LAND DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, TEXT AMENDMENTS, NOVEMBER 12, 2013 EDITION

Amending Sections 20-403 and 20-509

OF CHAPTER 20 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS



City of Lawrence

Incorporated By Reference Pursuant to K.S.A. 12-3009, et seq., K.S.A. 12-3301 et seq., and the Home Rule Authority of the City

Passed by the Governing Body of the City of Lawrence, Kansas

Ordinance No. 8937

First Reading: <u>November 5, 2013</u>
Second Reading: <u>November 12, 2013</u>
Date of Publication: ____

SECTION 1: Chapter 20, Article 4, Section 20-403, of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto is hereby amended and shall read as follows:

20-403 NONRESIDENTIAL DISTRICT USE TABLE

Key:								Base Zo	oning L	District	S						
A = Acce P = Pern S = Spec * = Stand - = Use r	A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		CN2	MU	00	СD	၁၁	CR	SO	IBP	II.	MI	91	08	GPI	H	Use-Specific Standards (Sec. 20-)
RESIDEN	TIAL USE GROUP	P*	_	P*	-	_	_	_	_			_	_				534
	Accessory Dwelling			·						-	-			_	-	-	
	Attached Dwelling	P*	-	P*	-	-	-	-	-	_	_	-	-	_	P*	_	503
	Cluster Dwelling Detached Dwelling	- P*	_	– Р	-	_	_	-	_	_	_	-	_	_	– P*	- A*	702 508
				P*			1						'				
	Duplex	P*	-	P"	-	-	-	-	-	_	_	-	-	_	-	-	503
ing	Manufactured Home	-	-	_	-	-	-	-	-	_	_	-	-	_	Р	А	
Household Living	Manufactured Home, Residential-Design	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	513
lole	Mobile Home	_	-	_	-		_	-	-	-	Р		Р	_	Р	Α	
esno	Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Multi-Dwelling Structure	_	P*	P*	-	P*/S*	P*		P*	_	-	-	-	_	S	А	517
	Non-Ground Floor Dwelling	P*	P*	P*	-	P*	P*	-	P*	_	_	-	_	_	-	-	517/542
	Work/Live Unit	P*	P*	P*	-	P*/S*	P*	-	P*	-	P*	_	-	-	-	-	517/541
	Zero Lot Line Dwelling	P*	-	Р	-	-	-	_	_	_	-	-	_	_	_	-	531
	Home Occupation, Type A or B	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	
	Assisted Living	-	-	Р	_	-	-	-	-	-	-	-	-	-	S	S	
	Congregate Living	_	-	P*	-	_	_	-	-	_	_	-	-	_	-	-	546
p Living	Dormitory	-	-	_	-	-	-	-	-	-	-	-	-	_	-	Α	
l dh	Fraternity or Sorority House	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Group	Group Home, General (11 or more)	S	S	S	S	S	S	S	S	-	-	-	-	-	-	А	
	Group Home, Limited (10 or less)	Р	-	Р	-	_	_	-	-	-	-	_	-	-	-	-	
PUBLIC A	AND CIVIC USE GROUP																
	Cemetery	P*	P*	-	P*	-	P*	P*	P*	P*	P*	-	-	P*	P*	-	505
ties	College/University	S	Р	Р	Р	Р	Р	Р	Р	Р	Р	_	Р	_	Р	А	
Community Facilities	Cultural Center/ Library	S	Р	Р	S	Р	Р	-	-	Р	-	-	-	S	Р	Α	
ınity	Day Care Center	S*	P*	S*	S*	S*	P*	P*	P*	P*	P*	A*	P*	-	-	-	507
ommı	Day Care Home, Class A	Р	Р	P*	-	Р	Р	-	Р	-	-	-	-	-	-	-	
) 	Day Care Home, Class B	S*/A	P*	S*	-	Р	Р	-	Р	-	-	-	-	-	-	-	507

Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed								Base Zo	oning L	District	S						
		CN1	CN2	MU	00	СД	22	CR	SO	d8l	IL	IM	91	SO	GPI	Ŧ	Use-Specific Standards (Sec. 20-)
	Detention Facilities	-	-	-	-	-	-	-	-	-	S	S	S	-	S	-	
	Lodge, Fraternal & Civic Assembly	S*	S*	S*	S*	P*	P*	P*	P*	-	P*	-	-	-	P*	-	512
	Postal & Parcel Service	_	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	
	Public Safety	S	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	
	School	Р	Р	Р	Р	Р	Р	Р	Р	-	_	_	_	_	Р	-	
	Funeral and Interment		P*		P*	P*	P*	P*	P*	P*	P*			A*			505
	Temporary Shelter	S*/A*	S*/A*	S*	S*/A*	_	S*	_	S*	S*/A*	544/522						
	Social Service Agency	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	_	Р	_	Р	А	
	Community Meal Program	S/A*	S/A*	S	S/A*	-	S	-	S	S/A*	522						
	Utilities, Minor	P*/S*	P*/S*	P*/S	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	P*/S*	-	530
	Utilities and Service, Major	S	S	S	S	S	S	S	S	S	S	Р	Р	S	Р	-	
	Community Mental Health Facility														Р		
les	Extended Care Facility, General	-	S	-	S	-	-	-	-	S	-	-	-	-	-	А	
Faciliti	Extended Care Facility, Limited	Р	Р	Р	Р	-	-	-	-	-	-	-	-	-	S	А	
Medical Facilities	Health Care Office, Health Care Clinic	Р	S	Р	Р	Р	Р	Р	Р	Р	Р	-	-	-	Р	А	
2	Hospital	-	-	-	_	-	-	-	-	-	_	-	-	-	-	Р	
	Outpatient Care Facility	P*	P*	-	-	-	-	-	P*	A*	519						
	Active Recreation	S	Р	Р	S	S	Р	Р	Р	Р	Р	-	S	S	A*/S*	А	532
6	Entertainment & Spectator Sports, General	-	-	-	-	Р	Р	Р	Р	-	-	-	-	-	S	-	
Recreational Facilities	Entertainment & Spectator Sports, Limited	-	Р	Р	-	Р	Р	Р	Р	-	-	-	-	S	Р	-	
	Participant Sports & Recreation, Indoor	-	Р	Р	-	Р	Р	Р	Р	Р	Р	-	-	-	Р	А	
Recre	Participant Sports & Recreation, Outdoor	-	-	S	-	-	Р	Р	Р	Р	Р	-	-	-	A*/S*	-	532
	Passive Recreation	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	А	
	Nature Preserve/ Undeveloped	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	А	

<i>''</i>								Base Zo	oning L	District	S						
Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed		CN1	CN2	MU	00	СD	၁၁	CR	SO	IBP	IL	MI	91	SO	GPI	Н	Use-Specific Standards (Sec. 20-)
	Private Recreation		Р	Р	-	Р	Р	-	Р	-	-	-	-	Р	Р	А	
ous nbly	Campus or Community Institution	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	522
Religious Assembly	Neighborhood Institution	P*	P*	P*	P*	P*	P*	P*	P*		P*						522
COMMER	CIAL USE GROUP																_
	Kennel	-	-	-	-	-	Р	Р	Р	-	Р	-	Р	-	-	-	
S	Livestock Sale	-	-	-	-	-	S	S	S	-	Р	-	Р	-	-	-	
Animal Services	Sales and Grooming	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	Р	-	-	-	
Ani	Veterinary	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	-	-	
	Accessory Bar	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	_	_	_	_	_	509
	Accessory Restaurant	_	_	_	_	_	_	_	_	А	_	_	_	_	_	_	
	Bar Or Lounge	-	P/S*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509
ments	Brewpub	-	P*	S*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	509
ablish	Fast Order Food	P*	P*	Р	P*	P*	P*	P*	P*	-	P*	-	-	-	-	Α*	511/509
ng Est	Fast Order Food, Drive-In	-	S	_	-	-	Р	Р	Р	-	Р	-	-	-	-	-	
rinki	Nightclub	-	_	-	-	P*	-	P*	P*	-	-	-	-	-	-	-	509
Eating & Drinking Establishments	Private Dining Establishments	P*	P*	-	P*	P*	P*	P*	P*	P*	-	-	-	-	-	-	539
Eati	Restaurant, Quality	P*	P*	Р	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	-	524
	Administrative and Professional	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	А	P*	_	P*	A*	518
, e	Financial, Insurance & Real Estate	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	_	-	-	-	A*	510
Office	Other	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	А	P*	-	-	-	537
ng ties	Accessory	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	535
Parking Facilities	Commercial	-	S	S	S	S	Р	Р	Р	Р	Р	Р	Р	-	Р	А	
ail s & rice	Building Maintenance	-	Р	S	-	Р	Р	Р	Р	-	Р	Р	Р	-	А	А	
Retail Sales & Service	Business Equipment	-	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	-	-	-	-	

Key:								Base Zo	oning L	District	S						
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	Business Support	-	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	-	А	
	Construction Sales and Service	-	-	-	-	-	Р	Р	Р	-	Р	-	Р	-	-	Α	
	Food and Beverage	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	511
	Mixed Media Store	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	_	-	-	516/528
	Personal Convenience	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	-	A*	520
	Personal Improvement	P*	P*	P*	-	P*	P*	P*	P*	-	P*	-	-	-	Α*	A*	521
	Repair Service, Consumer	P*	P*	P*		P*	P*	P*	P*		P*	-	_		-		523
	Retail Sales, General	P*	P*	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	A*	525
	Retail Establishment, Large	-	-	-	-	-	P*	P*	S*	-	-	-	-	-	-	-	526
	Retail Establishment, Medium	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	526
	Retail Establishment, Specialty	-	P*	P*	-	P*	P*	P*	P*	-	-	-	-	-	-	-	526
pə	Sexually Oriented Media Store	-	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	528
kually Oriented Businesses	Physical Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	528
Sexually Busin	Sex Shop	-	-	-	-	-	P*	P*	P*	-	-	-	-	-	-	-	528
Š	Sexually Oriented Theater		-			-	P*	P*	P*			-			-		528
t ition	Bed and Breakfast	P*	-	P*	-	-	-	-	-	-	-	-	-	-	-	-	504
Transient Accommodation	Campground	-	-	-	-	-	Р	Р	Р	-	-	-		S	-	-	
Acco	Hotel, Motel, Extended Stay	-	-	Р	-	Р	Р	Р	Р	-	Р	-	-	-	-	А	
۵۲	Cleaning (Car Wash)	-	S	-	-	-	Р	Р	Р	-	Р	А	Р	-	-	-	
iles (Fleet Storage			-		-	Р	Р	Р		Р	Р	Р			А	
icle Sale Service	Gas and Fuel Sales	_	S	S	-	-	Р	Р	Р	_	Р	Р	Р	_	-	-	
Vehicle Sales & Service	Truck Stop	_	-	-	-	-	-	S	-	_	-	-	S	-	-	-	

Key:							I	Base Zo	oning L	District	S						
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	Heavy Equipment Repair	-	-	-	-	-	Р	Р	Р	-	Р	Р	Р	-	-	-	
	Heavy Equipment Sales/Rental	-	-	-	-	-	Р	Р	Р	-	Р		Р	-	-	-	
	Inoperable Vehicles Storage	-	-	-	-	-	Р	Р	Р	-	Р	Р	Р	-	-	-	
	Light Equipment Repair	-	S	-	-	S	Р	Р	Р	-	Р	-	Р	-	-	-	
	Light Equipment Sales/Rental	-	P*	-	-	S	Р	Р	Р	-	Р	-	Р	-	-	-	545
	RV and Boats Storage	-	-	-	-	-	Р	Р	Р	-	Р	-	Р	-	-	-	
INDUSTR	IAL USE GROUP								I	I	I		ı	ı	I		
	Explosive Storage	-	-	-	-	-	-	-	-	-	-	-	Р	-	-	_	
	Industrial, General										Р	Р	Р	-			
es	Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	-	Р	-	-	-	
aciliti	Laundry Service						Р	Р	Р		Р	Р	Р	-		-	
Industrial Facilities	Manufacturing & Production, Ltd.	-	-	Р	-	S	S	S	S	Р	Р	Р	Р	-	-	-	
npul	Manufacturing & Production, Tech.	-	-	-	-	S	Р	Р	Р	Р	Р	Р	Р	-	-	-	
	Research Service	-	-	-	S	S	Р	Р	Р	Р	Р	Р	Р	-	-	-	
	Scrap and Salvage Operation	-	-	-	-	-	-	-	-	-	S*	-	S*	-	-	-	527
	Exterior Storage	-	-	-	-	-	A*	A*	A*	A*	A*	A*	A*	-	A*	A*	538
Wholesale, Storage & Distribution	Heavy	-	-	-	-	-	S	S	S	-	S	-	Р	-	-	-	
lesale, Stora Distribution	Light	-	-	-	-	-	Р	Р	Р	Р	Р	Р	Р	-	S	-	
Wholes	Mini-Warehouse	-	-	-	-	-	Р	Р	Р	-	Р	-	Р	-	-	-	
OTHER U	SES GROUP																
9	Designated Historic Property	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	501
Adaptive Reuse	Greek Housing Unit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Vou	Key:						l	Base Z	oning L	District	S						
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(I)	Agricultural Sales	-	_	_	-	-	Р	Р	Р	_	Р	-	Р	-	_	-	
Agriculture	Agriculture, Animal	-	-	-	-	-	-	-	-	_	-	-	-	-	_	-	
Agric	Agriculture, Crop	Р	Р	Р	Р	-	Р	Р	Р	Р	Р	Р	Р	_	Р	_	
	Amateur & Receive- Only Antennas	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
es	Broadcasting Tower	-	_	-	-	S	-	-	-	Р	Р	Р	Р	-	-	А	
Communications Facilities	Communications Service Establishment	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	-	Р	-	Р	А	
ations	Telecommunications Antenna	A*	A*	A*	A*	S*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	529
ımunic	Telecommunications Tower	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	S*	S*	A*	A*	529
Com	Satellite Dish	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	536
Mining	Mining	-	-	-	-	-	-	-	-	-	-	-	S*	-	-	-	515
	Large Collection	-	-	-	-	-	Р	Р	Р	-	Р	Р	Р	-	-	-	540
cling	Small Collection	Р	Р	P*	Р	Р	Р	Р	Р	Р	Р	-	Р	-	А	Α	540
Recycling Facilities	Processing Center	-	-	-	-	-	-	-	-	-	S	S	S	-	-	-	

SECTION 2: Chapter 20, Article 5, Section 20-509, of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto is hereby amended and shall read as follows:

20-509 EATING AND DRINKING ESTABLISHMENTS

The restrictions in (1) and (2) shall apply to a Licensed Premises use. The Fast Order Food establishments in 3 and 4 are not permitted to be a Licensed Premise:

(1) Accessory Uses to Hotels

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.

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.

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:

- the Accessory Bar shall not constitute more than 25% 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 & drinking establishment constitute more than 55% 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 Development Code for operation of an unlawful use.

(3) Standards that Apply in CN1 and CN2 Districts

Fast Order Food establishments shall be permitted in CN1 and CN2 Districts provided that the Gross Floor Area shall not exceed 3,000 square feet.

- Fast Order Food establishments shall be permitted in CN1 and CN2 Districts, provided that the Gross Floor Area shall not exceed 3,000 square feet.
- (ii) Bar or Lounge establishments shall be permitted by right in the CN2 District, provided that the Gross Floor Area, including any outdoor area, does not exceed 3,000 gross square feet.
- (iii) Bar or Lounge establishments may be permitted in the CN2 District with a Special Use Permit if the Gross Floor Area, including any outdoor area, exceeds 3,000 gross square feet.

(4) Standards that Apply in CO District

Fast Order Food establishments are permitted in the CO District provided that the total Floor Area does not exceed 10 percent (10%) of the total Gross Floor Area of all floors of the office Building or of all Buildings in the office complex in which the use is located.

(5) Standards that Apply in CD District

The following restrictions apply to Licensed Premises in the CD district:

- (i) The Licensed Premises use in CD shall be required to derive from the sales of food for consumption on the Premises not less than 55% of all the Licensed Premises' gross receipts for a calendar year from sales of food and beverages on such Premises.
- (ii) The City Manager or his/her designee shall establish an administrative procedure for the investigation and enforcement of this requirement that shall include the annual reporting of appropriate sales and receipt information from Licensed Premises governed by this Section.
- (iii) The expansion, extension, enlargement, or alteration of a non-conforming use created by these restrictions shall be governed by Article 15 of this Code.

(6) Standards that Apply in the MU District

A Bar or Lounge use shall only be allowed for property applying and approved for a zoning map amendment to the MU District after July 1, 2010. A Bar or Lounge use shall be prohibited for all property with MU District zoning granted prior to July 1, 2010.