

ORDINANCE NO 6527

AN ORDINANCE AMENDING SECTIONS
20-2002 11, 20-709 9, 20-709 10,
20-709 11 OF THE CODE OF THE CITY OF LAWRENCE,
KANSAS DEFINING LICENSED PREMISES, CONCERNING
RESTRICTIONS ON LICENSED PREMISES WITHIN THE C-
3 ZONING DISTRICT, ENACTING SECTION 20-1453

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

Section 1 The governing body finds that they initiated a general revision of the existing zoning regulations applicable to the C-3 zoning district, that pursuant to law such proposed revision received appropriate notice and a public hearing on the revision was conducted before the Lawrence-Douglas County Metropolitan Planning Commission, that the Planning Commission took action to deny the proposed revision, and such recommendation has been reviewed by the governing body. The governing body, acting pursuant to the statutory requirements, hereby overrides the planning commission's recommendation. The governing body finds that the provisions of this ordinance protect and enhance the general welfare, public safety and health of the community. The governing body shall review the impact and effect of this ordinance two years after its adoption.

Section 2 Section 20-2002 11 of the Code of the City of Lawrence, Kansas is hereby amended to read as follows

(1) Landowner The legal or beneficial owner or owners of all the land proposed to be included in a Planned Unit Development. The holder of a contract to purchase or other person having an enforceable proprietary interest in such land shall be deemed to be a landowner for the purpose of a Planned United Development application.

(2) 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. Such 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 this Code.

(3) Living Unit One or more rooms designed for or used by not more than four persons for living and sleeping purposes and not having a kitchen or kitchenette.

(4) Lot A piece, parcel, or tract of land which is located within a single block fronting on a dedicated public street and is occupied or utilized, or designated to be occupied, developed, or utilized, as a unit under single ownership or control for a principal use and uses accessory thereto, together with such open spaces as are required by this ordinance. A lot may be subsequently divided into two or more lots, provided, that each new lot complies fully with this ordinance and any ordinances pertinent thereto at the time of division. A lot, therefor, may or may not coincide with a lot shown on the official tax maps or on any recorded subdivision or deed.

(5) Lot Area The product of the width multiplied by the length of a lot. Also, see Section 20-1207 of this Chapter.

(6) Lot, Back-up or Through An interior lot where rear line abuts on a thoroughfare other than an alley.

(7) Lot Corner A lot abutting upon two or more streets at their intersection, or upon two parts of the same street, such streets or part of the same street forming an angle of more than 45 degrees and of less than 135 degrees. The point of intersection of the street lines is the corner. Any portion of a corner lot which is more than 100 feet from the point of intersection of the two street lines or the two tangents of the same street shall be considered an interior lot.

(8) Lot Depth The mean horizontal distance between the front lot line and rear line of a lot.

(9) Lot Interior Any lot which is not a corner lot.

(10) Lot Line A boundary of a lot.

(11) Lot Line, Front The street line at the front of a lot.

(12) Lot Line, Side A lot line which is not a front lot line or rear lot line. A side lot line separating a lot from a street other than an alley is an exterior side lot line.

(13) Lot Width The mean horizontal distance between the side lot lines of a lot.

(14) Lumber, Limited Sales The sale of lumber as described under Special Conditions 20-1442.

(15) Lumber Yard A facility or space for the exterior and interior storage, loading, and sale of lumber, industrial hardware, or other building materials.

Page 3

Section 3 Section 20-1453 of the Code of the City of Lawrence, Kansas is hereby enacted and reads as follows

20-1453 LICENSED PREMISES, RESTRICTIONS IN C-3 ZONING DISTRICT

In the C-3 district the following restrictions shall apply to a licensed premises use

1 The licensed premises use shall be required to derive from the sales of food for consumption on the licensed premises not less than fifty-five percent (55%) of all the licensed premises' gross receipts for a calendar year from sales of food and beverages on such premises

2 The City Manager or his or her designee shall establish an administrative procedure for the investigation and enforcement of this requirement, that shall include the annual reporting of appropriate sale and receipt information from licensed premises governed by this Section

3 The expansion, extension, enlargement, or alteration of a non-conforming use created by the requirements of this Section shall be governed by Article 13 of this Chapter

Ordinance No 6527


Section 7 Sections 20-2002 11, 20-709 9, 20-709.10, and 20-709 11 of the Code of the City of Lawrence, Kansas are hereby repealed it being the intent of this ordinance to supersede the repealed provisions

Section 8 This ordinance shall take effect upon adoption and publication as provided by law

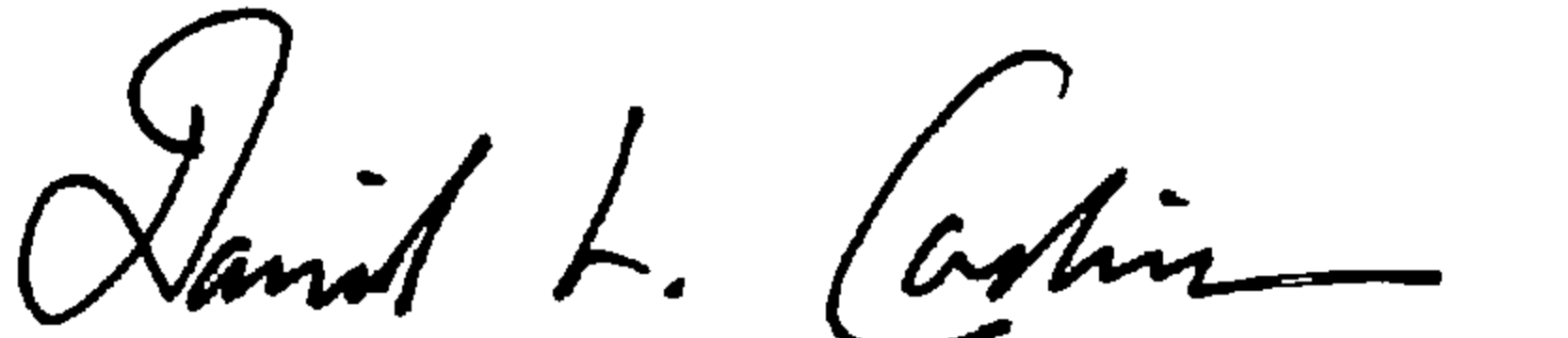
Adopted this 14th day of April, 1994


F Jolene Andersen, Mayor

ATTEST.


Raymond J Hummert, City Clerk

Approved as to form and legality


David L Corliss

I hereby certify that the foregoing is a true and correct copy of the original ordinance that said ordinance was passed on the 4 day of April, 1994 that the record of the final vote on its passage is found on page of Journal EA that it was published in the Lawrence Daily Journal World on the 18 Day of April, 1994
Raymond Hummert
City Clerk DB

Ordinance No 6527

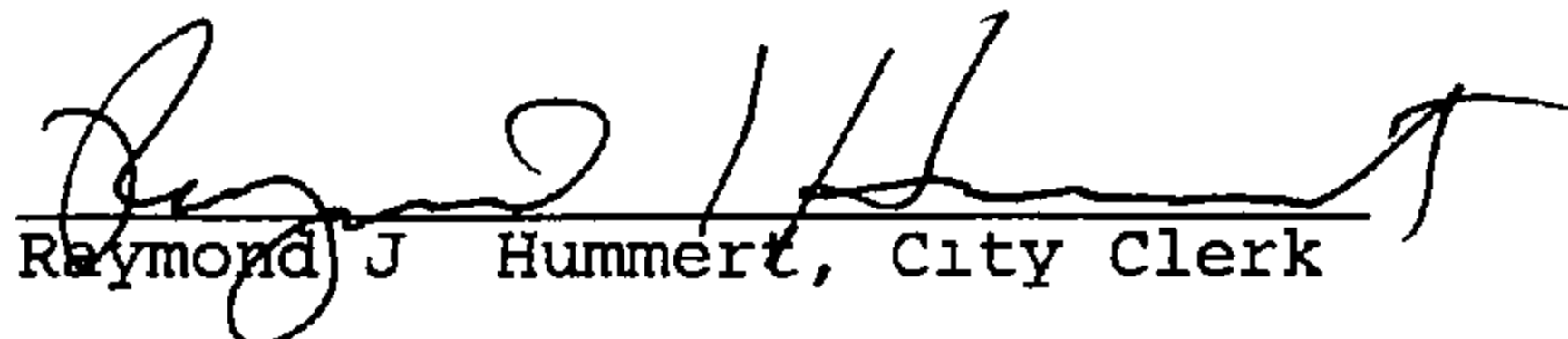
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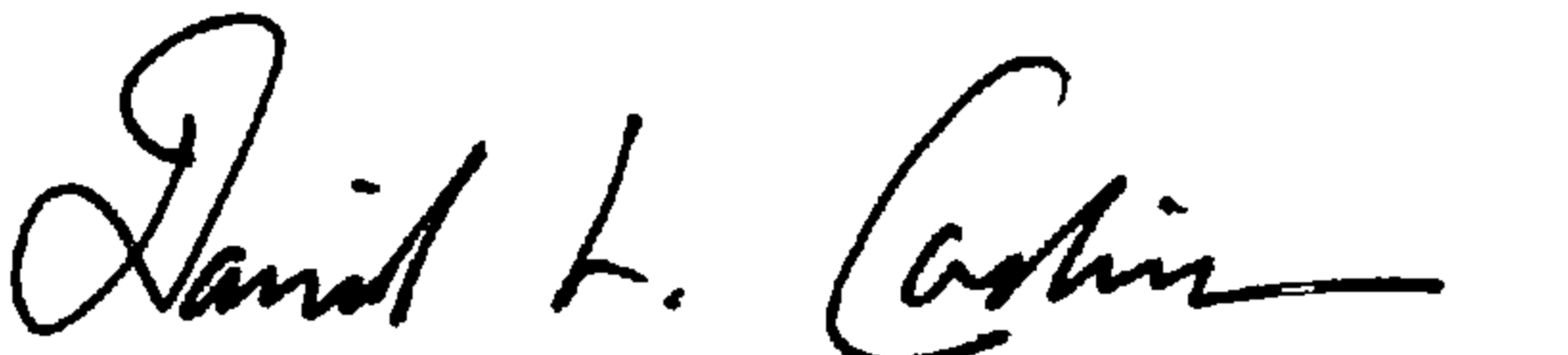
Adopted this 12th day of April, 1994


F Jolene Andersen, Mayor

ATTEST


Raymond J Hummert, City Clerk

Approved as to form and legality


David L Corliss

I hereby certify that the foregoing is a true and correct copy of the original ordinance that said ordinance was passed on the 4 day of April, 1994 that the record of the final vote on its passage is found on page of Journal ☒ that it was published in the Lawrence Daily Journal World on the 18 Day of April, 1994
Raymond Hummert
City Clerk DIB

SECTI 4 Section 20-709 9 (Use Group 11 in Table IV) of the Code of the City of Lawrence Kansas is hereby amended to read as follows

20 709 9

ZONING DISTRICTS						PERMITTED USE GROUPS	Parking Group	Special Cond
CP	C1	C2	C3	C4	C5			
	S	S	S	S	S	<p>USE GROUP 11 INNER NEIGHBORHOOD COMMERCIAL USES These uses are limited in development, intensity and traffic generating capacity to uses which are compatible with established residential neighborhoods</p> <p>Bicycle sales, rental or repair 13</p> <p>Book store, new or used 12</p> <p>Dry cleaning outlet store 12</p> <p>Food store, not including 24 hr convenience store 11</p> <p>Hair care establishment 11</p> <p>Laundry, self serve 11</p> <p>Quick copy center 11</p> <p>Restaurant, not including one with drive-up facilities or service to automobiles 26</p> <p>Retail bakery 11</p> <p>Reverse vending machines (recycling) 1450</p> <p>Shoe repair service 12</p> <p>Small collection facilities (recycling) 1450</p> <p>Studio for professional work or for teaching of any form of fine arts i e photograph, music, dancing, drama, etc 13</p> <p>(Ord 6306)(Ord 6527)</p>		1428/1446

SECTION 5
Kansas is hereby am

20 709 10



ZONING DISTRICTS						PERMITTED USE GROUPS	Parking Group	Special Cond
CP	C1	C2	C3	C4	C5			
			S	S	S	USE GROUP 13 AUTOMOTIVE SERVICES RETAIL SALES, OTHER Primarily automotive service establishments and accessory uses, including consumer and non consumer retail goods and services not appropriate for the neighborhood shopping district, including certain goods and services for agricultural industrial commercial, or institutional use		1428
						1 Automotive Services and Retail Sales Aircraft sales rental, service Ambulance service Amusement park, commercial Auction room auctioneer Automobile parking garage Automobile parts store, tires & accessories Automobile repair and services Automobile sales, service rental (new and used) Automobile service station Barber and beauty equipment sales Baseball park, commercial Blueprinting and similar reproduction processes Boat and marine sales, rental and repair Bus passenger station Business machine rental repair sales Car or truck wash Carnival or circus Carting, crating, express hauling, moving and storage Caterer Eating establishment, enclosed, with dancing or entertainment Eating establishment, providing only drive-up service or no seating facilities Exterminator, pest Food convenience store, including gasoline sales Foodlocker plant, for consumer use Free standing automated banking or dispensing facility Funeral home, mortuary, or undertaking establishment Garage or parking for common or public utility vehicles Glass sales and cutting shop Golf driving range, commercial, (parking requirement applies to tee area only) Golf pitch and putt courses, miniature golf course Home improvement center Hotel Laboratory, medical or dental Leather goods, sales and repair Linen supply, diaper service, uniform supply Liquids, flammable, underground storage of Lumber, limited sales	17 21 12 12 16 16 14 24 15 7 12 15 15 13 15 17 14 26 15 15 12 15 7 13 18 18 12 5 16 12 17 22 12	1405 1407 1453 1453 1415 1442 1414 1442

ZONING DISTRICTS						PERMITTED USE GROUPS	Parking Group	Special Cond
CP	C1	C2	C3	C4	C5			
						Sewing machine sales and repair Shoe repair and sales Sporting goods sales Surgical and dental supply sales Theatre, indoor commercial Variety store Video store sale or rental of video equipment, movies and games parlor 2 Similar Uses Other uses which (1) are similar to the listed uses in function traffic generating capacity, and effects on other land uses, and (2) are not included in any other use group (Ord 5658, Sec VII, Ord 6048 Sec II Ord 6527)	12 12 12 12 9 12 12	

ZONING DISTRICTS						PERMITTED USE GROUPS	Parking Group	Special Cond
CP	C1	C2	C3	C4	C5			
						Mobile homes, sales and service	13	
						Monument sales, including incidental processing	17	
						Motel	5	
						Motorcycle sales service and rental	13	
						Office equipment and supplies, sales and service, rental and repair	13	
						Pet shop	12	
						Photostating	12	
						Plumbing fixture sales	12	
						Quick copy or duplicating center	11	
						Recording studio	16	
						School, commercial or trade, when not involving any danger of fire or explosion, nor of offensive odor, noise, dust, glare, heat, vibration or other objectionable factors	16	
						Secretarial service	13	
						Skating rink, commercial	12	
						Studio for professional work or for the teaching of any form of fine arts, photography, music, drama etc	13	
						Swimming pool, commercial (parking requirements include pool area)	11	1437
						Taxidermist	15	
						Telephone answering service	12	
						Theatre drive in		1426
						Trailer sales and rental	20	
						Transit vehicle storage and servicing	17	
						Truck rental and sales	16	
					2	Similar Uses		
						Other business services which (1) are similar to the listed uses in function, traffic generating capacity, and effects upon other land uses, and (2) are not included in any other use group		
					3	Manufacturing Uses		
						Baked goods, candy, delicatessen, and ice cream all for retail sales on the premises only	15	
						Clothing custom manufacturing or altering for retail, including custom dressmaking, millinery, or tailoring	15	
						(Ord 5658, Sec VII, Ord 6048, Sec III Ord 6527)		