LAND DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, TEXT AMENDMENTS, NOVEMBER 19, 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: November 5, 2013
Second Reading: November 19, 2013
Date of Publication:

ORDINANCE NO. 8937

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AMENDING CHAPTER 20, ARTICLE 4, SECTION 403, AND ARTICLE 5, SECTION 509, CODE OF THE CITY OF LAWRENCE, KANSAS, 2013 EDITION, AND AMENDMENTS THERETO, PERTAINING TO BAR OR LOUNGE USE IN THE (NEIGHBORHOOD COMMERCIAL) DISTRICT, ADOPTING AND INCORPORATING HEREIN BY REFERENCE "LAND DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, TEXT AMENDMENTS, NOVEMBER 19, EDITION," AS PREPARED AND PUBLISHED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING OFFICE OF THE CITY OF LAWRENCE, KANSAS, AND REPEALING EXISTING SECTION 403 AND SECTION 509.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. Chapter 20, "Land Development Code of the City of Lawrence, Kansas," Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, is hereby amended and shall read as follows:

There is hereby adopted and incorporated herein by reference, as if fully set forth herein, for the purpose of amending Chapter 20, Article 4, Section 403, and Article 5, Section 509, Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, "Land Development Code of the City of Lawrence, Kansas, Text Amendments, November 19, 2013 Edition," as prepared and published by the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas.

- **SECTION 2.** One copy of "Land Development Code of the City of Lawrence, Kansas, Text Amendments, November 19, 2013 Edition" shall be marked "Official Copy as Adopted by Ordinance No. 8937" and shall be filed, together with one copy of this ordinance, with the City Clerk. The City Clerk shall make the "Official Copy as Adopted by Ordinance No. 8937" open to the public and available for inspection at all reasonable office hours. One additional copy of the "Official Copy as Adopted by Ordinance No. 8937" 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.
- **SECTION 3.** Existing section 20-403 and section 20-509, Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, is hereby repealed, it being the intent of the Governing Body that this ordinance, adopting and incorporating herein by reference "Land Development Code of the City of Lawrence, Kansas, Text Amendments, November 19, 2013 Edition," supersede the repealed code provisions.
- **SECTION 4.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.
- **SECTION 5.** This ordinance shall take effect and be in force after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, this 19^{th} day of November, 2013.

| | APPROVED: |
|-----------------------------------|-------------------------|
| ATTEST: | Mike Amyx Vice-Mayor |
| City Clerk | |
| APPROVED AS TO FORM AND LEGALITY: | |
| Toni R. Wheeler City Attorney | |

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.

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

| Varu | | | | | | | | Base Z | oning E | District | S | | | | | | |
|--|--|-----------|-----|----|----|-------|-----|--------|---------|----------|----|----|----|----|-----|----|---|
| P = Perm S = Spec * = Stand - = Use r | A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed | | CN2 | MU | 00 | CD | 20 | CR | SO | IBP | IL | MI | 91 | SO | ld9 | Н | Use-Specific Standards (Sec. 20-) |
| RESIDEN | TIAL USE GROUP | ı | | ı | | 1 | ı | ı | | ı | ı | 1 | | | | | |
| | Accessory Dwelling | P* | - | P* | - | - | _ | _ | - | - | - | - | - | - | - | - | 534 |
| | Attached Dwelling | P* | - | P* | - | - | - | - | - | - | - | - | - | - | P* | - | 503 |
| | Cluster Dwelling | _ | - | _ | - | _ | _ | _ | - | _ | _ | - | _ | - | - | - | 702 |
| | Detached Dwelling | P* | - | Р | - | - | - | - | - | _ | - | - | - | - | P* | A* | 508 |
| | Duplex | P* | - | P* | - | - | - | - | - | - | - | - | - | - | - | - | 503 |
| g | Manufactured Home | _ | - | - | - | - | - | - | - | _ | _ | - | - | - | Р | Α | |
| Household Living | Manufactured Home, Residential-Design | P* | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 513 |
| lou | Mobile Home | _ | - | - | - | - | - | _ | - | - | Р | | Р | - | Р | Α | |
|)nse | Mobile Home Park | - | - | - | - | - | _ | - | - | - | - | - | - | - | - | - | |
| ឣ | 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* | - | _ | - 1 | _ | - | _ | _ | - | _ | - | _ | - | 546 |
| ving | Dormitory | _ | - | _ | - | - | _ | _ | - | _ | _ | - | _ | - | - | Α | |
| oup Living | Fraternity or Sorority House | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 1 | |
| Grou | Group Home, General (11 or more) | S | S | S | S | S | S | S | S | _ | _ | - | _ | - | - | А | |
| | Group Home, Limited (10 or less) | Р | - | Р | - | _ | | | - | | | - | | - | 1 | ı | |
| PUBLIC A | AND CIVIC USE GROUP | | | | | | | | | | | | | | | | |
| / | Cemetery | P* | P* | - | P* | - | P* | P* | P* | P* | P* | - | - | P* | P* | - | 505 |
| lities | College/University | S | Р | Р | Р | Р | Р | Р | Р | Р | Р | - | Р | - | Р | А | |
| Facil | Cultural Center/ Library | S | Р | Р | S | Р | Р | - | - | Р | - | - | - | S | Р | A | |
| nnity | Day Care Center | S* | P* | S* | S* | S* | P* | P* | P* | P* | P* | A* | P* | - | - | - | 507 |
| Community Facilities | 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 |
| S | Entertainment & Spectator Sports, General | - | - | - | - | Р | Р | Р | Р | - | - | - | - | - | S | - | |
| Recreational Facilities | Entertainment & Spectator Sports, Limited | - | Р | Р | - | Р | Р | Р | Р | - | - | - | - | S | Р | - | |
| ationa | 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 | P | Р | Р | Р | А | |
| | Nature Preserve/ Undeveloped | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | А | |

| Key: A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed Private Recreation | | | | | | | E | Base Zo | oning E | Districts | S | | | | | | |
|---|------------------------------------|-----|------|----|----|----|----|---------|---------|-----------|-----|----|----|----|-----|----|---|
| | | CN1 | CN2 | MU | 00 | CD | ၁၁ | CR | SO | IBP | II. | IM | 91 | 08 | GPI | Н | Use-Specific Standards (Sec. 20-) |
| | | Р | Р | Р | 1 | Р | Р | 1 | Р | 1 | 1 | ı | I | 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 | _ | - | - | |
| An Sei | Veterinary | - | Р | Р | Р | Р | Р | Р | Р | Р | Р | - | Р | - | - | - | |
| | Accessory Bar | Α* | Α* | Α* | Α* | A* | A* | A* | Α* | Α* | 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* | - | - | - | - | A* | 511/509 |
| Drinking Establishments | Fast Order Food, Drive-In | ì | S | - | 1 | 1 | Р | Р | Р | 1 | Р | - | - | 1 | 1 | - | |
| rinki | Nightclub | - | - | - | - | P* | - | P* | P* | - | - | - | - | - | - | - | 509 |
| Eating & D | Private Dining Establishments | P* | P* | - | P* | P* | P* | P* | P* | P* | - | - | - | - | 1 | - | 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 |
| Φ | Financial, Insurance & | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | _ | - | _ | - | A* | 510 |
| Office | Real Estate Other | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | А | P* | _ | - | - | 537 |
| | | | | | | | | | | | | | | | | | |
| Parking Facilities | Accessory | A* | A* | A* | A* | A* | A* | A* | A* | Α* | A* | A* | A* | A* | A* | A* | 535 |
| Park Faci | Commercial | - | S | S | S | S | Р | Р | Р | Р | Р | Р | Р | - | Р | А | |
| Retail Sales & Service | Building Maintenance | - | Р | S | - | Р | Р | Р | Р | - | Р | Р | Р | - | А | Α | |
| Re Sald Ser | Business Equipment | - | Р | Р | - | Р | Р | Р | Р | Р | Р | Р | - | - | - | - | |

| Key: | | Base Zoning Districts | | | | | | | | | | | | | | | |
|--|--|-----------------------|-----|----|----|----|----|----|----|-----|----|----|----|----|-----|----|---|
| A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed | | CN1 | CN2 | MU | 00 | СО | ၁၁ | CR | cs | IBP | IL | IM | 91 | SO | GPI | Н | Use-Specific Standards (Sec. 20-) |
| | 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 | - | - | |
| T | Hotel, Motel, Extended Stay | - | - | Р | - | Р | Р | Р | Р | - | Р | ı | ı | - | ı | А | |
| ~~ | Cleaning (Car Wash) | - | S | - | - | - | Р | Р | Р | - | Р | А | Р | - | - | - | |
| iles { e | 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: | | Base Zoning Districts | | | | | | | | | | | | | | | |
|--|-------------------------------------|-----------------------|-----|----|----|----|----|----|----|-----|----|----|----|----|-----|----|---|
| A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed | | CN1 | CN2 | пм | 00 | СО | ၁၁ | CR | SO | d8l | IL | IM | 91 | SO | GPI | Н | Use-Specific Standards (Sec. 20-) |
| | 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 | | | | ı | | | | | | ı | | | ı | ı | | |
| | 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 | 1 | 1 | 1 | - | - | Р | Р | Р | 1 | Р | - | Р | - | 1 | 1 | |
| 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 | | | | | | |
|--|---|-----|-----|----|----|----|----|--------|---------|----------|-----|----|----|----|-----|----|---|
| A = Accessory P = Permitted S = Special Use * = Standard Applies - = Use not allowed | | CN1 | CN2 | MU | 00 | СD | ၁၁ | CR | cs | IBP | IL. | MI | 91 | 08 | GPI | н | Use-Specific Standards (Sec. 20-) |
| d) | 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 | А | 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:

- (i) 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.

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