3, RM12/RM12D, and RM15 districts.

⁶⁵ Graphic to be updated to include an accessory structure in future drafts.

Table 20-3-7: R-3 Lot and Building Standards

Notes:

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-3-8: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-306 R-4: Residential High Density⁶⁶

(a) Purpose

The purpose of the R-4 district is to accommodate medium scale residential development, plus related civic and residential-supportive uses, at a scale that is larger than neighborhood-scale but smaller than urban-scale to ensure an adequate mix of housing types throughout the community. This district may be used as a transition between urban neighborhoods and more intense residential, commercial, and civic development.

(b) Dimensional Standards⁶⁷

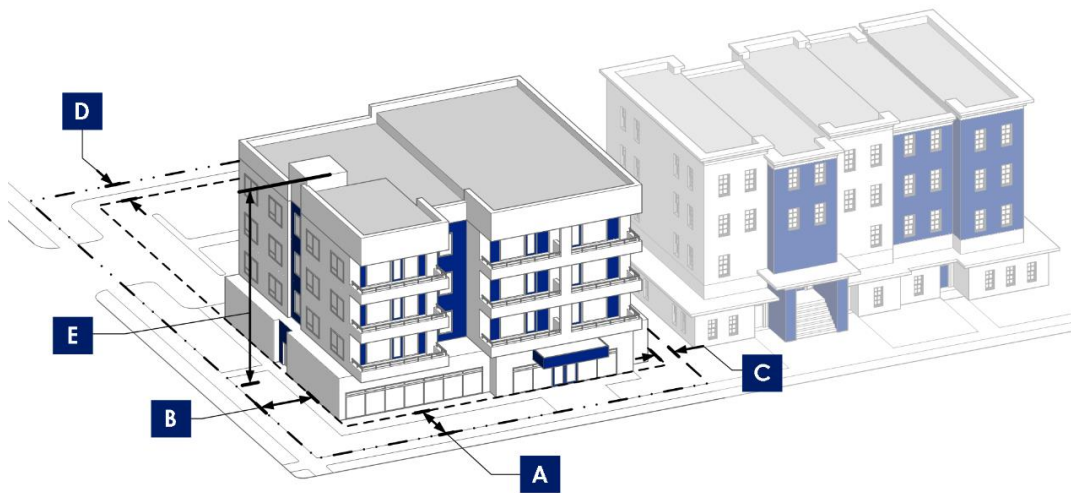


Table 20-3-9: R-4 Lot and Building Standards

Lot Standards		Accessory Building Setbacks (Minimum)	
Lot Area, Minimum		Front	
Dwelling, Detached and Duplex		Street Side	
Dwelling, Attached		Interior Side	
Dwelling, Multiunit		Rear	
Lot Width, Minimum		Coverage (Maximum)	
Density, Minimum Maximum		Principal Building Coverage	
Principal Building Setbacks (Minimum)		Accessory Building Coverage	
A Front		Impervious Surface Coverage	
B Street Side		Building Height (Maximum)	
C Interior Side		E Principal Building	
D Rear		Accessory Building	

⁶⁶ New. Consolidates current RM24 and RM32 districts.

⁶⁷ Graphic to be updated to include an accessory structure in future drafts.

Table 20-3-9: R-4 Lot and Building Standards

Notes:

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-3-10: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-307 R-5: Residential Very High Density⁶⁸

(a) Purpose

The purpose of the R-5 district is to accommodate predominantly residential development near retail, employment, transit, and other concentrated uses, as well as supportive civic and limited commercial uses. This district can also serve as a transition between other lower-density districts and the downtown or university areas.

(b) Dimensional Standard⁶⁹

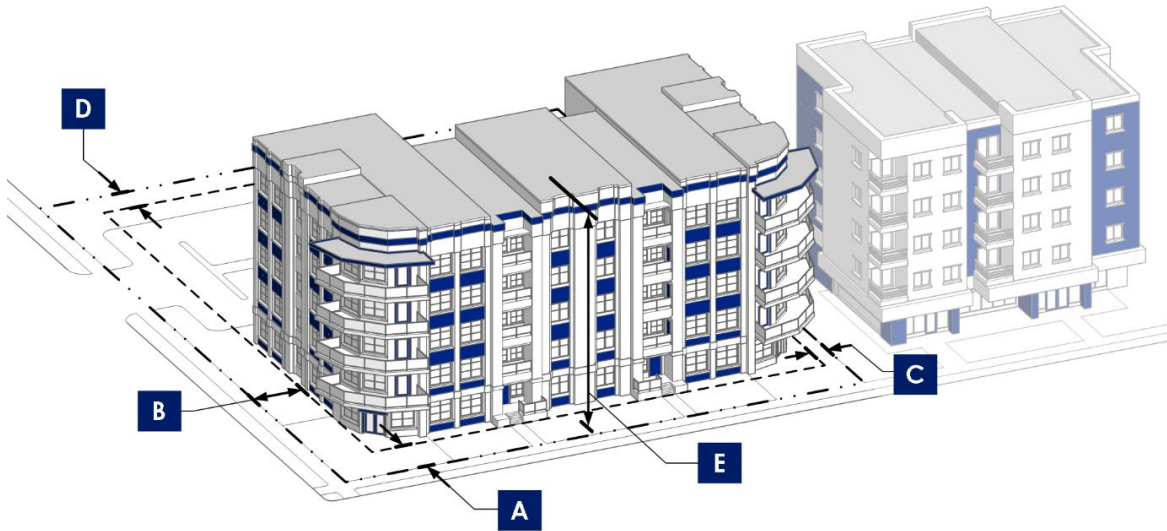


Table 20-3-11: R-5 Lot and Building Standards

Lot Standards		Accessory Building Setbacks (Minimum)	
Lot Area, Minimum		Front	
Dwelling, Detached and Duplex		Street Side	
Dwelling, Attached		Interior Side	
Dwelling, Multiunit		Rear	
Lot Width, Minimum		Coverage (Maximum)	
Density, Minimum Maximum		Principal Building Coverage	
Principal Building Setbacks (Minimum)		Accessory Building Coverage	
A Front		Impervious Surface Coverage	
B Street Side		Building Height (Maximum)	
C Interior Side		E Principal Building	
D Rear		Accessory Building	

⁶⁸ New.

⁶⁹ Graphic to be updated to include an accessory structure in future drafts.

Table 20-3-11: R-5 Lot and Building Standards

Notes:

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-3-12: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

Article 4. Mixed and Commercial Zoning Districts⁷⁰

20-401 Mixed and Commercial Districts Established

The following Mixed and Commercial zoning districts are established in this Code as summarized in Table 20-4-1, below. When the Code refers to Mixed and Commercial zoning districts, these districts are included.

Table 20-4-1: Mixed and Commercial Zoning Districts Summary		
Legacy Zoning Districts	Zoning District Name	Section
CN1 Inner Neighborhood Commercial	M-1: Mixed Small Neighborhood	20-403
RSO Single-Dwelling Residential-Office - 2,500 sq. feet.		
MU Mixed Use		
CN2 Neighborhood Shopping Center	M-2: Mixed Large Neighborhood	20-404
CO Office Commercial		
RMO Multi-Dwelling Residential-Office-22 d.u. / acre		
CS Strip Commercial	M-3: Mixed Corridor	20-405
MU Mixed Use		
CC Community Commercial	CC: Commercial Center	20-406
CR Regional Commercial		
CD Downtown Commercial	CD: Downtown Commercial	20-407

⁷⁰ The street access standards of all districts have been removed and will be addressed in the Mobility and Connectivity article during the drafting of Module 2.

Table 20-4-2: Nonresidential District Dimensional Summary

SF = Square Feet FT = Feet Adj = Adjacent

R = Residential District Non-R = Mixed Use, Industrial, or Special Purpose District

Current Zoning Districts	CN1, RSO, MU (Tertiary)	CN2, CO, RMO	CS, MU (Primary/Secondary)	CC, CR	CD	IBP	IL, IM	IG	GPI, H	OS
Proposed Zoning Districts	M-1	M-2	M-3	CC	CD	IBP-R	IL	IG	P-1	P-2
Lot Standards										
Lot Area, Minimum	None	None	None	None	None	20,000 SF	None	None	None	None
Lot Width, Minimum	50 FT ⁷¹	50 FT ⁷²	50 FT ⁷³	100 FT ⁷⁴	25 FT	200 FT	100 FT	50 FT	200 FT	None
Standards for Residential Only Residential Development	R-2	R-3	R-3	N/A	R-4	N/A	N/A	N/A	R-3	N/A
Building Setbacks										
Front ⁷⁵	MIN: 10 FT ⁷⁶ MAX: 25 FT	MIN: 6 FT MAX: 25 FT ⁷⁷	MIN: 6 FT MAX: 25 FT ⁷⁸	MIN: 0 FT	MIN: 0 FT MAX: 5 FT	40 FT	25 FT or 50 FT [1] ⁸⁰	25 FT or 50 FT [1] ⁸¹	15 FT ⁸²	35 FT

⁷¹ Increased from 25 FT in the MU (Tertiary) district.

⁷² Decreased from 100 FT in CN2.

⁷³ Increased from 25 FT in the MU (Primary and Secondary) district.

⁷⁴ Decreased from 150 FT in CR.

⁷⁵ New “build-to” ranges established for Mixed and Commercial districts using minimum and maximum setback requirements.

⁷⁶ Minimum Setback: Removed setback averaging requirement for CN1, decreased from 25 FT in RSO, and increased from 0 FT in MU (Tertiary). Maximum Setback: Removed setback averaging requirement for CN1, added a maximum where there is none in RSO), and increased from 10 FT in MU (Tertiary).

⁷⁷ Matches the T4, Urban Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 20 FT in CN2 and CO and 25 FT in RMO.

⁷⁸ Matches the T4, Urban Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 25 FT in CS and increased from 0 FT in MU (Primary/Secondary). Maximum Setback: Increased from 10 FT in MU (Primary/Secondary) and added a maximum where there is none in CS.

⁸⁰ All setbacks in new IL replace requirements based on abutting and adjacent street/lot types.

⁸¹ All setbacks in new IG replace requirements based on abutting and adjacent street/lot types.

⁸² Decreased from 40 FT.

Table 20-4-2: Nonresidential District Dimensional Summary

SF = Square Feet FT = Feet Adj = Adjacent

R = Residential District Non-R = Mixed Use, Industrial, or Special Purpose District

Current Zoning Districts	CN1, RSO, MU (Tertiary)	CN2, CO, RMO	CS, MU (Primary/Secondary)	CC, CR	CD	IBP	IL, IM	IG	GPI, H	OS
Proposed Zoning Districts	M-1	M-2	M-3	CC	CD	IBP-R	IL	IG	P-1	P-2
				MAX: 12 FT ⁷⁹						
Street Side ⁸³	MIN: 10 FT MAX: 25 FT ⁸⁴	MIN: 6 FT MAX: 25 FT ⁸⁵	MIN: 6 FT MAX: 25 FT ⁸⁶	MIN: 0 FT MAX: 12 FT ⁸⁷	0 FT	40 FT	25 FT or 50 FT [1]	25 FT or 50 FT [1]	15 FT ⁸⁸	20 FT
Interior Side (Adj. R)	10 FT ⁸⁹	20 FT ⁹⁰	12 FT ⁹¹	25 FT ⁹²	20 FT	40 FT	25 FT	25 FT	15 FT ⁹³	20 FT
Interior Side	0 FT ⁹⁴	0 FT ⁹⁵	0 FT	0 FT	0 FT	15 FT	10 FT	10 FT	5 FT ⁹⁶	15 FT

⁷⁹ Matches the T5 Urban Core Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 25 FT in both districts. Maximum Setback: Decreased from 20 FT in CC and increased from 0 FT in CR.

⁸³ Removed distinction between lots abutting rear and side lot lines. Did not carry forward “same as front yard of abutting lot” for those lots abutting side lot lines. Maximum setbacks are new unless otherwise noted.

⁸⁴ Minimum Setback: Decreased from 20 FT in CN1 for lots abutting rear lot lines and 25 FT in RSO for lots abutting side lot lines, and increased from 0 FT in MU (Tertiary). Maximum Setback: Increased from 10 FT in MU (Tertiary).

⁸⁵ Matches the T4, Urban Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 20 FT in CN2 and CO for lots abutting rear lot lines and 25 FT for lots abutting side lot lines/10 FT for lots abutting rear lot lines in RMO.

⁸⁶ Matches the T4, Urban Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 25 FT in CS for lots abutting rear lot lines and increased from 0 FT in MU (Primary/Secondary). Maximum Setback: Increased from 10 FT in MU (Primary/Secondary).

⁸⁷ Matches the T5 Urban Core Transect Zone from the Lawrence SmartCode. Minimum Setback: Decreased from 20 FT in both districts for lots abutting rear lot lines.

⁸⁸ Decreased from 40 FT.

⁸⁹ Increased from 5 FT in RSO and 0-5 FT in MU (Tertiary).

⁹⁰ Increased from 5 FT in RMO.

⁹¹ Increased from 0-5 FT in MU (Primary/Secondary).

⁹² Decreased from 45 FT in CR.

⁹³ Decreased from 40 FT.

⁹⁴ Decreased from 5 FT in RSO.

⁹⁵ Decreased from 5 FT in CO and RMO.

⁹⁶ Decreased from 15 FT.

Table 20-4-2: Nonresidential District Dimensional Summary

SF = Square Feet FT = Feet Adj = Adjacent

R = Residential District Non-R = Mixed Use, Industrial, or Special Purpose District

Current Zoning Districts	CN1, RSO, MU (Tertiary)	CN2, CO, RMO	CS, MU (Primary/Secondary)	CC, CR	CD	IBP	IL, IM	IG	GPI, H	OS
Proposed Zoning Districts	M-1	M-2	M-3	CC	CD	IBP-R	IL	IG	P-1	P-2
(Adj. Non-R)										
Rear ⁹⁷	20 FT	15 FT	12 FT	12 FT	0 FT	40 FT	20 FT	20 FT	15 FT ⁹⁸	0 FT
Coverage (Maximum)										
Building Coverage ⁹⁹	65%	70%	70%	70%	100%	65%	65%	65%	65%	N/A
Impervious Surface Coverage	75% ¹⁰⁰	80% ¹⁰¹	80% ¹⁰²	80% ¹⁰³	100%	75%	75%	75%	75%	N/A
Height (Maximum)										
Building Height	35 FT ¹⁰⁴	50 FT ¹⁰⁵	50 FT ¹⁰⁶	75 FT ¹⁰⁷	90 FT	60 FT	45 FT	75 FT	60 FT	35 FT
Notes:										
[1] If adjacent to or abutting a Residential zoning district.										

20-402 Purpose¹⁰⁸

The Mixed and Commercial zoning districts are intended to:

- (a) Implement the vision, goals, and action items of the Comprehensive Plan;

⁹⁷ Distinction between rear setbacks on single and double frontage lots not carried forward.

⁹⁸ Decreased from 40 FT.

⁹⁹ New, replaced current maximum lot coverage.

¹⁰⁰ Decreased from 85% in MU (Tertiary) district.

¹⁰¹ Increased from 75% in CO and RMO.

¹⁰² Decreased from 100/95% in MU (Primary/Secondary).

¹⁰³ Increased from 75% in CR.

¹⁰⁴ Increased from 25 FT in CN1 and 24 FT in the MU (Tertiary) district.

¹⁰⁵ Increased from 45 FT in CN2 and RMO.

¹⁰⁶ Increased from 45 FT in CS and 48/36 FT in MU (Primary/Secondary).

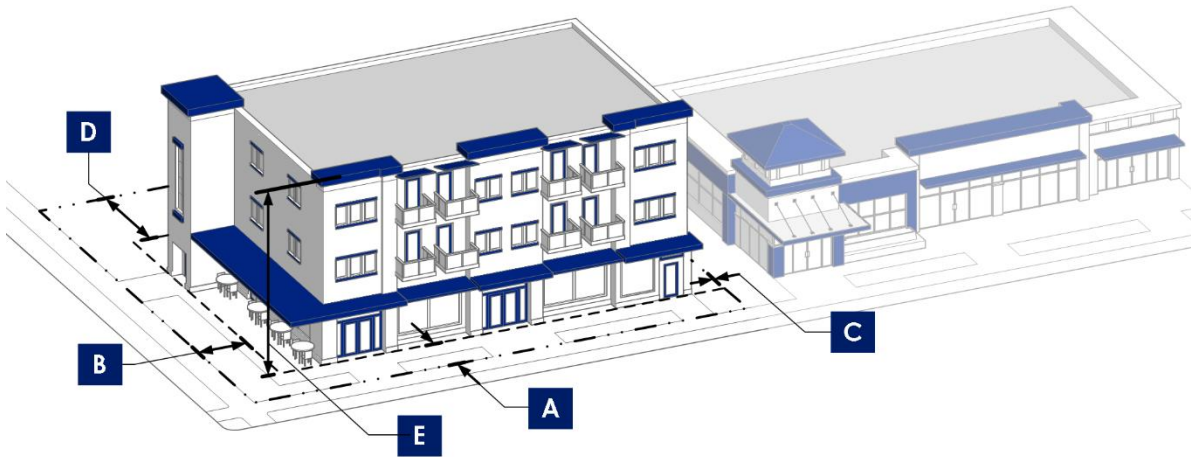
¹⁰⁷ Increased from 50 FT in CC.

¹⁰⁸ New, includes language from policies in the Commercial section of Chapter 3, Growth and Development, in Plan 2040.

- (b) Provide for the improvement and redevelopment of existing commercial areas and allow for infill development;
- (c) Encourage appropriate development and redevelopment of local commercial areas to serve the surrounding existing and future neighborhoods;
- (d) Ensure compatible transitions from commercial land uses to other, less intensive uses to mitigate impacts; and
- (e) Maintain and increase the core concentration of residential, retail, office, civic, cultural, and recreational activities in Downtown.

20-403 M-1: Mixed Small Neighborhood¹⁰⁹**(a) Purpose**

The purpose of the M-1 district is to accommodate a mix of neighborhood-scale residential, commercial, and institutional uses with pedestrian-oriented design and multi-modal transportation availability in order to increase opportunities for walkable neighborhood services.

(b) Dimensional Standards**Table 20-4-3: M-1 Lot and Building Standards**

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum	None	Building Coverage	65%
Lot Width, Minimum	50 FT	Impervious Surface Coverage	75%
Related Residential District	R-2	Building Height (Maximum)	
Building Setbacks		E	Building Height 35 FT
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		
		MIN: 10 FT	
		MAX: 25 FT	
		MIN: 10 FT	
		MAX: 25 FT	
		MIN: 0 FT	
		MIN: 20 FT	

¹⁰⁹ New. Consolidates current CN1, RSO, and portions of Mixed-Use districts.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-4-4: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

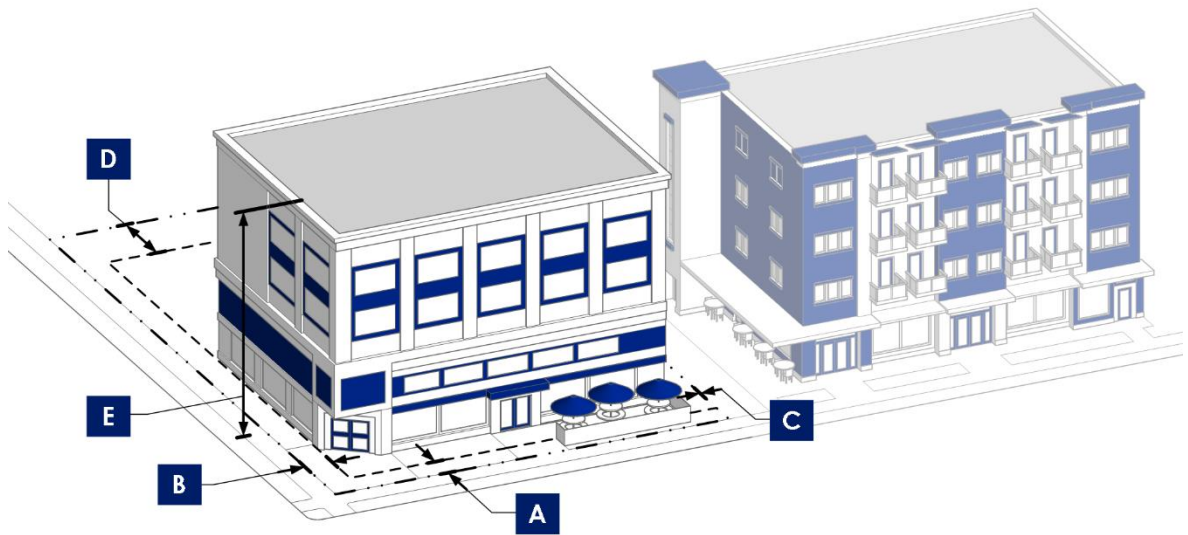
(d) Additional Standards¹¹⁰

The gross floor area of any structure for a nonresidential principal use within the M-1 district shall not exceed 10,000 gross square feet.

¹¹⁰ Current 20-207(d)(3). Increased current 3,000 square foot limitation to 10,000 and applied to nonresidential structures only.

20-404 M-2: Large Neighborhood¹¹¹**(a) Purpose**

The purpose of the M-2 district is to accommodate medium-scaled projects with a mix of housing and storefront retail, office, civic and/or commercial uses at a scale that is integrated into the surrounding area with pedestrian access, transitional elements, open spaces, and appropriate scale of development.

(b) Dimensional Standards**Table 20-4-5: M-2 Lot and Building Standards**

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹¹¹ New. Consolidates current CN2, RMO, and CO districts.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-4-6: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

(d) Additional Standards¹¹²

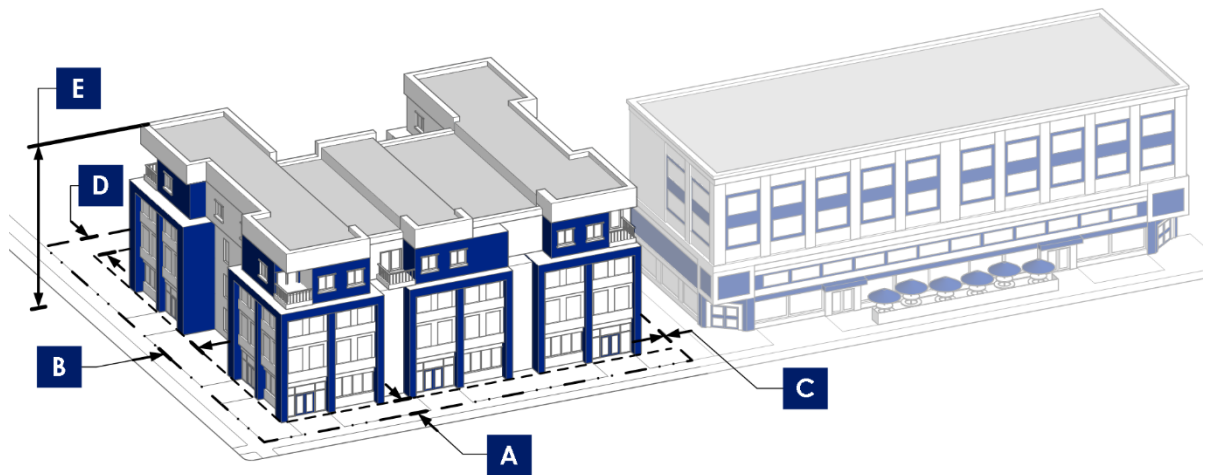
The floor area of any structure for a principal use within the M-2 district shall not exceed 50,000 gross square feet.¹¹³

¹¹² Did not carry forward current 20-208(d)(1) and (2). Commercial design form and standards will be further discussed and refined in the Site and Structures article during the drafting of Module 2.

¹¹³ Current 20-208(d)(3), removed additional allowance for grocery stores up to 80,000 square feet. Increased current 40,000 square foot floor area limitation to 50,000.

20-405 M-3: Mixed Corridor¹¹⁴**(a) Purpose**

The purpose of the M-3 district is to accommodate medium-scaled developments with a mix of storefront retail, office, and/or residential dwelling units along arterial and collector corridors at a scale larger than the neighborhood-scale uses accommodated by the M-1 and M-2 districts.

(b) Dimensional Standards**Table 20-4-7: M-3 Lot and Building Standards**

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹¹⁴ New. Consolidates current CS and portions of Mixed-Use districts.

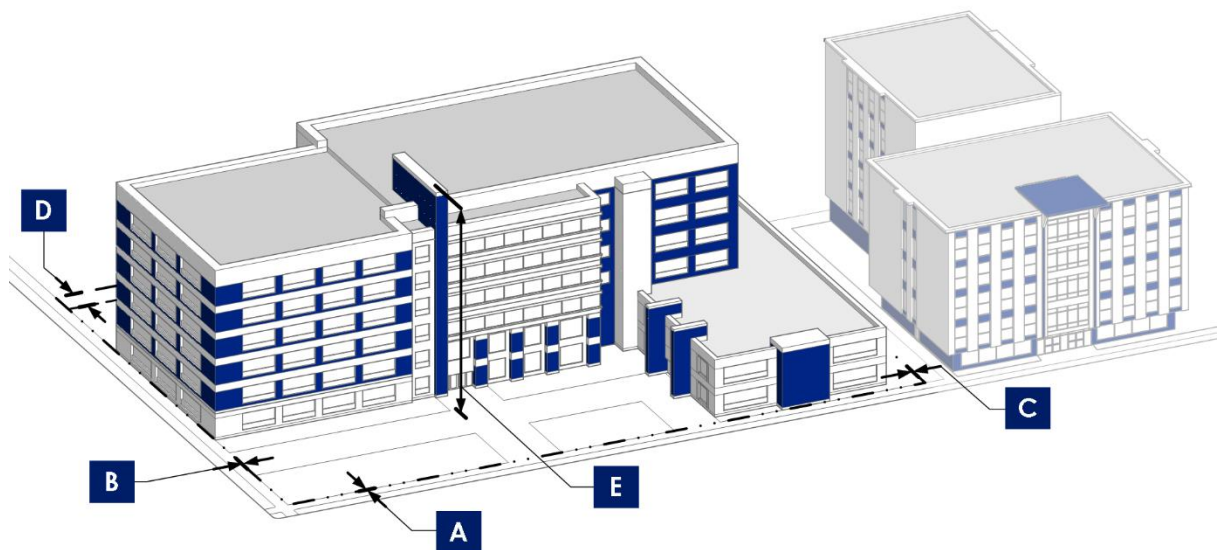
(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-4-8: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-406 CC: Commercial Center¹¹⁵**(a) Purpose**

The purpose of the CC district is to accommodate a mix of pedestrian-friendly areas of medium- to higher-density lodging, office, supporting commercial and service uses. The district is intended to maximize use of infrastructure and services, minimize adverse impacts, and effectively serve the community and is appropriate for community commercial centers.

(b) Dimensional Standards**Table 20-4-9: CC Lot and Building Standards**

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹¹⁵ New. Consolidates current CC and CR.

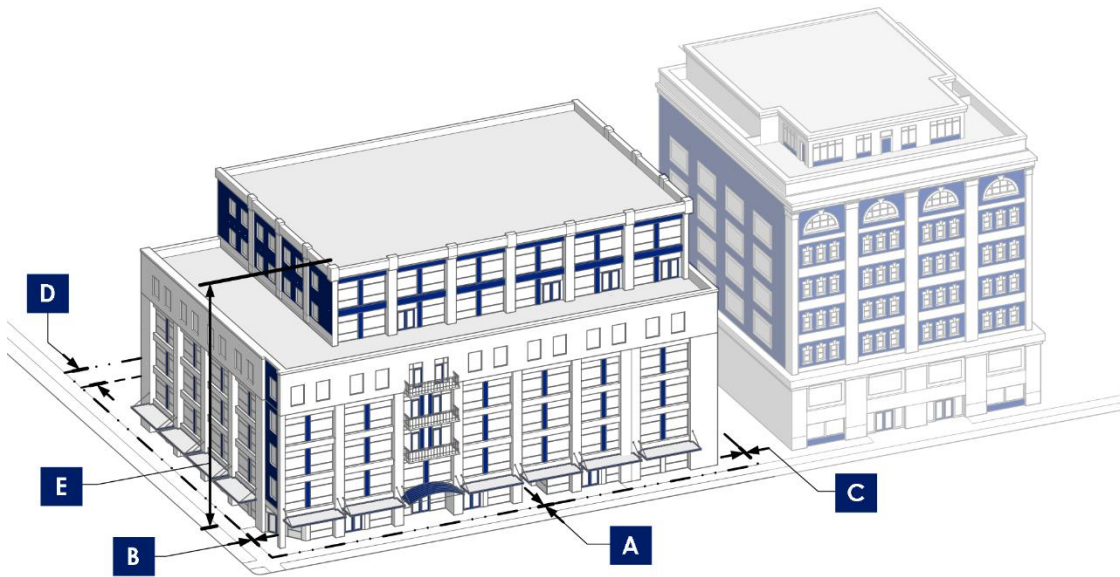
(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-4-10: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-407 CD: Downtown Commercial¹¹⁶**(a) Purpose¹¹⁷**

The purpose of the CD district is to implement the Downtown Master Plan and to accommodate a mix of higher intensity office, commercial, civic, and residential uses. The CD district is intended to provide for activities conducive to a compact, concentrated, and walkable urban downtown mixed-use center.

(b) Dimensional Standards**Table 20-4-11: CD Lot and Building Standards**

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹¹⁶ Current CD district.

¹¹⁷ New.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-4-12: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

(d) Additional Standards

Floor area of any building footprint for a principal Use within the CD district shall not exceed 25,000 gross square feet.¹¹⁸

¹¹⁸ Current 20-210(d)(3).

Article 5. Industrial Zoning Districts¹¹⁹

20-501 Industrial Districts Established

The following Industrial zoning districts are established in this Code as summarized in Table 20-5-1, below. When the Code refers to Industrial zoning districts, these districts are included.

Table 20-5-1: Industrial Zoning Districts Summary		
Legacy Zoning Districts	Zoning District Name	Section
IBP Industrial/Business Park	IBP-R (Retired)	20-503
IL Limited Industrial	IL: Light Industrial	20-504
IM Medium Industrial		
IG General Industrial	IG: General Industrial	20-505

20-502 Purpose¹²⁰

The Industrial zoning districts are intended to:

- (a) Implement the vision, goals, and action items of the Comprehensive Plan;
- (b) Maintain an appropriate supply of industrially-zoned sites to provide a variety of location and lot size options;
- (c) Reinforce the role of industrial areas in order to strengthen the local economy and diversify employment opportunities; and
- (d) Ensure site design and architecture that provides adequate separation and compatible development patterns.

¹¹⁹ The street access standards of all districts have been removed and will be addressed in the Mobility and Connectivity article during the drafting of Module 2.

¹²⁰ New, includes language from policies in the Industrial section of Chapter 3, Growth and Development, in Plan 2040.

20-503 IBP-R: Industrial Business Park (Retired)¹²¹

(a) Purpose

The purpose of the IBP-Business Park district is to provide space in attractive and appropriate locations for certain low-impact employment and manufacturing uses in a planned industrial/business park setting.

(b) Dimensional Standards

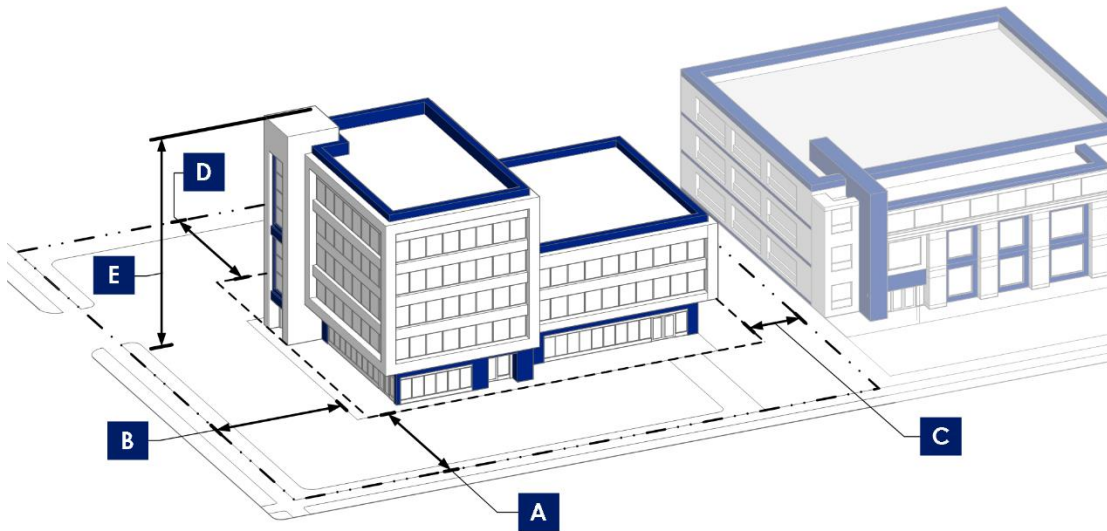


Table 20-5-2: IBP-R Lot and Building Standards

Lot Standards			Coverage (Maximum)	
Lot Area, Minimum				
Lot Width, Minimum				
Related Residential District			Building Height (Maximum)	
Building Setbacks			E	
A	Front		Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side			
C	Interior Side (Adj. R)			
C	Interior Side (Adj. Non-R)			
D	Rear			

¹²¹ Current IBP district standards.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-5-3: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-504 IL: Light Industrial¹²²

(a) Purpose

The purpose of the IL district is to accommodate areas of light fabrication, manufacturing, technology, and industrial uses with limited, accessory commercial uses, all of which are compatible with existing adjacent land uses, access to transportation and the availability of public services and facilities.

(b) Dimensional Standards

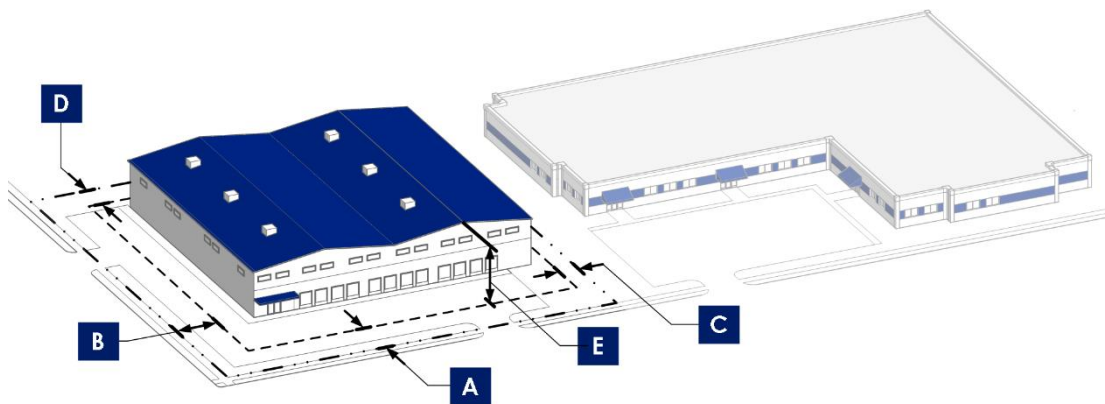


Table 20-5-4: IL Lot and Building Standards			
Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹²² New. Consolidates current IL and IM.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-5-5: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-505 IG: General Industrial¹²³

(a) Purpose

The purpose of the IG district is to accommodate areas for the accommodation of normal operations of heavy and concentrated fabrication, manufacturing, technology, and industrial uses and associated outdoor activities and storage.

(b) Dimensional Standards

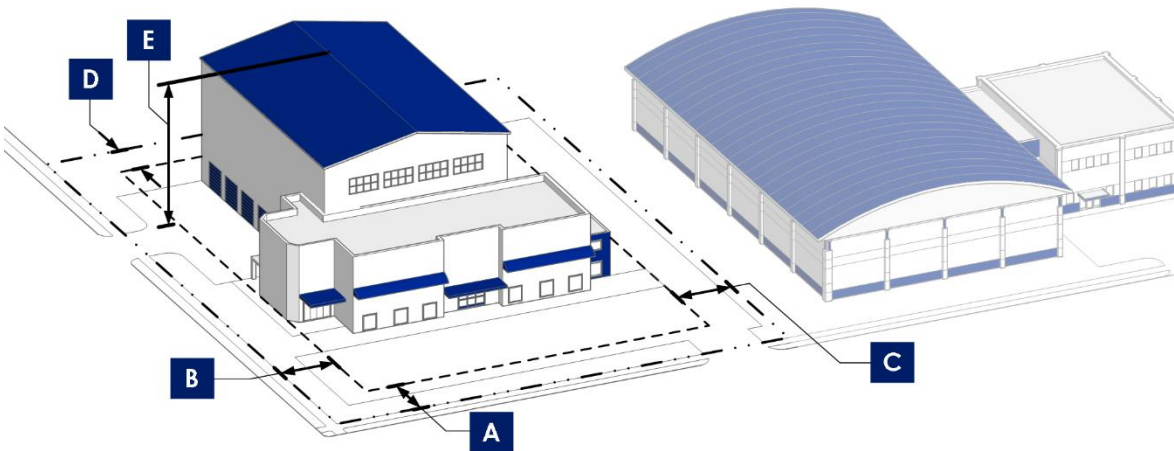


Table 20-5-6: IG Lot and Building Standards			
Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹²³ Current IG districts.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-5-7: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

Article 6. Special Purpose Districts¹²⁴

20-601 Special Purpose Districts Established

The following Special Purpose zoning districts are established in this Code as summarized in Table 20-7-1, below. When the Code refers to Special Purpose zoning districts, these districts are included.

Table 20-6-1: Special Purpose Zoning Districts Summary		
Legacy Zoning Districts	Zoning District Name	Section
GPI General Public and Institutional	P-1: Civic and Institutional	20-603
H Hospital		
OS Open Space	P-2: Open Space	20-604
U/KU University/Kansas University	U: University (includes U-KU and U-HINU)	20-605
UR Urban Reserve	UR: Urban Reserve	20-606

20-602 Purpose¹²⁵

The Special Purpose zoning districts are intended to:

- (a) Implement the vision, goals, and action items of the Comprehensive Plan; and
- (b) Provide for the development of specific areas including, but not limited public, institutional, and educational campuses that maintain unique characteristics or needs that a Residential, Mixed, Commercial, or Industrial zoning district cannot support.

¹²⁴ The street access standards of all districts have been removed and will be addressed in the Mobility and Connectivity article during the drafting of Module 2.

¹²⁵ New,

20-603 P-1: Civic and Institutional

(a) Purpose¹²⁶

The purpose of the P-1 district is to accommodate the creation of mixed-use civic and institutional campuses where housing can be provided in support of the other uses on the campus.

(b) Dimensional Standards

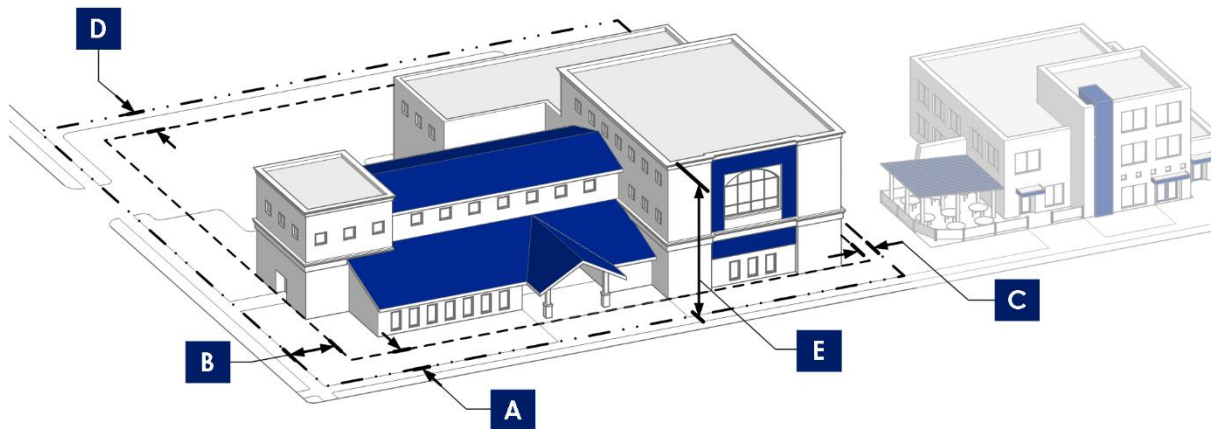


Table 20-6-2: P-1 Lot and Building Standards

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹²⁶ New.

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-6-3: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-604 P-2: Open Space

(a) Purpose¹²⁷

The purpose of the P-2 district is to preserve and enhance open space and recreational areas throughout the city by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities.

(b) Dimensional Standards

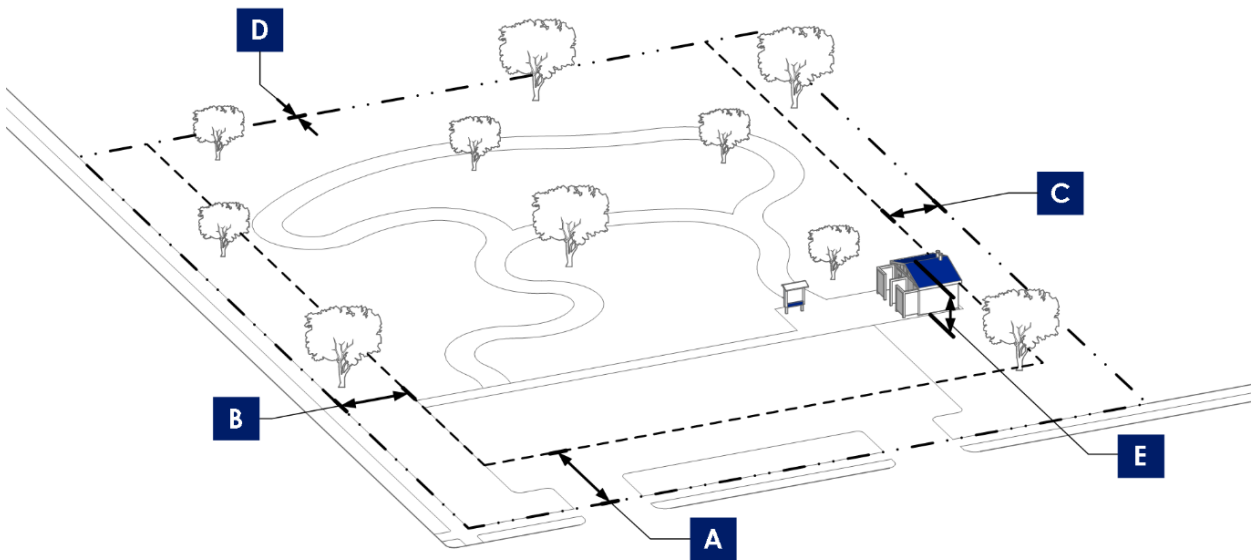


Table 20-6-4: P-2 Lot and Building Standards

Lot Standards		Coverage (Maximum)	
Lot Area, Minimum			
Lot Width, Minimum			
Related Residential District		Building Height (Maximum)	
Building Setbacks		E	
A	Front	Notes: See Section 20-203, Dimensional Standards General Rules and Exceptions.	
B	Street Side		
C	Interior Side (Adj. R)		
C	Interior Side (Adj. Non-R)		
D	Rear		

¹²⁷ Current 20-218(a).

(c) Other Applicable Code Sections

All development shall comply with all applicable sections of this Code. Cross-references to some of the key sections are provided below.

Table 20-6-5: Cross-References to Other Applicable Code Sections	
Code Section	Section Reference
Use and Use Standards	Article 8
Site and Structure Standards	Article 9
Mobility and Connectivity	Article 10
Subdivision Design and Improvement	Article 11
Parking, Loading, and Access	Article 12
Environmentally Sensitive Lands and Natural Resources	Article 13
Landscape and Buffering	Article 14
Outdoor Lighting	Article 15
Sign Ordinance and Code	Chapter 5-18, City Code

20-605 U: University¹²⁸

(a) Purpose

- (1) The property governed by the Cooperation Agreement Between the City of Lawrence, Kansas, and the University of Kansas, dated April 7, 2005 shall be designated as "U – KU" on the City's official zoning map. No provision of the Code shall govern the use of the "U – KU" property, unless the Cooperation Agreement so provides. The Cooperation Agreement solely shall govern the use and development of the "U – KU" property, as shown on the official zoning map.
- (2) The property titled to the United States of America and used by Haskell Indian Nations University shall be designated as "U - HINU" on the City's official zoning map. No provisions of the Code shall govern the use and development by Haskell Indian Nations University of the property designated "U - HINU" on the official zoning map.
- (3) Any other property zoned in the U district shall be mapped with a reference to the applicable educational organization and applicable campus development plan.

¹²⁸ Current 20-221(a).

20-606 UR: Urban Reserve¹²⁹

(a) Purpose

The purpose of the UR district is to provide a suitable classification for newly annexed land. The district is intended to avoid premature or inappropriate development that is not well served by infrastructure or community services. It is also intended for implementation in areas where an adopted neighborhood plan or area development plan is not in place.

(b) Principal Uses

- (1) The only principal uses allowed in the UR district are crop agriculture and any lawful uses in existence immediately prior to annexation with the exception of billboard signs. No billboard signs may be annexed into the city. Communications facilities are allowed in the UR district if approved by a Special Use Permit in accordance with Section <> [20-1306].
- (2) Any use or development activity that requires site plan review and approval per Section <> [20-1305] will be allowed only after the property is rezoned to the appropriate City zoning classification per Section <> [20-1303].
- (3) No increase in the number of livestock is permitted, nor shall swine be kept in the UR district pursuant to Chapter 3, Article 1 of the City Code.

(c) Accessory Uses and Structures

Accessory uses and structures are permitted by right in connection with any lawfully established principal use, except as otherwise expressly provided in this Code. Unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Accessory uses and structures, including accessory dwelling units and home occupations, are subject to the regulations of Section 20-811, Use-Specific Standards for Accessory Uses.

(d) Density and Dimensional Standards

The development or expansion of any structure in the UR district shall comply with the dimensional standards of the R-1 district in Section 20-303.

¹²⁹ Current UR district – 20-233.

Article 7. Overlay Zoning Districts

20-701 The Districts¹³⁰

(a) Overlay Districts

Overlay districts are tools for dealing with special situations or accomplishing special zoning goals. As the name implies, Overlay districts are "overlaid" on base district classifications to alter the base district regulations. Overlay districts are shown on the Official Zoning Map as suffixes to the applicable base district classification. For example, a CD-zoned parcel that is included in the Urban Conservation Overlay districts would be shown on the map as CD-UC.

(b) Districts Established

The following Overlay zoning districts are included in this Code:

Table 20-7-1: Lawrence LDC Proposed Overlay Districts		
Current Districts	New Overlay Districts	Section
ASO Airspace Overlay	ASO: Airspace Overlay	20-702
FP Floodplain Management Regulations Overlay	FP: Floodplain Management Regulations Overlay	20-703
HD Historic District Overlay	HD: Historic District Overlay	20-704
HL Historic Landmark Designation Overlay	HL: Historic Landmark Designation Overlay	20-705
PUD (Previously PRD, PCD, PID, POD)	PD: Planned Development	20-706
UC Urban Conservation Overlay	UC: Urban Conservation Overlay	20-707

20-702 ASO: Airspace Overlay District¹³¹

(a) Purpose

The Airspace Overlay district, is intended to:

- (1) Prevent the creation and establishment of hazards to life and property in the vicinity of any airport owned, controlled or operated by the City of Lawrence;
- (2) Protect users of the airport; and
- (3) Prevent any unreasonable limitation or impairment on the use and expansion of the airport and the public investment therein.

¹³⁰ Current Section 20-301, unless otherwise noted. Did not carry forward the TC Major Transportation Corridor Overlay.

¹³¹ Current Section 20-302, unless otherwise noted. This section is under continued review by staff – further edits will be noted in future drafts.

(b) Authority

The regulations of this district are adopted under the authority granted by K.S.A. Sections 3-701 through 3-713.

(c) Applicability

The Airspace Overlay district regulations apply to all land or water area lying within the established airport control Instrument Approach Zones, Non-Instrument Approach Zones, Transition Zones, Horizontal Zones and Conical Zones as shown on the Airspace Control Zones overlay map.

(d) Effect

The Airspace Overlay district is a zoning classification that establishes additional restrictions and standards on those uses permitted by the base district. In the event of conflict between the Airspace Overlay district regulations and the regulations of the base district, the overlay district regulations govern. In all other cases, both the overlay and base district regulations apply.

(e) Sub-zones Established

In order to carry out the provisions of this district, the following Airspace Zones are established within the Airspace Overlay district. The Airspace Overlay district and the Airspace Zones shall be shown on the Official Zoning Map.

(1) Instrument Approach Zone

The Instrument Approach Zone is established at each end of all runways used for instrument landings and takeoffs. The Instrument Approach Zones have a width of 1,000 feet at a distance of 200 feet beyond the end of each instrument runway, widening thereafter uniformly to a width of 16,000 feet at a distance of 50,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.

(2) Non-Instrument Approach Zone

The Non-Instrument Approach Zone is established at each end of all runways used for non-instrument landings and takeoffs. The Non-Instrument Approach Zone has a width of 500 feet at a distance of 200 feet beyond the end of each non-instrument runway, widening thereafter uniformly to a width of 2,500 feet at a distance of 10,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.

(3) Transition Zone

The Transition Zone is established adjacent to each instrument and non-instrument runway and approach zone as indicated on the Official Zoning Map. Transition Zones symmetrically located on either side of runways have variable widths as shown on the Official Zoning Map. Transition Zones extend outward from a line of 250 feet on either side of the centerline of a non-

instrument runway for the length of such runway plus 200 feet on each end; and 500 feet on either side of the centerline of an instrument runway for the length of such runway plus 200 feet on each end; and are parallel and level with such runway centerlines. The Transition Zones along such runways slope upward and outward one foot vertically for each seven feet horizontally to the point where they intersect the surface of the Horizontal Zone. Further, Transition Zones are established adjacent to both Instrument and Non-Instrument Approach Zones for the entire length of these Approach Zones. These Transition Zones have variable widths, as shown on the Official Zoning Map. Such Transition Zones flare symmetrically with either side of the runway Approach Zones from the base of such zones and slope upward and outward at the rate of one foot vertically for each seven feet horizontally to the points where they intersect the surfaces of the Horizontal and Conical Zones. Additionally, Transition Zones are established adjacent to the Instrument Approach Zone where it projects through and beyond the limits of the Conical Zone, extending a distance of 5,000 feet measured horizontally from the edge of the Instrument Approach Zones at right angles to the continuation of the centerline of the runway.

(4) Horizontal Zone

A Horizontal Zone is that area within a circle with its center at the airport Reference Point and having a radius of 7,000 feet. The Horizontal Zone does not include the Instrument and Non-Instrument Approach Zones or the Transition Zones.

(5) Conical Zone

A Conical Zone is the area that commences at the periphery of the Horizontal Zone and extends outward a distance of 5,000 feet. The Conical Zone does not include the Instrument Approach Zone and Transition Zones.

(f) Height Limitations

No structure may be erected, altered, or maintained in any Airspace Overlay district to a height in excess of the height limit established for such Zone, except as otherwise provided in this section. The following height limitations are hereby established for each of the Airspace Zones:

(1) Instrument Approach Zone

One foot in height for each 50 feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the instrument runway and extending to a distance of 10,200 feet from the end of the runway; thence one foot in height for each 40 feet in horizontal distance to a point 50,200 feet from the end of the runway.

(2) Non-Instrument Approach Zone

One foot in height for each 20 feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the non-instrument runway and extending to a point 10,200 feet from the end of the runway.

(3) Transition Zone

One foot in height for each seven feet in horizontal distance beginning at any point 125 feet normal to and at the elevation of the centerline of non-instrument runways, extending 200 feet beyond each end thereof, and 500 feet normal to and at the elevation of the centerline of the instrument runway, extending 200 feet beyond each end thereof, extending to a height of 150 feet above airport elevation. In addition to the foregoing there are established height limits of one foot vertical height for each seven feet horizontal distance measured from the edges of all Approach Zones for the entire length of the Approach Zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces. Further, where the Instrument Approach Zone projects through and beyond the Conical Zone, a height limit of one foot for each seven feet of horizontal distance shall be maintained beginning at the edge of the Instrument Approach Zone and extending a distance of 5,000 feet from the edge of the Instrument Approach Zone measured normal to the centerline of the runway extended.

(4) Horizontal Zone

Height may not exceed 150 feet above the airport elevation.

(5) Conical Zone

One foot in height for each 20 feet in horizontal distance beginning at the periphery of the Horizontal Zone, extending to a height of 400 feet above the airport elevation.

(g) Performance Standards

Notwithstanding any other provision of this section, no use or development activity may occur on land within any Airspace Overlay district that:

- (1) Creates electrical interference with radio communications between the airport and aircraft, including radio and television transmitting towers or studios and large radiation or X-ray equipment;
- (2) Includes aboveground storage of petroleum or any other explosive material.
- (3) Emits smoke or odor of such intensity as to be detrimental to the health and welfare of the public¹³²;
- (4) Contains lights or signals that may be confused with airport navigational lights;

¹³² "of such intensity as to be detrimental to the health and welfare of the public" is new.

- (5) Results in glare to pilots approaching, leaving or circling the airport or that impairs visibility in the District;
- (6) Provides private airfields or runways for the use of aircraft other than those used in the principal airport in the District; or
- (7) Otherwise endangers the landing, taking-off, or maneuvering of aircraft.

(h) Nonconformities

- (1) The regulations set forth in this section do not require the removal, lowering, or other change of any structure not conforming to these regulations or otherwise interfere with the continuance of any nonconforming use, except as provided in Section 20-702(h)(2) and 20-702(i)(6).
- (2) The City may require, upon 30 days written notice, any person, firm, association, or corporation owning and maintaining any nonconforming pole or pole line upon the roads and highways immediately adjoining the airport to remove, lower, change, or alter said nonconforming pole or pole line. Prior to the removal, lowering, or changing of the pole or pole line, the owner or owner of the airport, shall pay said person, firm, association or corporation the reasonable and necessary expense of removing, lowering or changing said pole or pole lines; or in lieu thereof shall execute good and sufficient bond with corporate surety thereon as security for the payment of the reasonable and necessary expense of removing, lowering or changing such pole or pole lines. The reasonable and necessary expense of removing, lowering or changing said pole or pole lines may include, among other items of expense, the actual cost of:
 - (i) Constructing underground conduits and the construction of such wires and equipment in such conduits; and
 - (ii) Rerouting wires together with the poles, cross arms, and other equipment connected thereto, together with the cost, if any, of new right-of-way made necessary by such rerouting.

(i) Permits

(1) Future Uses

Except as specifically provided by the exceptions stated in Section 20-702(i)(4), no material change may be made in the use of land and no structure may be erected, altered, or otherwise established in any Airspace Overlay district unless a permit has been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use or structure would conform to the regulations set forth in this section. If such determination is in the affirmative, the permit shall be granted.

(2) Existing Uses

No permit may be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, or structure to be made or become higher, or become a greater hazard to air navigation than it was on the effective date, or the effective date of any amendments hereto, or than it is when the application for a permit is made. Except as provided herein, all applications for permits shall be granted.

(3) Nonconforming Uses

Before any nonconforming structure may be replaced, substantially altered or repaired, rebuilt, or increased in height, a permit shall be obtained authorizing such replacement, alteration, change or repair.

(4) Exceptions

- (i) In the area lying within the limits of the Horizontal Zone and the Conical Zone, no permit will be required for any structure less than 75 feet in vertical height above the ground, except where, because of terrain, land contour or topographic features, such structure would extend above the height limits prescribed for such Zones.
- (ii) In the areas lying within the limits of the Instrument and Non-Instrument Approach Zones but at a horizontal distance of not less than 4,200 feet from each end of the runways no permit will be required for any structure less than 75 feet in vertical height above the ground, except where, because of terrain, land contour or topographic features, such structure would extend above the height limits prescribed for the Instrument or Non-Instrument Approach Zone.
- (iii) In the areas lying within the limits of the Transition Zones beyond the perimeter of the Horizontal Zone, no permit will be required for any structure less than 75 feet in vertical height above the ground except where such structure, because of terrain, land contour or topographic features would extend above the height limit prescribed for such Transition Zones.
- (iv) Nothing contained in any of the foregoing exceptions will be construed as permitting or intending to permit any construction, or alteration of any structure in excess of any of the height limits established by this section.

(5) Variances

Any person desiring to erect any structure or increase the height of any structure, or otherwise use their property in violation of the Airspace Overlay district regulations, may apply to the City Commission of the City of Lawrence for a variance from the zoning regulations in question. Such variances will be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in

accordance with the spirit of this section: Provided, that any variance may be allowed subject to any reasonable conditions that the City Commission may deem necessary to effectuate the purposes of this section.

(6) Hazard Marking and Lighting

Any permit or variance granted may, if such action is deemed advisable to effectuate the purposes of this section and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to permit the City of Lawrence, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport Hazard.

(j) Administration and Enforcement

For the purposes of this section and pursuant to K.S.A. 3-707, the Lawrence/Douglas County Metropolitan Planning Commission will be the airport Zoning Commission for the City of Lawrence and will have responsibility for administering and enforcing the regulations set forth in this section.

- (1) In particular, the airport Zoning Commission shall review all permit applications and determine if such should be granted. If an application is found to conform to all the Airspace Overlay district regulations, the airport Zoning Commission shall grant the permit.
- (2) Applications for permits and variances shall be made to the Director upon forms furnished by the Director.
 - (i) Applications for permits shall be submitted at least 35 days prior to a regular meeting of the Planning Commission.
 - (ii) Applications for variances shall be submitted at least 35 days prior to a regular meeting of the City Commission.

(k) Conflicting Regulations

In the event of conflict between the Airspace Overlay district regulations and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures, use of land, or any other matter, and whether such other regulations were adopted by the City of Lawrence or any other unit of local government, the more stringent limitation or requirements as to airport hazards will govern and prevail.

20-703 FP: Floodplain Management Regulations Overlay District

The FP, Floodplain Management Regulations are implemented as an overlay district. The established regulatory provisions affecting land in the FP district are set out in Section <> [Article 12].

20-704 HD: Historic District Overlay

Historic districts designated in accordance with the provisions of Chapter 22 of the City Code shall be submitted to the Planning Commission as a recommended Zoning Map Amendment and processed in accordance with Section <> [20-1303]. If approved by the City Commission, the HD Overlay district shall be shown on the Official Zoning Map with the map symbol “– HD” and shall be governed by the relevant provisions of Chapter 22.

20-705 HL: Historic Landmark Designation

Historic landmarks designated in accordance with the provisions of Chapter 22 of the City Code shall be shown on the Official Zoning Map with the map symbol “– HL” and shall be governed by the relevant provisions of Chapter 22.

20-706 PD: Planned Development District

Comment

This article includes the basic parameters for new Planned Developments, but does not include the procedures for evaluating and approving PDs through the rezoning procedure. The procedures for rezoning to PD will be addressed with administration and procedures in Module 3.

(a) Purpose¹³³

- (1) The purpose of the PD district is to:
 - (i) Accommodate new and creative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the residents in ways consistent with the City's adopted Comprehensive Plan;
 - (ii) Allow design flexibility that results in greater public benefits than could be achieved using conventional zoning district regulations; and
 - (iii) Preserve environmental and historic resources.
- (2) The PD district is not intended to allow deviations from the standards and requirements of this Code that are not accompanied by significant additional amenities or as a substitute for obtaining a variance.

(b) Creation of Overlay Zoning District¹³⁴

The PD zoning district creates an overlay district that reflects adjustments made to applicable base zoning districts as stated in the PD application. Where the PD is

¹³³ Replaces current 20-701(a)(1)-(4).

¹³⁴ Replaces current 20-701(c). Language related to submitting a statement of intent as part of the application will appear on the City's website.

silent as to a development term or requirement, the requirements of the applicable base zoning district of this Code shall apply.

(c) Effect of Other Development Code Standards¹³⁵

Except as expressly authorized by the regulations of this section and approved as part of a PD plan per Section <> [20-1304], all of the standards of this Code apply to development within a PD District.

(d) Eligibility for Rezoning to PD District

An application for rezoning to a PD district may only be accepted for review or approved if the Director determines that the application complies with the following:

(1) Minimum District Size¹³⁶

The minimum area for a PD district shall be five acres.¹³⁷

(2) Common Ownership¹³⁸

All of the property included in the application shall be under unified ownership or a single entity's control.

(3) Specific PD Eligibility Requirements¹³⁹

Comment

The following provisions replace the current approach to the standards eligible for modification. The current Code identifies seven types of development standards that can be modified (allowed uses, lot size, residential density, setbacks, height, balconies, parking and loading, and common open space) and the extent of adjustments that can be made to those standards. The proposed approach generally broadens the type and extent of adjustments that can be made, but adds more significant requirements for the public benefit that must be provided to earn that flexibility.

The proposed PD district must, as determined by the Director, comply with eligibility criteria of at least one of the following four types of PD.

(i) Sustainable/Resilient Design PD

a. Eligibility

To be considered for a sustainable/resilient design PD review, the application must propose project, site, or building design features intended to achieve one or more of the following reductions in resource consumption or trip generation when compared to those

¹³⁵ Current 20-701(d).

¹³⁶ Current 20-701(e).

¹³⁷ Increased from current 0.5 acres.

¹³⁸ Current 20-701(k)(1).

¹³⁹ New eligibility and flexibility standards organized by general PD type to encourage greater public benefits for the community.

levels anticipated for developments of a similar type under the reference base district:

1. A reduction in water consumption of at least 25 percent; or
2. A reduction in non-renewable energy use of at least 25 percent; or
3. A reduction in average daily motor vehicle trip generation of at least 25 percent;
4. A combination of reductions in water consumption, non-renewable energy use, and/or average daily motor vehicle trip generation providing at least an equivalent sustainable/resilient development benefit to the city.

b. Flexibility Allowed

A sustainable/resilient design PD may request an adjustment or waiver of any development standard in this Code if that adjustment or waiver will contribute to reductions in water consumption, non-renewable energy consumption, or traffic generation when compared to development of a similar type under the reference base district standards.

(ii) Historic Structure/Site PD

a. Eligibility

To be considered for historic structure/site PD review, the application must propose:

1. To include an existing structure or site that is currently designated or is documented as eligible for designation on a city or state list of historic structures or on the National Register of Historic Places within a contiguous area included in the PD application, and must either:
 - (A) In the case of an existing designated historic structure or site, the PD application must include a written commitment to preserve the structure or site in compliance with all applicable historic preservation standards for a period of at least 20 years; or
 - (B) In the case of an undesignated historic structure or site, the PD application must include a written commitment to complete the designation of the structure or site prior to development of any portion of the PD, and to preserve the designated structure or site in compliance with all applicable historic preservation standards for a period of at least 20 years.

2. The PD application may include additional lands contiguous with the lot or parcel containing the historic structure.

b. Flexibility Allowed

PD applications that are eligible for consideration as an historic structure/site PD may include a request to (1) calculate any unused development potential from the lot or parcel containing the historic structure or site under the property's current zoning, and (2) apply any unused development potential on other portions of the same lot or parcel, or on contiguous lands included in the PD application, and to request waivers or adjustments to the reference base districts identified for those lands.

(iii) Affordable Housing PD

a. Eligibility

To be considered for an affordable housing PD review, the application must propose:

1. All parcels on which detached dwelling units will be constructed must be permitted to construct an accessory dwelling unit either within the principal building or in a freestanding accessory building in compliance with the provisions of Section 20-811(a), Accessory Dwelling Units.
2. To provide the following amounts and levels of affordable housing.¹⁴⁰
 - (A) Between [Effective Date] and that date on which the City Commission adopts an ordinance or resolution establishing a different required amount of affordable housing and/or a different required level of income-restriction, the PD must propose to provide:
 - i. At least 10 percent of all rental dwelling units shall be income-restricted to the level established by the City's adopted definition of housing affordability, for a period of at least 30 years and at least 10 percent of all for sale dwelling units income-restricted for a period of at least 30 years; or
 - ii. At least an equivalent affordable housing benefit to the city, to be determined during the PD review and approval process for a period of at least 30 years.
 - (B) After the date on which the City Commission adopts an ordinance or resolution establishing a different required

¹⁴⁰ Income-restriction levels based on the City's definition of housing affordability.

amount of affordable housing and/or a different required level of income-restriction, the PD shall propose to provide:

- i. The amounts of housing and the levels of income-restriction required by those ordinances or restrictions, for a period of at least 30 years; or
- ii. At least an equivalent level of affordable housing benefit to the city, to be determined during the PD review and approval process for a period of at least 30 years.

b. Flexibility Allowed

1. An affordable housing PD may request an adjustment or waiver of any development standard in this Code if that adjustment or waiver will contribute to achieving the preservation or production of housing at a lower cost than would otherwise be possible under the reference base district.
2. No waiver or modification of a state or federally established standard or law is authorized through a PD.

(iv) Master Planned Development PD

a. Eligibility

To be considered for a master planned development PD review, the application must propose all of the following:

1. The PD must contain at least 10 acres of contiguous land that is proposed for annexation and development pursuant to a master plan proposed for approval by the City along with the PD application;
2. The PD must include at least one of the following public amenities and/or public infrastructure investments beyond what would otherwise be required under this Code and the reference base district(s):
 - (A) The PD protects, preserves, and/or manages areas of significant natural resources beyond the requirements of the base zoning regulations;
 - (B) The general arrangement of proposed uses in the PD better integrates future development into the surrounding neighborhood, either through more compatible street layout, architectural styles and housing types, or by providing better transitions between the surrounding neighborhood and the PD with compatible development or open space buffers;

- (C) Areas of open space, their intended levels of use, and their relationship to other proposed uses in the PD provide enhanced opportunities for community gathering areas;
- (D) Site design in the PD will create a diverse neighborhood with a mix of housing choices; or
- (E) The PD features enhanced opportunities for walkability or transit ridership, including separated parking bays, off street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.

b. Flexibility Allowed

A master planned development PD may request an adjustment or waiver of any development standard in this Code if that adjustment or waiver will contribute to achieving higher public benefit to residents and can be shown to implement other adopted community plan goals and objectives than would otherwise be possible under the reference base district.

(v) Combined Benefits PD

a. Eligibility

An applicant may apply for approval of PD that provides a combination of the types of benefits identified in Sections (i), (ii), (iii), and/or (iv) above. To be considered for a combined benefits PD review, the application must propose:

1. To provide at least one-half of the amounts of affordable housing, at the levels of income-restriction, required by Section 20-706(d)(3)(iii)a.2, for a period of at least 30 years; and
2. To provide at least some of the benefits listed in the eligibility requirements in Sections (i), (ii), and/or (iv) for a sustainable/resilient design, historic structure/site, or master planned development PD.

b. Flexibility Allowed

A combined benefits PD may request an adjustment or waiver of any development standard in this Code if that adjustment or waiver will contribute to achieving the types of flexibility listed in Sections 20-706(d)(3)(i)b, 20-706(d)(3)(ii)b, 20-706(d)(3)(iii)b, or 20-706(d)(3)(iv)b.

(e) Additional Conditions¹⁴¹

The Planning Commission may recommend, and the City Commission may impose, other reasonable conditions and standards, as deemed necessary to ensure

¹⁴¹ Removed current 20-701(k) and (l), excluding allowance for additional conditionals. General development standards will apply.

consistency with the purposes of this section and those of this 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.

(f) Review Procedure¹⁴²

Procedures and criteria for review and approval of a PD district are in Section <> [20-1304].

20-707 UC: Urban Conservation Overlay District

(a) Purpose

The Urban Conservation Overlay district, is intended to:

- (1) Encourage development that conforms to the size, orientation and setting of existing buildings in a neighborhood or area;
- (2) Reduce the need for zoning variances for development that conforms to the size, orientation and setting of existing buildings in a neighborhood or area;
- (3) Provide building setbacks, lot dimensions and related physical characteristics;
- (4) Foster development that is compatible with the scale and physical character of original buildings in a neighborhood or area through the use of development/design standards and guidelines; and
- (5) Conserve the cultural resources, historic resources and property values within an identified neighborhood or area.

(b) Selection Criteria

A UC Overlay district shall be a geographically defined area that has a significant concentration, linkage or continuity of sites that are unified by physical development, architecture or historical development patterns. To be eligible for UC zoning, the area shall comply with the following criteria:

- (1) The general pattern of development, including streets, lots and buildings, shall have been established at least 25 years prior to the effective date;
- (2) The area shall possess built environmental characteristics that create an identifiable setting, character and association; and
- (3) The designated area shall be a contiguous area of at least five acres in size. Areas of less than five acres may be designated as an UC Overlay district only when they abut an existing five acre or greater UC Overlay district.

¹⁴² The specific procedure of rezoning to a PD district including review criteria, procedural requirements, and lapsing provisions will be drafted in Module 3: Administration and Procedures.

(c) Establishment of District

UC Overlay districts are established in accordance with the Zoning Map Amendment procedures of Section <> [20-1303], except as modified by the following provisions:

- (1) An application to establish a UC Overlay district may be initiated by the Historic Resources Commission, the Planning Commission or the City Commission;
- (2) Applications may also be initiated by petition when signed either by the owner of at least 51 percent of the area within the proposed UC Overlay district or by at least 51 percent of total number of landowners within the proposed district;
- (3) The Historic Resources Commission and the Planning Commission shall hold public hearings, and submit written recommendations to the City Commission, regarding each application to establish a UC Overlay district;
- (4) The Historic Resources Commission is responsible for reviewing UC zoning applications for compliance with the selection criteria of Section 20-707(b) and for recommending development/design standards and guidelines for the district;
- (5) The Planning Commission is responsible for reviewing UC applications for its planning and zoning implications; and
- (6) The City Commission is responsible for making a final decision to approve or deny the Overlay district zoning.

(d) Review Procedure¹⁴³

Procedures and criteria for review and approval of a UC district are in Section <> [20-1304].

(e) Allowed Uses

UC Overlay district classifications do not affect the use of land, buildings or structures. The use regulations of the base district control.

(f) Development/Design Standards

In establishing a UC Overlay district, the Historic Resources Commission or Planning Commission are authorized to propose, and the City Commission is authorized to adopt, by ordinance, district-specific development and design standards (referred to herein as "development/design standards") to guide development and redevelopment within UC Overlay districts:

- (1) When development/design standards have been adopted, all alterations within the designated UC Overlay district shall comply with those standards. For

¹⁴³ Removed 20-308(d). The Zoning Map Amendment procedures will be included in Module 3: Administration and Procedures.

the purposes of this section, "alteration" means any development activity that requires a site plan, rezoning, subdivision, replat, or public improvements;¹⁴⁴

- (2) When there are conflicts between the development/design standards of the base district and adopted UC development/design standards, the UC development/design standards will govern; and
- (3) The development/design standards will be administered by City staff in accordance with adopted administrative policy.

(g) Appeals

- (1) Notwithstanding the procedure set forth in Section <> [20-1311], a person aggrieved by a decision of the City staff, determining whether the development/design standards have been met, may file a written appeal with the Historic Resources Commission. The appeal shall be filed within 10 working days after the decision has been rendered.
- (2) A person aggrieved by a decision of the Historic Resources Commission, determining whether the development/design standards have been met, may file a written appeal with the City Commission. The appeal shall be filed within 10 working days after the decision has been rendered.
- (3) The City Commission is the final decision-making authority in determining whether a proposed project meets the adopted development/design standards.
- (4) The Board of Zoning Appeals has no authority to grant interpretations, exceptions or variances from the adopted development/design standards.
- (5) Within 30 days after the City Commission's final decision, in passing upon an appeal pursuant to this section, any person aggrieved by the decision may file an action in District Court to determine the reasonableness of the decision.

(h) UC Districts Established

The following UC Overlay districts are established:

Table 20-7-2: UC Overlay Districts	
Conservation District Name	Boundaries
Downtown Urban Conservation Overlay District	See Ord. No. 7395
8 th & Pennsylvania Urban Conservation Overlay District	See Ord. No. 8053
Oread Neighborhood Design Overlay District	See Ord. No. 9211

¹⁴⁴ Expanded current definition of development activity as "changes one or more of the exterior architectural features" of a building.

(i) UC District Development/Design Standards Established

The following UC development/design standards and administrative policies are established:

Table 20-7-3: UC Development/Design Standards	
Conservation District Name	Development Standards and Administrative Policies
Downtown Urban Conservation Overlay District	Downtown Design Guidelines (2009)
8 th & Pennsylvania Urban Conservation Overlay District	Design Guidelines 8 th and Penn Neighborhood Redevelopment Zone (2006, Revised October 4, 2011, and January 21, 2020)
Oread Neighborhood Design Overlay District	Oread Neighborhood Design Guidelines (June 2016)

20-708 Incorporation by Reference of “The Downtown Design Guidelines 2009 Edition”

The “Downtown Design Guidelines December 16, 2008 Edition” prepared compiled, published and promulgated by the City of Lawrence, Kansas is hereby adopted and incorporated by reference as if fully set forth herein, and shall be known as the “Downtown Design Guidelines 2009 Edition”. At least one copy of said text amendments shall be marked or stamped as “Official Copy as Adopted by Ordinance No. 8363 and to which shall be attached a copy of this ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable business hours. The police department, municipal judge, and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such “Downtown Design Guidelines, 2009 Edition” marked as may be deemed expedient.

20-709 Incorporation by Reference of “Design Guidelines 8th and Penn Neighborhood Redevelopment Zone” (2006, Revised October 4, 2011, and January 21, 2020)

The “Design Guidelines 8th and Penn Neighborhood Redevelopment Zone” (2006, Revised October 4, 2011, and January 21, 2020) prepared compiled, published and promulgated by the City of Lawrence, Kansas is hereby adopted and incorporated by reference as if fully set forth herein. At least one copy of “Design Guidelines 8th and Penn Neighborhood Redevelopment Zone” (2006, Revised October 4, 2011, and January 21, 2020) shall be marked or stamped as “Official Copy as Adopted by Ordinance No. 9739” and to which shall be attached a copy of Ordinance No. 9739, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable business hours. One additional marked and stamped copy of the “Design Guidelines 8th and Penn Neighborhood Redevelopment Zone” (2006, Revised October 4, 2011, and January 21, 2020) shall, at the cost of the City of Lawrence, Kansas, be

made available to the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas.

20-710 Incorporation by Reference of “Oread Neighborhood Design Guidelines 2016 Edition”

The “Oread Neighborhood Design Guideline, 2016 Edition” prepared compiled, published and promulgated by the City of Lawrence, Kansas, is hereby adopted and incorporated by reference as if fully set forth herein. One copy of the “Oread Neighborhood Design Guidelines, 2016 Edition” shall be marked or stamped as “Official Copy as Adopted by Ordinance No. 9211,” to which shall be attached a copy of this ordinance, shall be filed with the City Clerk, and shall be to be open for inspection and available to the public at all reasonable business hours. One additional marked or stamped official copy of the “Oread Neighborhood Design Guidelines, 2016 Edition” shall, at the cost of the City of Lawrence, Kansas, be made available to the Lawrence-Douglas County Metropolitan Planning Office.

Article 8. Uses and Use Standards

Update Comment

The key elements of this article are a reorganized Principal Use Table and new Accessory Use Table, both as recommended in the Code Assessment. Where use-specific standards are referenced in the Principal Use Table, they are located in the section identified in the Use-Specific Standards column on the right side of the table. Not all uses have use-specific standards. The final sections of this chapter address accessory and temporary uses and structures.



LDC User Information

This article contains Table 20-8-1: Principal Use Table, that identifies which uses are allowed in the individual zoning districts and the standards applicable to those uses. It also contains Table 20-8-2: Accessory Use Table, providing similar information about accessory uses. The principal and accessory use tables do not identify every permitted use but do identify use groups and subgroups allowed. Use groups are described in Section 20-801, and specific individual uses are generally allowed in a district where the use group is allowed.

Related Information:

Zoning districts are located in Articles 2-6.

Use definitions are located in Article 20.

20-801 Use Group Overview and Descriptions

(a) Use Groups

Land uses in Table 20-8-1: Principal Use Table, are assigned to one of the following use groups that most closely describes the nature of the principal:

- (1) Residential
- (2) Public and Civic
- (3) Commercial
- (4) Industrial
- (5) Transportation, Utilities, and Communication
- (6) Agricultural

(b) Use Subgroups and Individual Uses

- (1) Use groups are further divided into subgroups, such as Residential Living or Office.
- (2) Individual uses are also identified in the principal and accessory uses tables.

(c) Excluded uses

Use groups may contain excluded uses. These are uses that may seem to be part of a particular use groups, but that are explicitly classified into a different use group.

20-802 Use Groups

This section describes the primary criteria for identification of the use groups and subgroups included in Table 20-8-1: Principal Use Table. Additional information about specific uses is provided in Article 19, Measurements and Definitions.

(a) Residential Use Group**(1) General Description**

Residential uses offering habitation of a dwelling on a continuous basis. The minimum continuous basis is established by tenancy with a minimum term of one month (long-term tenant) or habitation by the property owner.

(2) Residential Use Subgroups**(i) Household Living**

This use subgroup is characterized by residential occupancy of a dwelling unit by one or more persons living together as a single household unit. Each dwelling unit contains its own facilities for living, sleeping, and cooking. Household living also includes group homes, which are required to receive equal treatment with single-household residential living pursuant to Kansas and federal law ("statutory group home"). Uses where tenancy may be arranged for a period of less than one month (e.g., short-term) are considered transient lodging, not household living.

(ii) Group and Congregate Living

This use type is characterized by residential occupancy of a dwelling or associated group of dwellings by a group of people that do not qualify as residents of a statutory group home. The size of the group residing in the structure is typically larger in size than a single household. Group living uses contain individual rooming units with private or shared bathroom facilities and may also contain shared kitchen facilities and/or common dining and meeting areas for residents. The residents may or may not receive any combination of care, training, or treatment, but those receiving such services at the site must reside at the site. Alternatives to incarceration, such as community-based correction facilities, where residents are placed under

supervision in the facility by court order, are excluded from this group and classified as Detention Facilities.

(b) Civic and Institutional Use Group**(1) General Description**

Civic and institutional uses are public, quasi-public, and private non-profit uses that provide unique services that are of benefit to the public at-large.

(2) Civic and Institutional Use Subgroups**(i) Civic and Cultural Assembly and Service**

Civic and cultural assembly and service uses are permanent places where persons regularly assemble for religious worship or secular activities, or for which a public service is provided by a civic organization, and that are maintained and controlled by a body organized to sustain the structure or location.

(ii) College and University

Public or private colleges, universities, business, or technical colleges that offer a formal degree. These uses tend to be in campus-like settings or on multiple blocks. Non-degree granting business, technical, and trade schools are classified as Educational Facilities. Studio classes such as martial arts, music, dance, and drama schools/studios are excluded from this group and classified as commercial uses.

(iii) Day Care

A non-residential facility that provides less than 24 hours per day care or supervision for children and/or adults. Examples: childcare center, adult daycare center; preschools and latch key programs not accessory to an educational facility use or other principal use. In-home daycare services, which are determined to be accessory to a principal household living use, are not included in this principal use group.

(iv) Educational Facilities

A primary or secondary educational institution and schools for specialized educational activities, such as business and technical colleges.

(v) Detention Facilities and Community Service

Facilities for the judicially required detention or incarceration of people. This group also includes alternatives to incarceration, such as halfway houses, where residents or inmates are placed by and remain under the supervision of the courts.

(vi) Government and Public Safety Services

This is a use type for locations and structures that provide a place for the regular transaction of governmental business. This group does not include utilities or storage facilities such as fleet parking or equipment yards.

(vii) Health Care Facilities

Health care facilities are characterized by activities focusing on medical care services, particularly licensed public or private institutions that provide principal health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Smaller stand-alone clinics are classified as office uses.

(viii) Non-Commercial Recreation and Open Space

This use type includes uses that focus on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares held in use for the general public. These lands tend to have few structures but may include community buildings. Commercial or membership recreation is excluded from this category.

(c) Commercial Use Group**(1) General Description**

Commercial uses include any retail, consumer service, or office use.

(2) Commercial Use Subgroups**(i) Amusement and Recreation**

This use type includes a broad array of commercial establishments, divided into indoor and outdoor categories, which operate or provide services to meet varied artistic, cultural, entertainment, and recreational interests of their patrons and the community. Restaurants and bars that provide live entertainment in addition to the sale of food and beverages, are excluded from this classification and categorized as eating and drinking establishments.

(ii) Animal Sales and Services

This use group includes uses related to animal care, sales, and provision of supplies. Some uses, such as kennels, runs, and outdoor play spaces may not be permitted as principal or accessory outdoor facilities where they are incompatible with adjacent uses.

(iii) Commercial Assembly

- a. Commercial assembly is that group of uses that are designed or used primarily for small or large group assembly or meeting. As a principal use, commercial assembly is located in a permanent

structure. Commercial assembly uses are categorized as large or small based on the criteria in Section 20-803, Interpretation.

- b. Temporary commercial assembly, such as a theater in the park event, is regulated separately. Restaurants and bars that provide live entertainment in addition to the sale of food and beverages, are excluded from this classification and categorized as eating and drinking establishments.

(iv) Eating and Drinking Establishment

This is a use group for businesses that prepare or serve food and/or beverages intended for immediate consumption on or off the premises.

(v) Financial Services

Facilities that have as their principal purpose the custody, loan, exchange or issue of money, the extension of credit and the transmission of funds. Examples include:

- a. Financial institution
- b. Alternative financial services

(vi) Heavy Commercial

This use group includes businesses that have a size, functional use, or site difference from other types of commercial that makes the use generally incompatible with residential uses, such as uses that have large outdoor storage and display areas, such as lumber yards and landscape nurseries; or uses that involve frequent interaction with freight trucking or activities that produce excessive noise, dust, or odor. Commercial uses that involve both manufacturing or production and retail sales belong in this group where the work activities or storage take place outside or in large indoor facilities.

(vii) Lodging

Uses in this use type provide customers with temporary housing for an agreed upon term of less than 30 consecutive days; any use where temporary housing is offered to the public for compensation and is open to transient (short-term) guests.

(viii) Office

This type includes uses where people are engaged primarily in on-site administrative, business, or professional activities. These uses are characterized by activities in an office setting that focus on the provision of off-site sale of goods or on-site information-based services, usually by professionals. This group may also include laboratory services that are conducted entirely within an office-type setting.

(ix) Parking, Commercial

This use type is specific to parking facilities as a principal use, either for a fee or for free, and does not include parking accessory to a principal use on the same site.

(x) Retail Sales and Services

This is a use type for businesses involved in the sale, lease, or rental of new or used products to the general public at a retail location, along with the provision of commercial and personal services. Also includes cottage industries.

(xi) Consumer Vehicle and Equipment Sales and Services

This use type includes a broad range of uses for the maintenance, sale, or rental of motor vehicles and related consumer equipment. This use group is intended for the regulation of personal vehicles; Large vehicles and heavy equipment are regulated in the industrial and construction services use group.

(d) Industrial Use Group

(1) General Description

This is a use group including uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, and also including the design, storage, packaging, shipping and distribution, and handling of these products and the materials from which they are produced.

(2) Industrial Use Subgroups

(i) Industrial and Construction Services

This use type is characterized by companies that are engaged in the repair or servicing of heavy machinery, equipment, products, or by-products, or the provision of heavy services including construction or contracting.

1. May include schools for the industrial trades if activities and facilities are similar to other uses in this group.
2. Junkyards and auto salvage are excluded from this subgroup and are categorized as Waste and Salvage.

(ii) Industrial Manufacturing, Assembly, or Processing

Establishments involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. This group is divided into light uses with no external impacts, and heavy manufacturing with actual or potential external impacts (noise, smell, heat, vibration) and the need for outdoor production or storage. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished, and are generally made for the wholesale market, for transfer to

other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site.

(iii) Natural Resource Extraction

This use type includes removal of resources from the ground.

(iv) Wholesale Sales

This use type includes facilities used for the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. These uses often include on-site sales staff for order taking, and may include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.

(v) Warehousing and Distribution

Firms involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Human occupancy is limited to that required to transport, arrange, and maintain stored materials. This use does not include the storage of goods incidental to a different principal use on the same lot, which is considered an accessory use.

(vi) Waste and Salvage

This is a use group for uses that collect, store, process, or sell waste or salvage materials, or collect and process recyclable material, for the purpose of marketing or reusing the material in the manufacturing of new, reused, or reconstituted products.

(e) Transportation, Utilities, and Communication Use Group**(1) General Description**

This use group includes providers and uses for public and quasi-public services to individuals and the community in the following subgroups.

(2) Transportation, Utilities, and Communication Use Subgroups**(i) Alternative Energy Production**

This is a use group that includes energy produced from resources that are regenerative, such as wind and solar energy.

(ii) Transportation

This is a use group that includes the primary location for uses involving public and private modes of transportation. For example, a bus terminal is a transportation use but a bus stop is not.

(iii) Utilities and Public Facilities

This use type includes structures and locations for public or private lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and facilities for the generation of electricity. Utility uses may or may not have regular employees at the site and the services may be public or privately provided.

- a. Utilities, major: Infrastructure services that have substantial land use impacts on surrounding areas.
- b. Utilities, minor: Infrastructure services that do not have substantial impacts on surrounding areas or are otherwise necessarily distributed throughout the community to aid in the operation, distribution, collection, conveyance, transmission, storage or other necessary aspect of a public or private utility service.

(iv) Wireless Communication Facilities

This use type includes structures, locations, and equipment for the transmission of voice, data, image, video, or other electronic programming.

(f) Agricultural Use Group**(1) General Description**

This is a group of uses characterized by active and on-going agricultural uses, activities, and related uses. An agricultural use, in general, means the use of land for the growing and production of field crops, livestock, aquatic, and animal products for the production of income. Other agricultural uses might include fruit and vegetable stands, livestock sales, wholesale nurseries, and stables. Lands in agricultural uses and districts may also be held for preservation and conservation purposes. The sale or service of agricultural products and equipment included in similar commercial use categories.

(2) Agriculture Use Subgroups**(i) Agricultural Cultivation**

Uses in this group are characterized by the cultivation of plants for consumption or commercial sale. Products may include, but are not limited to, vegetables, grains, fruits, plants, sod, trees, and other similar products.

(ii) Animal Agriculture

Uses in this group are characterized by the commercial breeding, raising, and/or keeping of fish, livestock, and/or any type of fowl for sale or use of the animal, their products, or byproducts. Accessory uses and structures: Farm dwelling, offices, indoor and outdoor storage, machine sheds and other farm outbuildings; feedlots; pasture.

(iii) Agricultural Infrastructure Facilities

Uses in this group support agricultural production, including: grain elevators, commercial feed outlets, farm supply stores, truck and animal weigh stations, and agricultural chemical or fuel bulk and storage facilities.

20-803 Interpretation**(a) Classification**

- (1) For uses that do not fall into a category based on common planning practice, an applicant may either request a use table interpretation or apply for a Section <> [20-1302].¹⁴⁵
- (2) When a use interpretation is requested, the Director shall consider the following list of factors when classifying a use into a particular group, and/or to determine whether the activities constitute principal uses or accessory uses:
 - (i) How closely the use matches the description of the use group or subgroup, as stated in Section 20-802.
 - (ii) The intensity of the activity or use in comparison to the stated characteristics of a use group and list of examples;
 - a. Conformance with the currently adopted comprehensive plan and purpose of the zoning district in which the use is proposed;
 - b. Types of vehicles, equipment and/or processes to be used;
 - c. The amount of site or floor area and equipment devoted to the use or activity;
 - d. The hours of operation;
 - e. How the use advertises itself;
 - f. Number of employees, visitors, or customers generated;
 - g. Parking demands associated with the use;
 - h. Special public utility requirements for serving the proposed use type, including, but not limited to, electricity, water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures or infrastructure and communications towers or facilities;
 - i. Whether the use or activity would be likely to be found independent of the other activities on the site;
 - j. Whether a use is subordinate in area, extent, or purpose to the principal building or use served;

¹⁴⁵ Drafted in Module 3, cross-reference to be added later.

- k. Whether the use contributes to the comfort, convenience, or necessity of occupants, customers, or employees of a principal use; and
 - l. Any other relevant evidence regarding use or activity that would help to classify a particular land use.
- (3) If, based on the criteria identified above, the Director determines that a use can reasonably be determined to be similar to more than one use or group of uses, the Director shall select the use group that provides the most exact, narrowest, and appropriate fit. A use that is otherwise not permitted in a district may not be added to a district through interpretation. For example, if colleges and universities are not permitted in a residential district, that district may not be interpreted to allow both residences and colleges.
- (4) The following categories of uses typically impose substantial impacts on a site, adjacent sites and structures, pedestrians or cyclists, the road network, or public infrastructure. Where a new use, not listed as an example, is proposed that might be categorized into one of these categories, the applicant shall file an application for text amendment to determine if the use will be permitted. Through this process, the City will have the opportunity to review and determine the impacts of the proposed use and establish any prescribed conditions that may be appropriate to allowing the use.
 - (i) Agricultural Uses
 - (ii) Industrial Services
 - (iii) Manufacturing, Processing, and Assembly
 - (iv) Waste and Salvage
- (5) Determination of Non-Similarity
 - (i) The Director may determine that a proposed use is not substantially similar to any use identified in Section 20-802 or Table 20-8-1: Principal Use Table, because either:
 - a. The potential impacts of the use are significantly more impactful on the site, street, or neighborhood, than other permitted uses in the same use group and that the use would not otherwise be permitted without prescribed conditions or through a public review process, or
 - b. There are no similar uses permitted on the site or in the applicable zoning district.
 - (ii) When this is the case, the Director shall provide the applicant with a written determination of non-similarity within 15 business days of the request for interpretation.

- (6) In cases of dispute, the Director shall issue a zoning determination letter and the proposed use shall comply with any conditions and review procedures that may apply to that use. Such determinations may be appealed to the Board of Zoning Appeals. If an appeal is made, the Board of Zoning Appeals shall determine whether the City has made an error in classifying the subject use based on the facts in evidence and the factors listed in Section 20-803.

20-804 Principal Use Table

Comment

The proposed Principal Use Table is based on the current permitted uses in the Land Development Code with several proposed consolidations and additions.

Table reflects new districts. The Principal Use Table reflects the new and renamed zoning districts listed in Articles 3-6. When districts were consolidated in a way that could have resulted in conflicting use permissions, we typically included the more flexible use permission.

Table organization. The current lineup of zoning districts is included along the top row for reference and convenience, demonstrating generally how these current districts relate to the new proposed zoning districts. The reference to current districts will be removed prior to adoption but can be retained for as long as necessary during public review of the Land Development Code update. The table is organized based on use intensity, beginning with less intense residential uses, then moving into public, civic, and institutional uses, then commercial, and ending with more intense industrial uses. Several use types are consolidated for simplicity, and some use types are being introduced to the table.

Generally, when determining use permissions in the new zoning districts, the existing permissions in the related existing districts were followed unless otherwise noted. Similarly, if an existing use was allowed in all existing zoning districts, the same allowances were added to all new zoning districts.

Use-specific standards and definitions. The last column indicates whether additional standards apply to that use. Each use type has a definition in Article 20. The standards should be reviewed simultaneously with the Principal Use Table and definitions. Significant changes to standards or definitions are indicated in the footnotes of the respective sections.

As you review the Principal Use Table and associated use-specific standards, please consider the following:

- 1) For a use that is shown as prohibited (blank cell), ask “why not in this zoning district?”
- 2) For a use that is shown as prohibited (blank cell), ask “can a use-specific standard be included to mitigate concerns related to that use to make it acceptable in that zoning district?”
- 3) For uses shown as requiring Special Review (“S”), ask “should this use be permitted by right in this zoning district?”

4) For uses show as either "P" or "S," ask "are there additional standards necessary to mitigate potential impacts?"

Table 20-8-1: Principal Use Table, identifies the permitted principal uses in each zoning district. Each use is given one of the following designations for each zoning district in which that use is permitted. Cross-references to use-specific standards are provided in the Use-Specific Standards column as a courtesy to LDC users; use-specific standards apply whether they are identified in Table 20-8-1: Principal Use Table or not.

(a) Permitted /P/

These uses are permitted by-right in the zoning districts in which they are listed. Permitted uses are required to comply with applicable use-specific standards identified in this article.

(b) Permitted in a Specified Location /PL/

These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 30 feet from the front facade.

(c) Special Use Permit /S/

These uses are not permitted uses in the districts in which they are listed but may be allowed through Section <> [20-1306], subject to specific conditions. Uses permitted by special use permit must follow any applicable development standards associated with the use as well as meet the requirements of the special use permit approval.

(d) Blank Spaces

Uses that are not permitted are indicated by a blank space.

Update Comment

Numbered use table notes appear as end notes at the end of this document.

Table 20-8-1: Principal Use Table

P = Permitted Use S = Special Use

Current Zoning Districts	RS40R S20 RS10	RS7 RS5	RS3 RM12 RM12 D RM15	RM24 RM32	NEW	CN1 RSO MU- Terf	CN2C O RMO	CS MU- Prim + Sec	CD	CC CR	IL IM	IG	IBP	GPI H	OS	
Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
LDC Update Key: Uncolored cell = no change from current Blue cell = follows more permissive district's allowed uses Blue cell with BOLD letter = either new use allowance or change from accessory or special use to permitted Orange cell = moved to Accessory Use Table Bold and Strike-through = recommended deletion																
Residential																
Household Living																
Dwelling, Attached	S ¹	S	P ²	P	P	P ³	P ⁴	P ⁵								
Dwelling, Cluster⁶	P	P	P	P	P	P⁷	P⁸									
Dwelling, Detached	P	P	P	P		P	P ⁹									
Dwelling, Duplex			P ¹⁰	P		P	P ¹¹	P ¹²								
Dwelling, Non-Ground Level						P	P ¹³	P	P	P ¹⁴				P		
Dwelling, Multiunit			P ¹⁵	P	P	P ¹⁶	P ¹⁷	P	P	P ¹⁸				P¹⁹		
Dwelling, Work/Live Unit						P	P ²⁰	P	P	P ²¹						
Group Home, General	S	S	S	S	S	S	S	S	S	S						
Group Home, Limited	P	P	P	P	P	P ²²	P ²³	P ²⁴								

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Current Zoning Districts	RS40R S20 RS10	RS7 RS5	RS3 RM12 RM12 D RM15	RM24 RM32	NEW	CN1 RSO MU- Terf	CN2C O RMO	CS MU- Prim + Sec	CD	CC CR	IL IM	IG	IBP	GPI H	OS	
Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Dwelling, Zero Lot Line	P	P	P	P	P	P	P ²⁵	P ²⁶								Art. 10
Manufactured Home, Residential Design	P	P	P	S	S											20-805(b)
Manufactured Homes/ Park ²⁷	P ²⁸	P ²⁹	P ³⁰	S	P	P ³¹										20-805(b)
Group and Congregate Living																
Assisted Living ³²	S	S	P ³³	P	S	P ³⁴	P ³⁵	P ³⁶								20-805(a)
Congregate Living			P ³⁷	P	S	P ³⁸	P ³⁹	P ⁴⁰								
Dormitory					P											
Fraternity or Sorority ⁴¹					P	P										
Public and Civic Use Group																
Civic and Cultural Assembly and Service																
Community Meal Program	A	A	A	A		S/A	S/A	S/A	S/A	S/A	S/A	S/A		S/A		

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Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Cultural Center/Library	P	P	P	P	P	P	P ⁴²	P ⁴³	P	P ⁴⁴				P ⁴⁵	S	
Event Center, Large	S					S ⁴⁶	S	P ⁴⁷		P	P ⁴⁸			S		Error! Reference source not found.
Event Center, Small	S					P	P ⁴⁹	P	P	P	P ⁵⁰			S		Error! Reference source not found.
Lodge, Fraternal & Civic Assembly	S	S	S	S	S	P	P	P ⁵¹	P	P	P ⁵²			P ⁵³		20-806(b)
Religious Assembly																20-806(c)
Campus or Community Institution			P ⁵⁴	P	P	P ⁵⁵	P	P	P	P	P ⁵⁶			A ⁵⁷		
Neighborhood Institution	P	P	P	P	P	P	P	P	P	P	P ⁵⁸					
Temporary Shelter						S/A	S/A	S/A	S/A	S/A	S/A	S/A		S/A		
Day Care																

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Current Zoning Districts	RS40R S20 RS10	RS7 RS5	RS3 RM12 RM12 D RM15	RM24 RM32	NEW	CN1 RSO MU- Terf	CN2C O RMO	CS MU- Prim + Sec	CD	CC CR	IL IM	IG	IBP	GPI H	OS	
Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Adult Day-Care Home	S	S	P⁵⁹	P		P⁶⁰	P⁶¹									Error! Reference source not found.
Day Care Center	S	S	S	S		S	P ⁶²	P ⁶³	S	P	P ⁶⁴	P	P			20-806(a)(2)
Day Care Home, Class A						P ⁶⁵	P ⁶⁶	P ⁶⁷	P	P ⁶⁸						20-806(a)(1)
Day Care Home, Class B	S	S	S	S			P ⁶⁹	P ⁷⁰	P	P ⁷¹						20-806(a)(1)
Educational Facilities																
College/University	S	S	S	S		S	P ⁷²	P	P	P	P ⁷³	P	P	P		
School (K-12)	S	S	S	S	S	P ⁷⁴	P ⁷⁵	P	P	P	P ⁷⁶			P ⁷⁷		
School: Trade, Business, Vo-Tech						P	P	P			P	P	P			
Detention Facilities																
Halfway House				S	S	S	S									
Detention Facilities											S	S		P ⁷⁸		Error! Reference

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																source not found.
Government and Public Safety																
Government Offices						P	P	P	P	P	P					
Government Facilities, Yards, and Storage											P	P		P		
Public Safety	S	S	S	S	S	P ⁷⁹	P	P	P	P	P	P		P ⁸⁰		
Social Service Agency						P	P	P	P	P	P ⁸¹	P		P ⁸²		
Utilities, Major	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	
Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P ⁸³	P	P	P ⁸⁴	P	
Medical Facilities																
Community Mental Health Facility														P ⁸⁵		
Extended Care Facility, General	S	S	P	P	P	P ⁸⁶	P ⁸⁷	P ⁸⁸					S	A ⁸⁹		

Table 20-8-1: Principal Use Table

P = Permitted Use S = Special Use

Current Zoning Districts	RS40R S20 RS10	RS7 RS5	RS3 RM12 RM12 D RM15	RM24 RM32	NEW	CN1 RSO MU- Terf	CN2C O RMO	CS MU- Prim + Sec	CD	CC CR	IL IM	IG	IBP	GPI H	OS	
Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Extended Care Facility, Limited	P	P	P	P	P	P	P	P ⁹⁰						S/A		
Health Care Office, Health Care Clinic						P	P ⁹¹	P	P	P	P ⁹²		P	P ⁹³		
Hospice ≤ 8 patients	P	P	P	P	P											
Hospice > 8 patients					S	S	S	S								
Hospital														P		
Outpatient Care Facility						P	P	P	P	P	P ⁹⁴					
Noncomm'l Recreational Facilities⁹⁵																
Active Recreation	S	S	S	S		S	P ⁹⁶	P	S	P	P ⁹⁷	S	P	A	S	
Passive Recreation ⁹⁸	P	P	P	P		P	P	P	P	P	P	P	P	P	P	
Commercial Use Group																
Amusement and Recreation																

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Indoor																
Entertainment & Spectator, Participant Sports & Recreation, Indoor							P ⁹⁹	P	P	P				P ¹⁰⁰	S	
Sexually Oriented Business ¹⁰²						X ¹⁰³				P						20-807(c) Error! Reference source not found.
Outdoor																
Entertainment & Spectator Sports, General								P ¹⁰⁴	P	P				S		
Participant Sports & Recreation, Outdoor								P ¹⁰⁵	P	P	P ¹⁰⁶			A/S		
Animal Sales and Services																

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Kennel								P ¹⁰⁷		P	P ¹⁰⁸	P				
Livestock Sale								S		S	P ¹⁰⁹	P				
Sales and Grooming						P ¹¹⁰	P ¹¹¹	P	P	P	P ¹¹²	P				
Veterinary						P			P	P	P ¹¹³	P	P			
Commercial Assembly																
Large (40,000 and over sf footprint)							P	P		P						
Small (<40,000 sf footprint)						P	P	P	P	P						
Eating and Drinking Establishments																
Bar or Lounge ¹¹⁴						S/A ¹¹⁵	P/S	A	P/A ¹¹⁶	P/A ¹¹⁷	P		P/A ¹¹⁸			
Brewpub or Craft Alcohol Restaurant							P ¹¹⁹	P ¹²⁰	P	P	P					

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Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Restaurant, High turnover ¹²¹						P ¹²²	P ¹²³	P ¹²⁴	P	P	P ¹²⁵					
Restaurant, Quality						P ¹²⁶	P	P	P	P	P ¹²⁷					
Financial Services																
Alternative Financial Services ¹²⁸						P	P	P	P	P	P ¹²⁹			A ¹³⁰		
Financial Institution						P	P	P	P	P	P					
Heavy Commercial																
Heavy Retail and Commercial Services																
Mini-Warehouse, Climate Controlled								P ¹³¹		P	P	P	P			20-808(a)
Lodging ¹³²																

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Bed and Breakfast	S	S	S	P		P ¹³³	P ¹³⁴	P ¹³⁵								20-807(a)
Campground/ RV Park								P ¹³⁶		P					S	
Elderhostel ¹³⁷																
Hotel, Motel, Extended Stay								P	P	P						
Short-term Rental			P ¹³⁸	P		P ¹³⁹	P ¹⁴⁰	P	P	P ¹⁴¹	P ¹⁴²	P		P		20-807(d)
Office																
Administrative and Professional						P	P	P	P	P	P	P	P	P		
Parking, Commercial																
Parking, Commercial						S ¹⁴³	S ¹⁴⁴	P ¹⁴⁵	S	P	P	P	P	P		
Structured (garage)																
Surface																
Parking, Accessory ¹⁴⁶			A	A		A	A	A	A	A	A	A	A	A	A	

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Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Retail and Business Sales & Service																20-807(b)
Building Maintenance							P ¹⁴⁷	P ¹⁴⁸	P	P	P	P		A		
Business Equipment & Support ¹⁴⁹						S ¹⁵⁰	P	P	P	P	P	P ¹⁵¹	P	A ¹⁵²		
Construction Sales and Service								P ¹⁵³		P	P ¹⁵⁴	P		A ¹⁵⁵		
Cottage Industry	P	P														
Food and Beverage						P ¹⁵⁶	P ¹⁵⁷	P	P	P	P ¹⁵⁸			A ¹⁵⁹		
General Retail																
≤ 10,00 SF						P ¹⁶⁰	P ¹⁶¹	P	P	P	P ¹⁶²			A ¹⁶³		
> 10,000 SF ¹⁶⁴								S ¹⁶⁵		P						
Funeral Services and Cemetery																

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Personal Services						P	P ¹⁶⁶	P	P	P	P ¹⁶⁷			A ¹⁶⁸		
Repair Service Consumer						P ¹⁶⁹	P ¹⁷⁰	P	P	P	P ¹⁷¹					
Vehicle Sales and Services																
Car Wash ¹⁷²							S ¹⁷³	P ¹⁷⁴		P	P ¹⁷⁵	P				
Equipment and Vehicle Repair																
Heavy ¹⁷⁶								P ¹⁷⁷		P	P ¹⁷⁸	P				
Light ¹⁷⁹							P ¹⁸⁰	P ¹⁸¹	S	P	P ¹⁸²	P				
Fleet Storage								P ¹⁸³		P	P	P				
Gas and Fuel Sales							S ¹⁸⁴	P ¹⁸⁵		P	P	P				
Inoperable Vehicles Storage								P ¹⁸⁶		P	P	P				
RV and Boat Sales and Storage								P ¹⁸⁷		P	P ¹⁸⁸	P				
Truck Stop									S ¹⁸⁹	S ¹⁹⁰		S				

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Proposed Zoning Districts	R1	R2	R3	R4	R5	M-1	M-2	M-3	CD	CC	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
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Industrial Use Group																
Industrial and Construction Services																
Contractor Yard											P	P	P			
Industrial Sales and Service											P	P	P			
Laundry Service								P ¹⁹¹		P	P	P				
Manufactured Home Sales and Service											P	P				
Research Service						S ¹⁹²	S ¹⁹³	P	S	P	P	P	P			
Artisan Industrial																
Makerspace, Limited						P ¹⁹⁴	P ¹⁹⁵	P	P	P	P	P	P	A/S		
Industrial Manufacturing,																

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Assembly, or Processing																
Industrial, General											P	P				
Makerspace, Intensive							S ¹⁹⁶	S	S	S	P	P	P	A/S		
Manufacturing and Production, Limited						S ¹⁹⁷		P ¹⁹⁸	S	S	P	P	P			
Manufacturing and Production, Technological									S	S	P	P	P			
Industrial, Heavy																
Explosive Storage												P				
Industrial, Intensive												P				
Mining ¹⁹⁹												S				20-808(a)
Recycling Facilities																20-808(e)

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Large Collection								P ²⁰⁰	P	P	P					
Small Collection						P ²⁰¹	P ²⁰²	P	P	P	P	P	P	A		
Processing Center											S	S				
Waste and Salvage																
Salvage Operation											S	S				20-808(c)
Wholesale, Storage, and Distribution²⁰³																
Exterior Storage																
Heavy								S ²⁰⁴		S	S ²⁰⁵	P				
Light								P ²⁰⁶		P	P	P	P	S ²⁰⁷		
Mini-Warehouse, Exterior								P ²⁰⁸			P	P				
Mini-Warehouse,								P ²⁰⁹			P	P				

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Self Storage Containers																
Agriculture²¹⁰																
Agriculture, Crop	P	P	P	P		P	P	P	P	P	P	P	P	P	P	
Agriculture, Large Animal	P ²¹¹															20-809(a)(1)
Agriculture, Small Animal																20-809(a)(2)
Agricultural Sales								P ²¹²		P	P ²¹³	P				
Farmers Market						P ²¹⁴	P ²¹⁵	P	P	P	P ²¹⁶	S	P		S	
On-Site Agricultural Sales																
Urban Farm	S	S ²¹⁷									P	P				20-809(b)
Transportation and Communication Facilities																
Airport																Special District

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Broadcasting Tower									S		P	P	P			
Bus Terminal										P	P					
Communications Service Establishment						P	P	P	P	P	P ²¹⁸	P	P	P		
Train Station								P	P	P	P					
Wireless Facilities ²¹⁹	S	S	S	S	S	S	S	S	S	S	S	S	S	A	S	

20-805 Residential Use-Specific Standards

Comments:

Site Design and Layout. Many of the current residential use-specific standards address structure design and/or site layout rather than how a residential use is conducted. Those standards have been removed from this section and will be updated in Article 10. Site and Structure Standards in Module 2.

Size-based Standards. Most of the size-related use standards (e.g., “office uses shall be limited to 3,000 sf in XYZ district”) have been removed. Linking specific uses to floor area sizes creates unnecessary complications as uses change over time. In the very limited situations where floor area size limitations are useful to help balance the impacts of specific uses, standards will be added to the specific zoning district or addressed through site layout and buffering requirements.

(a) Assisted Living¹⁴⁶

Residential care facilities that provide care to patients who suffer from Alzheimer's disease, dementia, or other similar disability that may cause disorientation, shall provide a security fence having a minimum height of five feet along the perimeter of any portion of the site that is accessible to the patients.

(b) Manufacture Home, Residential Design¹⁴⁷

The following standards apply to Residential-Design Manufactured Homes.

- (1) The structure shall provide all of the accommodations necessary to be a dwelling unit and shall be connected to all utilities in conformance with applicable City regulations.
- (2) The structure shall be on a permanent-type, enclosed perimeter foundation.
- (3) The structure shall have an entrance on the side of the structure facing the front lot line.
- (4) The roof shall be predominantly double-pitched and have a minimum vertical rise of 2.5 inches for every 12 inches of horizontal run, and shall be covered with material that is customarily used on site-built dwellings, including but not limited to approved wood, asphalt composition shingles, clay or concrete tile, slate or fiberglass, but excluding corrugated aluminum or corrugated fiberglass roof. The roof shall have a minimum eave projection and roof overhang on at least two sides of 10 inches, which may include a gutter.
- (5) Exterior siding shall be of a non-reflective material customarily used on site-built Dwellings such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but

¹⁴⁶ New.

¹⁴⁷ Current 20-513.

excluding smooth ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior of the foundation or curtain wall or the joint between siding and enclosure wall shall be flashed in accordance with City-adopted building codes.¹⁴⁸

- (6) The manufactured home shall be installed in accordance with the recommended installation procedure of the manufacturer and Chapter 5 of the City Code. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. The structure shall be permanently mounted on either a basement or foundation that complies with Chapter 5 of the City Code.
- (7) On level sites, the main floor shall be no greater than 24 inches above the finished Grade at the foundation. On sloping or irregular sites, the main floor at the side closest to Grade shall not be greater than 24 inches above the finished Grade at the foundation.
- (8) Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards of Chapter 5 of the City Code and attached permanently to the primary structure and anchored permanently to the ground.
- (9) If 70% or more of the structures on the block face, and the block face opposite where the home is to be located, have attached garages, a garage constructed according to the provisions of Chapter 5 of the City Code (Building Code) shall be required to be attached to the residential-design manufactured home.

(c) Mobile Manufactured Home Parks

(1) Purpose

The purpose of these standards is to ensure and promote an acceptable living environment for occupants of mobile home parks with mobile home spaces offered for rental or lease. No use shall be allowed other than those uses considered as an integral part of the mobile home park as shown on the approved development plan.

(2) Interpretation

Nothing in this section shall be interpreted to prohibit a manufactured home, manufactured homes, residential design from being located in a mobile home park.

(3) Size of Park

The minimum size of a mobile home park shall be two acres.

¹⁴⁸ Drafting note: review HUD requirements for add-on materials.

(4) Roads

All mobile homes shall front on a private road easement within the mobile home park.

(5) Gross Density

The gross density of a mobile home park (including streets and sidewalks) may not exceed 12 mobile home spaces per acre.

(6) Mobile Home Park Plan

A site plan on a scale of one inch equaling 30 or 40 feet shall be submitted as part of the special use application. The site plan shall show roads, buildings, land use, zoning, and other features inside and outside the park within 300 feet of the exterior boundaries. The site plan shall comply with the following design requirements:

(i) Natural Features

The design of the park shall preserve natural features.

(ii) Spaces

Each mobile home park shall clearly define the mobile home spaces, and each such space shall have a minimum area of at least 3,000 square feet. There shall be a minimum distance of 20 feet between mobile homes.

(iii) Private Roadways

- a. Internal roadways shall be provided and all mobile home spaces shall face or abut a roadway. A roadway shall have at least 22 feet of unencumbered travel way.
- b. Such roadways shall be surfaced with 4 inches of Portland cement concrete or 5 inches of rock with 2 inches of asphalt.
- c. A minimum 50-foot radius paved turn-around shall be provided at the terminus of dead-end roadways, sufficient to accommodate emergency vehicles.

(7) Sidewalks

A minimum sidewalk width of 4 feet shall be provided on both sides of accessway leading from mobile home spaces to service and recreational areas.

(8) Lighting

Both roadways and sidewalks shall be adequately lighted. Roadways shall be lighted with a minimum of one street light at each roadway intersection and one Street light at the end of each cul-de-sac that is three hundred feet or more from a roadway intersection. These lights shall meet the code requirements in Section <> [20-1103].

(9) Setbacks and Landscaping

Mobile homes shall be set back a minimum of 50 feet along the street frontage of arterial streets and a minimum of 25 feet from all other lot lines. This setback shall be planted with a type 2 bufferyard that has a mixture of grass, trees, and shrubs to provide a park-like appearance. The interior of the mobile home park shall have adequate grass, trees, and shrubs to provide a dust-deterrent and shaded park-like atmosphere.

(10) Office and Management

An area near the main entrance of the park shall be for office and management use only, with accessory off-street parking.

(11) Facilities

Adequate provision shall be made for public water supply, sanitary sewers, fire protection, refuse collection and other necessary facilities to satisfy State and local codes, ordinances, and specifications.

(12) Emergency Shelters

One or more emergency shelters shall be provided, with fifteen square feet of floor space for each mobile home space. An existing building that complies with these provisions may serve as an emergency shelter. An emergency shelter shall:

- (i) Be a building complying with Chapter 5 of the City Code and with the Association Standard for the Design, Construction, and Performance of Storm Shelters produced by the National Storm Shelter Association;
- (ii) Be clearly marked with a sign at or near its entrance; and
- (iii) Be accessible at all times, either by being kept unlocked or by a person with access being present at the mobile home park at all times.

(13) Recreational Space

One or more recreational areas shall be provided and equipped with suitable play equipment and other recreational facilities. There shall be at least 200 square feet of developed recreation area per mobile home space. Calculations of recreational open space shall not include the minimum setbacks required in Section (10) above.

(14) Boat and Trailer Storage

Each mobile home park shall provide screened areas with an aggregate size of at least 100 square feet per mobile home space for the storage of boats and trailers (travel, horse, or utility). This requirement shall be waived if the covenants filed for the mobile home park prohibit the storage of boats and trailers.

20-806 Public and Civic Use-Specific Standards

(a) Day Care Establishments

(1) Day Care Homes

- (i) Class A day care homes are permitted as an accessory use in M-1, M-2, and Residential¹⁴⁹ districts, provided that written notification is given by the operator to all adjacent landowners before beginning operation of the day care home. The notice shall state the proposed use and times of operation.
- (ii) Class B day care homes require special use approval in all Residential districts and in the M-1 and M-2 districts.

(2) Day Care Centers

- (i) Day care centers shall maintain a wall or fence at least 4 feet in height between any play area and any other property in the Mixed or Commercial districts or any Residential district. Day care centers require special use approval in the Mixed or Commercial districts and all Residential districts, except when they are an accessory use to a permitted school, religious institution, or allowed as a community facility.

(b) Lodge, Fraternal and Civic Assembly

- (1) Where permitted in Residential districts, lodge, fraternal and civic assembly uses shall comply with the religious assembly supplemental design standards of Section 20-806(c).
- (2) A lodge, fraternal and civic assembly use in a Residential district shall be limited to a seating capacity of no more than 500 persons.
- (3) A swimming pool, tennis court, or other recreational facility that is accessory to a lodge, fraternal and civic assembly use may not be located nearer to other property in a Residential district than the required setback for a principal building, and wherever this type of facility is located in a yard abutting property in a Residential district, it shall be screened by a fence or wall at least 6 feet in height.

(c) Religious Assembly

(1) Neighborhood Religious Institutions

(i) Size

- a. A neighborhood religious institution in any Residential or Mixed or Commercial zoning district shall be limited to a seating capacity of no more than 500 persons in the sanctuary or other principal place of worship or assembly; and

¹⁴⁹ Previous Districts were R, RSO, RMO, & RMG.

- b. The seating capacity of the sanctuary or other principal worship or assembly space shall not exceed a number equal to the lot area (expressed in square feet) divided by 100.

(ii) Supplemental Design Standards

a. In Residential, Mixed, and Commercial¹⁵⁰ Zoning Districts

The following supplemental design standards shall apply only to a neighborhood religious institution located in an Residential or Mixed or Commercial zoning district:

1. Where practicable, access to the on-site parking area will be to a collector street;
2. A swimming pool, tennis court, or other recreational facility that is accessory to a neighborhood religious institution use may not be located nearer to other property in a Residential or Mixed or Commercial zoning district than the required setback for a principal building, and wherever this type of facility is located in a yard abutting property in a Residential or Mixed or Commercial zoning district, it shall be screened by a fence or wall at least 6 feet in height.

(iii) Accessory Uses Permitted Only with a Special Use Permit

A community meal program may only be permitted with a Special Use Permit as an accessory use to any neighborhood religious institution.

(2) Campus or Community Religious Institution

(i) Size

The seating capacity of the sanctuary or other principal worship or assembly space shall not exceed a number equal to the lot area (expressed in square feet) divided by 100. Accessory uses shall require additional lot area sufficient to meet the parking and design standards applicable to the use and the base district.

(ii) Accessory Uses Permitted by Right

- a. Subject to the lot area, density and dimensional and parking standards, the following accessory uses shall be permitted by right to a campus or community religious institution if they comprise a gross square footage of 25 percent or less of the principal use on the site:
 1. All accessory uses permitted on a lot where the principal use is a detached residence;

¹⁵⁰ Previously RSO, RMO, & RMG Districts.

2. Any other use permitted as a principal use or an accessory use in the base district in which the institution is located, subject to applicable density, parking and dimensional standards;
3. Educational uses incidental to the religious assembly;
4. Schools;
5. Colleges;
6. Day-care centers;
7. Group living incidental to the religious institution;
8. Indoor recreational facilities not used for commercial purposes;
9. Dormitories incidental to any school, college or other educational use on the property.

(iii) Accessory Uses Permitted with Special Use Permit

Subject to the lot area, density and dimensional and parking standards, the accessory uses set forth in Section 20-806(c) shall be permitted by Special Use Permit to a campus or community religious institution if they comprise a gross square footage of more than 25 percent of the principal use on the site.

(iv) Accessory Uses Permitted Only with a Special Use Permit

Regardless of the proposed size of the following accessory uses, they may only be permitted with a Special Use Permit as an accessory use to any campus or community religious institution:

- a. Outdoor recreational facilities not used for commercial purposes, provided that these facilities shall be buffered from any adjoining property in a Residential or Mixed or Commercial zoning district by a type two bufferyard, Section <> [20-1005(e)];
 - b. A community meal program.
- (v) A swimming pool, tennis court, or other recreational facility that is accessory to a campus or community religious institution may not be located nearer to other property in an Residential or Mixed or Commercial zoning district than the required setback for a principal building, and wherever this type of facility is located in a yard abutting property in an Residential or Mixed or Commercial zoning district, it shall be screened by a fence or wall at least six feet in height.

20-807 Commercial Use-Specific Standards

(a) Bed and Breakfast Establishment

- (1) A bed and breakfast with three or fewer guest bedrooms shall be operated as an incidental use to the principal use of an owner-occupied structure.

- (2) A bed and breakfast establishment with four or more guest bedrooms is considered a bed and breakfast inn.
 - (i) A bed and breakfast inn shall have a full-time resident manager or owner on the site and be licensed by the State of Kansas to do business.
 - (ii) A bed and breakfast inn shall only be permitted if it is adjacent to or within ready access to an arterial or collector street.
 - (iii) Bed and breakfast establishments operated as part of an adaptive reuse within a registered historic landmark or within a property located within a registered historic district shall not be restricted to a number of bedrooms.

(b) Retail Establishments

A commercial center proposed for more than 50,000 gross square feet of commercial space is required to have a market impact analysis submitted at the time of application for rezoning in accordance with Section <> [20-1107].

(c) Sexually Oriented Businesses

(1) Minimum Distance & Location

- (i) No sexually oriented business may be located within 1,500 feet of another sexually oriented business, regardless of whether such uses are located in the same facility or separate facilities.
- (ii) No sexually oriented business may be located on the same block as property in a Residential zoning district, or a religious assembly, school, day care, community recreation, or cultural exhibits and libraries use, and shall also be at least the following distances from said zoning districts and uses:
 - a. For a sexually oriented media store, 600 feet;
 - b. For a sex shop, 800 feet; and
 - c. For a sexually oriented theater, 1,000 feet.
- (iii) The distances mandated above shall be measured in a straight line along street rights-of-way between the lot lines of the two relevant properties. For leased spaces in multi-tenant properties, the measurements shall be from the outer boundaries of the leased space, projected to ground level, if applicable. For leased space in single-tenant properties, the measurements shall be from the lot lines.

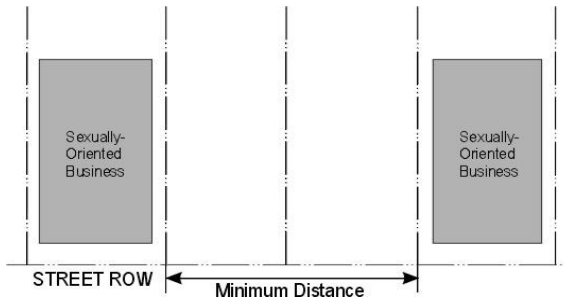


Fig. 20-8-J. Sexually-Oriented Business Separation Requirement

- (iv) All sexually oriented businesses, except mixed media stores, shall be located along State highways.
- (v) Pursuant to the provisions of K.S.A. 12-770, sex shops not located along a State highway shall have until July 30, 2005 (five years from the enactment of Ordinance No. 7226) to comply with the provisions of this Development Code.

(2) Display Standards for Mixed Media Stores

The owner or operator of a mixed media store shall have the affirmative duty to prevent the display of sexually oriented media at or within the portions of the business open to, or visible by, the general public. A store conforming to these standards shall be considered a mixed-media store and shall not be considered a sexually oriented business. Failure to conform to the standards set forth in this section shall result in classification of the store as a sexually oriented media store, which is a sexually oriented business. Sexually oriented media in a mixed media store shall be kept in a separate room or section of the store, which room or section shall:

- (i) Not be open to any person under the age of 18;
- (ii) Be physically and visually separated from the rest of the store by an opaque wall reaching at least eight feet high or to the ceiling, whichever is less;
- (iii) Be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children; and
- (iv) Have access controlled by electronic or other means to provide assurance that persons under age 18 will not gain admission and that the general public will not accidentally enter such room or section.

(3) Additional District Standards for Sexually Oriented Media Stores

(i) Standards that Apply in the CC¹⁵¹ District

In addition to the standards above, a sexually oriented media store shall be permitted in the CC district provided that the gross floor area shall not exceed 5,000 square feet.

(ii) Additional District Standards for Sex Shops and Theaters

In addition to the standards above, a sex shop or theater shall be permitted in the CC district provided that the gross floor area shall not exceed 5,000 square feet.

(d) Short-Term Rental

(1) Purpose

These design standards are to ensure that short-term rental uses are compatible with the desired character and livability of the zoning districts in which such uses are permitted.

(2) Initial Use Determination

A short-term rental use shall not be considered to be a principal use for the construction and/or renovation of a structure. A structure must first be identified as another principal use before it may be considered to be a short-term rental use (e.g., detached dwelling, multi-dwelling structure, etc.).

(3) Site-Related Standards

- (i) All properties containing a short-term rental use shall comply with the occupancy limits established in Section 20-204.
- (ii) Any structure used for short-term rental shall be initially approved in accordance with the process to establish its principal use or structure.
- (iii) The dwelling unit and site shall remain residential in appearance and characteristics. Internal or external changes that will make the dwelling unit and site appear less residential in character or function are prohibited. Examples of such prohibited alterations include but are not limited to: construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.
- (iv) Any dwelling unit used for short-term rental shall be a legally established dwelling unit, or shall obtain a Registration of Nonconforming Use as required in Section <> [Article 15], as amended.
- (v) Signs shall comply with the provisions outlined at Chapter 5, Article 18 of the City Code, as amended.

¹⁵¹ Previously CC & CR Districts.

(4) Parking

Parking shall be provided in accordance with that which is required in Section <> [Article 9], as determined by its principal use.

20-808 Industrial Use-Specific Standards

(a) Mini-Warehouse

(1) Applicability

These standards apply to mini-warehouse buildings in any base district, except that they do not apply to any mini-warehouse use that is contained entirely within an enclosed building and that does not include any covered or uncovered exterior storage areas for boats, recreational or similar vehicles, or other equipment. Such uses are subject only to the Community Design Manual. Properties that include covered or uncovered exterior storage areas or conventional self-storage units, with overhead doors, accessible from access drive aisles, are subject both to these use standards and the Community Design Manual.

(2) Architectural Standards

The Community Design Manual shall be applied to all mini-warehouse uses, as follows:

- (i) For any mini-warehouse use located in a commercial zoning district, the building and site shall be subject to the Commercial Design Guidelines.
- (ii) For any mini-warehouse use located in an industrial zoning district, the building and site shall be subject to the Industrial Design Guidelines.

(3) Building entrances and openings

- (i) No door openings for any mini-warehouse storage unit shall be constructed facing any public right of way or any residentially zoned and/or used property.
- (ii) All mini-warehouse sites shall include a prominent public entryway oriented to the public street.

(4) Accessory Exterior Storage

All uncovered or partially covered storage shall not be visible from any public right of way or residentially zoned and/or used property.

(5) Screening Required

- (i) When abutting arterial or collector streets, mini-warehouse uses shall be screened by a solid fence in accordance with the Community Design Manual, based on their zoning district.

- (ii) When located adjacent to residential uses or residential zoning, additional screening shall be provided for mini-warehouse uses in the form of a solid 8-foot tall fence.

(6) Surfacing Required

- (i) In all base districts, required parking and loading area design standards shall be paved in compliance with city standards.
- (ii) Exterior storage areas located in Industrial base districts may be located on compacted gravel surfaces. Driveways and driveway aprons providing access to these areas shall be paved in compliance with city standards.

(7) Parking

- (i) Parking shall be provided by parking/driving lanes adjacent to the buildings/units. Such lanes shall be at least 20' wide for one-way access lanes and at least 26' wide for two-way access lanes.
- (ii) Required customer/user parking spaces may not be rented or used for the storage of boats, recreational or similar vehicles, other vehicles, or similar uses. See requirements for accessory uses.

(8) Accessory Uses

- (i) Residential caretaker/on-site manager.
 - a. This use is permitted only as an accessory use when permitted as part of a site plan or special use permit when allowed in the base district.
 - b. Individual mini-warehouse units shall not be used for residential occupancy at any time.
- (ii) Uncovered parking of personal recreational vehicles such as boats, recreational vehicles, and similar equipment shall be permitted only in designated storage areas that are shown on approved site plans, when permitted as an approved accessory use, and only when located on paved surfaces.
 - a. The outdoor storage of boats, recreational vehicles, vehicles, and similar equipment shall, in no case, be displayed or advertised for sale without prior site plan approval. Outdoor storage shall be accessory and subordinate to the site's principal use.
 - b. Cleaning and washing of boats, recreational vehicles, vehicles, or any other stored material shall be prohibited unless in a designated area meeting all minimum stormwater pollution control/stormwater runoff requirements.
- (iii) Accessory/incidental retail sales for a mini-warehouse use.

- a. Sales and rental of moving and packing supplies, to include small and medium trucks and trailers, may be permitted with site plan approval.

(b) Mining

Mining, including extraction of clay, gravel, or sand; quarrying of rock or stone; earth moving and excavation, including removal of topsoil; and depositing of construction material, clay, earth, gravel, minerals, rock, sand or stone on the ground, will not be construed to be an allowed use in any district but IG, except as provided below:

(1) Special Use Permit for Temporary Mining

Mining may be approved as a special use that is to be allowed on a temporary basis in accordance with the special use procedures of Section <> [20-1306]. Such a special use approval is revocable and valid for specified periods of time, to permit mining or extractions from or deposits on the earth of rock, stone, gravel, sand, earth, minerals, or building or construction materials; and,

(2) Activities Not Considered Mining

- (i) Excavations for the foundation or basement of any building or for a swimming pool for which a building permit has been issued, or deposits on the earth of any building or construction materials to be used on-site in a structure for which a building permit has been issued.
- (ii) Grading of any parcel of land for a permitted use where no bank of more than 4 feet in vertical height is left standing and exposed.
- (iii) Grading in a subdivision that has been approved by the City in accordance with Section <> [Article 8], of this Code and any amendments thereto.
- (iv) Temporary crushing of excavated stone on-site for use within the development or hauled off-site for another construction-related use.
- (v) Any extractive operation existing and operating as such on the effective date shall conform to the provisions set forth herein within one year of the defective date.

(c) Scrap and Salvage Operations

- (1) All exterior storage and processing areas abutting an arterial or collector street shall be screened by a solid masonry wall or solid wood fence at least six feet in height and be designed and located to prevent visibility of stored or stacked material and such fence shall be located no closer than 15 feet to any street right-of-way. The fence shall have a gate to permit access for maintenance of property and landscaping on both sides of the fence. In no case shall the height of the solid fence exceed 10 feet and no stored or stacked material shall exceed the height of the fence. Fencing shall be placed along the side and rear of all processing areas and may be of any approved type including live screening where deemed appropriate.

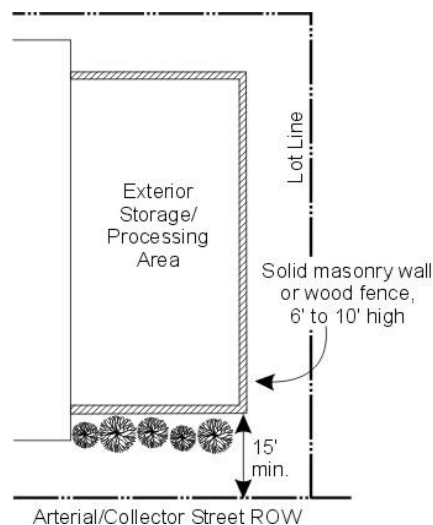


Fig. 20-8-K. Exterior Storage Screening Requirement

- (2) No open burning of junked, salvaged, or discarded materials is permitted. Incinerators may be used for burning of wastes or the conducting of salvage operations if such incinerators are of a type approved by the Kansas State Department of Health and Environment.
- (3) A Special Use Permit is required for the operation of this type of use.

(d) Light Equipment Sales/Rental

(1) Purpose

The purpose of these use-specific standards are to ensure that vehicle sales and service uses permitted in the M-2¹⁵² district conform to the intent of the purpose of the M-2 district.

¹⁵² Was previously CN2 District.

(2) Applicability

The use-specific standards of this section shall apply to any vehicle sales and service uses listed below.

(3) Light Equipment Sales/Rental

- (i) Shall be limited to automobile sales and/or rental.
- (ii) Shall permit a maximum of 12 vehicles to be stored onsite for sale or rental.
- (iii) Accessory vehicle wash bays are permitted but may not be made available for public use and shall be limited to one wash bay.
- (iv) Accessory vehicle wash bays shall be located within enclosed structures.
- (v) Automobile cleaning and detail activity shall be conducted in enclosed structures.

(e) Recycling Facilities

(1) Purpose

Small and large collection recycling facilities are centers or facilities for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Special regulations apply to such centers or facilities to ensure public and user safety as well as to ensure adequate and on-going maintenance of such facilities and general aesthetic appeal. Areas designated for such facilities shall obtain site plan approval by the Director.

(2) Applicability

Uses are allowed as small or large collection recycling facilities only if they comply with all of the requirements of this section.

(3) Exemptions

Any indoor small or large collection recycling facility located within a building.

(4) Use-Related Regulations

(i) Allowed Uses

The intent of the regulations of this section is to establish performance and use standards for all small and large collection recycling facilities. Such facilities which comply with the performance and use standards of this section are permitted by-right upon site plan review and approval by the Director.

(ii) Allowed collection facilities

- a. Mobile collection units such as all-weather roll-off containers, bins or boxes, which are not permanently affixed to the ground;
- b. Reverse vending machines or kiosks that may include permanent structures. Reverse vending machines and kiosks may be located

indoors or outdoors adjacent to the main entryway of a building and are not required to be located within the area designated on the site plan for the small or large collection recycling facility.

- c. Indoor facilities, ancillary to the primary activity of a business or organization which is exempt from these standards.

(5) Site-Related Standards

(i) Area

One small or one large collection recycling facility shall be permitted per property or parcel or tract of land under common ownership. In the case of a commercial/shopping center with multiple tenants and/or multiple property owners, only one small or large collection recycling facility may be permitted. Small and large collection recycling facilities shall be limited to one area per property, parcel or tract of land under common ownership dedicated to such facilities. Small collection facilities are limited to 500 square feet in area whereas large collection facilities may contain a larger area.

Any use meeting the definition of a small or large collection recycling facility shall be located within the designated area as shown on the approved site plan or development plan. Kiosks and reverse vending machines may be located outside the designated area when located adjacent to the public entrance of the principal structure.

(ii) Location and Placement

- a. Small or large collection recycling facilities shall be located on a paved surface.
- b. All density and dimensional standards as provided in Article 6, such as building setbacks, shall apply to the placement and location of areas designated for small or large collection recycling facilities.
- c. Whenever possible, small or large collection recycling facilities should not be located between the public right-of-way and the front façade of a building.
- d. Small or large collection recycling facilities shall not be located in parking lots when its placement in such a location will result in a reduction in available parking below the amount required for the principal use of the property or site.
- e. Small or large collection recycling facilities shall not be located in parking lots when its placement in such a location will result in impeding safe and orderly pedestrian and vehicular movement.
- f. The location and placement of the area designated for small or large collection recycling facilities shall be safe for public use. Prior to site plan approval, the applicant shall provide evidence to the

Planning Department that the designated site is safely accessed by the general public.

(iii) Appearance

a. Screening

The designated area for small or large collection recycling facilities may be screened from public rights-of-way by a landscape screen or berm. Such screening may be required to obtain site plan approval and is encouraged in all instances. Screening, regardless of the method, shall not exceed four feet in height, at any time, for security and public safety purposes.

b. Maintenance

The designated area for small or large collection recycling facilities shall be kept clean from debris, recyclable materials, or garbage at all times. Collection of recyclable materials shall occur only within mobile collection units, reverse vending machines and kiosks which include permanent structures. All facilities, collection units, vending machines, and kiosks shall be properly maintained.

(iv) Site Plan Review

Small and large collection recycling facilities shall only be permitted upon site plan review and approval by the Director.

20-809 Agriculture Use-Specific Standards

(a) Animals

(1) Large Animal

- (i) Animal husbandry, dairying, and pasturage, but not including the keeping of swine, shall have a minimum lot area of not less than five (5) acres and shall have not less than one (1) acre of lot area for each head of livestock kept on the premises. No feedlots shall be allowed.
- (ii) No large animal agriculture uses shall be located nearer than 150 feet to any Residential district or nearer to an adjoining lot line than 100 feet.
- (iii) Applicants shall show that adequate measures will be taken to prevent odor, dust, noise, or drainage from becoming objectionable to uses on other properties. No incineration of animal refuse shall be permitted.

(2) Small Animal

(i) Structures

- a. Structures shall comply with the accessory structure standards in Section 20-811(b), except where expressly stated.

- b. Any coop, shelter, or enclosure shall be maintained in a clean and sanitary fashion to prevent the unreasonable accumulation of waste or other noxious substances, the emanation of noxious odors, or the presence of vermin.
- c. The facilities used to house the animals shall be of adequate design to keep the animals confined and reasonably safe from predators, and provide enough shelter and room to provide humane conditions as defined at Section 3-102 of the City Code.

(ii) Maintenance

The site shall be maintained in accordance with the City's Property Maintenance Code. At a minimum, the property shall be maintained in a clean and sanitary fashion to prevent the unreasonable accumulation of waste or other noxious substances, the emanation of noxious odors, or the presence of vermin.

(iii) Excluded Animals

- a. Pigs are not considered small agricultural animals and may not be kept within the City pursuant to an urban agricultural use.
- b. Vietnamese Pot-Bellied Pigs are considered domesticated pets and are subject to regulations established at Chapter 3, Article 1, Section 3-104(D) of the City Code.

(iv) Standards that apply in the Mixed and Commercial¹⁵³ Districts

Small animal agriculture permitted in these districts is limited to beekeeping, insects, and aquatic organisms. This restriction does not apply to pet stores or similar permitted uses in these districts.

(3) Bees

- (i) Africanized honey bees are prohibited.
- (ii) Up to two colonies may be located on a lot of ¼ acre or less; Four colonies on lots between ¼ and ½ acre; Six colonies on lots of ½ to full acre. Eight colonies are permitted on any property larger than an acre (except that additional colonies are permitted when they are set back at least 200 feet from all property lines.)
 - a. For every two colonies permitted on a tract there may be maintained upon the same tract one nucleus colony in a hive structure not exceeding one standard 9 5/8 inch depth 10-frame hive body with no supers, the part of the beehive that is used to collect honey, attached as required from time to time for swarm management.

¹⁵³ Was previously CO, CS, CC, CR, & CD Districts.

- b. Each such nucleus colony shall be moved to another tract or combined with another colony on the subject tract within 30 days after the date made or acquired.
- (iii) Every person owning a hive, stand, box or apiary on property other than their residence shall identify such hive, stand box or apiary by a sign or other prominent marking stating in letters at least one inch high on a contrasting background the name and phone number of the owner of such equipment.
- (iv) The following locational requirements apply to all hives:
 - a. No hive shall exceed 20 cubic feet in volume.
 - b. Hives are permitted only in the side and rear yards, unless roof-mounted.
 - c. No hive shall be located closer than three feet from any property line.
 - d. No hive shall be located closer than 10 feet from a public sidewalk or 25 feet from a principal building on an abutting lot. (Hives must be relocated as needed as abutting lot develops.)
 - e. If a hive is within 10 feet of a property line and is located less than 10 feet off the ground, a flyway barrier is required.
- (v) A flyway barrier, when required, shall be at least six feet tall and extend 10 feet beyond the colony location on each side. It can be solid, vegetative, or any combination of the two that forces the bees to cross the property line at a height of at least six feet.
- (vi) The beekeeper shall promptly re-queen the colony if the colony exhibits unusual defensive behavior without due provocation.
- (vii) A constant supply of water shall be provided for all hives within 25 feet of each hive between March 1 and October 31 of each year.
- (viii) Bee hotels are not subject to these regulations.

(4) Fowl

- (i) Fowl, defined herein as female chickens and ducks, see Section 20-1701, may be kept on a property only as an accessory use to a permitted primary use.
- (ii) The maximum number of fowl is limited to:
 - a. One fowl per 500 square feet of lot size, rounded down; and
 - b. No more than 20 fowl, regardless of the size of the lot.
- (iii) Any person who owns, keeps, or harbors fowl, i.e., chickens and ducks, shall provide a coop or other similar shelter.

- a. Any coop or shelter shall be screened or walled in a manner that allows the permitted fowl to be reasonably protected from predators.
- b. Any coop or shelter shall be a minimum of three square feet in size per fowl if the fowl have an enclosed outdoor run, or 10 square feet in size per fowl if the fowl do not have an enclosed outdoor run.
- c. Any coop or shelter shall be constructed in a manner that is consistent with the requirements of this section. In the event that the coop or shelter qualifies as an accessory structure then all requirements regarding placement and setbacks for accessory structures in Section 20-811(b) must be met.
- d. In no event shall any coop or shelter be located nearer than 5 feet from any neighboring property line.
- e. Any coop or shelter shall be maintained in a clean and sanitary fashion to prevent the unreasonable accumulation of waste or other noxious substances, the emanation of noxious odors, or the presence of vermin.
- f. A roost shall be provided for each chicken, with a minimum length of 10 inches per chicken and a minimum size of 8 square inches. A roost is not required for ducks.
- g. For every three chickens, a minimum of one laying box space, with a minimum size of one square foot, shall be provided. Each laying box shall contain adequate clean bedding material such as hay or other soft material. A laying box is not required for ducks.

(5) Goats and Sheep

- (i) Goats and sheep may be kept on a property only as an accessory use to a permitted primary use.
- (ii) Only small goats and sheep are permitted as small animal agriculture. Breeds which would be considered small goats include Pygmy Goats, Nigerian Dwarf Goat, and Miniature Dairy Goats. Breeds which would be considered small sheep include Harlequin Sheep, North American Shetland Sheep, and Cheviot Sheep.
 - a. Breeds are limited to those that do not exceed 24" at the withers.
- (iii) Male goats over the age of four weeks must be neutered.
- (iv) The following standards regulate the number of goats or sheep that may be kept on a property.
 - a. A minimum of two goats or two sheep may be kept on a property. A single goat or a single sheep is not permitted.
 - b. Two goats or two sheep may be kept on a property with a minimum of 10,000 square feet of area.

- c. Up to four goats and sheep may be kept on a property with a lot area of 20,000 square feet or more.
 - d. Nursing offspring of goats and sheep permitted through the provisions of this Code may be kept until weaned, no longer than 12 weeks from birth, without violating the limitations of this subsection.
 - e. The maximum number of goats and sheep that can be kept on an urban farm would be established through the Special Use Permit process.
- (v) The following standards apply to any structure used to house goats and sheep:
- a. Goats and sheep shall be housed in a predator-resistant, covered Structure with an open air enclosure.
 - b. The structure shall be located a minimum of 50 feet from any off-site dwelling.
 - c. The structure shall be located in the rear yard and a minimum of 15 feet from adjacent properties.
 - d. The structure shall provide a minimum of 10 square feet of living area per goat or sheep.
 - e. A fenced open air enclosure shall be provided which has a minimum area of 150 square feet per goat or sheep.

(6) Crop Agriculture

- (i) Crops may be grown within the public right-of-way adjacent to the property without a use of right-of-way permit. However, the use shall be temporary and any such crops shall be subject to removal by the City, at its discretion, when street or infrastructure repairs or improvements are undertaken in the right-of-way.
- (ii) The following locational requirements apply to all crops:
 - a. Crops may not exceed three feet in height when located within eight feet of the roadway to avoid interference with visibility for driveways and other access points.
 - b. If a sidewalk on the property is more than eight feet from the roadway, crops may not exceed three feet in height between the sidewalk and the roadway.
 - c. Crops may not exceed three feet in height within three feet either side of a sidewalk to allow for visibility.
 - d. Crops may not be planted within one foot on either side of the sidewalk and may not be allowed to grow onto the sidewalk.

- e. Crops taller than three feet are not permitted within the sight distance triangle (area created by connecting the endpoints of two 25 feet lines, measured along the curb line, from the intersection of two adjacent streets).



Fig. 20-8-L. Sign Distance Triangle Requirement

- (iii) The following maintenance requirements apply to all crop agriculture uses:
 - a. The site shall be designed and maintained so as to prevent the free flow of stormwater, irrigation water, chemicals, dirt, or mud across or onto adjacent lots, properties, public streets, sidewalks, or alleys.
 - b. The site shall be kept free of debris or high grass or weeds, taller than 12 inches, (Crop agriculture plants are not considered weeds as defined in Section 18-302(f) of the City Code and are exempt from the weed provisions in Section 18-304 of the City Code.)

(b) Urban Farm

(1) Special Use Permit for Urban Farms in Residential Districts

- (i) An urban agriculture use is considered an urban farm when it includes uses permitted as crop agriculture and/or small or large animal agriculture but exceeds the standards set by the Code for these uses. These standards include, but are not limited to, the maximum number of animals per size of lot, the maximum permitted size of the on-site sales area, hours of on-site sales, and accessory activities on the site such as educational sessions.
- (ii) An urban farm that was in existence in a residential zoning district prior to April 26, 2016, will be deemed to have an automatic Special Use Permit. It will be necessary for owners/operators of Urban Farms to register the use with the Planning Office by January 1, 2017, to qualify for the automatic Special Use Permit. Any alteration or expansion of the urban farm use are subject to the Special Use Amendment procedures of Section <> [20-1306] with the provisions included in the following section.
- (iii) Given the nature of an urban farm use, an aerial photo may be used as the basis of the Special Use Permit plan. The plans are not required to be

developed by a design professional, but must clearly show the details/dimensions necessary to insure setbacks are met, required screening is provided, and that parking areas and drive aisles meet the parking standards in Section <>[Article 9].

(2) Accessory Uses Permitted by Right

(i) Agricultural Processing

- a. The primary agricultural product being processed must be grown or produced on the premises.
- b. Potentially offensive external effects shall be mitigated to insure compatibility with nearby land uses.
- c. Off-street parking is required at the same rate as the limited manufacturing and production use in Article 9.

(3) Employment

An urban farm in a residential district may have employees that exceed the home occupation limit.

20-810 Accessory Use Table

Comment

The Accessory Use Table follows the same approach in organization and color-coding as the Principal Use Table. Rather than attaching a certain common accessory use (e.g., outdoor storage or display) to a particular principal use, the new Accessory Use Table proposes a district-based approach where any principal use can maintain the allowed or conditional accessory use listed in the table.

Table 20-8-2: Accessory Use Table, identifies the permitted accessory uses in each zoning district. Each accessory use is given one of the following designations for each zoning district in which that accessory use is permitted.

(a) Permitted /A/

These accessory uses are permitted by-right in the zoning districts in which they are listed. Permitted accessory uses are required to comply with applicable use-specific standards identified in this article. Cross-references to use-specific standards are provided in the Use-Specific Standards column as a courtesy to LDC users; use-specific standards apply whether they are identified in Table 20-8-2: Accessory Use Table or not.

(b) Special Use Permit /S/

These uses are not permitted uses in the districts in which they are listed but may be allowed through Section <> [20-1306], subject to specific conditions. Uses permitted by special use permit must follow any applicable development standards

associated with the use as well as meet the requirements of the special use permit approval.

(c) Blank Spaces

Uses that are not permitted are indicated by a blank space.

(d) Multiple Accessory Uses

Developments may have one or more accessory uses or structures.

- (1) A list of accessory uses commonly associated with a particular use group is included under a paragraph entitled, "Accessory Uses and Structures." The examples are generic and may be used in the process of interpreting new uses. Accessory uses are subject to all applicable regulations. Example lists are not exhaustive.
- (2) Uses are categorized as accessory or principal as determined by the circumstances of the use on the site. A cafeteria may be an accessory use to a principal industrial use, while a restaurant may be a principal use.

Table 20-8-2: Accessory Use Table

A= Permitted Accessory Use S = Special Use Approval Required

Current Zoning Districts	RS40 RS20 RS10	RS5 RS7	RS3 RM12 RM12 -D, RM15	RM24 RM32	NEW	CN1, RSO, MU	CN2, CO, RMO	CS, MU	CC, CR	CD	IL, IM	I G	IBP	GPI, H	OS	
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5	M-1	M-2	M-3	CC	CD	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
LDC Update Key: Uncolored cell = no change from current Blue cell = follows more permissive district's allowed uses Blue cell with BOLD letter = new accessory use allowance																
Residential Uses																
Accessory Dwelling Unit (ADU)	A	A ¹⁵⁴	A	A	A											20-811(a)
Public and Civic Uses																
Community Meal Program	A	A	A	A	A	S/A	S/A	S/A	S/A	SA	S/A	S		S		20-806(c)
Day Care Center						A	A	A	A	A	A ¹⁵⁵	A	A	A		
Day Care Home, Class A	A	A	A	A												
Day Care Home, Class B						A ¹⁵⁶										
Funeral Services	A	A	A	A		A	A	A	A	A	A ¹⁵⁷	A		A ¹⁵⁸	P	
Temporary Shelter	A	A	A	A		S/A	S/A	S/A	S/A	S/A	S/A	S/A		S/A		
Commercial Use Group																

¹⁵⁴ Currently an Accessory Use in RS and not permitted in RS5.

¹⁵⁵ Accessory use in IM.

¹⁵⁶ Accessory Use in CN1.

¹⁵⁷ Accessory use in IL, not permissible in IM.

¹⁵⁸ Accessory Use in GPI, not permissible in H.

Table 20-8-2: Accessory Use Table

A= Permitted Accessory Use S = Special Use Approval Required

Current Zoning Districts	RS40 RS20 RS10	RS5 RS7	RS3 RM12 RM12 -D, RM15	RM24 RM32	NEW	CN1, RSO, MU	CN2, CO, RMO	CS, MU	CC, CR	CD	IL, IM	I G	IBP	GPI, H	OS	
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5	M-1	M-2	M-3	CC	CD	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
LDC Update Key: Uncolored cell = no change from current Blue cell = follows more permissive district's allowed uses Blue cell with BOLD letter = new accessory use allowance																
Automatic Teller Machine (ATM)																
Drive-up																
Walk-up																
Bar or Lounge						A	A	A	A	A			A			
Drive-Through Window																20-811(d)
Eating and Drinking Establishments																20-811(e)
Financial Services														A		
Home Occupation, Type A or B	A	A	A	A		A	A ¹⁵⁹	A ¹⁶⁰								20-811(h)
Parking, Accessory			A	A		A	A	A	A	A	A	A	A	A	A	
Private Dining Establishment	S	S					S ¹⁶¹		P	P						20-811(i)
Walk-Up Window																
Exterior Storage								A	A		A	A	A	A	A	20-811(f)
Agriculture																
Agriculture, Small Animal	A	A	A	A	A	A	A	A	A	A	A	A	A			

¹⁵⁹ Accessory use in RMO.

¹⁶⁰ Accessory use in MU.

¹⁶¹ Special Use in RMO.

Table 20-8-2: Accessory Use Table

A= Permitted Accessory Use S = Special Use Approval Required

Current Zoning Districts	RS40 RS20 RS10	RS5 RS7	RS3 RM12 RM12 -D, RM15	RM24 RM32	NEW	CN1, RSO, MU	CN2, CO, RMO	CS, MU	CC, CR	CD	IL, IM	I G	IBP	GPI, H	OS	
Proposed Zoning Districts	R-1	R-2	R-3	R-4	R-5	M-1	M-2	M-3	CC	CD	IL	IG	IBP-R	P-1	P-2	Use-Specific Standards
LDC Update Key: Uncolored cell = no change from current Blue cell = follows more permissive district's allowed uses Blue cell with BOLD letter = new accessory use allowance																
Farmers Market	A	A	A	A										A		20-811(g)
On-Site Agricultural Sales	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Communication Facilities																
Amateur Radio	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	20-811(c)
Satellite Dishes																20-811(c)(2)

20-811 Use-Specific Standards for Accessory Uses

(a) Accessory Dwelling Units

(1) Purpose

Accessory dwelling units are allowed in certain situations to:

- (i) Create new housing units while preserving the look and scale of single-family detached dwelling neighborhoods; subject to the procedures established in Section (xi) below;
- (ii) Allow more efficient use of the City's existing housing stock and Infrastructure;
- (iii) Provide a mix of housing types that responds to changing Family needs and smaller households;
- (iv) Provide a means for residents, particularly seniors, single parents, and couples, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- (v) Provide a broader range of accessible and more affordable housing.

(2) Design Standards

(i) Purpose

These design standards are intended to ensure that accessory dwelling units:

- a. Are compatible with the desired character and livability of the zoning districts;
- b. Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards; and
- c. Are 960 square feet or smaller in size.

(ii) Generally

The design standards for accessory dwelling units are stated in this section. If not addressed in this section, the base district standards apply.

(iii) Methods of Creation

An accessory dwelling unit may only be created through one of the following methods:

- a. Converting existing living area within a detached dwelling, attached dwelling (e.g., attic, basement or attached garage); or
- b. Adding floor area to an existing detached dwelling, attached dwelling or detached garage; or

- c. Constructing a new detached dwelling, attached dwelling or detached garage with an internal accessory dwelling unit.

(iv) Owner Occupancy Required in RS Districts

Either the principal dwelling unit or the accessory dwelling unit must be occupied by one or more of the persons who is/are the record owner of the premises.

If at any time, neither of the dwelling units in a building that contains an accessory dwelling unit is the principal residence of one of the owner of the property, then the property shall be considered a duplex. If a duplex is not permitted in the zoning district in which the property is located, the owner shall be subject to penalties for a zoning violation and to an abatement order requiring restoration of the premises to lawful status, conforming with the uses permitted in the zoning district.

(v) Number of Residents

The total number of individuals that reside in both units (principal + accessory) may not exceed occupancy limit established for the principal building in Section 20-204, plus one additional person.

(vi) Other Uses

An accessory dwelling unit is prohibited in a house with a Type B home occupation.

(vii) Location of Entrances

- a. Only one entrance to the principal building may be located on the front facade that faces the street, unless the principal building contained an additional street-facing entrance before the accessory dwelling unit was created.
- b. When the accessory dwelling unit is located behind the rear wall of the principal building, the accessory dwelling entrance shall face the front lot line.
- c. An exception to paragraph (b), above, is dwelling units that do not have access from the ground such as dwelling units with entrances from balconies or elevated decks.

(viii) Parking

The following parking requirements apply to accessory dwelling units.

- a. Lots containing accessory dwelling units shall contain a minimum of two off-street parking spaces.
- b. If the lot containing the accessory dwelling unit abuts only a local street and the pavement of the local street is at least 27 feet wide, no additional parking space is required for the accessory dwelling unit.

- c. If the lot containing the accessory dwelling unit abuts only a local street and the pavement of the local street is less than 27 feet wide, or if the accessory dwelling unit is created at the same time as the principal dwelling unit, one additional parking space is required for the accessory dwelling unit.
- d. One additional parking space is required for the accessory dwelling unit if the lot containing the accessory dwelling unit abuts only a collector or arterial street.

(ix) Size

The maximum size of an accessory dwelling unit may be no more than (33%) of the living area of the detached dwelling or attached dwelling, or 960 square feet, whichever is less.

(x) Floor Area Additions

Accessory dwelling units created through the addition of habitable floor area to an existing structure shall comply with the following standards:

- a. The exterior finish material shall be the same or visually match in type, size and placement, the exterior finish material of the house or existing structure;
- b. The roof pitch shall be the same as the predominant roof pitch of the house or existing structure;
- c. Trim on edges of elements on the addition shall be the same in type, size and location as the trim used on the rest of the house or existing structure;
- d. Windows shall match those in the house in proportion (relationship of width to height) and orientation (horizontal or vertical);and
- e. Eaves shall project from the building walls the same distance as the eaves on the rest of the house or existing structure.

(xi) Registration; Affidavit

- a. Accessory dwelling units shall be registered with the Director prior to their establishment. The requirement for registration is intended to ensure that the applicant is aware of the provisions of this Code governing accessory dwelling units; that the City has all information necessary to evaluate whether the accessory dwelling unit initially meets and continues to meet Code requirements; and that the distribution and location of accessory dwelling units is known.
- b. At the time of registration, the applicant shall submit an affidavit pledging agreement to the accessory dwelling unit standards of this section. The affidavit shall specify which of the dwelling units will be occupied by an owner of the property; if at any time such owner moves to the other dwelling unit, the owner shall be responsible for filing an updated affidavit, recording such change.

- c. Permits for accessory dwelling units may be issued after the Planning determines that the proposal complies with all applicable Code requirements.

(b) Accessory Structures

The standards of this section apply to all accessory uses and structures.

(1) Time of Construction

- (i) Accessory structures shall be constructed in conjunction with or after the principal building. They shall not be built prior to the construction of the principal building.
- (ii) No principal building is required for structures that are accessory to a crop agriculture or urban farm use.

(2) Subordinate Nature

- (i) Accessory uses shall be a subordinate part of a principal use and be clearly incidental to a principal use.
- (ii) Accessory structures shall be of secondary importance and subordinate in size and scale to the principal building on a site.

(3) Building Coverage

- (i) A detached accessory structure may not have a larger footprint than the building footprint of the principal building.
- (ii) The combined footprint of all accessory structures may be equal to the footprint of the principal building or 20% of the lot area, provided the total footprint of all structures does not exceed the maximum building coverage for the corresponding zoning district.
- (iii) Seasonal crop agriculture structures used to extend the growing season, such as cold frames, low tunnels, and hoop houses that are exempt from building permit requirements are exempt from these building coverage regulations.

(c) Amateur Radio and Receive-Only Antennas

(1) Amateur Radio and Receive-Only Antennas

Amateur radio and receive-only antenna may be installed and operated as permitted accessory uses, subject to the following conditions:

- (i) A single ground or building mounted receive-only antenna including any mast, for the sole use of the principal occupant of the residential parcel on which the receive-only antenna is located; with a receive-only antenna height not exceeding 25' or the building height allowed in the zoning district, whichever is higher;

- (ii) A ground, building, or tower mounted amateur radio antenna if the height (post and antenna) does not exceed 35'; and
- (iii) A ground, building, or tower-mounted amateur radio or receive-only antenna up to 75 feet tall as a special use, subject to the following additional standards:
 - a. The applicant shall provide certification from a civil engineer licensed in Kansas that the tower design is such that it will not fall on adjacent property or on any building on the property on which it is located;
 - b. The tower installation shall include a type 2 bufferyard to screen it from any adjoining property in an RS zone that is located within 20 feet of the proposed tower site; and
 - c. The tower may be limited to a Height of less than 75 feet if the Planning Commission finds that it will otherwise protrude above the tree canopy or otherwise create an unnecessary and unacceptable visual impact.

(2) Satellite Dishes

(i) General

- a. No satellite dish shall block any entrance or required emergency egress of any building.
- b. Any satellite dish in a HL or HD Overlay district shall be subject to Chapter 22 of the City Code, and shall specifically require a Certificate of Appropriateness under Chapter 22.

(ii) Satellite Dishes One Meter or Smaller

Satellite dishes one meter or less in diameter are a permitted accessory structure in all base districts.

(iii) Satellite Dishes Two Meters or Smaller

Satellite dishes more than one meter, up to and including two meters, in diameter are a permitted accessory structure in all Mixed or Commercial and Industrial zoning districts and a Special Use in all Residential zoning districts, and are subject to the following:

- a. Such a satellite dish shall not be located in the front setback or front yard;
- b. Such a satellite dish shall not be located in a side setback; and
- c. Such a satellite dish in a Residential or Mixed or Commercial zoning district, or the IBP-R zoning district, shall be screened from view off premises by a fence, wall, berm, or landscaping.

(iv) Satellite Dishes Larger Than Two Meters

Satellite dishes more than two meters in diameter are a permitted accessory structure in all Industrial zoning districts and all Mixed or Commercial zoning districts except for M-1. Such satellite dishes are a Special Use in any Residential zoning district or in the M-1 zoning district. Such satellite dishes are a special use in any Residential zoning district or in the M-1 zoning district. Such satellite dishes are subject to the following:

- a. Such a satellite dish shall not be located in a front setback or front yard;
- b. Such a satellite dish shall not be located in a side or rear setback; and
- c. Such a satellite dish in a Mixed or Commercial zoning district or the IBP-R zoning district, or where adjoining property is in a Residential, Mixed, or Commercial zoning district or the IBP-R zoning district, shall be screened from view off premises by a fence, wall, berm, or landscaping.

Dish Size	Two Meters or Smaller	Larger than two meters
Residential	Special Use	Special Use
Mixed Use	Permitted	Permitted (M-1 Special Use)
Commercial	Permitted	Permitted
Industrial	Permitted	Permitted
Front Setback	Not Permitted	Not Permitted
Rear Setback	Permitted	Not Permitted
Side Setback	Not Permitted	Not Permitted
Screening	Required in R, MU, & IBP districts	Required in MU & IBP districts Required when adjoining R, MU, & IBP districts

(d) Drive-Through (Drive-Thru)

(1) Setbacks for Speaker Box Systems

There shall be a minimum of 100 feet between any speaker box system, such as those commonly used at fast order food establishments, and any residence in a residential district.

(2) Screening

Any area intended or employed for a use that requires Special Use approval under <>[Article 4] shall be located at least 50 feet from any residential lot or district or be so screened as to provide visual and auditory privacy to such lot or district. Any area intended or employed for a use that requires special use approval under <>[Article 4] shall be located at least 50 feet from any residential lot or district or be so screened as to provide visual and auditory privacy to such lot or district.

(e) Eating and Drinking Establishments

(1) Accessory Uses to Hotels

- (i) A hotel with 50 or more rooms may have a restaurant as an accessory use; a restaurant may be permitted as a second principal use on the same property as a smaller hotel, subject to all of the other conditions applicable to the use and the district in which it is located, including separate parking requirements.
- (ii) A hotel with 100 or more rooms may have a bar as an accessory use, subject to all of the other conditions applicable to the use and the district in which it is located, including separate parking requirements.
- (iii) A hotel with 150 or more rooms may have a nightclub or other live entertainment as an accessory use. A hotel with 150 or more rooms may have a nightclub or other live entertainment as an accessory use.

(2) Accessory Bars

In any zoning district allowing a restaurant as a permitted use and allowing an accessory bar, the accessory bar shall be allowed only subject to the following standards:

- (i) the accessory bar shall not constitute more than 25 percent of the floor area of the eating & drinking establishment;
- (ii) the accessory bar shall not have a separate street entrance; and
- (iii) if at any time the sales of alcoholic beverages in the eating and drinking establishment constitute more than 55 percent of gross sales for any two months or longer measuring period, the Bar shall be deemed to be a principal use and the operator shall be subject to penalties under this Code for operation of an unlawful use.

(f) Exterior Storage

(1) Purpose

Exterior storage areas are permitted as an accessory to a principal use in specific nonresidential zoning districts to provide space for the outdoor storage

of materials related to the principal Use. Outdoor storage of materials not related to the business of the principal Use is prohibited.

(2) Applicability

Exterior storage is defined as the outdoor storage of any and all materials related to the principal Use of the lot or site, not including areas for special events, temporary outdoor events or seasonal events, transient merchant sales areas, or any other outdoor area dedicated to the sale of retail goods, regardless of the proprietor. Exterior storage is permitted as an Accessory Use in the M-3, CC, IL, IG, IBP-R, and P-1 districts to any principal Use permitted in these districts. Exterior storage is permitted as an accessory use in the M-3, CC, IL, IG, IBP-R, and P-1 districts to any principal Use permitted in these districts. The standards for exterior storage areas exclude dumpsters and trash receptacles and mechanical equipment, which themselves have screening requirements in Section <> [20-1006].

(3) Location of Exterior Storage on a Site

(i) Location in Rear Yard

Exterior storage areas may be located in the provided rear yard of a property but must adhere to the minimum setbacks as required by Article 6 in addition as to what is required by paragraph (iv) below.

(ii) Location in Side Yard

Exterior storage areas may be located in any side yard of a property not adjacent to a street right-of-way, except in the IL and IG districts where they may be located in any side yard, regardless of the presence of adjacent street right-of-way. The location of exterior storage areas in any side yard must adhere to the minimum setbacks as required by Article 6 in addition to what is required by paragraph (iv) below. When located in a side yard, exterior storage areas shall be located to the rear of the front building facade of the principal structure, except in the IL and IG districts where they may encroach into the front yard.

(iii) Location in Front Yard

Exterior storage areas are prohibited from being located in the provided front yard of any property in all zoning districts, with exception of the IL and IG zoning districts where exterior storage areas may be located in the front yard.

(iv) Minimum Setbacks

Minimum setbacks apply to the location of exterior storage areas depending upon adjacent property's zoning classification. To determine the Setback required, first identify the zoning of the site planned for exterior storage and the zoning of all adjacent sites. Find where the zoning of the

site for exterior storage and each adjacent site intersect on the table. This is the required minimum setback from the property line.

Table 20-8-3: Minimum Exterior Storage Area Setbacks

Zoning of Exterior Storage Area	Adjacent Site's Zoning			Adjacent to ROW
	M-1, M-2	M-3, CC	IBP-R, IL, IG, P-1	
M-3, CC	15'	15'	-	50' [1]
IBP-R, IL, IG, P-1	15'	-	10'	25' [1]

Notes:
 [1] or behind the front building façade whichever is the greater distance.

(4) Screening Required

To protect the public safety and promote aesthetic quality, all exterior storage areas are required to be screened from adjacent properties and the public right-of-way in the form of a landscaped bufferyard. To determine the type of bufferyard required, first identify the zoning of the site planned for exterior storage and the zoning of all adjacent sites. Find where the zoning of the site for exterior storage and each adjacent site intersect on the table. This is the required type of bufferyard. For detailed provisions on each type of bufferyard, see Sec. 20-1005.

Table 20-8-4: Exterior Storage Bufferyard Requirements

Zoning of Exterior Storage Area	Adjacent Site's Zoning			Adjacent to ROW
	M-1, M-2	M-3, CC	IBP-R, IL, IG, P-1	
M-3, CC	2	-	1	3
IBP-R, IL, IG, P-1	3	2	-	3

(5) Area

The area of exterior storage uses shall be limited to 50% of the floor area of the principal structure. Exterior storage areas may only exceed 50% of the floor area of the associated principal structure with approval of a Special Use Permit. Exterior storage areas may only exceed 50% of the floor area of the associated principal structure with approval of a Special Use Permit.

(6) Surfacing Required

(i) In M-3 and CC Districts

Exterior storage areas located in these districts shall be located upon any of the paved surfaces as provided in Sec. 20-913.

(ii) In IBP-R, IL, IG, and P-1 Districts

Exterior storage areas located in these districts may be located on compacted gravel surfaces. Driveways and driveway aprons providing access to these areas shall be paved to City standards.

(iii) Exterior Storage areas in Floodplains

Exterior storage areas located in the floodplain, regardless of the site's zoning, may be surfaced with compacted gravel.

(g) Farmer's Market

The following standard applies in the residential zoning districts:

- (1) Farmers Markets may be permitted, through approval of a site plan, when accessory to one of the following uses: schools; religious institutions; cultural center/library; day care center; college/university; lodge, fraternal & civic assembly; social service agency; and adaptive reuse of a registered historic property, provided that adequate parking is provided. Farmers markets may be permitted, through approval of a site plan, when accessory to one of the following uses: schools; religious institutions; cultural center/library; day care center; college/university; lodge, fraternal & civic assembly; social service agency; and adaptive reuse of a registered historic property, provided that adequate parking is provided.

(h) Home Occupations

(1) Purpose

Home occupations are activities accessory to uses in the household living group. Special regulations apply to such activities to ensure that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations are intended to ensure that the home occupation remains subordinate to the residential use, and that the residential viability of the dwelling is maintained. The regulations recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

(2) Applicability

Uses are allowed as home occupations only if they comply with all of the requirements of this section.

(3) Exemptions

(i) Day Care Homes

Day care homes are not regulated as a home occupation and are exempt from the home occupation regulations of this section.

(ii) Bed and Breakfast and Bed and Breakfast Inns

Bed and breakfasts and bed and breakfast inns are not regulated as home occupations and are exempt from the regulations of this section.

(4) Description of Type A and Type B Home Occupations

There are two types of home occupations: Type A home occupations and Type B home occupations.

(i) Type A

A Type A home occupation is one where residents use their home as a place of work, with no employees or customers/clients coming to the site. Examples include artists, crafts people, writers, and consultants.

(ii) Type B

A Type B home occupation is one where an employee and/or customers/clients come to the site. Examples are counseling, tutoring, and hair cutting/styling.

(5) Use-Related Regulations

(i) Allowed Uses

The intent of the regulations of this section is to establish performance standards for all home occupations rather than to limit uses and activities to a specific list. Home occupations that comply with the performance standards of this section are allowed by-right unless otherwise expressly stated.

(ii) Prohibited Uses

- a. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to vehicles and their parts is prohibited.
- b. Home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
- c. Funeral and interment services are not allowed as home occupations.
- d. Animal services, with the exception of sales and grooming, are not allowed as home occupations.
- e. Restaurants are not allowed as home occupations; catering for off-premise consumption is not prohibited.
- f. A Type B home occupation is prohibited on a lot where an accessory dwelling unit exists.
- g. More than two garage sales within a calendar year is a prohibited use.

(6) Site-Related Standards

(i) Signs

One non-animated, non-illuminated, accessory identification sign of no more than 2 square feet in area shall be permitted. The allowed sign shall be placed flat against a wall or door, displayed in a window, or within ten feet (10') of the building entrance.

(ii) Outdoor Activities

- a. All activities shall be in completely enclosed structures.
- b. Exterior storage or display of goods or equipment is prohibited.

(iii) Appearance

The dwelling and site shall remain residential in appearance and characteristics. Internal or external changes that will make the dwelling appear less residential in character or function are prohibited. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.

(7) Impact-Related Standards

(i) Hazardous Substances

Hazardous substances are prohibited, except at the "consumer commodity" level, as that term is defined in 49 C.F.R. Sec. 171.8.

(ii) Noise

The maximum noise level associated with a home occupation shall not violate the provisions of the City's noise ordinance.

(iii) Trucks and Vehicles

No more than one vehicle advertising or displaying the name of the home occupation may be parked at the site. The maximum size of a vehicle that may be parked in association with a home occupation is a light truck.

(iv) Deliveries

Truck deliveries or pick-ups of supplies or products, associated with business activities, are allowed at the home occupation only from 7 a.m. to 9 p.m. Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods.

(8) Additional Type B Home Occupation Regulations

The following are additional regulations that apply to Type B home occupations. Waivers or variances from this section of the regulations are prohibited.

(i) Hours

Customers or clients may visit the site only during the hours of 7 a.m. to 7 p.m.

(ii) Nonresident Employees

One nonresident employee is allowed with a Type B home occupation. For the purpose of this section, the term "nonresident employee" includes an employee, business partner, co-owner, or other person affiliated with the home occupation who does not live at the site but who regularly visits the site as part of the home occupation.

(iii) Customers/Clients

Only 10 customers or clients may visit the site in a day.

(iv) Retail Sales

Retail sales of goods shall be entirely accessory to any services provided on the site (such as hair care products sold to hair cutting clients).

(v) Number

No more than one Type B home occupation is permitted per dwelling unit.

(vi) Animal Services – Sales and Grooming

No more than four animals may be on site at any given time for grooming services.

(9) Type B Home Occupation Permit

(i) Purpose

Permits for Type B home occupations shall be obtained, prior to their establishment, from the Director. The permit requirements are intended to ensure:

- a. that the applicant is aware of the provisions of this Code governing home occupations;
- b. that the City has all information necessary to evaluate whether the proposal initially meets, and continues to meet Code regulations; and
- c. that the distribution and location of Type B home occupations is known.

(ii) Procedure and Renewal Process

Type B home occupations are required to register with the Director prior to their establishment. At the time of registration, the applicant shall provide an affidavit pledging compliance with the standards, conditions and the documentation that the proposal is a Type B home occupation. A home occupation permit for Type B home occupations will be issued by the

Director for a 2-year period. It is the responsibility of the applicant to obtain the permit every 2 years. The permit is tied to the applicant and to the lot occupied by the Type B home occupation. Permits are not transferable to other sites or to other operators. The applicant shall also demonstrate at the time of registration compliance with the following neighborhood notice requirements.

(iii) Neighborhood Notice

- a. The purpose of this requirement is to notify the Registered Neighborhood Association and nearby landowners of the establishment of a Type B home occupation, the type of activities that will occur, and the regulations under which the use shall operate.
- b. The applicant shall prepare a notice that describes the standards set forth in this section, the type of business activities to take place at the site, the hours of operation, and either the existence of a nonresident employee or the expected number of customers/clients on a daily basis.
- c. The applicant shall send notice to all Registered Neighborhood Associations whose boundaries include the site and to all owner of property within 200 feet of the subject site. At the time of application submittal, the applicant shall submit to the Director a list of the owner and addresses notified, a copy of the notice that was sent, and a signed statement verifying that notice requirements have been met. It is the responsibility of the applicant to gather the information to fulfill this requirement.
- d. The notice shall provide information on the proposed home occupation and at least the following additional information:

(iv) Notice of Proposed Home Occupation

This letter is being sent to landowners, or a Registered Neighborhood Association, near the site of a proposed Home Occupation. It is being sent for the purpose of informing the landowner and other interested parties about the proposed home-based business. This letter does not grant the recipient and/or landowner any legal rights to challenge the proposed development, instead, it is being provided solely to inform nearby landowners of the proposed plans of one of your neighbors. For further information, contact the applicant's designated representative at (xxx) xxx-xxxx or the Lawrence-Douglas County Planning Department at (785) 832-XXXX.

(v) Revocation

A Type B home occupation permit may be revoked for failure to comply with the regulations of this section, through the procedures identified in Section 20-1605(e). When a Type B home occupation permit has been

revoked, a new Type B home occupation permit will not be issued to the applicant or other persons residing with the applicant for 2 years.

(i) Private Dining Establishments

- (1) The operation of a private dining establishment in Residential and Mixed or Commercial districts shall be limited to:
 - (i) Service to no more than 30 guests per seating.
 - (ii) One seating per service day.
 - (iii) Five service days in a standard seven-day week.
 - (iv) Service shall be provided to the general public by reservation only.
 - (v) No drive-in, drive-through or carry-out facilities are permitted.
 - (vi) The service of beverages may include alcoholic beverages subject to approval of a city liquor license.
 - (vii) The Planning Commission and City Commission have the discretion to place additional restrictions upon the use or the site based upon the Review and Decision-Making Criteria set forth in Sec. 20-1306(i), but shall not be precluded from consideration from other factors which may be relevant to a particular application including but not limited to hours of operation, lighting, and noise.

(2) Off-street Parking

(i) Principal Residential Use

Off-street parking shall be provided in accordance with the applicable provisions of Section <> [Article 9] for the primary use as a residence.

(ii) Accessory Private Dining Use

The Planning Commission and City Commission shall have the discretion to adjust the amount of parking required and/or the permitted location and site design of off-street parking facilities dedicated to private dining establishments as a condition of Special Use Permit approval.

(iii) Standards for the Location of Off-Street Parking

Off-street parking shall be provided in such a way as to maintain the residential pattern and character of the neighborhood in which the use is proposed to occur.

(3) Site-Related Standards

(i) Owner-Occupancy Required

A private dining establishment shall be accessory to an owner-occupied principal residential use.

(ii) Location

- a. The use shall be contained in neighborhoods that include mixed use lots, tracts, parcels or buildings or structures as the term mixed use is defined in Sec. 20-1701. Neighborhoods which are predominantly single-dwelling residential in nature shall not be considered for private dining establishments. The use shall be contained within or adjacent to blocks with non-residential uses in a neighborhood with mixed uses or zoning districts.
- b. The use shall have direct access to a public street or right-of-way. Private dining establishments shall not be permitted on private streets.

(iii) Screening

The Planning Commission shall have the discretion to require landscaping and screening as deemed necessary given the operational, neighborhood and site characteristics for the use as a condition of Special Use Permit approval.

(iv) Appearance

- a. The exterior of the residence shall remain consistent with the primary function as a dwelling unit.
- b. No exterior signage or advertising material permitted in residential districts.

(v) Operating Characteristics

The Planning Commission and City Commission shall have the discretion to determine if the serving and consumption of any food and/or beverage may occur outdoors.

(j) On-site Agricultural Sales

(1) General Standards

- (i) Only unprocessed items: eggs, honey, or whole, uncut (except as necessary for harvesting), fresh produce and/or horticultural products may be donated, sold on-site, or distributed through community supported agriculture (CSA) pick-ups as on-site agricultural sales.
 - a. On-site sales refers to products grown or produced on the premises or products that are grown or produced on another site within the City that is maintained by the operator of the sales site, but only when sold in conjunction with products grown or produced on the premises.
- (ii) On-site agricultural sales may occur between 8:00 AM and 8:00 PM.
- (iii) Exterior display of product is permitted during sale hours.

- (iv) Any stands used for the display or sale of products shall be located a minimum of 20 feet from the curb or roadway and shall be temporary; being removed and stored when sales are not in progress.
- (v) The sales area may include a retail sales area (stand and/or display area) as noted below:
 - a. Sales area of up to 100 square feet permitted for lots up to 7,000 square feet in area.
 - b. Sales area of up to 150 square feet permitted for lots up to 10,000 square feet in area.
 - c. Sales area of up to 300 square feet permitted for lots larger than 10,000 square feet in area.
- (vi) One temporary, unilluminated sign advertising only food or horticultural products may be displayed during sales.
 - a. The sign must be located a minimum of 20 feet from the curb or roadway or it may be placed flat on a wall or door or displayed in a window.
 - b. The sign face may not exceed two square feet in area and the sign may not be more than three feet in height.

(2) Urban Farms

- (i) On-site agricultural sales are permitted on urban farms in Residential districts subject to area and locational standards established with the Special Use Permit.
- (ii) Urban farms in Residential districts which were in existence prior April 26, 2016, and are operating under an automatic SUP shall comply with the general On-site agricultural sales standards in this section.

20-812 Temporary Uses

(a) General

(1) Applicability

- (i) Types of temporary uses and structures that may be approved under the temporary use approval process include:
 - a. Temporary buildings;
 - b. Temporary display and sale of merchandise;
 - c. Model homes, trailers, activities, and/or uses incidental to the construction of a building or group of buildings on the same or adjacent premises;
 - d. Seasonal uses including but not limited to fireworks stands, Christmas tree lots, and produce stands; and

- e. Other uses that clearly are not associated with a holiday, the growing season, or a construction project may be considered for approval by the Director.
- (ii) Uses that shall not be considered for temporary approval include:
 - a. Uses that require Planning and Zoning Commission approval if they were a principal or accessory use in that zoning district.
 - b. Structures or uses that are intended to be placed upon unimproved property, other than seasonal uses or uses incidental to construction.

(2) General Standards for Temporary Uses

A temporary use may be approved provided that the use complies with the following standards:

(i) Location

The temporary use shall allow for placement of a temporary structure, vehicle, or sign outside of any clear vision triangle, required setback, required parking stall (except as permitted for temporary, outdoor display sale of merchandise), service drive area, designated trash dumpster location, sidewalk, or any other position on a lot that may interfere with vehicular or pedestrian circulation, or the normal functions of other uses on the property, or be potentially hazardous to the public.

(ii) Duration

Depending on the nature of the use, and with the exception of produce stands, a Temporary Use Permit shall not exceed 180 consecutive days.

(iii) Removal

After the termination of the temporary use, the site shall be restored to its prior condition by the removal of the any structures, debris or refuse associated with the temporary use. Guarantees for timely removal may be required if there is a material risk of negative impacts on nearby properties or the City if such removal does not occur.

(b) Construction Office

- (1) This use shall not begin, and any structure for the use shall not be installed, more than 30 calendar days before site construction begins.
- (2) If work on the project has been dormant for a period of six or more months, the construction office shall be removed, unless an extension is granted by the Director based on anticipated construction restart date.
- (3) The construction office shall not contain sleeping or cooking accommodations.
- (4) The structure shall be set back at least five feet from any lot line/property line and eight feet from the building or structure under construction.

(c) Sales and Leasing Office

- (1) Sales and leasing offices are permitted in any zoning district on the site of the development for which the sales are taking place.
- (2) Sales and leasing offices are permitted to remain on the site of the development from 15 days before homes are offered for sale until 15 days after all homes or home sites within the development are sold.

(d) Seasonal Sales

- (1) Sales areas shall be set back a minimum of 15 feet from any public right-of-way.
- (2) A Temporary Use Permit shall be valid for a maximum of 30 consecutive days.
- (3) Temporary Use Permits for produce stands shall be approved annually.

(e) Temporary Shelters

(1) Purpose

The purpose of this section is to set forth standards for the location and operation of temporary shelters.

(2) Exemptions

(i) Residential Uses

Any permitted residential use listed in Section 20-402 shall be exempt from the regulations of this section.

(3) Standards for Temporary Shelters

(i) Use Standards

Temporary shelters require a Special Use Permit in accordance with the procedures of Section 20-1306. In addition to the standards of Section 20-1306, the following standards shall apply to all Special Use Permits granted for temporary shelters:

- (ii) At least once every five years the operator shall make a presentation to the City Commission and the Commission shall review the Special Use Permit for compliance with original conditions of approval and use standards.
- (iii) A minimum of 1 toilet per 15 beds shall be provided.
- (iv) Shall be staffed in compliance with the staffing requirements of the approved management plan.
- (v) All uses and activities conducted outdoors shall be shown on the site plan.

(4) Management Plan

The operator of a temporary shelter shall create a management plan. The management plan shall become binding upon approval of the Special Use

Permit or site plan. The management plan shall, at a minimum, address the following:

- (i) Narrative description of the nature and characteristics of the use and descriptions of all services provided.
- (ii) Interior floor plan showing sleeping areas, common areas, emergency exits and bathrooms.
- (iii) Rules of conduct for guests.
- (iv) Maintenance plan that establishes standards for regular building and site maintenance, including regular removal of litter.
- (v) Communications plan that establishes how the shelter will regularly communicate with neighbors and police.
- (vi) Response plan for emergencies that may occur at the site.
- (vii) Adequate staffing levels given the number of guests served and the nature of the facility and population served.

(5) Design Standards

Temporary shelter site design shall incorporate design features that contribute to the livability and safety for guests, efficient use of space, ease of emergency access, and compatibility with nearby land uses. In furtherance of this purpose, the following design standards shall apply, to the extent practicable, to Special Use Permits granted for temporary shelters:

- (i) Building entrances shall be clearly defined and visible from the public right-of-way or from an occupied area of the building such as administrative offices or staffed reception areas.
- (ii) Building entrances, outdoor children/adult recreational areas and sidewalks shall be well-lit with pedestrian-scaled, low-glare lighting shielded downward.
- (iii) Outdoor children/adult recreational areas, if not clearly visible from the public right-of-way, shall be clearly visible from an occupied area of the building such as administrative offices or staffed reception areas.
- (iv) Parking areas shall be located adjacent to the building and shall be clearly visible from an occupied area of the building, such as administrative offices or staffed reception areas.
- (v) The exterior of the building shall be designed to ensure that all outside areas surrounding the building are clearly visible either from public right-of-way or through the use of design features such as windows or video surveillance.

- (vi) Landscaping shall be designed to not obstruct the view of sidewalks, parking areas or outdoor children/adult recreational areas.
- (vii) Effort through design to minimize loitering in the vicinity of the shelter through careful site design, building design, or by providing site features or amenities on the property which attract guests to a specific location on the property.

(6) As an Accessory Use by Right

- (i) Subject to lot area requirements, density and dimensional standards, parking standards, and the restrictions set forth below, a temporary shelter may be an accessory use by right to the following uses:
 - a. Neighborhood Religious Institution;
 - b. Campus or Community Religious Institution;
 - c. School;
 - d. Event Center, Large;
 - e. Active Recreation;
 - f. Participant Sports and Recreation, Indoor;
 - g. Entertainment and Spectator Sports, Limited; and
 - h. Entertainment and Spectator Sports, General.
- (ii) A temporary shelter, when an accessory use to one of the foregoing uses, shall comply with each of the following restrictions:
 - a. A temporary shelter shall encompass not less than 1,500 square feet in area;
 - b. A temporary shelter shall have:
 - 1. a maximum of 20 occupants, if it encompasses between 1,500 square feet and 2,999 square feet in area; or
 - 2. a maximum of 40 occupants, if it encompasses not less than 3,000 square feet in area; and
 - c. A temporary shelter shall operate not more than 120 days (either consecutively or non-consecutively) per calendar year.

20-813 Wireless Facilities¹⁶²

(a) Purpose

The Governing Body recognizes that facilitating the development of wireless service technology benefits both the residents and the economic development of the City

¹⁶² The project team is continuing to discuss the necessary revisions to this section. Revisions will be made in future drafts.

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 Code.

(b) Definitions

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

- (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) 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.
- (6) 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.
- (7) Monopole means a single, free-standing, pole-type structure supporting wireless facilities, including antennas.

- (8) 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.
- (9) Wireless facility means any equipment at a fixed location that enables wireless telecommunications between user telecommunications devices and telecommunications networks.
- (10) Wireless service provider means a provider of wireless services.
- (11) 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.
- (12) 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.

(c) Approvals Required

(1) 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], as amended.

(2) 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 Section <> [20-1305], as amended.

(d) Terms of Approval; Renewal; Limits**(1) 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 Director that the wireless facility or wireless support structure remains in compliance with the original conditions of approval.

(2) 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.

(e) 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:

- (1) A completed application, on a form supplied by the Director, signed by the owner of the subject property or signed by an applicant if accompanied by written authorization of the owner granting to the applicant the authority to submit the application in behalf of the owner.
- (2) 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.
- (3) A Site Plan, drawn to scale, including: (i) the information required by Section <> [20-1305(f)], 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, 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)], as amended; (viii) land elevation contours; and (ix) zoning and uses of properties neighboring the subject property.
- (4) 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 Director to evaluate the Application.

- (5) 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.
- (6) 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.
- (7) 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.
- (8) 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.

(f) General Standards

(1) 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 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 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.

(2) 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.

(3) 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], as amended, or approval of a Site Plan in accordance with the procedures established at Section <> [20-1305], as amended.

(4) 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 or Commercial 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.

(5) 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 or Commercial 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).

(6) 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.

(g) Design Standards**(1) Access**

Paved access shall be provided to all wireless facilities, wireless support structures, and accessory equipment. The Governing Body, the Planning Commission, or the Director may, upon a finding that it constitutes an unnecessary hardship, waive this requirement. Paved access shall not be required for co-locations.

(2) 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 Section, 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.

(3) 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 percent of the total roof area. Such accessory equipment shall be shielded from view from neighboring properties and rights of way.

(4) 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.

(5) 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.

(6) 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.

(7) 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 Director may waive this requirement.

(8) 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.

(9) 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.

(10) 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.

(11) 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 Residential and Mixed or Commercial zoning districts, or located within 500 feet of any property or Residential and Mixed or Commercial zoning districts, 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.

(h) Final Decision

(1) 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 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.

(2) 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.

(3) 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 Section 7(A) and (ii) the owner/applicant provides to the City written notice that the applicable time limits have lapsed.

(4) 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.

(i) Miscellaneous Provisions

(1) 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 their 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.

(2) 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.

(3) 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.

(4) Ordinary Maintenance

Ordinary maintenance, as defined herein, shall be exempt from the permitting and approval requirements of this Section.

(j) Exemptions

- (1) 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 section shall not be considered, be deemed available, or be used for co-location.
 - (ii) Broadcast towers; and
 - (iii) Satellite dishes.

Article 9. Site and Structure Standards

[To be drafted in Module 2: Development Standards]

Article 10. Mobility and Connectivity

[To be drafted in Module 2: Development Standards]

Article 11. Subdivision Design and Improvement

[To be drafted in Module 2: Development Standards]

Article 12. Parking, Loading, and Access

[To be drafted in Module 2: Development Standards]

Article 13. Environmentally Sensitive Lands and Natural Resources

[To be drafted in Module 2: Development Standards]

Article 14. Landscaping and Buffering

[To be drafted in Module 2: Development Standards]

Article 15. Outdoor Lighting

[To be drafted in Module 2: Development Standards]

Article 16. Administration and Procedures

[To be drafted in Module 3: Administration and Procedures]

Article 17. Nonconformities

[To be drafted in Module 3: Administration and Procedures]

Article 18. Violations and Enforcement

[To be drafted in Module 3: Administration and Procedure]

Article 19. Measurements and Definitions

20-1901 Interpretation¹⁶³

(a) Numbering Style

The first two numerals in a section number correspond to the City Code chapter in which the section is located—Chapter 20, in the case of this Code. To the right of the dash, the first number is the article number within Chapter 20. Thus, “20-1XX” indicates this section is in Article 1 of Chapter 20.

(b) Meanings and Intent

The language of the Code shall be read literally. Regulations are no more or less strict than stated. Words used in the Code have the standard dictionary definition unless they are defined in this article. Words defined in this article have the specific meaning assigned, unless the context expressly indicates another meaning.

(c) Tenses and Usage

- (1) Words used in the singular include the plural. The reverse is also true.
- (2) Words used in the present tense include the future tense. The reverse is also true.
- (3) The words “must,” “shall,” “will,” “shall not” and “may not” are mandatory.
- (4) “May” is permissive.
- (5) When used with numbers, “Up to x,” “Not more than x” and “a maximum of x” all include x.

(d) Fractions

(1) Minimum Requirements

When a regulation is expressed in terms of a minimum requirement, any fractional result will be rounded up to the next consecutive whole number. For example, if a minimum requirement of one tree for every 30 linear feet is applied to a 50 foot long bufferyard, the resulting fraction of 1.67 is rounded up to two required trees.

(2) Maximum Limits

When a regulation is expressed in terms of maximum limits, any fraction shall be disregarded and only the smallest applicable whole number shall be considered. For example, if a maximum limit of one dwelling unit for every 3,000 square feet is applied to an 8,000 square foot site, the resulting fraction is

¹⁶³ Current 20-107, unless otherwise noted.

ignored and the result is the whole number of two, which will be the maximum number of allowed dwelling units.

(e) Conjunctions

Unless the context otherwise clearly indicates, conjunctions have the following meanings:

- (1) "And" indicates that all connected items or provisions apply.
- (2) "Or" indicates that the connected items or provisions may apply singularly and in combination.

(f) Headings, Illustrations and Text

In case of any difference of meaning or implication between the text of this Code and any heading, drawing, table, figure, or illustration, the text controls.

(g) References to Other Regulations

All references in the Code to other City, county, state, or federal regulations are for informational purposes only, and do not constitute a complete list of such regulations. These references do not imply any responsibility by the City for enforcement of County, State, or Federal regulations.

(h) Current Versions and Citations

All references to other City, County, State, or Federal regulations in the Code refer to the most current version and citation for those regulations, unless specifically indicated otherwise. Where the referenced regulations have been repealed, Code requirements for compliance are no longer in effect.

(i) Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

(j) Delegation of Authority

Whenever a provision appears requiring the head of a department or another officer or employee of the City to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when the provisions of this Code expressly prohibit such a delegation.

(k) Public Officials and Agencies

All employees, public officials, bodies, and agencies to which references are made are those of the City of Lawrence unless otherwise expressly stated.

20-1902 Measurements

20-1903 Definitions

A

Access

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Access, Cross

A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public Street system.

Access Management

The process of managing access to land development while preserving the regional flow of traffic in terms of safety, capacity and speed.

Accessory Dwelling Unit

A dwelling unit that is incidental to and located on the same lot as the principal building or use, when the principal building or use is a dwelling.

Accessory Structure

A subordinate structure, the use of which is clearly incidental to, or customarily found in connection with, and located on the same lot as the principal building or use.

Accessory Use

A use that is clearly incidental to, customarily found in connection with, and located on the same lot as the principal building or use.

Access Drive

A drive that connects the driveway with the parking area and allows circulation between rows of parking and throughout the parking area.

Active Recreation

Areas and facilities used or designed for active or group sports and recreational activities, including spectator areas associated with such facilities. Such areas include but are not limited to:

1. Athletic fields and courts, playgrounds and play apparatus;
2. Skating rinks and swimming pools;
3. Boat docks and launches;
4. Zoos;
5. Community recreation buildings, including but not limited to meeting rooms, class or lecture rooms, band shelters or gazebos, and gymnasiums; and

6. Structures accessory to community recreation uses, such as public restrooms, refreshment stands, concession shops selling sporting goods, and miniature golf.

Affordable Dwelling Unit

A dwelling unit is affordable when a household spends no more than thirty percent of their monthly household income on rent/mortgage plus utilities.

For rental units – A dwelling unit with monthly rent and utilities not exceeding one-hundred-ten percent of the HUD defined fair market rent, as determined yearly by the Lawrence Douglas County Housing Authority.

For owner-occupied units – A dwelling unit where the monthly mortgage cost and utilities are affordable for those owners earning up to eighty percent of median family income, as established yearly by HUD for Lawrence, KS Metropolitan Statistical area.

Agent(of owner or Applicant)

Any person who can show certified written proof that he or she is acting for the landowner or applicant.

Agriculture, Animal

Activities that primarily involve raising, producing, or keeping of animals to provide food, wool, and other products. Also referred to as animal husbandry.

Small Animal Agriculture

Activities limited to small animals, which are more appropriate in a denser urban setting, such as bees, crickets, worms, rabbits, small goats, small sheep, fowl, and aquatic animals/organism, such as crayfish and fish. Domesticated animals such as cats and dogs are not considered small animal agriculture. Cats and dogs are regulated through Article 2 of Chapter 3 of the City Code.

Large Animal Agriculture

Activities limited to larger animals that are more commonly considered livestock and require more area such as cattle, horses, and goats/sheep that are taller than 24 inches at the withers (shoulders).

Agriculture, Crop

The management and maintenance of an area of land to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, sale, or donation. Crop agriculture uses include, but are not limited to, personal gardens, tree farms, and hay meadows. Standard structures used for Crop Agriculture include hoop houses, cold-frames, greenhouses, equipment or planting sheds, composting and waste bins, and rain barrel systems.

Agricultural Sales¹⁶⁴

On-site sale of feed, grain, fertilizers, pesticides, and similar goods. Typical uses include nurseries, hay, feed and grain stores.

Airport / Lawrence Municipal Airport

The location from which take-offs and landings may be made by any manned aircraft, excluding free balloons, within the corporate limits of the City of Lawrence, Kansas.

Airport Hazard

Any structure or tree or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at any airport or is otherwise hazardous to such landing or taking off of aircraft.

Alley

A public or private way not more than 20 feet wide primarily designed to serve as a secondary means of access to abutting property.

Alternative Financial Services¹⁶⁵

The use of a site for the provision of alternative financial services such as vehicle title loans, check cashing, payday advance/payday loan, or money transfer as defined below. An alternative financial services establishment does not include state or federally chartered banks, savings and loans, and credit unions. An alternative financial establishment does not include an establishment that provides financial services that are accessory to another main use.

1. Check cashing business. An establishment that provides one or more of the following:
 - a. An amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction;
 - b. An agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or
 - c. The cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.
2. Payday advance/loan business. An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until a customer's next payday, and then cashed unless the customer repays the loan to reclaim such person's check. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.
3. Money transfer business. An establishment that transfers funds for a fee.

¹⁶⁴ New.

¹⁶⁵ New.

4. Vehicle title loan business. An establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.

Antenna

Any system of wires, poles, rods, reflecting discs or similar devices used for the reception or transmission of electromagnetic waves which system is attached to an antenna support structure or attached to the exterior of any building. The term includes devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom which may be mounted upon and rotated through a vertical mast, tower or other antenna support structure.

Antenna, Receive-Only

An antenna capable of receiving but not transmitting electromagnetic waves, including Satellite dishes.

Antenna, Amateur Radio

An antenna owned and utilized by an FCC-licensed amateur radio operator or a citizens band radio antenna.

Arterial Street

A street classified as an arterial in the Lawrence/Douglas County MPO Transportation Plan, as amended.

Arterial Street, Minor

A street which is anticipated to have 2-4 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.

Arterial Street, Principal

A street which is anticipated to have 4-6 travel lanes designed for speeds ranging from 30-45 mph and which is defined specifically as such on the Major Thoroughfares Map of the City.

Assisted Living

Building or group of buildings containing dwellings designed for occupancy by persons 55 years or older where the dwelling units are independent but include special support services such as central dining and limited medical or nursing care.

Automatic Teller Machine (ATM)¹⁶⁶

An electronically operated device used to conduct financial transactions on-site by means of direct computerized access.

B

Bar or Lounge¹⁶⁷

An establishment providing or dispensing fermented malt beverages, and/or malt, special malt, vinous or spirituous liquors and in which the sale of food products such as sandwiches and light snacks is secondary (also known as a tavern).

Basement

Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

Base Density

The number of dwelling units that can be developed on a subject property, rather than the number of dwelling units that are permitted for the zoning district. Base density is the number of dwelling units that can be developed given the size of the parcel, the area required for street rights-of-way or infrastructure, the density and dimensional standards of Section <> [20-601 (a)], the environmental protection standards, as well as topographical or other features unique to the property.

Base District

Any zoning district delineated on the Official Zoning Map under the terms and provisions of this Code, as amended, for which regulations governing the area, use of buildings, or use of land, and other regulations relating to the development or maintenance of existing uses or structures, are uniform; but not including Overlay zoning districts.

Bed and Breakfast

An establishment located within a detached dwelling that is the principal residence of the operator, where short-term lodging is offered for compensation and that includes the service of one or more meals to guests.

Bee Hotel

Places for solitary pollinator bees to make their nests. These bees live alone, not in hives, and typically do not make honey. A bee hotel is similar to a birdhouse.

Berm

An earthen mound at least two feet above existing grade designed to provide visual interest, Screen undesirable views and/or decrease noise.

¹⁶⁶ New.

¹⁶⁷ New definition.

Bicycle

A two-wheeled vehicle for human transportation, powered only by energy transferred from the operator's feet to the drive wheel.

Bicycle – Parking Space

An area whose minimum dimensions are two feet by six feet or two feet by four feet for upright storage.

Block

A parcel of land entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, or drainage channels or a combination thereof.

Block Face

That portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

Brewpub or Craft Alcohol Restaurant¹⁶⁸

A commercial use that brews up to 5,000 barrels of ales, beers, meads, distilled drinks, wines, and/or similar beverages per year on site for either consumption on site in hand-capped or sealed containers in quantities up to one-half barrel or 15 and one-half gallons sold directly to the customer.

Bufferyard

A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and Screen changes in land uses from each other.

Build-to-Line (Minimum Building Setback)

An imaginary line on which the front of a building or structure must be located or built and which is measured as a distance from a public right-of-way.

Building

Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property. When such a structure is divided into separate parts by one or more walls unpierced by doors, windows, or similar openings and extending from the ground up, each part is deemed a separate building, except as regards minimum side setback requirements as herein provided.

Building Envelope

The three-dimensional space on a lot on which a structure can be erected consistent with existing regulations, including those governing maximum height and bulk and the setback lines applicable to that lot consistent with the underlying zoning district, or as modified pursuant to a variance, a site review, or prior City approval.

¹⁶⁸ Expanded current definition.

Building Frontage

That portion of a building or structure that is adjacent to or faces the public frontage. A building located on a corner lot may have multiple building frontages where there is public right-of-way on two or more sides.

Building Maintenance

Provision of maintenance and custodial services to commercial and industrial establishments. Typical uses include janitorial, landscape maintenance and window cleaning services. Also includes exterminator services for residential, commercial, or industrial applications.

Building, Principal

A building in which is conducted the principal Use of the building site on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building on the site on which the same is located.

Business Equipment and Support

Sale, rental, or repair of office, professional, and service equipment and supplies to the firms themselves rather than to individuals. Excludes automotive, construction, and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops, computer repair shops and hotel equipment and supply firms.

C

Caliper

The American Association of Nurserymen standard for trunk measurement of nursery stock, as measured at six inches above the ground for trees up to and including four-inch caliper size, and as measured at 12 inches above the ground for larger sizes.

Campground/RV Park¹⁶⁹

An outdoor facility designed for overnight accommodation of human beings in tents, cabins, recreational vehicles and shelters for recreation, education, naturalist, or vacation purposes.

Car Wash¹⁷⁰

A building, or portion of a building, containing facilities for the primary purpose of washing automobiles, using production line methods with a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial hand-washing of such automobiles, whether by operator or by customer.

¹⁶⁹ Added recreational vehicles to definition.

¹⁷⁰ New definition.

Cemetery Corporation

Any individual or entity required to maintain permanent maintenance funds pursuant to K.S.A 17-1312f, as amended.

Clear Zone

An area designated within the public frontage of a mixed use project which reserves space for a sidewalk. The Clear Zone shall be clear of any obstruction to a minimum height of eight above grade.

Collection, Large

A center or facility larger than 500 square feet in size for the acceptance by donation, redemption, or purchase of recyclable materials from the public.

Collection, Small

A center or facility up to 500 square feet in size for the acceptance by donation, redemption, or purchase of recyclable materials from the public.

Communication Service Establishment

Broadcasting and other information relay services accomplished through use of electronic and telephonic mechanisms. Typical uses include recording studios, television and radio studios, telecommunication service centers and telegraph service offices.

Contractor Yard¹⁷¹

A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by a construction contractor.

Cross Access Agreement

A document signed and acknowledged by owner of two or more adjoining pieces of property establishing Easements, licenses or other continuing rights for access across one property to one or more other properties.

Collector Street

A street which is anticipated to have two travel lanes designed for speeds ranging from 25-35mph and which serves a collecting function by distributing traffic between local neighborhood streets and arterial streets.

Collector Street, Residential

Residential collector is a special category of collector street characterized by lower speeds & the residential nature of land uses along the corridor. Bicycle & pedestrian facilities are strongly recommended for residential collectors. Various traffic-calming treatments may be used to reduce travel speeds. Residential collector streets with

¹⁷¹ New.

adjacent residential land uses should be limited to two lanes. These streets can serve as a connector street between local streets and the thoroughfare system.

Collector Street System

A system of one or more collector streets that allow traffic to be distributed to at least two arterial streets.

College/University¹⁷²

A degree-granting institution, other than a trade school, that provides education beyond the high school level. The use includes, but is not limited to, classroom buildings, offices, laboratories, lecture halls, athletic facilities, and dormitories.

Colony

An aggregate of worker bees, drones, and a queen living together in a hive or other dwelling as one social unit. When used in this article, the term 'colony' refers to bees that live in a beehive.

Common Open Space

Land, water, water course, or drainageway within a development that is designed and intended for the use or enjoyment of all the residents and landowners of the development. common open space, except for common open space designated as Environmentally Sensitive may contain such supplementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of all the residents and landowners of the development. Common open space shall not include space devoted to streets, alleys, and parking areas. While required setbacks may function as common open space, they may not be used to meet the minimum requirements.

Community Garden

An area of land managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as tool storage sheds) maintained and used by the group.

Community Meal Program

A program operated and staffed by a public, publicly funded, nonprofit, or charitable or religious organization that provides prepared meals onsite on a regularly scheduled basis for the welfare of citizens in need.

Community Mental Health Facility

A facility containing space for care and programs specializing in services for individuals seeking mental health services for themselves or for their families. A community mental

¹⁷² New definition.

health facility may contain space for waiting rooms, patient rooms, and accommodations for licensed health care providers providing case management services. A community mental health facility may provide care services for individuals seeking mental health services, either on an in-patient or out-patient basis, or both, and may include care services under medical supervision for more than twenty-four consecutive hours, but shall not include surgery and obstetrical care as may be found in a hospital.

Community Supported Agriculture

A member organization in which individuals or households become members by purchasing a share or agreeing to volunteer work for a share of the agricultural producer's output. The share is committed to in advance and the member then receives, in return, food items from the producer on a regular schedule throughout the season and sometimes all year.

Comprehensive Plan

The Lawrence/Douglas County Comprehensive Plan, also known as "Plan 2040," and any other applicable plans adopted by the Lawrence/Douglas County Metropolitan Planning Commission, as amended or superseded by adoption of a replacement plan from time to time.

Congregate Living

A dwelling unit that contains sleeping units where five 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. Congregate Living is commonly referred to as a lodging house, boarding house, rooming house, or cooperative but is not considered a dormitory, fraternity or sorority house, assisted living, extended care facility, group home or similar group living use.

Conservation Easement

A non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic or open-space values of real property, assuring its availability for agricultural, forest, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. In case of any conflict between this definition and K.S.A. §58-3810, as it may be amended from time to time, the amended statute shall control and shall be used in the construction and interpretation of this Code.

Construction Sales and Service

Construction activities and incidental storage on lots other than construction sites. Also includes landscape contractors and landscape maintenance businesses and the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures, and hardware. Typical uses

include building materials stores, tool and equipment rental or sales building contracting/construction offices and landscape maintenance/contractor offices.

Cottage Industry

Small-scale assembly and art and craft production, including but not limited to candle making, artisan woodworking, art studio/gallery, artisan pottery and small-scale jewelry production, hand-made furniture, and similar uses.

Cultural Center/Library

Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, live performances, art centers, or library collection of books, manuscripts, etc., for reading, studying and research.

D

Day Care Center

The care of 13 or more individuals. Typical uses include: day care centers for children or adults, preschools, play groups, kindergartens not operated by public schools, and other establishments offering care to groups of children or adults for part or all of the day or night, with specific exclusion of temporary or seasonal religious instructional schools, including summer Bible school and church school classes.

Day Care Home, Class A

The care of 12 or fewer individuals as an accessory use to an occupied residence in which the occupant is the primary provider of the care, not including the care of members of the provider's own family. "Primary provider" means an individual who has the ongoing responsibility for the health, safety and well-being of individuals in care.

Day Care Home, Class B

The care of 12 or fewer individuals as an accessory use to an occupied residence in which the occupant is not the primary provider of the care, not including the care of members of the provider's own family. "Provider" means an individual who has the ongoing responsibility for the health, safety and wellbeing of individuals in care.

Deciduous

A tree or Shrub with foliage that is shed annually.

Deferred Item

An item that has been deferred from a published agenda by the Director, Planning Commission or the City Commission (City or County Commission), or by the applicant.

Density

A measure of the number of dwelling units contained within a given area of land, typically expressed as units per acre.

Density Bonus

An incentive-based tool that permits property owners to increase the maximum allowable development on a property in exchange for helping the community achieve public policy goals, such as protection of environmentally sensitive areas.

Density, Gross

The numerical value obtained by dividing the total number of dwelling units in a development by the total area of land upon which the dwelling units are proposed to be located, including rights-of-way of publicly dedicated streets.

Density, Net

The numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land upon which the dwelling units are proposed to be located, excluding rights-of-way of publicly dedicated streets.

Designated Transit Route

Any bus route identified on the route map published by the Lawrence Transit System or KU on Wheels transit system.

Detention Facilities

A facility for the housing of persons in the custody of a government agency awaiting trial or serving a sentence after being found guilty of a criminal offense.

Development Activity

Any human-made change to premises, including but not limited to:

1. The erection, conversion, expansion, reconstruction, renovation, movement or structural alteration, or partial or total demolition of buildings and structures;
2. The subdivision of land;
3. Changing the use of land, or buildings or structures on land; or
4. Mining, dredging, filling, grading, paving, excavation, drilling, or Landscaping of land or bodies of water on land.

Development Project, Major

Any development proposing the following:

1. Any development activity on a site that is vacant or otherwise undeveloped; or
2. Any significant development project on a site that contains existing development, defined as:
 - a. Any modification to a site that alters parking areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns that the Director determines to be significant in terms of impacting adjacent roads or adjacent properties; or

- b. In the IL¹⁷³ or IG zoning district, the construction of one or more building or building additions that contain a gross floor area of fifty percent or more of the gross floor area of existing building; or
- c. In any zoning district other than IL¹⁷⁴ or IG, the construction of one or more building or building additions that contain a gross floor area of twenty percent or more of the gross floor area of existing building; or
- d. Separate incremental building additions below fifty percent for IL¹⁷⁵ or IG zoning and twenty percent for all other zoning districts of the gross floor area of existing building if the aggregate effect of such development activity over a period of 24 consecutive months would trigger the fifty percent (for IG) or twenty percent (for all other zoning districts) threshold; or
- e. The installation or addition of more than fifty percent for IL or IG zoning and twenty percent for all other zoning districts of existing Impervious Surface coverage.

Development Project, Minor

Any development proposing the minor modification of a site, as determined by the Director, which does not meet the criteria for a standard or major development project, or the proposed change in use to a less intensive use on a site which has an approved site plan on file with the Planning Office. Only sites which have an existing approved site plan on file which reflects existing site conditions are eligible for review as a minor development project.

Development Project, Standard

1. For any property containing existing development which does not have an approved site plan on file with the Planning Office and which does not meet the criteria for a major development project, any development proposing the following shall be considered a standard development project:
 - a. a change in use to a less intensive use and where physical modifications to the site, excluding interior building modifications, are proposed; or
 - b. A change in use to a more intensive use regardless of whether modifications to the site are proposed; or
 - c. the substantial modification of a site, defined as:
 - i. The construction of any new building on the site; or

¹⁷³ Currently applies to only the IM district.

¹⁷⁴ Currently applies to only the IM district.

¹⁷⁵ Currently applies to only the IM district.

- ii. The construction of any building addition that contains a gross floor area of ten percent or more of the gross floor area of existing building; or
 - iii. Separate incremental building additions below ten percent of the gross floor area of existing buildings if the aggregate effect of such development activity over a period of 24 months would trigger the ten percent threshold; or
 - iv. The addition of impervious surface coverage that exceeds ten percent of what exists; or
 - v. Any modification determined by the Director to be substantial.
- 2. For property which does have an approved site plan on file with the Planning Office and which does not meet the criteria for a major development project, any development proposing the following shall be considered a standard development project:
 - a. Any change in use of a site to a more intensive use regardless of whether modifications to the site are proposed; or
 - b. Any modification of a site which meets the following criteria or proposes the following:
 - i. A modification to a site which alters the parking area, drive aisles, or on-site pedestrian and vehicular circulation and traffic patterns with impacts to the interior of the site; or
 - ii. A development, redevelopment, or modifications to the exterior style, design or material type of a structure that is subject to the Community Design Manual; or
 - iii. An outdoor dining or hospitality use in the CD and M-1 zoning districts and any outdoor dining use located in any other zoning district that would result in an increase of the number of parking spaces required; or
 - iv. In the IL¹⁷⁶ or IG zoning district, the construction of one or more new building or building additions that contain a gross floor area of less than fifty percent of the gross floor area of existing building; or
 - v. In any zoning district other than IL¹⁷⁷ or IG, the construction of one or more new building or building additions that contain a gross floor area of less than twenty percent of the gross floor area of existing building; or

¹⁷⁶ Currently applies to only the IM district.

¹⁷⁷ Currently applies to only the IM district.

- vi. In the IL¹⁷⁸ or IG zoning district, the installation or addition of less than fifty percent of existing impervious surface coverage; or
- vii. In any zoning district other than IL¹⁷⁹ or IG, the installation or addition of less than twenty percent of existing Impervious Surface coverage; or
- viii. Any modification to an approved site plan on file with the Planning Office which proposes an adjustment to the total land area of the site plan, if determined necessary by the Director.

Director

The Planning Director of the Lawrence-Douglas County Metropolitan Planning Commission or their designee.

Distance Between Structures

The shortest horizontal distance measured between the vertical walls of two structures as herein defined perpendicular to an axis, all points along which are midway between the vertical walls.

Dormitory

A building occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals and in which there are more than eight sleeping rooms or 16 sleeping accommodations. As such the rooms are let on a weekly or monthly basis or for greater period of time and are not available to the general public on a nightly basis as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the building, provided that the main entrance to these facilities is from within the building.

Drip Line

An imaginary ground line around a tree that defines the limits of the tree canopy.

Drive-Through Facility¹⁸⁰

A facility, building feature, or equipment at which an occupant of a vehicle may make use of the service or business without leaving their vehicle.

Driveway

A roadway providing a vehicular connector between the street right-of-way and the parking area or garage. This is typically perpendicular to the right-of-way.

¹⁷⁸ Currently applies to only the IM district.

¹⁷⁹ Currently applies to only the IM district.

¹⁸⁰ New definition.

Driveway, Joint-Use

A privately-owned driveway that provides access to two or more lots in a commercial or industrial Development, such as in a shopping center (without lots) or a business or industrial park.

Driveway, Shared

A single driveway serving two or more adjoining lots.

Driveway Apron (or Approach)

The part of the driveway that lies within the street right-of-way adjacent to the property. The driveway apron is often flared to accommodate access. The driveway apron or approach is typically located between the sidewalk and the curb. When there is no sidewalk, the apron or approach shall be defined as extending a minimum of six feet from the back of the curb toward the lot line.

Dwelling

A building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer, or mobile home.

Dwelling, Attached¹⁸¹

Structures intended for occupancy by more than one family, including townhouses, triplexes, fourplexes, and stacked flats. Accessory dwellings are incidental to the principal attached dwelling and are not considered to be attached dwellings.

Dwelling, Cluster

A design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, open space, or preservation of sensitive lands.

Dwelling, Detached

A dwelling unit that is not attached to any other dwelling unit and does not meet the definition of an accessory dwelling or a manufactured home. A residential design manufactured home is also a detached dwelling.

Dwelling, Duplex¹⁸²

A building on a lot designed to contain two dwelling units and used for residential purposes. The units may share common walls or common floor/ceilings.

Dwelling, Multiunit

A structure that contains three or more dwelling units that share common walls or floor/ceilings with one or more units. A multiunit includes structures commonly called garden apartments, apartments, and condominiums.

¹⁸¹ New definition that allows for different configurations of dwellings other than side-by-side units.

¹⁸² New definition that allows for different configurations of dwellings other than side-by-side units.

Dwelling, Non-Ground Level

Residential dwelling permitted in any vertical mixed-use structure which are located above the ground level or first level of the structure or below the ground level or first level of a structure and do not have direct internal access to a nonresidential use.

Dwelling, Work/Live Unit

A space within a building that consists of a dwelling unit which is accessory to a nonresidential use and has direct internal access to the nonresidential use.

Dwelling, Zero Lot Line

Detached dwellings that are located to one side of Lot on which they are located, in accordance with the standards of Section <> [20-531].

Dwelling Unit

One room, or a suite of two or more rooms, designed for living and sleeping purposes and having only one kitchen or kitchenette.

E

Easement

A grant by a property owner to the use of land by the public, a corporation, or persons for specific purposes such as the construction of utilities, drainageways, pedestrian access, and roadways.

Effective Date

The date the ordinance adopting this Code takes effect.

Elderhostel

A building occupied as the more-or-less temporary abiding place of individuals who are either:

1. Participating in a travel-study program for senior citizens offered by a university or college; or
2. Participating in a visiting faculty program at a university or college. These individuals are lodged with or without meals. These buildings typically contain more than eight sleeping rooms or 16 sleeping accommodations. The rooms are let on a weekly or monthly basis or for greater period of time, but are not available to the general public on a nightly basis, as distinguished from a hotel. Ingress to and egress from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. General kitchen and eating facilities may be provided for the primary use of the occupants of the building, provided that the main entrance to these facilities is from within the building.

Entertainment & Spectator Sports

Provision of cultural, entertainment, athletic, and other events to spectators. Also includes events involving social or fraternal gatherings. The following are spectator sports and entertainment use types:

Limited

Those uses conducted within an enclosed building with a capacity of 500 or less people. Typical uses include small theaters and meeting halls.

General

Those uses generating an attendance of 501 or more people such as theaters (movie or legitimate), large exhibition halls, field houses, stadiums and sports complexes.

Equipment and Vehicle Repair

Heavy

An establishment primarily engaged in vehicle repair, rebuilding, reconditioning, or mechanical servicing of motor vehicle engines, transmissions, frames, auto body repairs, framework, welding, and major painting.

Light

An establishment primarily engaged in providing minor motor vehicle repair services such as lubrication, oil and tire changes, engine tune-ups, brake repair, tire replacement, interior and exterior cleaning and polishing, installation of after-market accessories such as tinting, auto alarms, spoilers, sunroofs, headlight covers, and similar items.

Event Center

A structure and/or grounds that accommodates a variety of social events such as, but not limited to, banquets, weddings, receptions, parties, corporate events, community events, meetings, or any other gathering (formal or informal) that are intermittent and temporary in nature, that may or may not serve food, beverages, and alcoholic beverages for on-Premises consumption. This definition does not include religious institutions and similar congregations where a wedding or funeral is an ancillary use.

Event Center, Small

Maximum occupancy less than or equal to 300, including staff.

Event Center, Large

Maximum occupancy more than 301, including staff.

Evergreen (Coniferous) Tree

An evergreen Tree, usually of pine, spruce or juniper genus, bearing cones and generally used for its screening qualities. A Coniferous Tree may be considered a Shade Tree if it is at least five feet in height when planted and reaches a mature height of at least 20 feet.

Explosive Storage

Storage of any quantity of explosives. Typical uses include storage in the course of manufacturing, selling, or transporting explosives, or in the course of blasting operations.

Extended Care Facility (Dependent Living or Nursing Care Facility), General

A long term facility or a distinct part of an institution occupied by nine or more persons with a disability who require the provision of health care services under medical supervision for 24 or more consecutive hours and who need not be related by blood or marriage. An Extended Care Facility must be licensed by one or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended care facilities include facilities for the provision of skilled nursing care, hospice care and similar services.

Extended Care Facility (Dependent Living or Nursing Care Facility), Limited

A long term facility or a distinct part of an institution occupied by not more than ten (10) persons, including eight or fewer persons with a disability who need not be related by blood or marriage, and who require the provision of health care services under medical supervision for 24 or more consecutive hours, and also not to be occupied by more than two staff residents who need not be related by blood or marriage to each other or to other residents of the home. An Extended Care Facility must be licensed by one or more of the following regulatory agencies of the State: Department of Social and Healing Arts, Behavioral Sciences Regulatory Board, State Board of Healing Arts, or Kansas Department on Aging. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). Extended care facilities include facilities for the provision of skilled nursing care, hospice care and similar services.

Exterior Storage

Outdoor storage of any and all materials related to the principal use of the lot or site, not including areas for special events, temporary outdoor events or seasonal events, transient merchant sales areas, or any other outdoor area dedicated to the sale of retail goods, regardless of the proprietor. Outdoor storage and sales areas, open to the public and in which transactions may occur are not considered exterior storage areas.

F

Façade

Exterior face (side) of a building which is the architectural front, sometimes distinguished by elaboration or architectural or ornamental details.

Farmers Market

A temporary food market at which local farmers and producers sell products such as fruit and vegetables, meat, cheese, and bakery products directly to consumers.

Financial Institutional

Banks, savings & loan banks, credit unions, and other similar facilities open to the public and engaged in deposit banking and related functions such as making loans and fiduciary activities.

Fleet Storage

Fleet storage of vehicles used regularly in business operation and not available for sale, or long-term storage of operating vehicles. Typical uses include taxi fleets, buses, mobile-catering truck storage, and auto storage garages.

Floodplain

The land inundated by a flood of a given magnitude as determined by the Flood Insurance Study or by an approved Hydrologic & Hydraulic Study.

Floor Area

The sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls or from the centerline of walls separating two buildings.

Floor Area, Gross

The sum of the horizontal areas of the several stories of a building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall.

Floor Area, Net

The horizontal area of a floor or several floors of a building or structure; excluding those areas not directly devoted to the principal or accessory Use of the building or structure, such as storage areas or stairwells, measured from the exterior faces of exterior or interior walls.

Floor Area Ratio (F.A.R.)

The sum of the horizontal areas of the several floors inside the exterior walls (excluding basements) of a building or a portion thereof divided by the lot area.

Food and Beverage

Retail sale of food and beverages for home consumption. Typical uses include grocery stores, convenience stores, butcher shops, and package liquor stores.

Foot-candle

A unit of measurement referring to the illumination incident to a single point. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

Fowl

For the purposes of these regulations, 'Fowl' shall mean only ducks and female chickens.

Fraternity or Sorority

A group living structure occupied by a university approved fraternity or sorority, certified by the Panhellenic Association or Intrafraternity Council at KU. Residential occupancy by the majority of residences primarily follows the academic calendar for fall and spring semesters each year.

Frontage

All the property on one side of a Thoroughfare between two intersecting Thoroughfares (crossing or terminating), or if the Thoroughfare is Dead-Ended, then all of the property abutting on one side between an intersecting Thoroughfare and the Dead-End.

Frontage Road, Private

Any thoroughfare that is not publicly owned and maintained and that is parallel and adjacent to any lot Frontage as defined above.

Funeral Services and Cemetery¹⁸³

An establishment for the care, preparation, or disposition of the deceased for burial and the display of the deceased and rituals connected with, and conducted before, burial or cremation and/or land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematories, mausoleums and mortuaries.

G

Garage or Storage Condo

See mini-warehouse; non-habitable storage space organized into condominium ownership.

Gas and Fuel Sales

Retail sale from the premises of vehicular fuels with incidental sale of tires, batteries and replacement items, lubricating services, minor repair services and food and beverage sales. Typical uses include vehicle service stations and gas stations with or without convenience stores.

¹⁸³ New definition.

Government Facilities, Yards, and Storage¹⁸⁴

A yard or facility used as a place to store materials used by the City's "outdoor" operations and as a place to maintain City equipment.

Government Offices¹⁸⁵

Any department, commission, independent agency, or instrumentality of the United States, of a state, county, incorporated or unincorporated municipality, township, authority, district, or other governmental unit.

Grade

The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the lot line or, when the lot line is more than 5 feet from the building, between the building and a line five feet from the building.

Ground Cover

Living landscape materials or living low-growing plants other than turf grasses, installed in such a manner so as to provide a continuous cover of the ground surface and which, upon maturity, normally reach an average maximum height of not greater than 24 inches.

Ground Floor

A level of building floor which is located not more than two feet below nor six feet above finished grade.

Group Home (or Adult Care Home), General

Any dwelling occupied by 11 or more persons, including eight or more persons with a disability who need not be related by blood or marriage and staff residents who need not be related by blood or marriage to each other or to other residents of the home. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802). A Special Use Permit is required before operation of the home can begin.

Group Home (or Adult Care Home), Limited

Any dwelling occupied by not more than ten persons, including eight or fewer persons with a disability who need not be related by blood or marriage and not to exceed two staff residents who need not be related by blood or marriage to each other or to other residents of the home. Disability means, with respect to a person: (a) a physical or mental impairment which substantially limits one or more of such person's major life activities; (b) a record of having such impairment; or (c) being regarded as having such

¹⁸⁴ New.

¹⁸⁵ New.

impairment. Such term does not include current illegal use or addiction to a controlled substance, as defined in Sec. 102 of the Controlled Substance Act (21U.S.C.802).

Growing or Planting Season

From the beginning of March to the end of June and from the beginning of September to the beginning of December.

H

Health Care Office, Health Care Clinic

Medical facilities containing space for waiting rooms, patient rooms, laboratory space, or other necessary accommodations for use by physicians, dentists, therapists, and other similar health personnel in the provision of health services related to the prevention, diagnosis, treatment, rehabilitation, testing and analysis of medical conditions. Services provided in these facilities are typically rendered and completed in three hours or less.

Heavy Retail and Commercial Services¹⁸⁶

Uses that typically include large areas of outdoor storage, work areas, or display, such as lumber yards, garden and landscaping centers, farm supply and implement sales, RV and camper sales.

Historic Resources Commission (HRC)

The Commission established by Sections 22-201 – 22-205, part of the Conservation of Historic Resources of the Code of the City of Lawrence.

Home Occupation¹⁸⁷

A business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use of the lot and that does not adversely or perceptively affect the character of the lot or surrounding area.

Hospice¹⁸⁸

A facility where palliative and supportive care are provided to meet the needs of a terminally ill patient and the patient's family according to the requirements of the Kansas Department of Health and Environment.

Hospital

Hospital means an institution that: (1) offers services more intensive than those required for room, board, personal services and general nursing care; (2) offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatment, or care of illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; and (3) regularly makes available at least clinical laboratory services, diagnostic X-ray services, and

¹⁸⁶ New.

¹⁸⁷ New.

¹⁸⁸ New.

treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent. Hospitals may include offices for medical and dental personnel, central service facilities such as pharmacies, medical laboratories and other related uses.

Hotel, Motel, Extended Stay¹⁸⁹

A building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis, not including bed and breakfast establishments.

Hydrologic and Hydraulic Study

See Hydrologic and Hydraulic Study definition in Section 20-1205

I

Impervious Surface

That portion of developed property which contains hard-surfaced areas (primed and sealed AB3, asphalt, concrete and buildings) which either prevent or retard the entry of water into the soil material.

Inactive File

An application, either complete or incomplete, which has had no new information submitted within a period of 12 or more months. New information within this context shall be information that responds to a request for additional information or that provides additional information essential to completing a review of the request in response to the land use review criteria, retail market information, or traffic impact analysis.

Industrial, General

Production, processing, assembling, packaging or treatment of food and non-food products; or manufacturing and/or assembly of electronic instruments and equipment and electrical devices. General Industrial uses may require Federal air quality discharge permits, but do not have nuisance conditions that are detectable from the boundaries of the subject property. Nuisance conditions can result from any of the following:

1. Continuous, frequent, or repetitive noises or vibrations;
2. Noxious or toxic fumes, odors, or emissions;
3. Electrical disturbances; or
4. Night illumination into residential areas.

¹⁸⁹ New definition.

Industrial, Intensive

Manufacturing, processing, or assembling of materials (for uses described above in the "general industrial" use type classification) in a manner that would create any of the commonly recognized nuisance conditions or characteristics.

Industrial Sales and Service¹⁹⁰

A use group of firms that are engaged in the sale, repair, or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and similar users perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage.

Infrastructure

Those man-made structures which serve the common needs of the populations, such as: potable water systems, wastewater disposal systems, solid waste disposal sites or retention areas, storm drainage systems, electric, gas or other utilities, bridges, roadways, bicycle paths or trails, pedestrian sidewalks, paths or trails and transit stops.

Inoperable Vehicles Storage

Storage of non-operating motor vehicles. Typical uses include storage of private parking tow-a-ways and impound yards.

J

Jurisdictional Wetland

Wetlands which are regulated by Section 404 of the Clean Water Act and are under the regulatory jurisdiction of the Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA).

K

Kennel¹⁹¹

A facility licensed to provide services for dogs, cats, and small animals, including day care and overnight care. Typical uses include boarding kennels and dog training centers.

L

Landscaped Peninsula

A concrete curbed planting area typically found in parking lots to provide areas for trees and Shrubs between Parking Spaces and along the terminus of single and double parking aisles.

Landscape Material

Such living material as trees, shrubs, ground cover/vines, turf grasses, and non-living material such as: rocks, pebbles, sand, bark, brick pavers, earthen mounds (excluding

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¹⁹¹ Reference to "licensed facility" is new.

pavement), and/or other items of a decorative or embellishing nature such as: fountains, pools, walls, fencing, sculpture, etc.

Landscaping

Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses. May include structural features such as walkways, fences, benches, works of art, reflective pools, fountains or the like. Landscaping shall also include irrigation systems, mulches, topsoil use, soil preparation, re-vegetation or the preservation, protection and replacement of trees.

Laundry Service

Laundering, dry cleaning, or dyeing services other than those classified as "Personal convenience services." Typical uses include laundry or dry cleaning agencies, diaper services and linen supply services.

Licensed Premises

A Premises where alcoholic liquor or cereal malt beverages, or both, by the individual drink as defined by K.S.A. Chapter 41, and amendments thereto, is served or provided for consumption or use on the Premises with or without charge. This term shall include drinking establishments, Class A Private Clubs, Class B Private Clubs, and cereal malt beverage retailers, all as defined by K.S.A. Chapter 41, and amendments thereto and City Regulations.

Light Court

An area within the public frontage in a Mixed Use development adjacent to the building frontage which provides a means of outdoor light to reach an underground level of a structure. It may also provide a means of emergency exit from the structure but shall not serve as a primary entrance or exit to the structure.

Light Truck

A truck or other motor vehicle, one ton or less in rated capacity, with a single rear axle and single pair of rear wheels.

Livestock

Any animal customarily kept for producing food or fiber.

Livestock Sale¹⁹²

An area or facility at which livestock are offered for sale through retail sales or an auction.

Local Street

A street which is anticipated to have two travel lanes at desirable speeds of up to 30mph and which provides access to abutting property and primarily serves local traffic.

¹⁹² New definition.

Local Street System

A system of two or more Local streets that allow traffic to be distributed throughout a neighborhood.

Lodge, Fraternal & Civic Assembly¹⁹³

Buildings and facilities owned or operated by a corporation, association, person, or persons for a place of meeting, social, cultural, or educational, or recreational purposes, to which membership or residency requirements are required for participation.

Lot

A contiguous parcel or tract of land located within a single block fronting on a street that is occupied or utilized, or designated to be occupied, developed, or utilized, as a unit under single ownership or control. A lot may or may not coincide with a lot shown on the official tax maps or on any recorded subdivision or deed.

M

Makerspace

A use consisting of multiple primary activities that include a public assembly component, retail or fabrication activities. These uses include collaborative groups organized around one or more common interest such as arts, electronics, crafting, or design of software, hardware, furniture, and rapid prototyping of three dimensional models. This use also includes components commonly associated with gallery and display space, instructional space, collaborative meeting space, workshops and fabrication laboratories and studios that provide access to tools and equipment including but not limited to: Computer Numerical Control (CNC), Computer Aided Design (CAD)- Computer Aided Manufacturing (CAM); hand tools; power tools found in cabinetry/woodworking, tools for glass work and metal work, including kilns and welding equipment.

This use provides space for development of innovative, original and prototypical products and works of art. These uses differ from manufacturing uses that produce, reproduce, fabricate or assemble multiple units of the same product other than prototypes or models, used for experimentation, research or as a demonstration product to "take to market". Prototype is defined as an original, model or pattern from which manufactured, fabricated or assembled products are developed or copied.

Limited

An establishment within an enclosed structure that does not contain the following nuisance producing elements: frequent and heavy truck delivery, exterior storage, use of power tools found in workshops.

¹⁹³ New definition.

Intensive

An establishment that provides space similar to a limited makerspace engaged in collaborative, innovative meeting spaces but includes: one or more of the following elements: power tools, exterior storage of raw materials, exterior work spaces, and heavy truck access for deliveries.

Manufactured Home¹⁹⁴

A factory-built structure, transportable in one or more sections, that is built on a permanent chassis and designed to be used as a single dwelling unit with or without a permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. This includes any structure with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.), as amended. This does not include travel trailers or recreation vehicles.

Manufactured Home, Residential-Design

(a) Any structure that is manufactured to the standards established in the National Manufactured Home Construction and Safety Standards Act of 1974, codified as amended at 42 U.S.C. § 5401 et seq., and federal regulations promulgated thereunder, and complies with the standards and provisions of Section 20-805(b), Manufacture Home, Residential Design

The following standards apply to Residential-Design Manufactured Homes.

- (1) The structure shall provide all of the accommodations necessary to be a dwelling unit and shall be connected to all utilities in conformance with applicable City regulations.
- (2) The structure shall be on a permanent-type, enclosed perimeter foundation.
- (3) The structure shall have an entrance on the side of the structure facing the front lot line.
- (4) The roof shall be predominantly double-pitched and have a minimum vertical rise of 2.5 inches for every 12 inches of horizontal run, and shall be covered with material that is customarily used on site-built dwellings, including but not limited to approved wood, asphalt composition shingles, clay or concrete tile, slate or fiberglass, but excluding corrugated aluminum or corrugated fiberglass roof. The roof shall have a minimum eave projection and roof overhang on at least two sides of 10 inches, which may include a gutter.
- (5) Exterior siding shall be of a non-reflective material customarily used on site-built Dwellings such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but

¹⁹⁴ New definition.

excluding smooth ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior of the foundation or curtain wall or the joint between siding and enclosure wall shall be flashed in accordance with City-adopted building codes.

- (6) The manufactured home shall be installed in accordance with the recommended installation procedure of the manufacturer and Chapter 5 of the City Code. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation. The structure shall be permanently mounted on either a basement or foundation that complies with Chapter 5 of the City Code.
- (7) On level sites, the main floor shall be no greater than 24 inches above the finished Grade at the foundation. On sloping or irregular sites, the main floor at the side closest to Grade shall not be greater than 24 inches above the finished Grade at the foundation.
- (8) Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards of Chapter 5 of the City Code and attached permanently to the primary structure and anchored permanently to the ground.
- (9) If 70% or more of the structures on the block face, and the block face opposite where the home is to be located, have attached garages, a garage constructed according to the provisions of Chapter 5 of the City Code (Building Code) shall be required to be attached to the residential-design manufactured home.

~~Mobile~~ Manufactured Home Parks, as amended.

Manufactured Home Sales and Service¹⁹⁵

A business that displaces on-site manufactured homes or other modular structures for the purpose of sales or rental and includes repair and service operations.

Manufacturing and Production, Limited

Establishments generally employing fewer than 20 persons, do not involve outside storage of materials, do not require Federal air quality discharge permits, are compatible with nearby residential uses because there are few or no offensive external effects, and are primarily engaged in one of the following:

1. On-site production of goods by hand manufacturing involving use of hand tools or light mechanical equipment. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for customers or firms. Goods are generally not displayed or sold on-site, but if so, this is a subordinate part of total sales. Typical uses include instruction studios, ceramic studios, woodworking and cabinet shops, custom

¹⁹⁵ New.

jewelry manufacturing, and similar types of arts and crafts or small-scale manufacturing; or

2. Manufacturing or assembling of electronic components, medical and dental supplies, computers, computer components, or other manufacturing establishments with similar characteristics. Goods generally are not displayed or sold on-site, but if so, this is a subordinate part of total sales.
3. Manufacturing, processing, or packaging of small-scale food production operations with limited on-site retail sales. Typical uses include caterers, bakeries, bottling and beverage manufacturing operations.

Manufacturing and Production, Technological

Production, processing, assembling, or packaging of products that rely upon research and technological innovation. Typical uses include manufacturing research instruments, electronic products, and surgical and medical instruments. This use type does not include uses that require Federal air quality discharge permits.

Massing

The size and shape of structure individually and their arrangements relative to other structure.

Mature Trees, Stand of

An area of ½ acre (21,780 sq ft) or more located on the 'development land area', per Section 20-1101(d)(2)(ii) or on other contiguous residentially zoned properties containing trees that are 25 feet or more in height, or are greater than 8" caliper, in an amount adequate to form a continuous or nearly continuous canopy. (Canopy may be determined from resources such as, but not limited to, NAIP, National Agricultural Imaging Program; City/County GIS aeriels; and field surveys.)

Minimum Elevation of Building Opening

The minimum elevation above sea level at which a building located in the Floodplain may have a door, window, or other opening.

Mini-Warehouse, Climate Controlled

A building or group of buildings containing varying sizes of individual, compartmentalized, and controlled-access stalls, lockers, garages, or units designed for the individual access of storage units from within an access-controlled area, accessed by individuals for the storage of household and personal property within an enclosed building that is climate-controlled with central heating or air conditioning. Storage units shall not be used for workshops, hobby shops, manufacturing, retail sales, or similar uses. Human occupancy shall be limited to that required to transport, arrange, and maintain stored materials. Storage units are not permitted for human occupancy and shall not be used for commercial activities or for personal and/or commercial transactions. Storage units shall be accessed from interior hallways and shall not be accessed from individual exterior overhead doors. Buildings may or may not be multi-story.

Mini-Warehouse, Exterior

A building, or group of buildings containing varying sizes of individual, compartmentalized, and controlled-access stalls, lockers, garages, or units designed for the individual access of storage units from within an access-controlled area, accessed by individuals for the storage of household and personal property. Storage units are not climate-controlled and exclude power and other utility connections. Storage units shall be single story and shall only be accessible from ground-level. Storage units shall not be used for workshops, hobby shops, manufacturing, retail sales, or similar uses. Human occupancy shall be limited to that required to transport, arrange, and maintain stored materials.

Mini-Warehouse, Self-Storage Containers

Containers or a collection of containers placed on a site for more than 30 days as permanent structures intended to be used and accessed by individuals for the storage of household and personal property. Containers are typically shipping containers placed or organized on site to create an appearance of a single building or multiple buildings on a site. Access to individual storage units is accommodated by doors or overhead doors. Storage units shall be single story and only accessible from ground-level.

Mining

Mining or extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil and gas drilling.

Mixed- Use

The development of a lot, tract or parcel of land, building or structure with two or more different uses including, but not limited to: residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.

Mixed Use Structure, Horizontal

A building or structure containing both nonresidential and residential uses distributed horizontally throughout the structure.

Mixed Use Structure, Vertical

A building or structure, a minimum of two stories in height, containing both nonresidential and residential uses distributed vertically throughout the structure.

Mobile Home

Any vehicle or similar portable structure having no foundation other than wheels or jacks or skirtings and so designed or constructed as to permit occupancy for dwelling or sleeping purposes. Mobile home includes any structure that otherwise meets this description, but that was not subject to the National Manufactured Home Construction and Safety Standards (generally known as the HUD Code), established in 1976 pursuant

to 42 U.S.C. Sec. 5403, at the time it was manufactured. Mobile homes are considered to be dwelling units only when they are parked in a Mobile Home Park.

Moderately-Priced Dwelling Unit

A dwelling unit marketed and reserved for occupancy by a household whose income is equal to or less than 80% of the City of Lawrence's median household income, as defined by the most current U.S. Department of Housing and Urban Development (HUD) guidelines.

Mulch

Non-living organic material customarily used to retard soil erosion and retain moisture.

N

Native Prairie Remnants

Prairie areas that have remained relatively untouched on undeveloped, untilled portions of properties are 'native prairies'. Native prairie remnants will be confirmed by the Kansas Biological Survey, or a consulting firm with local expertise in these habitats, as areas that have remained primarily a mixture of native grasses interspersed with native flowering plants. (These areas have not been planted, but are original prairies). A list of approved consulting firms for prairie determination is available in the Planning Office.

Natural Drainageway

Natural rivers, streams, channels, creeks or other areas that naturally convey stormwater runoff or portions thereof that have not been channelized and which is unaltered and retains a predominantly natural character.

Natural Open Space

Common Open Space that includes undisturbed natural resources, such as floodplains, wetlands, steep slopes, and woodlands.

Nightclub

An establishment that may or may not serve alcoholic beverages for on premises consumption and that offers live entertainment, which may be amplified, and/or music for dancing by patrons. A nightclub may also offer food service establishment dispensing liquor and meals in which music, dancing, or entertainment is provided.

Nodal Development Plan

A land use plan for all four corners of an intersection that applies to the redevelopment of existing commercial center areas or new commercial development for neighborhood, community or regional commercial centers, as described in Plan 2040, and is designed to avoid continuous lineal and shallow lot depth developments along street corridors through the use of natural and man-made physical characteristics to create logical terminus points for the node.

Node

An identifiable grouping of uses subsidiary and dependent upon a larger urban grouping of similar related uses.

Non-Encroachable Area

That portion of a lot or development set aside for enjoyment of the natural features or sensitive areas contained within it that cannot be encroached upon by building or development activity, excluding encroachment for common maintenance needs of the land, its vegetation, natural stream beds, etc.

O

Office, Administrative and Professional

Professional, governmental, executive, management or administrative offices of private organizations. Typical uses include administrative offices, legal offices and architectural firms.

Official Zoning Map

A map or maps outlining the various zoning district boundaries of the City of Lawrence, Kansas.

Open Porch

A roofed space attached to a building on one side and open on the three remaining sides.

Open Use of Land

A use that does not involve improvements other than grading, drainage, fencing, surfacing, signs, utilities, or Accessory structures. Open uses of land include, but are not limited to, auction yards, auto wrecking yards, junk and salvage yards, dumps, sale yards, storage yards and race tracks.

Ornamental Tree

A deciduous tree possessing qualities such as flowers, fruit, attractive foliage, bark or shape, with a mature height generally under 40 feet.

Outpatient Care Facility

Medical facilities containing space for waiting rooms, patient rooms, operating rooms, recovery rooms, sleep clinics, laboratory space or other necessary accommodations for use by physicians, dentists, therapists, nurses, technicians and other similar health personnel in the provision of health services related to the prevention, diagnosis, treatment, rehabilitation, testing and analysis of medical conditions. Services provided in these medical facilities are typically more intense than those provided in a health care office; health care clinic, but are less intense than those available in a hospital. Services provided in these medical facilities are typically rendered and completed in more than three hours, but in 12 or less hours, and may include one night of overnight care.

Overlay Zoning District

Any zoning district included in this Code with the word “overlay” in its title. The Overlay zoning district regulations are found in Article 7.

Owner

An individual, association, partnership or corporation having legal or equitable title to land other than legal title held only for the purpose of security. For the purpose of notice, the owner may be determined using the latest Douglas County Appraiser's assessment roll.

P

Parcel

A lot or contiguous tracts owned and recorded as the property of the same persons or controlled by a single entity.

Parking, Accessory

Accessory parking facilities provide parking that is required or provided for a specific use or uses.

Parking Area

That portion of a lot set aside, marked, posted, or intended for parking. This includes circulation areas, loading and unloading areas, Parking Spaces and drive aisles, landscaped areas, bikeways, and walkways.

Parking, Commercial

Commercial parking facilities provide parking that is not accessory to a specific use. A parking fee may or may not be charged. A facility that provides both accessory parking facilities for both a specific use and regular fee parking for people not connected to the use is also classified as a commercial parking use.

Structured Parking

A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building, including parking garages and deck parking.

Surface Parking

Unenclosed, grade-level areas designed to accommodate vehicular parking spaces.

Parking, Off-Site

Parking provided for a use which is located on another lot.

Parking, Shared

Use of the same off-street parking spaces for two or more different uses based on differing times of parking demand or the arrangement of uses that result in visiting

multiple land uses on the same trip. Shared parking may or may not be located on the same lot as the use.

Parking Space

A space for the parking of a motor vehicle or bicycle within a public or private parking area. Typically parking spaces for private uses are located off the public right-of-way.

Participant Sports and Recreation

Provision of sports or recreation primarily by and for participants. (Spectators would be incidental and on a nonrecurring basis). The following are participant sports and recreation use types (for either general or personal use):

Indoor

Those uses conducted within an enclosed Building. Typical uses include bowling alleys, billiard parlors, swimming pools and physical fitness centers.

Outdoor

Those uses conducted in open facilities. Typical uses include driving ranges, miniature golf courses and swimming pools.

Passive Recreation

Areas used or designed for passive and individual sports and recreational activities. Such areas include but are not limited to:

1. Greens and commons;
2. Gardens, arboretums, and conservatories;
3. Pedestrian, bicycle, and equestrian paths, trails and walkways;
4. Benches, plaza or seating areas, and picnic areas; and
5. Golf courses.

Peak Hour

The four highest contiguous 15-minute traffic volume periods.

Pedestrian Walkway

A dedicated pathway for pedestrians that is differentiated from a sidewalk by not being located along an adjacent street but being internal to the site.

Pedestrian Scale (human scale)

Means the proportional relationship between the dimensions of a building or building element, street, outdoor space or streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.

Personal Garden

A garden that is maintained by the property owner or other person with an interest in the property, typically on the same property as a dwelling unit. Food and non-food items are raised primarily for personal or family consumption and enjoyment.

Personal Services

Provision of small personal items or consumer-oriented, personal services in a small-scale setting. These include various general retail sales and personal services of a small, neighborhood-scale. Typical uses include neighborhood convenience stores, drugstores, hookah/retail smoke shops, laundromats/ dry cleaners, shoe repair and alteration/tailor shops, beauty salons and barbershops, tanning salons, nail salons, tattoo/body piercing shops, and massage therapy services. This use group also includes Establishments that primarily engage in providing informational, instructional, personal improvement, and similar services of a nonprofessional nature typically provided in a group setting such as classes or meetings.

Planning Commission

The Lawrence-Douglas County Metropolitan Planning Commission established by City Ordinance 3951/ County Resolution 69-8 on March 24th, 1969.

Plaza

A public square or similar open area intended as a gathering space that is typically paved and includes pedestrian elements such as benches, seating, fountains, landscaping, and public art.

Premises

A lot, together with all buildings and structures thereon.

Principal Use

The primary purpose for which land or a structure is utilized, based in part on the amount of Floor area devoted to each identifiable use. The main use of the land or structures as distinguished from a secondary or accessory Use.

Private Dining Establishment

A dining establishment where the principal business is the dispensing and consumption of prepared food and/or beverage at tables, not including bars or lounges, brewpubs or nightclubs. A private dining establishment is differentiated from other eating and drinking establishments on the basis that it is open to guests by invitation only and/or to the general public by reservation only and seats no more than 30 guests at once. Typically table service is provided by food and beverage servers.

Public Frontage

The publicly-owned layer between the lot line or street line and the edge of the vehicular lanes. The public frontage may include sidewalks, street planters, trees and other vegetated landscaping, benches, lamp posts, and other street furniture.

Public Safety

Services that provide protection to a district or entity according to fire, fire, and safety code sections, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations, police stations and ambulance services.

Q

R

Recreational Open Space

Common open space that is improved and set aside, dedicated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, ball courts, and picnic tables.

Recreational Vehicles

A motorized, self-propelled vehicle or a vehicle pushed, towed, propelled by wind, or carried by a motorized, self-propelled vehicle that may be described as follows:

1. It is designed to have a temporary living quarters for recreation and camping;
2. It is an all-terrain vehicle or a specialized off-road racing or competition vehicle that is not used for day-to-day transportation; or
3. It is a boat, canoe, kayak, or personal watercraft on a trailer.

Recreational Vehicle and Boat Storage

Storage of recreational vehicles and boats. Typical uses include the collective storage of personal recreational vehicles and boats.

Recyclable Materials

Reusable materials including but not limited to metals, glass, plastic, paper and yard waste, which are intended for remanufacture or reconstitution for the purpose of using the altered form. Recyclable materials do not include refuse or hazardous materials. Recyclable materials may include used motor oil collected and transported in accordance with environmental and sanitation codes.

Recycling Facilities

Collection Facilities

A center or facility for the acceptance by donation, redemption, or purchase of recyclable materials from the public.

1. A small collection facility may occupy a maximum area of 500 square feet.
2. Large collection facilities may occupy greater than 500 square feet of land area.

Both facilities may include:

1. Attended or unattended mobile collection units such as all weather roll-off containers, bins or boxes, which are not permanently affixed to the ground;
2. Reverse vending machines or kiosks that may include permanent structures;
3. Indoor facilities, ancillary to the primary activity of a business or organization.

Processing Center

A building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing.

Registered Neighborhood Association

A neighborhood or local interest group that represents a defined area of the City and that has registered with the Director in accordance with the applicable registration procedures of the Director.

Regulatory Flood

See base flood definition in Article 12.

Regulatory Floodplain

See Floodplain definition in Article 12.

Regulatory Floodway

See Floodway definition in Article 12.

Regulatory Floodway Fringe

See Floodway Fringe definition in Article 12.

Religious Assembly

Religious services involving public assembly such as customarily occurs in synagogues, temples, mosques and churches.

Campus or Community Religious Institution

A campus or community religious institution is a religious institution of larger scale than a neighborhood religious institution. Campus or community religious institution uses shall have a minimum capacity of 501 persons, but may include a larger worship or assembly space, possibly seating several thousand people. It may include accessory uses identified in Section 20-806(c), Religious Assembly including, but not limited to, extensive facilities for educational and recreational programming that is separate from or only loosely related to religious worship; on-site group living for students or for groups of religious leaders; and storage space for buses used to transport persons to and from programming at the institution.

Neighborhood Religious Institution

A neighborhood religious institution is an institution of which the primary use is holy day worship services, with incidental educational programs, some weekday services and accessory uses identified in Section 20-806(c), Religious Assembly. It is a small-scale use, seating 500 or fewer people. Accessory Uses are limited. The small scale of the institution and the limitation on extensive non-worship uses make the institutional use generally compatible with residential neighborhoods.

Repair Service, Consumer

Provision of repair services to individuals and households, but not to firms. Excludes "vehicles and equipment" use types. This use does not include heavy or light equipment sales, servicing, or repair. Typical uses include appliance repair shops, locksmiths, shoe and apparel repair and musical instrument repair.

Research Service

Research of an industrial or scientific nature generally provided as a service or conducted by a public agency or private firm. Typical uses include electronics research laboratories, environmental research and development firms, agricultural and forestry research labs, and pharmaceutical research labs.

Restaurant, High-turnover

An establishment whose primary business is the sale of food: a) primarily intended for immediate consumption; b) available within a short waiting time; and c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.

Restaurant, Quality

An eating establishment where the principal business is the dispensing and consumption of prepared foods and/or beverage at tables, not including bars, brewpubs or nightclubs. Table service by food & beverage servers is available at "quality restaurants".

Retail, General¹⁹⁶

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This use does not include any form of retail sales or other use listed separately in Table 20-8-1: Principal Use Table.

Root System Zone

A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for the root system of street trees and landscaping planted in the street Tree & Furniture Zone.

¹⁹⁶

S

Sales and Grooming

Sales, grooming and day time care of dogs, cats, and similar small animals. Typical uses include pet stores, dog bathing and clipping salons and pet grooming shops. No overnight boarding is allowed.

Salvage Operation

Storage, sale, dismantling, or other processing of used, source-separated, or waste materials not intended for reuse in their original form. Typical uses include automotive wrecking yards, junk yards, and salvage yards, but not including "recycling facilities."

Satellite Dish

A dish antenna, with ancillary communications equipment, whose purpose is to receive communication or other signals from orbiting satellites and other extraterrestrial sources and carry them into the interior of a building.

Scale

A quantitative measure of the relative height and massing of structure building and spaces.

School (K-12)¹⁹⁷

Facility used for educational purpose including public or private primary or secondary schools; elementary, junior or senior high, including charter or vocational schools.

School, Trade, Vocational or Technical¹⁹⁸

A secondary or higher education facility primarily teaching usable skills that prepares students for jobs in a trade or in industry, construction, or commerce, and meeting all applicable state requirements for a facility of its type.

Screen or Screening

A method of visually shielding, obscuring, or providing spatial separation of an abutting or nearby use or structure from another by fencing, walls, berms, or densely planted vegetation, or other means approved by the Director.

Setback

The minimum horizontal distance by which any building or structure must be separated from a street right-of-way or lot line.

Setback, Front

The setback required between a building and the front lot line.

Setback, Interior Side

The setback required between a building and the side lot line.

¹⁹⁷ New definition.

¹⁹⁸ New use and definition.

Setback, Street Side¹⁹⁹

The setback required between a building and an abutting street other than an alley.

Setback, Rear

The setback required between a building and the rear lot line.

Sexually-Oriented Business Definitions

Mixed Media Store

An establishment or business offering goods for sale or rent that is not a sex shop or sexually oriented media store but where:

1. More than ten percent of the gross public floor area is devoted to sexually oriented media; or
2. More than ten percent of the stock in trade consists of sexually oriented media.

Physical Sexually Oriented Business

1. Massage Parlor

An establishment or business with a fixed place of business having a source of income or compensation derived from the practice of any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulation of external parts of the human body with the hands or with the aid of any mechanical, electric apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on their behalf will pay money or give any other consideration or gratuity, provided that this term shall not include any establishment operated by a medical practitioner, professional physical therapist licensed by the State of Kansas, or a certified massage therapist.

2. Modeling Studio

An establishment or business that provides the services of modeling for the purposes of reproducing the human body, wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise. These uses do not include fine arts studios where models are hired to meet program goals. Any other modeling establishment is not permitted by the zoning regulations in any district.

3. Motion Picture Arcade

An establishment or business containing one or more booths, cubicles, stalls or compartments that are designed, constructed or used to hold or seat patrons and used for presenting Sexually Oriented Media for observation by patrons therein.

¹⁹⁹ Replaces "exterior side."

Sadomasochistic Practices

Flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed or naked.

Sex Shop

An establishment or business offering goods for sale or rent where:

1. It offers for sale items from any two of the following categories: sexually oriented media, lingerie, or leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; and the combination of such items constitute more than ten percent of its stock in trade or occupies more than 10 percent of its gross public floor area;
2. More than five percent of its stock in trade consists of sexually oriented novelties; or
3. More than five percent of its gross public floor area is devoted to the display of sexually oriented novelties.

Sexually Oriented Media

Magazines, books, videotapes, movies, slides, CD-ROMs or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

Sexually Oriented Media Store

An establishment or business offering goods for sale or rent where:

1. More than forty percent of the gross public floor area is devoted to sexually oriented media;
2. More than forty percent of the stock in trade consists of sexually oriented media; or
3. It advertises or holds itself out in any forum as "XXX," "sexually oriented," "sex" or otherwise as a sexually oriented business.

Sexually Oriented Novelties

Instruments, devices or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

Sexually Oriented Theater

An establishment or business featuring primarily:

1. Sexually Oriented Cabaret

Dancing or other live entertainment distinguished or characterized by an emphasis on exhibiting specific sexual activities or specified anatomical areas for observation by patrons therein; or

2. Sexually Oriented Motion Picture Theater

The display to an audience of films, tapes or motion pictures that are rated X by the Motion Picture Association of America (MPAA) and depict specific sexual activities or specified anatomical areas.

3. "Primarily"

Primarily refers to the entertainment that characterizes a particular establishment or business, and may be determined from a pattern of advertising as well as from actual performances or displays.

Specified Anatomical Areas

(1) Less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

Human genitals in a State of sexual stimulation or arousal or acts of human masturbation, sexual intercourse or sodomy or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Shade Tree

Usually a deciduous tree, rarely an evergreen; planted primarily for its high crown of foliage or overhead Canopy.

Short-Term Rental

A use where all or part of a dwelling unit may, in exchange for consideration, accommodate guests overnight for a period of time less than 30 consecutive days. For the purposes of this definition, a dwelling unit shall include all legally established dwelling units, but shall exclude dormitory, fraternity or sorority, group home, motel, hotel, extended stay, and bed and breakfast uses.

Shrub

A deciduous, broadleaf, or evergreen plant, smaller than an ornamental Tree and larger than ground cover, consisting of multiple stems from the ground or small branches near the ground, which attains a height of 24 inches.

Significant Development Project

1. Any modification to a site that alters parking areas, drive aisles, or impacts on-site pedestrian and vehicular circulation and traffic patterns that the Director

determines to be significant in terms of impacting adjacent roads or adjacent properties; or

2. In the IL²⁰⁰ or IG zoning district, the construction of one or more building or building additions that contain a gross floor area of fifty percent or more of the gross floor area of existing building; or
3. In any zoning district other than IL²⁰¹ or IG, the construction of one or more building or building additions that contain a gross floor area of twenty percent or more of the gross floor area of existing building; or
4. Separate incremental building additions below fifty percent for IL²⁰² or IG zoning and twenty percent for all other zoning districts of the gross floor area of existing buildings if the aggregate effect of such development activity over a period of 24 consecutive months would trigger the fifty percent (for IG) or twenty percent (for all other zoning districts) threshold; or
5. The installation or addition of more than fifty percent for IL²⁰³ or IG zoning and twenty percent for all other zoning districts of existing Impervious Surface coverage.

Slip Road

A road which provides access to and runs a course parallel to an arterial street or other limited access street or highway. Slip Roads are commonly used along boulevards to provide access to adjacent properties, on-street parking, and to buffer high-speed traffic lanes from pedestrian areas. Slip roads may also be known as access roads.

Social Service Agency

A service operated by a, public, publicly funded, nonprofit, or charitable organization providing services undertaken to advance the welfare of citizens in need which typically includes supporting office uses. Typical uses include employment counseling, life skills training, counseling, food banks, and blood banks. Social service agencies shall not include temporary shelters, group homes, commercial uses such as medical, professional, financial, real estate offices, or religious institutions providing these services as accessory to their religious assembly use.

Stacking Spaces

The space specifically designated as a waiting area for vehicles in a queue at a drive-in or pick-up use or drop off area.

Story

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost Story shall be that

²⁰⁰ Currently applies to only the IM district.

²⁰¹ Currently applies to only the IM district.

²⁰² Currently applies to only the IM district.

²⁰³ Currently applies to only the IM district.

portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a Basement or unused under-floor space is more than six feet above grade as defined herein for more than fifty percent of the total perimeter or is more than 12 feet above grade as defined herein at any such point, or unused under-floor space shall be considered a Story.

Stream Corridor

A strip of land 100 feet wide, of which the centerline shall be the centerline of a stream that is not ephemeral stream: a stream where flow occurs for only a short time after extreme storms and does not have a well-defined channel, similar to a drainage way.

Street, Arterial

Arterial streets are the highest level of street classification, generally providing for longer distance trips with relatively high traffic volumes and high speeds for the context.

Street, Principal Arterials

permit traffic flow through the urban area and between major destinations.

Street, Minor Arterials

collect and distribute traffic from principal arterials and expressway to streets of lower classification, and, in some cases, allow traffic to directly access destinations.

Street, Collector

A collector street provides for land access and traffic circulation within and between residential neighborhoods and commercial and industrial areas. They distribute traffic movements from these areas to the arterial streets. Collectors do not typically accommodate long through trips and are not continuous for long distances.

Street, Cul-de-sac

A street having only one outlet and being permanently terminated by a vehicle turnaround at the other end.

Street, Dead-End

A street having only one outlet and which does not benefit from a turnaround at its end.

Street, Expressway

Any divided street or highway with no access from abutting property and which has either separated or at-grade access from other public streets and highways.

Street, Freeway

Any divided street or highway with complete access control and grade separated interchanges with all other public streets and highways.

Street, Limited Local

A local street providing access to not more than eight abutting single-family residential lots.

Street, Local

Local streets provide direct access to adjacent land uses. Direct access from a local street to an arterial street should be discouraged.

Street, Marginal Access

A street that is generally parallel and adjacent to an arterial street or other limited-access street and that is designated to provide direct access to adjacent property. Marginal access streets are commonly known as “frontage roads.”

Street, Private

Any tract of land or access easement set aside to provide vehicular access within a Planned Development that is not dedicated or intended to be dedicated to the City and is not maintained by the City. owners of a private street may choose to gate access to this type of street from the general public.

Street, Public

A way for vehicular traffic, whether designated as a local, collector, arterial, freeway or other designation, which is improved to City standards, dedicated for general public use, and maintained by the City. The term shall also include alleys.

Street, Ultimate Design

The street design that is based on the planned carrying capacity of the roadway consistent with its functional classification on the Major Thoroughfares Maps in the Comprehensive Plan.

Street Line

The line separating the street right-of-way from the abutting property.

Street Tree and Furniture Zone

An area designated within the public frontage in a mixed-use development. Such zones shall reserve space for street trees and other landscaping as well as street furniture including, but not limited to benches, street lights and transit stops.

Streetscape

The built and planned elements of a street that define the street's character.

Structural Alteration

Any change in the supporting or structural members of a building, including but not limited to bearing walls, columns, beams or girders, or any substantial change in the roof, exterior walls, or building openings.

Structure

A building or anything constructed that requires permanent location on the ground or attachment to something having a permanent location on the ground, including but not limited to fences, signs, billboards, and Mobile Homes.

Subsurface Utility Zone

A subsurface area designated within the Public Frontage in a Mixed Use development. Such zones shall reserve space for public utilities.

T

Temporary Shelter

A building operated by a public, publicly funded, nonprofit, charitable organization, or religious institution that provides day and/or overnight shelter to one or more persons who lack a fixed, regular, and adequate nighttime residence. The temporary shelter may provide accessory food services, social services, counseling, medical services, personal hygiene, life skills training, employment training and assistance, educational assistance, mail or delivery services, telephone or computer services, storage of personal belongings, and a workplace for shelter occupants that may consist of any use permitted by the zoning district in which it is located.

Thoroughfare

Any public right-of-way that provides a public means of access to abutting property.

Tract (of land)

An area, parcel, site, piece of land or property that is the subject of a development application or restriction.

Transitional Use

A permitted use or structure that, by nature or level and scale of activity, acts as a transition or buffer between two or more incompatible uses.

Tree Protection

Means the measures taken, such as temporary fencing and the use of tree wells, to protect existing trees from damage or loss during and after construction projects.

Trip Generation

The total number of vehicle trip ends produced by a specific land use or activity.

Truck Stop

A fuel dispensing facility designed to primarily accommodate the trucking industry. Accessory uses common to a truck stop may include a convenience store, restaurant, shower facilities, overnight parking areas for semis and other commercial vehicles and scale facilities.

U

Unnecessary Hardship

The condition resulting from application of these regulations when viewing the property in its environment that is so unreasonable as to become an arbitrary and capricious interference with the basic right of private property ownership, or convincing proof exists that it is impossible to use the property for a conforming use, or sufficient factors

exist to constitute a hardship that would in effect deprive the owner of their property without compensation. Mere financial loss or the loss of a potential financial advantage does not constitute unnecessary hardship.

Urban Agriculture

The growing, processing and distribution of plant and animal products — by and for the local community — within an urban environment. Urban agriculture includes, but is not limited to: aquaculture, horticulture, permaculture, hydroculture, agroforestry, beekeeping, gardening, and animal husbandry. Complementary activities associated with urban agriculture include the distribution of food, the collection and reuse of food waste and rainwater, and public outreach activities such as education and employment. Urban agriculture does not include such commercial activities as commercial dog kennels, dog breeding facilities, or livestock sales.

Urban Farm

An urban agricultural use which is operated primarily for commercial purposes. An urban farm is distinguished from other urban agriculture uses by scale.

1. An urban farm may have a larger retail sales area and/or more agricultural animals than permitted for crop agriculture and/or small and large animal agriculture.
2. An urban farm can include other uses such as an educational/training component and/or agricultural processing.

Utilities and Service, Major

Services and utilities that have substantial impacts. Such uses may be permitted when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of the district for reasons of necessary location and community-wide interest. Typical uses include: water and wastewater treatment facilities, major water storage facilities, and power generation plants.

Utilities, Minor

Public utilities that have a local impact on surrounding properties. Typical uses include electrical and gas distribution substations, lift stations, telephone switching boxes, and water towers. Excludes "Wireless Facilities" use types.

V

Valet Parking

An operational system in which attendants (aka valets) park and retrieves automobiles. Valet parking allows more automobiles to be parked in an area and may be used to resolve parking shortages or improve customer service where parking might only be available at long walking distances. Valet Parking may employ tandem and/or stacked parking layouts.

Valet Parking Plan

A document, submitted concurrently with a development application proposing the use of Valet Parking that includes, but is not limited to the summarizing the layout and dimensions of the on-site parking area, on-site drop-off, operations of the service including hours of operation and maximum and minimum staffing level.

Veterinary²⁰⁴

Facility for the diagnosis, treatment, or hospitalization of domestic animals, operated under the supervision of a licensed veterinarian. The incidental temporary overnight boarding of animals that are recuperating from treatment is included in this definition.

W

Walk-Up Window²⁰⁵

An accessory use incidental to an establishment where customers may walk up to the window to purchase goods rather than entering the structure or using a drive-through.

Wireless Facilities

See Section 20-813.

Woodlands

Natural hardwood forests, whether or not actively forested.

Working Days

Monday through Friday, 8AM to 5PM excluding City holidays.

X

Y

Yard

Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings, or such projections as are expressly permitted by these regulations. "Yard" refers to the actual open area that exists between a building and a lot line, as opposed to the Required yard or open area (referred to as a "setback").

Yard, Front

A space extending the full width of a lot between any building and the front lot line and measured perpendicular to the building at the closest point to the front lot line.

Yard, Rear

A space extending the full width of a lot between the principal building and the rear lot line and measured perpendicular to the building at the closest point to the rear lot line.

²⁰⁴ New definition.

²⁰⁵ New.

Yard, Required

The unobstructed open space measured from a point on a principal building to the lot line from the ground upward, within which no structure shall be located, except as permitted by this Code. It is the three-dimensional equivalent of the required setbacks for every lot.

Yard, Side

A space lying between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. Side-yard widths shall be measured perpendicular to the side lot lines of the lot.

Z

Zoning District

A portion of the territory of the City of Lawrence within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Chapter.

Article 20. Document Template

20-2001 Heading 2

Body Text 2

(a) Heading 3²⁰⁶

Body Text 3

(1) Heading 4

Body Text 4

(i) Heading 5

Body Text 5

a. Heading 6

Body Text 6

1. Heading 7

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(A) Heading 8

Body Text 8

i. Heading 9

Body Text 9

20-2002 Heading 2

(a) List 2

(1) List 3

(i) List 4

a. List 5

1. List 6

(A) List 7

i. List 8

Definition Header

Definition Text

3. Definition List

²⁰⁶ Footnote.

Definition Header Indent

Definition Text Indent

Document Commentary

Commentary Text

Tables:

Table Title		
Column Heading Left	Column Heading Center	Column Heading Left
Row Heading		
Table Text Left	Table Text Center	Table Text Right
Table Notes: [1] Table Notes Text		

Full Table

*No outside bounding

Borders: Bottom, ½ weight, Gray (#BFBFBF)
pen color

Title Row

Style: Table Title

Color: Navy (#001d68)

Row height: 0.35

Alignment: Left

Borders: Top/Bottom, ½ weight, White
(#F8F8F8) pen color

Column Heading

Style: Table Column Heading

Color: Gold 60% (#FFE599)

Row height: 0.2

Alignment:

Left most column = Left

Columns with text = Left

Columns with numbers = Center

Borders: Bottom, ½ weight, Gray (#BFBFBF)
pen color

Row Heading

Style: Table Row Heading

Color: Teal (#08B2B2)

Row height: 0.2

Alignment:

Left most column = Left

Columns with text = Left

Columns with numbers = Center

Table Text

Style: Table Text Left, Center, or Right

Color: None

Row height: 0.2

Alignment:

Left most column = Left

Columns with text = Left

Columns with numbers = Center

*align with column heading

Borders: Bottom, ½ weight, Gray (#BFBFBF)
pen color

Table Notes

Style: Table Notes Title and Table Notes Text

Color: None

Row height: 0.2

Alignment: Left

Border: Bottom, ½ weight, Gray (#BFBFBF)
pen color

¹ Special use in RS10 only. Not permissible in RS40 or RS20.

² Currently a Special use in RS3.

³ Currently a Special use in RSO.

⁴ Currently permissible in RMO, not permissible in CN2 or CO.

⁵ Currently permissible in MU, not permissible in CS.

⁶ No applications for this use, consider reworking

⁷ Currently permissible in RSO, not permissible in CN1 or MU.

⁸ Currently permissible in RMO.

⁹ Currently Permissible in CN1, not permissible in RMO.

¹⁰ Not currently permissible in RS3.

¹¹ Currently permissible in RMO, not permissible in CN2 or CO.

¹² Permissible in MU (Prim + sec), not permissible in CS.

¹³ Not currently Permissible in CO.

¹⁴ Permissible in CC, not permissible in CR.

¹⁵ Permissible in RM12.

¹⁶ Permissible in MU.

¹⁷ Permissible in RMO.

¹⁸ Permissible in CC.

¹⁹ Special use in H, accessory use in GPI

²⁰ Not permissible in CO

²¹ Permissible in CC, not permissible in CR.

²² Currently Permissible in RSO, not permissible in CN1 or MU(tertiary)

²³ Not permissible in CO.

²⁴ Permissible in MU(primary), not permissible in CS.

²⁵ Not permissible in CN2 or CO

²⁶ Permissible in MU, not permissible in CS.

²⁷ Consolidated "Manufactured Home," "Manufactured Home, Residential Design," "Mobile Home," and "Mobile Home Park." Evaluate, as MH res. Design has specific requirements/greater permissiveness.

²⁸ Currently permissible in "Manufactured Home, Residential Design."

²⁹ Currently permissible in "Manufactured Home, Residential Design."

³⁰ Currently Permissible in "Manufactured Home, Residential Design;" and is a Special use in "Manufactured Home" and "Manufactured Home, Residential Design."

³¹ Permissible in "Manufactured Home, Residential Design."

³² Consolidated to include "Extended Care Facilities, General" and "Extended Care Facilities, Limited."

³³ Special Use in RS3, permissible in RM12 and RM12D.

³⁴ Permissible in RSO and MU, not permissible in CN1.

³⁵ Permissible in RMO, not permissible in CN2 or CO.

³⁶ Permissible in MU, not permissible in CS.

³⁷ Permissible in RM12, not permissible in RS3 or RM12D.

³⁸ Permissible in MU, not permissible in RSO or CN1.

³⁹ Permissible in RMO. not permissible in CN2 or CO.

⁴⁰ Permissible in MU, not permissible in CS.

⁴¹ Consolidated to include "Greek Housing Unit."

⁴² Permissible in CN2, Special use in CO & RMO.

⁴³ Permissible in MU(Primary), not permissible in CS.

⁴⁴ Permissible in CC, not in CR.

⁴⁵ Permissible in GPI, Accessory use in H.

⁴⁶ Not permissible in CN1.

⁴⁷ Permissible in CS, Special use in MU(primary).

⁴⁸ Permissible in IL, not in IM.

⁴⁹ Permissible in CO, special use in CN2 & RMO.

⁵⁰ Permissible in IL, not in IM.

⁵¹ Permissible in CS, Special Use in MU(Primary).

⁵² Permissible in IL, not in IM.

⁵³ Permissible in GPI, not permissible in H.

⁵⁴ Permissible in RM12 & RM12D, not permissible in RS3.

⁵⁵ Permissible in CN1, Special use in MU(tertiary), not permissible in RSO.

⁵⁶ Permissible in IL, not permissible in IM.

⁵⁷ Accessory use in H.

⁵⁸ Permissible in IL, not permissible in IM.

⁵⁹ Permissible in RM12 & RM12D, special use in RS3.

⁶⁰ Permissible in RSO, not permissible in CN1 or MU(Tertiary).

⁶¹ Permissible in RMO, not in CN2 or CO.

⁶² Permissible in CN2, Special use in CO & RMO.

⁶³ Permissible in CS, Special use in CS.

⁶⁴ Permissible in IL, special use in IM.

⁶⁵ Permissible in CN1, Accessory use in RSO and MU(Tertiary).

⁶⁶ Permissible in CN2, Accessory use in RMO, and not permissible in CO.

⁶⁷ Permissible in CS, not permissible in MU(primary).

⁶⁸ Permissible in CS, not permissible in CR.

⁶⁹ Permitted in CN2, Special use in RMO, and not permitted in CO.

⁷⁰ Permitted in CS, special use in MU(Primary).

⁷¹ Permitted in CC, not permissible in CR.

⁷² Permissible in CN2 & CO, Special use in RMO.

⁷³ Permissible in IL, not permissible in IM.

⁷⁴ Permissible in CN1, Special use in RSO & MU(Tertiary).
⁷⁵ Permissible in CN2 & CO, Special use in RMO.
⁷⁶ Permissible in IL, not permissible in IM.
⁷⁷ Permissible in GPI, not in H.
⁷⁸ Special use in GPI, not permissible in H.
⁷⁹ Permissible in MU(Tertiary), Special use in CN1 & RSO.
⁸⁰ Permissible in GPI, not permissible in H.
⁸¹ Permissible in IL, not permissible in IM.
⁸² Permissible in GPI, not permissible in H.
⁸³ Permissible in IM, special us in IL.
⁸⁴ Permissible in GPI, not permissible in H.
⁸⁵ Permissible in GPI, not permissible in H.
⁸⁶ Permissible in RSO, special use in CN1 & MU(tertiary).
⁸⁷ Permissible in RMO, Special use in Cn2 + Co
⁸⁸ Permissible in MU(Primary), not permissible in CS.
⁸⁹ Accessory in H.
⁹⁰ Permissible in MU(Primary), not permissible in CS.
⁹¹ Special use in CN2.
⁹² Permissible in IL, not permissible in IM.
⁹³ Permissible in GPI, Accessory use in H.
⁹⁴ Permissible in IL, not permissible in IM.
⁹⁵ "Nature Preserve/Undeveloped" not carried over, consolidated in Open Space.
⁹⁶ Permissible in CN2, special use in CO & RMO.
⁹⁷ Permissible in IL, not permissible in IM.
⁹⁸ Consolidated to include "Private Recreation."
⁹⁹ Permissible in CN2, not permissible in CO & RMO.
¹⁰⁰ Permissible in GPI, not permissible in H.
¹⁰¹ Permissible in CN2, not permissible in Co & RMO
¹⁰² Consolidation of the "Sexually Oriented Business" group.
¹⁰³ Media store previously permissible in MU (T), confirm impact of this edit.
¹⁰⁴ Permissible in CS.
¹⁰⁵ Permissible in CS, Special Use in MU(primary).
¹⁰⁶ Permissible in IL, not permissible in IM.
¹⁰⁷ Permissible in CS.
¹⁰⁸ Permissible in IL, not permissible in IM.
¹⁰⁹ Permissible in IL, not permissible in IM.
¹¹⁰ Permissible in CN1, Special use in MU(Tertiary), and not permissible in RSO.
¹¹¹ Permissible in CN2 & CO, not permissible in RMO.
¹¹² Permissible in IL, not permissible in IM.
¹¹³ Permissible in IL, not permissible in IM.
¹¹⁴ Consolidated to include "Accessory Bar."
¹¹⁵ Special Use in MU(Primary).
¹¹⁶ Permissive in CD.
¹¹⁷ Permissive in CC.
¹¹⁸ Permissive in IBP.
¹¹⁹ Permissive in CN2.

¹²⁰ Permissive in CS, Special Use in MU(Primary).
¹²¹ Consolidated to include "Fast Order Food" and "Fast Order Food, Drive-in"
¹²² "Fast Order Food" Permissible in CN1.
¹²³ "Fast Order Food" Permissible in CN2 & CO.
¹²⁴ "Fast Order Food" Permissible in CS.
¹²⁵ "Fast Order Food" permissible in IL, not permissible in IM.
¹²⁶ Permissible in CN1, Special Use in MU(Tertiary).
¹²⁷ "Fast Order Food" permissible in IL, not permissible in IM.
¹²⁸ Consolidation of "Car Title Loan Business;" Financial, Insurance & Real Estate;" and "Payday Advance." These uses have the same permissiveness.
¹²⁹ Permissible in IL, not permissible in IM.
¹³⁰ Accessory use in H.
¹³¹ Permissible in CS, not permissible in MU(Primary).
¹³² Renamed from "Transient Accommodations"
¹³³ Permissible in CN1, special use in RSO & MU(Tertiary).
¹³⁴ Permissible in RMO, not permissible in CN2 & CO.
¹³⁵ Permissible in MU(primary), not permissible in CS.
¹³⁶ Permissible in CS, not permissible in MU([primary).
¹³⁷ Is a Special Use in RMG(not carried forward).
¹³⁸ Permissible in RM12 & RM12D, not permissible in RS3.
¹³⁹ Permissible in CN1 & MU(Tertiary), not permissible in RSO.
¹⁴⁰ Permissible in CN2 & RMO, not permissible in CO.
¹⁴¹ Permissible in CC, not permissible in CR.
¹⁴² Permissible in IL, not permissible in IM.
¹⁴³ Special Use in CN1 & MU(Tertiary).
¹⁴⁴ Special Use in CN2 & CO, not permissible in RMO.
¹⁴⁵ Permissible in CS, Special use in MU(primary). h
¹⁴⁶ Moved from Parking Facilities group
¹⁴⁷ Permissible in CN2, not permissible in Co or RMO.
¹⁴⁸ Permissible in CS, special use in MU(Primary).
¹⁴⁹ Consolidation of "Business Equipment" and "Business Support"
¹⁵⁰ Permissible in MU(tertiary).
¹⁵¹ "Business Support" permissible in IG. "Business Equipment" not currently permissible in IG.
¹⁵² "Business Support" is an accessory use in H.
¹⁵³ Permissible in CS, not permissible in MU(Tertiary).
¹⁵⁴ Permissible in IL, not permissible in IM.
¹⁵⁵ "Business Support" is an accessory use in H.
¹⁵⁶ Permissible in CN1, not permissible in RSO or MU(tertiary).
¹⁵⁷ Permissible in CN2 & Co, not permissible in RMO.

¹⁵⁸ Permissible in IL, not permissible in IM.
¹⁵⁹ "Business Support" is an accessory use in H.
¹⁶⁰ "Mixed Media Store" & "Retail Sales, General" permissible in CN1.
¹⁶¹ "Mixed Media Store;" "Retail Sales, General;" Retail Establishment, Medium;" and "Retail Establishment, Specialty;" permissible in CN2, "Mixed Media Store" & "Retail Sales, General" permissible in CO.
¹⁶² "Mixed Media Store" & "Retail Sales, General" permissible in IL, not permissible in IM.
¹⁶³ "Retail Sales, General" is an accessory use in H.
¹⁶⁴ Renamed "Retail Establishment, Large"
¹⁶⁵ "Retail Establishment, Large" is a specialty use in CS.
¹⁶⁶ Permissive in CN2 & RMO, not permissive in CO.
¹⁶⁷ permissible in IL, not permissible in IM.
¹⁶⁸ "Retail Sales, General" is an accessory use in H.
¹⁶⁹ Permissible in CN1, special use in MU(Tertiary), not permissible in RSO.
¹⁷⁰ Permissible in CN2, not permissible in CO or RMO.
¹⁷¹ Permissible in IL, not permissible in IM.
¹⁷² Renamed from "Cleaning"
¹⁷³ Special use in CN2, not permissible in CO or RMO.
¹⁷⁴ Permissible in CS, not permissible in MU(primary).
¹⁷⁵ Permissible in IL, accessory use in IM.
¹⁷⁶ Consolidation of "Heavy Equipment Repair" and "Heavy Equipment Sales"
¹⁷⁷ Permissible in CS, not permissible in MU(primary).
¹⁷⁸ "Heavy Equipment Sales" permissible in IL, not permissible in IM.
¹⁷⁹ Consolidation of "Light Equipment Repair" and "Light Equipment Sales"
¹⁸⁰ "Light Equipment Sales/Rental" is a permitted use in CN2, "Light Equipment Repair" is a special use in CN2. Not permissible in CO or RMO.
¹⁸¹ Permissible in CS, not permissible in MU(Primary).
¹⁸² Permissible in IL, not permissible in IM.
¹⁸³ Permissible in CS, not permissible in MU(primary).
¹⁸⁴ Special use in CN2, not permissible in CO or RMO.
¹⁸⁵ Permissible in CS, Special Use in MU(primary).

¹⁸⁶ Permissible in CS, not permissible in MU(primary).
¹⁸⁷ Permissible in CS, not permissible in MU(Primary).
¹⁸⁸ Permissible in IL, not permissible in IM.
¹⁸⁹ Special Use in CR.
¹⁹⁰ Special Use in CR.
¹⁹¹ Permissible in CS, not permissible in MU(Primary).
¹⁹² Special use in MU(Tertiary), not permissible in CN1 & RSO.
¹⁹³ Special Use in CO, not permissible in CN2 & RMO.
¹⁹⁴ Permissible in CN1, Special use in MU(tertiary), not permissible in RSO.
¹⁹⁵ Permissible in CN2 & CO, not permissible in RMO.
¹⁹⁶ Special Use in CN2 & CO, not permissible in RMO.
¹⁹⁷ Special use in MU(Tertiary), not permissible in CN1 & RSO.
¹⁹⁸ Permitted in MU(Primary), Special use in CS.
¹⁹⁹ Moved from Mining Group.
²⁰⁰ Permissible in CS, not permissible in MU(Primary).
²⁰¹ Permissible in CN1 & MU-Tertiary, not permissible in RSO.
²⁰² Permissible in CN2 & CO, not permissible in RMO.
²⁰³ "Garage Condos" not carried forward.
²⁰⁴ Special use in CS, not permissible in MU(Primary).
²⁰⁵ Special use in IL, not permissible in IM.
²⁰⁶ Permissible in CS, not permissible in MU(Primary).
²⁰⁷ Special use in GPI, not permissible in H.
²⁰⁸ Permissible in CS, not permissible in MU(Primary).
²⁰⁹ Permissible in CS, not permissible in MU(Primary).
²¹⁰ Renamed from "Urban Agriculture."
²¹¹ Permissible in RS40, not permissible in RS20 and RS10.
²¹² Permissible in CS, not permissible in MU(Primary).
²¹³ Permissible in IL, not permissible in IM.
²¹⁴ Permissible in CN1 & RSO, accessory use in RSO.
²¹⁵ Permissible in CN2 & CO, accessory use in RMO.
²¹⁶ Permissible in IL, special use in IM.
²¹⁷ Special Use in RS7, not permissible in RS5.
²¹⁸ Permissible in IL, not permissible in IM?
²¹⁹ Consolidated to include "Amateur and Receive-Only Antennas," "Satellite Dish," and "Wireless Support Structure."