

### ARTICLE 5. SUBDIVISION & ZONING

#### 5.1 Instructions

- 5.1.1 Lot and building plan approval for areas subject to a regulating plan approved under either Article 3 or Article 4 shall be subject to the following requirements of this Chapter.
- 5.1.2 Site and buildings plans submitted under this Chapter require administrative approval by the CRC.
- 5.1.3 The following Sections of Chapter 16 shall continue to be applicable to issues not covered by this Chapter except where in conflict with Sec. 1.2 Intent:
  - a. Article II, Division 7, Sec. 16-97;
  - b. Article II, Division 7, Sections 16-100 through 16-103;
  - c. Article II, Division 8;
  - d. Article II, Division 10;
  - e. Article II, Division 11;
  - f. Article II, Division 14, Sections 16-170 through 16-176;
  - g. Article II, Division 14, Sec. 16-178, except where in conflict with Sec. 5.10 and Sec. 7.5 of this Chapter;
  - h. Article II, Division 14, Sec. 16-179, except where in conflict with Sec. 5.13 of this Chapter.
- 5.1.4 Site and building plans submitted under this Chapter shall show the following, in compliance with the standards described in this Chapter:
- 5.1.5 For construction drawings submittal. Following approval of the land development plan and plat, the applicant shall have prepared, by a professional engineer registered in the state, engineering plans consisting of complete construction drawings and specifications of all easements, streets, traffic control devices, street lights, sanitary sewers, stormwater facilities, water system facilities, sidewalks, parks and recreation facilities and other improvements required by this section. Such drawings shall have a maximum border size of 22 X 34 and shall be printed on 24 X 36 paper maximum.
  - a. Each sheet shall be certified (sealed) by a professional engineer. Engineering plans shall be submitted to the City Manager or his designee for review and approval as a ministerial permit.
  - b. All improvements required pursuant to these regulations shall be constructed in accordance with the design standards and plan requirements of this article or as required by the city, and where applicable, the requirements and authorization of the appropriate state agency, utility company, or local franchisee.
  - c. Any modification of the construction drawings by the applicant or his engineer, either prior to or during construction, shall be transmitted to the city in writing.
  - d. Once the construction drawings have been approved, the applicant shall also submit an 11 X 17 of the approved set of construction drawings.
  - e. In addition, an electronic version in formats acceptable to the city shall be submitted. At a minimum, one electronic version shall be changeable, such as CAD, and one electronic version shall be non-changeable, such as PDF. These versions shall be available to the city for future computer application.
  - f. The construction drawings shall be accompanied by the following information:
    - i. Site conditions:
      - (1) Vicinity map at a scale of 2,000 feet or more to the inch indicating the location of the property with respect to surrounding property and streets. The map shall show all streets and property within 1,000 feet of the applicant's property. All property held by

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the applicant in the area shall be identified.

- (2) All existing pertinent features, either natural or man-made, that may influence the design of the subdivision, such as watercourses, tree groves, specimen trees (excluding those within tree groves to remain), swamps, rock outcrops, sink holes, floodplain, wetlands, outstanding natural topographic features, power transmission towers, archeological, scenic or historic areas, cemeteries, graveyards, grave sites, existing buildings, sewers, water mains, culverts, overhead utility lines, fire hydrants, and location of underground utilities within or adjacent to the tract.
  - (3) Existing topography with two-foot contour intervals. Where the terrain is rugged and hilly and where existing grades are ten percent or more, five-foot contour intervals will be permitted over the area where such grades exist. Contour lines shall be shown 50 feet beyond the subdivision boundary.
  - (4) Location, widths, and names of all existing improved or unimproved streets or alleys on or within 100 feet of the subdivision. Recorded, but unimproved streets shall be shown with dashed lines.
  - (5) Location of individual wells and/or septic tanks.
  - (6) Zoning classification and existing use of the tract and adjoining properties
- ii. Proposed Subdivision:
- (1) A drawing on a scale no smaller than 1" = 100 feet of proposed layout land use and lots.
  - (2) Subdivision boundaries with bearings and distances; all existing easements, railroad and utility right-of-way(s) and the purpose for which such easements and right-of-way(s) have been established; parks and other public open spaces.
  - (3) Copies of proposed deed restrictions.
  - (4) Tabulation of acreages:
    - (a) Total site acreage
    - (b) Civic space acreages, percentage and location
    - (c) Total number of each lots in each Transect District with acreages and %
    - (d) Number of units per lot and total units
  - (5) The layout of all proposed and existing lots with lot widths for each lot and building setback lines.
  - (6) Estimated Lot coverage
  - (7) The locations, width, and names of proposed streets and alleys (street names shall not be duplicated, and they shall be reviewed and approved in accordance with Ranson Municipal Code 17-5).
  - (8) The approximate location, dimensions, and area of all property proposed to be dedicated or temporarily reserved for public use, or to be reserved by a blanket covenant for use of all property owners in the subdivision and conditions for such conveyance or reservation. Also, the location, dimensions, area, and purposes of any proposed easements.
  - (9) Proposed public improvements, streets, or other major improvements planned by public bodies for future construction on or near the proposed subdivision or any street, park, or public improvement shown on the city comprehensive development plan.
  - (10) A written offer of dedication of streets and other public property.
- iii. Site Improvements
- (1) Street tree and Public Landscaping Plan

- (2) Public Lighting Plan
- (3) Utilities
  - (a) Proposed provision of water supply, fire protection, disposal of sanitary waste, storm drainage, stormwater management, sidewalks, landscaping, and other improvements.
  - (b) The location of existing and proposed gas lines, electric and telephone lines/poles, and streetlights.
- (4) Grading Plan
- (5) Sediment & Erosion Control Plan
- (6) Sequence of Construction
- iv. Locations of existing survey monuments and proposed new monuments.
- v. Map information:
  - (1) The date and substance of any revisions to the plat are to be indicated in a revision block that is drawn on the plat.
  - (2) The name and address of the owner(s) of the land to be subdivided, and the name and address of the applicant, if other than the owner.
  - (3) A letter from the owner, signed application, or power of attorney, if different from the applicant, authorizing the applicant to act as agent with full authority.
  - (4) The name, address, and seal of the registered engineer/land surveyor licensed in the state and responsible for the preparation of the plat.
  - (5) The proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the city.
  - (6) North arrow, scale, and date.
  - (7) The final plat shall provide a space for an owner's (individual or corporation) certification and dedication, surveyor's certificate, and planning commission approval.
- vi. Intergovernmental agency review. As part of construction drawing review, the applicant shall obtain approvals from all affected outside agencies. Copies of approval letters and plans shall be provided to the city as part of this approval.
- 5.1.6 Site plan review in Old Town shall only be required for any development which:
  - a. contains more than one use;
  - b. is located on a parcel or parcels equal to or greater than one acre;
  - c. contains more than two units; or
  - d. contains commercial and/or industrial development.
- 5.1.7 After approval of construction drawings, applicant is eligible to begin site improvements. Site improvements must be constructed prior to final plat approval per Chapter 16 Sec. 16-81 or performance bond shall be provided per Sec. 16-80 through 16-87.
- 5.1.8 Final plat procedure. Upon approval of the construction drawings, the applicant may submit the following general requirements for official submittal of a final plan:
  - a. The proposed plat for recordation shall be prepared by a professional land surveyor properly licensed in the state, and shall conform to this article and to the approved land development plan and plat and construction drawings. The final plat shall incorporate all modifications and revisions specified by the planning commission and shall comply with the provisions of this article. Significant deviations from the approved land development plan and plat or construction drawings, as determined by the City Manager or his designee, shall require additional review and approval and may include referral to the planning commission and possible public hearing at the planning commission's discretion.

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Minor modifications may be permitted.

- b. The final plat may be submitted in sections/phases with each covering part of the entire proposed subdivision.
- c. The final plat and supporting documents shall comply with the provisions of this article. The applicant shall provide copies of all required state and federal approvals including, but not limited to:
  - i. State department of health;
  - ii. State department of environmental protection for erosion and sediment control and groundwater protection and underground injection control plan;
  - iii. Potomac Edison;
  - iv. Jefferson County office of emergency services—Addressing office for 911 road naming;
  - v. Corps of engineers; and
  - vi. Others as required by the City Manager or his designee or the planning commission.
- d. For purposes of this section, a final plat shall be deemed to be officially submitted on the date it (1) submitted, satisfies the requirements of this article, and (2) meets all terms and conditions of the planning commission, land development plan and plat, construction drawings; and (3) and is technically approved by all affected departments and agencies.
- e. The City Manager or his designee may review but shall not forward to the planning commission any final plat that is not officially submitted.
- f. The city shall retain the original and one electronic version of the approved plans and final plat in accordance with this article.
- g. Approval of final plat. The applicant shall use the following procedure for submission of the final plat that is eligible for administrative approval:
  - i. The application for final plat approval shall be on forms provided by the city and accompanied by the required fee.
  - ii. The application shall be accompanied by the appropriate number of copies and supporting documents as needed by the city. No final plat shall be deemed officially submitted until such time all conditions of 5.1.6.d have been met.
  - iii. The planning commission shall ministerially approve the final plat if the CRC determines that all conditions of this section have been satisfied. Applications deemed not officially submitted shall not be forwarded to the Planning Commission. Determinations that applications are incomplete may be appealed to the planning commission. If the application is deemed complete by the planning commission, the commission shall approve the plat. If the planning commission deems the application is incomplete, the applicant shall furnish the requested information prior to commission approval. The timeframe in 6.1.6.h. shall not start until the application is deemed complete.
- h. Planning commission approval of final plat.
  - i. The planning commission shall review the final plat based on the conditions approved under the land development plan and plat and construction drawings and within 45 days of receipt of an officially submitted final plat, the commission shall approve, the plat if the application is deemed complete. The Commission may modify the plan or deny the plat only if the application is deemed incomplete.
- i. The final plat.
  - i. The final plat shall contain the action of the planning commission including conditions of approval, and date of approval.
  - ii. The owner shall sign the reproducible of the approved final plat stating that the requirements of the planning commission have been understood and shall be followed.

- iii. If approved by the planning commission, the chairman of the planning commission shall affix his signature and date upon the original Mylar plat, and the owner shall file the final plat in the office of the clerk of Jefferson County.
  - iv. A signed final plat shall be valid for recordation for one year from the date of signature. Any plat that has not been recorded within such time shall be re-reviewed under any terms and conditions as approved by the planning commission.
- 5.1.9 Final plat requirements.
- a. The final plat shall be legibly drawn in black or blue waterproof ink on permanent material acceptable to the recording authority of the state. The scale shall not be smaller than one inch equals 100 feet or alternate scale approved by the agent, and the size of the sheet shall be 18 X 24 inches, including a one and one-half inch margin for binding along the left edge. When more than one sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. The applicant shall submit, and the agent shall retain, the number of copies and all supporting documentation as required by the city.
  - b. In addition, an electronic version of the approved plat, in formats acceptable to the city shall be submitted. At a minimum, one electronic version shall be changeable, such as CAD, and one electronic version shall be nonchangeable, such as PDF.
  - c. The final plat shall show the following information:
    - i. All plat boundaries and property corners shall be tied to state plane coordinates or shall be referenced to magnetic meridian and show declination from true north. If the subdivision is referenced to the state grid, northing and easting coordinates shall be shown for a minimum of three key boundary points. The plat will specify the average grid factor and distances shall be reflected as geodetic.
    - ii. The name of the subdivision and plat title for referencing when recording and the tax map and parcel number of all the tracts shown on the plat.
    - iii. The district or municipality, county and state where the property is located.
    - iv. Names and location of adjoining subdivisions, and location and ownership names of adjoining unsubdivided property. The plat shall also contain the current conveyance reference for the adjoining landowners.
    - v. The evidence of possession on or near the property line.
    - vi. General location information shall be provided. The name and location of any creeks, rivers or roads near the property and any other identifiable landmarks shall be noted to locate the property. The plat shall include ties to significant objects.
    - vii. Grid North or true and magnetic north reference with declination, graphic scale and date of survey;
    - viii. The name, address, and signature of the current or past owner of the land and the current conveyance reference for the subject property;
    - ix. The name, address, signature, and seal of the registered professional land surveyor responsible for the preparation of the plat, and certification that the plat represents a survey made by that individual and that all monuments shown thereon actually exist, and that their location, size, and material are correctly shown.
    - x. The measured length and direction of each boundary line by distance, bearing and quadrant. All boundary lines shall be described with lengths to hundredths of a foot and bearings to the nearest second. The error of closure for the property boundary shall be 1:15,000. The plat shall identify any overlaps and gaps in record lines, former deed or grant lines as needed.

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- xi. Description of the accurate location and material of all permanent existing and proposed reference monuments including whether the monuments were found or set. All corners shall contain markers.
  - xii. The exact layout for the subdivision, including:
    - (1) All plats shall include a metes and bounds description with a description of the point of beginning street and alley lines, their names, bearings, angles of intersections and widths, including widths along the line of any obliquely intersecting street.
    - (2) A table that indicates the dimensions of all arcs, radii, points of curvature, and tangent bearings.
    - (3) All easements or right-of-ways, when provided for or owned by public utilities, with the limitation of the easement right definitely stated on the final plat.
    - (4) All lot lines shall be described with lengths to hundredths of a foot and bearings to the nearest second.
    - (5) The area, acreage or square footage of the subdivided and residue property.
  - xiii. The subdivision name, lots, blocks and plat reference. Lots numbered in numerical order, and blocks lettered in alphabetical order throughout the entire subdivision. Numbers will be contained within circles, and block letters will be contained within squares.
  - xiv. Building setback lines, the minimum as fixed by the zoning ordinance, any other set back lines established by public authority, and those stipulated in any deed restrictions.
  - xv. Accurate outlines of any areas to be reserved for common use in the subdivision or for general public use with purposes indicated thereon. The outlined area of the property and all significant parts, including streets, alleys and non-lotted areas of a subdivision shall be identified;
  - xvi. A written offer of dedication of streets and other public property.
  - xvii. The final plat shall provide a space for an owner's (individual or corporation) certification and dedication, surveyor's certificate, and planning commission approval.
  - xviii. The final plat shall be accompanied by:
    - (1) Copies of protective covenants in form for recording, including covenants governing the maintenance of undedicated public spaces or reservations.
    - (2) Such other certificates, affidavits, endorsements, or agreements as may be required by the planning commission.
    - (3) Certification that the applicant has installed all improvements in accord with the conditions of the planning commission and this article or a surety bond has been submitted and accepted and public improvement agreement to complete the construction of all improvements required by this article and in accordance with division 6.
    - (4) Approvals from all affected state and federal agencies.
- 5.1.10 After recording the final plat, the applicant is eligible to sell lots.
- 5.1.11 Final site plan application:
- a. The site plan shall be submitted by the applicant on durable paper and shall be clear and legible. The scale shall be no smaller than one inch equals 100 feet and the minimum size of sheets shall be 24 X 36 inches, including a one and one-half inch margin for binding along the left edge. When more than one sheet is required, an index sheet of the same size shall be submitted showing the entire development drawn to scale. The site plan shall be labeled "SITE PLAN".
  - b. The site plan shall show the following information:
    - i. Map information:



- (1) The date and substance of any revisions to the plat are to be indicated in a revision block that is drawn on the plat.
  - (2) The name and address of the owner(s) of the land, and the name and address of the applicant, if other than the owner.
  - (3) A letter from the owner, signed application, or power of attorney, if different from the applicant, authorizing the applicant to act as agent with full authority.
  - (4) North arrow, scale, and date.
  - (5) All site plans as described below shall provide a space on the plan for property owner certification to be placed on the plan once approved by the planning department. The note shall read as follows:
    - (a) The owner of this property hereby affirms that these plans meet the requirements of the Ranson Zoning and Subdivision Ordinances and the above conditions of approval set forth by the Ranson Planning Commission.  
(Owner's Signature) (Date)
- ii. Site Conditions
- (1) Vicinity map at a scale of 2,000 feet or more to the inch indicating the location of the property with respect to surrounding property and streets. The map shall show all streets and property within 1,000 feet of the applicant's property. All property held by the applicant in the area shall be identified.
  - (2) All existing pertinent features, either natural or man-made, that may influence the design of the site, such as watercourses, tree groves, specimen trees of greater than 2' caliper (excluding those within tree groves to remain), swamps, known sink holes, floodplain, jurisdictional wetlands per Army Corps of Engineers, outstanding natural topographic features, items on the National Register of Historic Places, grave sites, existing buildings, sewers, water mains, culverts, overhead utility lines, fire hydrants, and location of underground utilities within the tract.
  - (3) Existing topography with two-foot contour intervals. Contour lines (may be extrapolated) shall be shown 50 feet beyond the site boundary.
  - (4) Location, widths, and names of all existing improved or unimproved streets or alleys on or within 100 feet of the subdivision. Recorded, but unimproved streets shall be shown with dashed lines.
  - (5) Location of individual wells and/or septic tanks.
  - (6) Zoning classification and existing use of the tract and adjoining properties.
- iii. Proposed Development:
- (1) A drawing on a scale no smaller than 1" = 100 feet of proposed layout with lot widths and building setbacks
  - (2) Lot occupation – lot coverage, building placement
  - (3) Building form – façade alignment, façade buildout, setback encroachments, encroachment depths, private frontage type
  - (4) Building configuration – Building height, building elevation, designation of land use with total number of residential units and square footage for commercial uses, fenestration
  - (5) Outbuilding information – height, accessory unit use, accessory unit size
  - (6) Architectural standards
  - (7) The approximate location, dimensions, and area of all property proposed to be dedicated or temporarily reserved for public use, or to be reserved by a blanket covenant for use of all property owners in the community unit and conditions for

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such conveyance or reservation. Also, the location, dimensions, area, and purposes of any proposed easements.

iv. Site Improvements

- (1) Driveways and Parking – number of spaces, location and dimensions of all parking and loading areas, handicapped spaces, driveways, parking aisles, curbing, and islands
- (2) Roadway design plans and profiles.
  - (a) The locations, width, and names of proposed streets and alleys (street names shall not be duplicated, and they shall be reviewed and approved by central dispatch). Proposed elevations at the centerline of the street shall be shown at the beginning and end of each street, at street intersections, and at all points where there is a change in grade or direction. A profile of each street, at a minimum scale of one inch = fifty feet horizontal and one inch = five feet vertical with grades indicated shall be included.
  - (b) The cross-section of each street, at a scale of one inch = ten feet or less, showing the width and type of pavement, the size and type of curb and gutter, the location and width of sidewalks, utilities, and street trees.
- (3) Stormwater management plan - Refer to stormwater management requirements in Sec. 16-97.
- (4) Utility plan.
  - (a) Connections with existing public water supply. Provide both plan and profile view of the proposed water lines including size, depth, slope, invert elevations, materials, and valve locations.
  - (b) Connections with existing public sanitary sewer system or alternative means of sewage treatment and disposal. Provide both plan and profile view of the proposed sewer lines including size, depth, slope, invert elevations, and materials.
  - (c) Calculations showing the estimated amount of water consumption and sewage generated by the proposed development.
  - (d) The locations of proposed fire hydrants (pursuant to Sec. 16-101), gas, electric, cable and telephone service.
- (5) Grading plan. Showing existing and proposed topography showing locations of proposed buildings, driveways, parking lots, and utilities.
- (6) Landscape, lighting, fencing and signage plan(s), with information sufficient to demonstrate compliance with code.
  - (a) Location of all proposed landscaping, fencing, street lighting, and signage may be shown on one plan unless it is necessary to separate the information for clarity.
  - (b) Location of trees and vegetation to be retained.
- (7) The location and design of any exterior oil/grease separator or trap if applicable.
- (8) For commercial development, the location of any dumpster pads for waste disposal with necessary screening enclosure.
- (9) Location of existing survey monuments and proposed new monuments.

5.1.12 The City Manager or his designee shall review the application submitted to the planning commission and the planning commission shall approve only if the submittal is consistent with the provisions of this Chapter and past required approvals (Chapter 3 or Chapter 4). Any amendment(s) or alternation(s) to the approved building and site plan shall require a new



submittal, but only of the portions altered. The Planning Commission shall not hold a public hearing if submittal is consistent with the provisions of this Chapter and all past required approvals (Article 3 or 4).

5.1.13 After approval of site plan the applicant is eligible to submit a building permit application consistent with Article 5 of Chapter 19A of the Ranson Municipal Code.

5.1.14 As-built site plans/improvement plans - See requirements at Sec. 16-63.

### 5.2 Pre-existing Conditions

5.2.1 Existing buildings and appurtenances that do not conform to the provisions of this Chapter may continue in use as they are until a substantial modification is requested, pursuant to the standards of Sec. 19-16 of Chapter 19.

### 5.3 Special requirements

5.3.1 To the extent that any land development plan and plat designates any of the following special requirements, standards shall be applied as follows:

- a. A differentiation of the thoroughfares as a-grid and b-grid. Frontages located more than 100' from the a-grid can be more readily considered for administrative waivers. The frontages assigned to the b-grid shall not exceed 30% of the total length of frontages within a pedestrian shed. B-grid signage may utilize the Chapter 19, Sec. 19 - 15 Signs. See Subsections 5.6.5 and 5.9.1.
- b. Mandatory and/or recommended retail frontage, requiring or advising that a building provide a shopfront at sidewalk level along the entire length of its private frontage. The shopfront shall be no less than 50% glazed in clear glass as generally described in Table 6 and specified in Article 5.
- c. Mandatory and/or recommended gallery frontage, requiring or advising that a building provide a permanent cover over the sidewalk, either cantilevered or supported by columns. The gallery frontage designation may be combined with a retail frontage designation.
- d. Mandatory and/or recommended porch front, requiring or advising that a porch be included in the private frontage.
- e. Build-to line, requiring the placement of the building facade along the line.
- f. Coordinated frontage, requiring that the public frontage (Table 27) and private frontage (Table 6) be coordinated as a single, coherent landscape and paving design.
- g. Mandatory and/or recommended terminated vista locations, requiring or advising that the building be provided with architectural articulation of a type and character that responds visually to the location.
- h. Cross block passages, requiring that a minimum 8 foot wide pedestrian access be reserved between buildings.

### 5.4 Civic Areas

#### 5.4.1 General

- a. Civic areas are designated on the land development plan and plat as civic space (CS) or civic building (CB).
- b. Parking requirements for civic districts shall be determined by Table 9. For parking location standards, see Section 5.9.

#### 5.4.2 Civic Spaces (CS)

- a. Civic spaces shall be generally designed as described in Table 31.

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### 5.5 Building Placement

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#### 5.5.1 Specific to district T2

- a. Building placement is constrained by Table 11A, T2 Standards and Table 11. T2O Standards.

#### 5.5.2 Specific to districts T2O, T3, T4, T5

- a. Newly platted lots shall be dimensioned according to Table 11 - Table 14 and / or Table 22 and Table 23.
- b. Buildings shall be placed in relation to the boundaries of their lots according to Table 11 - Table 14 and / or Table 22 and Table 23.
- c. Each lot shall have a principle building built at the frontage as shown in Table 15. Out buildings shall be to the rear of the principle building.
- d. Lot coverage by building shall not exceed that recorded in Table 11 - Table 14 and / or Table 22 and Table 23.
- e. Facades shall be built parallel to a rectilinear principal frontage line or to the tangent of a curved principal frontage line, and along a minimum percentage of the frontage width at the setback, as specified as frontage buildout on Table 11 - Table 14 and / or Table 22 and Table 23.
- f. Setbacks for principal buildings shall be as shown in Table 11 - Table 14 and / or Table 22 and Table 23. Setbacks may be adjusted by up to 10% by administrative waiver to accommodate specific site conditions in accordance to 1.5.3.
- g. Rear setbacks for outbuildings shall be a minimum of 3 feet measured from the property line. In the absence of rear alley or rear lane, the rear setback shall be as shown in Table 11 - Table 14 and / or Table 22 and Table 23.
- h. Utility easement may cause buildings to exceed maximum setbacks and may require additional setbacks adjusted by administrative waiver in accordance to 1.5.3.

### 5.6 Building Configuration

#### 5.6.1 General to districts T2, T3, T4, T5

- a. The private frontage of buildings shall conform to and be allocated in accordance with Table 6.
- b. Buildings on corner lots shall have two private frontages as shown in Table 17. Prescriptions for the second, third and fourth layers pertain only to the principal frontage. Prescriptions for the first layer pertain to both frontages.
- c. All facades shall be glazed with clear glass no less than 15% of the first Story, except as required by the West Virginia Alcohol Beverage Control Administration.
- d. Building heights, setbacks, and expression lines shall conform to Table 5.
- e. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial use, which shall be a minimum of 11 feet with a maximum of 25 feet. A single floor level exceeding 14 feet, or 25 feet at ground level, shall be counted as two (2) stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional story.
  - i. Existing structures in Old Town are exempt from Subsection 5.6.1.e.
- f. In a parking structure or garage, each above-ground level counts as a single story regardless of its relationship to habitable stories.
- g. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.
- h. Except for solar panels and geo-thermal wells, all outdoor electrical, plumbing and mechanical equipment shall be located in the second or third layer and concealed from

the frontage view. These facilities shall not encroach into the first layer.

- i. The habitable area of an accessory unit within a principal building or an outbuilding shall not exceed 500 square feet, excluding the parking area.
- 5.6.2 Specific to district T2O
  - a. Buildings within this district shall have a fourth layer. Prescriptions for the fourth layer shall be as shown in Table 16.
  - b. Balconies, open porches, bay windows and stoops may encroach the first layer 80% of its depth.
  - c. Awnings may encroach the sidewalk to within 2 feet of the curb but must clear the sidewalk vertically by at least 8 feet.
  - d. Retail uses shall be restricted to 1500 sq. ft. or less.
  - e. Each outbuilding shall shall not exceed 50% of the square footage of the principal building floorplate.
- 5.6.3 Specific to district T3
  - a. No portion of the private frontage may encroach the sidewalk.
  - b. Open porches may encroach the first layer 50% of its depth. (Table 15)
  - c. Balconies and bay windows may encroach the first layer 25% of its depth except that balconies on porch roofs may encroach as does the porch.
- 5.6.4 Specific to districts T4
  - a. Balconies, open porches, bay windows and stoops may encroach the first layer 80% of its depth. (Table 15)
  - b. Awnings may encroach the sidewalk to within 2 feet of the curb but must clear the sidewalk vertically by at least 8 feet.
- 5.6.5 Specific to district T5
  - a. Awnings and galleries may encroach the sidewalk to within 2 feet of the curb but must clear the sidewalk vertically by at least 8 feet.
  - b. Stoops, lightwells, balconies, bay windows, and terraces may encroach the first layer 100% of its depth. (Table 15)
- 5.6.6 Specific to districts T2O, T4, T4O, T5L, T5
  - a. The Shopfront Private Frontage shall be no less than 50% glazed in clear glass as generally described in Table 6 and specified in this Chapter.
  - b. Loading docks and service areas shall be permitted on b-grid frontages and shall not be permitted on or within 100 feet of an a-grid frontage.
  - c. In the absence of a building facade along any part of a frontage line in T5, a street wall or streetscreen shall be built co-planar with the facade.
  - d. Streetscreens shall be between 3.5 and 8 feet in height. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.
    - i. The streetscreen may be replaced by a hedge or fence by administrative waiver in accordance to 1.5.3 Administrative Waivers.
  - e. A first level residential or lodging use shall be raised a minimum of 1.5 feet from average sidewalk grade.
    - i. Existing structures in Old Town are exempt from Subsection 5.6.6.e.

## 5.7 Building and Land Use

- 5.7.1 Conditional uses shall be administered by the CRC. Adverse rulings shall be appealed to the BZA. Conditional use shall be granted if the following conditions are met:
  - a. The use will not materially endanger the public health or safety or constitute a public

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nuisance if located where proposed and developed according to the plans and information submitted and approved.

- b. The use will not substantially injure the value of adjoining property; or that the use is a public necessity.
- c. The location and character, if developed according to the plans and information approved, will be in harmony with the proximate land uses, and consistent with the purposes of the district.
- d. The use complies with any specific requirements as set forth in the municipal ordinances to obtain a special exception.

### 5.7.2 General to districts T2, T2O, T3, T4, T4O, T5L, T5

- a. Buildings in each transect district shall conform to the intensities and uses on Table 7 and Table 8.

### 5.7.3 Specific to districts T2, T3

- a. Accessory uses of restricted lodging or restricted office shall be permitted. See Table 7.

### 5.7.4 Specific to district T2O

- a. Accessory uses of limited lodging or limited office shall be permitted. See Table 7.
- b. First story commercial uses shall be permitted.
- c. Manufacturing uses for the preparation and packaging of agricultural products grown on the lot may be permitted within the first story.
- d. Agricultural uses other than a rear yard garden (see Table 8) shall be located in the 4th lot layer, beginning 150 ft. min behind the principal frontage line of the lot.

### 5.7.5 Specific to districts T4, T4O, T5

- a. Accessory uses of limited lodging or limited office shall be permitted. See Table 7.

### 5.7.6 Specific to district T5

- a. First story commercial uses shall be permitted.

### 5.7.7 Medical Cannabis Dispensary within the T4O and T5 district; provided that the city zoning administrator finds the following conditions have been demonstrated by the applicant:

- a. Applicant is properly licensed with city and state;
- b. Applicant has been issued a State permit under W.Va. Code §16A-1-1 et seq. and related regulations of the State to lawfully dispense medical cannabis to a patient or caregiver upon presentation to the dispensary of a valid identification card for that patient or caregiver. The dispensary shall provide to the patient or caregiver a receipt, as appropriate.
- c. Applicant must submit detailed floor plan and location map demonstrating the full compliance with W.Va. Code §16A-8-2 and related regulations of the State.
- d. Copy of an any adjustment or waivers of prohibition, if any, including conditions for this waiver granted to the applicant from the Commissioner of the Bureau for Public Health pursuant to W.Va. Code §16A-8-2(b).

## 5.8 Parking Rates

### 5.8.1 Intent

- a. This article is intended to provide for vehicle parking which is adequate to support the needs of the proposed and future uses of a site.

### 5.8.2 Applicability

- a. All new development, additions to any existing structure, or changes of use for which a site plan is required, shall provide required vehicular parking in accordance to this ordinance.

### 5.8.3 Vehicle parking rates shall be in accordance with Table 9. Parking Calculations and as follows:

- a. When requirements result in a fractional number, fractions are rounded down

- b. Within the overlay of a Transit Oriented Development (TOD) the parking minimum may be further reduced by 30%
  - c. Require parking may be adjusted downward through an Administrative Waiver in accordance with Section 1.5.3.
- 5.8.4 Required vehicle parking may be fulfilled in the following locations:
  - a. Off-street within the same lot
  - b. On-street parking spaces located along the public parking lane corresponding to the lot frontage
  - c. Within an adjacent shared parking lot or parking facility within 600 feet of the use
- 5.8.5 Buildable density on a lot shall be determined by the actual parking provided
- 5.8.6 Exemptions from Parking Rates
  - a. Accessory Dwelling Units (ADU)
  - b. Liner buildings less than 30 feet deep and not more than 2 stories
  - c. Temporary Structures as defined in Sec. 5-9.
- 5.9 Vehicle Access and Parking
  - 5.9.1 Intent
    - a. This section is to assure the design and construction of any motor vehicle parking area meet minimum design standards necessary to promote efficient circulation.
  - 5.9.2 Applicability
    - a. Off-street parking spaces are not required for any use. However, any new off-street vehicle parking area provided shall be developed in accordance with the development standards of the applicable zoning district.
  - 5.9.3 Location of Vehicle Parking
    - a. All off-street parking shall be located on the lot in accordance with the zoning allocation in accordance with Tables 11 – 14.
      - i. Attached garages shall not extend past the face of the primary structure.
      - ii. If a garage is recessed less than 2 feet from the front of the structure a covered porch no less than 6 feet in depth shall be required.
    - b. Open parking areas shall be masked from public frontage (principal and secondary) by a building or streetscreen pursuant to section 5.6.6.c.
  - 5.9.4 Curb Cuts and Driveways
    - a. All on-site parking shall have direct access to a public right-of-way through an alley, driveway, or permanent access easement.
    - b. If an improved alley is present, all vehicle access shall take place from the alley.
    - c. When an alley is not present
      - i. i. Access to corner lots from a secondary street is preferable to access from a primary street.
      - ii. The number and width of curb cuts shall be the minimum needed to provide reasonable access to the site.
        - (1) Residential driveways at frontages shall limited to one (1) and be no wider than 18 feet.
        - (2) Non-residential, mixed-use, and multi-family, driveways at frontages shall be limited to one (1) and be no wider than 18 feet.
        - (3) The width of curb cuts may be adjusted for parcels that do not have alley access through an Administrative Waiver in accordance with Section 1.5.3.
        - (4) The number of curb cuts may be adjusted for parcels with greater than 100 feet of

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lot width through Administrative Waiver in accordance with Section 1.5.3.

- d. Curb cuts shall be constructed in accordance with the city standard detail manual.
- e. Curb cuts must be located to minimize conflict with pedestrian, cyclist, and vehicular traffic on the abutting public right-of-way. Where applicable, curb cuts should be placed to maximize the number of on-street parking spaces.
- f. Shared driveways between abutting properties are encouraged provided that an access easement exists between all property owners.

### 5.9.5 Design and Construction of Off-Street Vehicle Parking Areas

- a. Americans with Disabilities Act (ADA). The design and construction of all off-street parking areas shall be in conformity with the Americans with Disabilities Act (ADA).
- b. Parking Area Layout.
  - i. An alley adjacent to the lot may be used to meet the requirement for drive aisle width.
  - ii. Layout Requirement
    - (1) All parking lots and parking structures must be designed so that vehicles enter or leave a parking space without having to move any other vehicle. Parking lots and structures where vehicles are moved by employees of the facility are exempt from this requirement.
    - (2) Parking lots and parking structures must be designed so that the driver of the vehicle proceeds forward into traffic rather than backs out into traffic.
    - (3) Parking lots and parking structures must be designed so that a vehicle is not forced to back onto the public right-of-way to gain access from one parking aisle to another parking aisle.
    - (4) Any parking row that does not provide two means of vehicular egress must provide, at the closed end, a space designated as a turn-around area. This space must be located at the end of a parking row, be designed with a minimum dimension of nine feet in width by nine feet in depth and include a "No Parking" sign. Parking lots of less than 50 spaces are exempt from this provision.
    - (5) Vehicle circulation providing cross-access between abutting lots is encouraged.
- c. Delineation of Off-Street Parking Areas. All off-street parking areas with 4 or more spaces, excluding driveways, shall be:
  - i. Identified by painted lines (minimum 4 inches in width), raised curbs, or other means to indicated individual spaces; and,
  - ii. Provided with a wheel stops, bumper guards, raised curbing or other alternatives, which are properly anchored and secured, to prevent vehicles from damaging or encroaching upon any sidewalk, landscape, fence, wall, or structure.
  - iii. Motor vehicles shall not overhang a sidewalk or pedestrian aisle to less than five feet (5') in width. When determining possible encroachment into the sidewalk or pedestrian aisle, a minimum overhang of two (2) horizontal feet shall be provided.
- d. Surface of Off-Street Parking Areas.
  - i. Off-street parking areas and any driveway, interior access driveway, or interior access drive to and from such off-street parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
  - ii. A temporary or seasonal use permitted by the district in which such temporary or



seasonal use is located may use an unimproved or gravel surface for the duration of the temporary or seasonal use. If a temporary gravel surface is provided, such gravel shall be removed, and the off-street parking area shall be returned to its prior condition immediately upon cessation of the temporary or seasonal use.

- iii. Additional parking surfaces may be permitted through an Administrative Waiver in accordance with Section 1.5.3.

### 5.10 Landscape Standards

5.10.1 This section shall not apply to existing buildings in Old Town. It shall only apply to new communities in G1, G2, and G3.

#### 5.10.2 General to districts T2, T3, T4, T5

- a. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape and habit of the plant species at maturity.
- b. Within the public frontages, the prescribed types of public planting and public lighting shall be as shown in Table 32 and Table 34. The spacing shall be as shown in Table 30. The spacing may be adjusted up to 20% by administrative waiver to accommodate specific site conditions or shopfronts. The City Manager or his designee must make the following written findings:
  - i. The administrative waiver is consistent with the provisions of Section 1.2 Intent.
  - ii. The waiver is consistent with the Comprehensive Plan.
  - iii. The public planting and public lighting will not materially endanger the public health or safety or constitute a public nuisance if located where proposed and developed according to the plans and information submitted and approved.
  - iv. The public planting and public lighting will not substantially injure the value of adjoining property; or that the use is a public necessity.
  - v. The location and character of the public planting and public lighting, if developed according to the plans and information approved, will be in harmony with proximate land uses, and consistent with the purposes of the district.
  - vi. Planned or existing site conditions, such as location of doors and windows, fire hydrants, traffic control signs and signals, street lights, trees, or other street furniture, prevent adherence to the standards in Table 30.
- c. Proposed trees and understory trees shall be centered horizontally and minimally:
  - i. Two (2) feet from walkways, curbing, and other impervious pavements when planted in a tree well or continuous planter;
  - ii. Three (3) feet from walkways, curbing and other impervious pavements when planted in a continuous swale;
  - iii. Five (5) feet from street lights, underground utilities, utility meters and service lines, fences, walls and other ground level obstructions;
  - iv. Six (6) feet from porch eaves, and awnings and similar overhead obstructions associated with the ground level of buildings;
  - v. Eight (8) feet from balconies, verandas, building eaves and cornices, and similar overhead obstructions associated with the upper stories of buildings.
- d. Ground vegetation or shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first two (2) feet of the first layer.
- e. Artificial plants or artificial turf are prohibited, excluding active recreation sports fields that are typically subject to intense use and soil compaction which prohibits the establishment of turfgrass, and where paving or grass paving systems will not suffice given the area's purpose and level of use.

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- f. Buffers and screening elements shall be used to screen parking areas from public view, to screen service yards and other places that are unsightly.

### 5.10.3 Specific to districts T2, T3, T4

- a. The first layer may not be paved, with the exception of driveways and sidewalks as specified in section 5.9.2 and Section 5.9.3. (Table 15)
- b. Preservation of on-site existing trees and vegetation is encouraged and may be used to fulfill the landscape requirements.
  - i. Noxious or invasive plants species identified on the prohibited plant list shall be removed.
  - ii. Priority shall be given to preserving and protecting significant trees that provide screening, buffering, wildlife habitat and/or linkages to wildlife habitat.

### 5.10.4 Specific to district T3

- a. Two (2) trees shall be planted within the first layer. (Table 15)
  - i. Substitutions:
    - 1. One (1) tree may be substituted for two (2) understory trees;
    - 2. One (1) understory tree may be substituted for ten (10) Shrubs.
  - ii. Tree Preservation Credit:
    - 3. 1. Trees may be substituted for an existing tree to be preserved provided that:
      - They are four (4) Inches DBH or greater;
      - Possess a healthy and full canopy;
        - + Has an unmolested CRZ;
        - + Has incurred no damage that would undermine it's long-term vitality and quality.
- b. Trees may be of single or multiple species as shown on Table 33.
- c. Trees shall be naturalistically clustered in conjunction with adjacent street trees.

### 5.10.5 Specific to district T4

- a. One (1) understory tree shall be planted within the first layer. (Table 15):
- b. Trees, if planted, should match the type of adjacent street trees on the public frontage, or as shown on Table 33.

### 5.10.6 Specific to districts T2O, T4O, T5L, T5

- a. Trees shall not be required in the first layer.
- b. The first layer may be paved to match the pavement of the public frontage.
- c. Landscape islands in interior parking lots shall only occur at the end of drive aisles. Islands should be the minimum size for healthy growth for the specific species of tree.
- d. Porous paving materials should be used in order to increase storm water infiltration on site.

### 5.10.7 Specific to special district SDB: See Subsection 6.1.5

### 5.11 Signage Standards

### 5.12 Architectural Standards

#### 5.12.1 General to Districts T2O, T4, T4O, T5L and T5 façades

This section does not apply to single-family and two-family edgeyard and sideyard residential units.

- a. Glazing above the first story façade shall not exceed 30% of the total building façade wall area, with each façade being calculated independently.
- b. The shopfront private frontage shall be no less than 50% glazing.
- c. All glass shall be clear and free of color, except as required by the West Virginia Alcohol

Beverage Control Administration.

- d. Pitched roofs shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12.
- e. Low pitch or flat roofs shall be enclosed by a parapet that is as high as necessary to conceal mechanical equipment.
- f. Dormers shall be roofed with a symmetrical gable or a shed configuration. They shall be no more than 2 windows wide and placed no less than 2 feet from an end gable or party wall.

### 5.13 Fencing Standards

#### 5.13.1 General to Districts T2O, T3, T4, T4O, T5L and T5

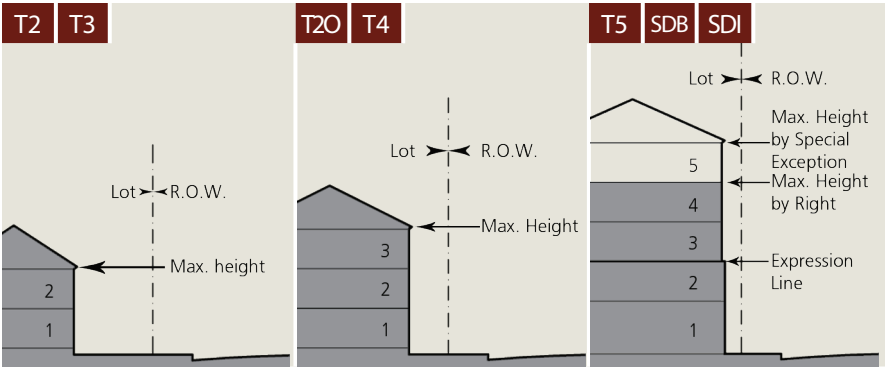
- a. See Section 16-179 for wall and fence standards

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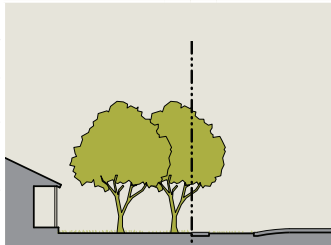
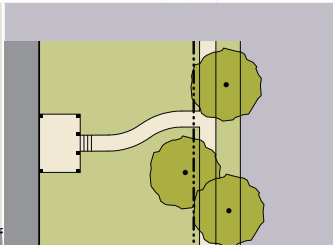
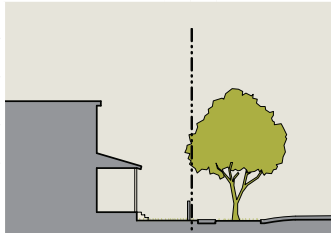
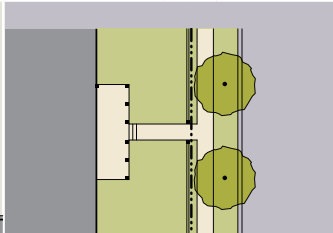
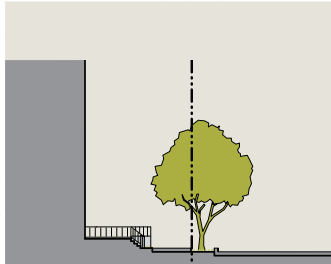
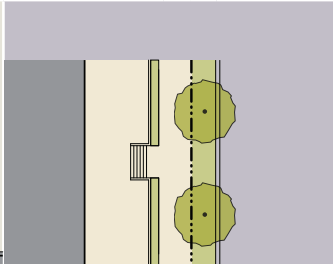
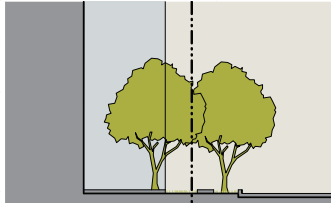
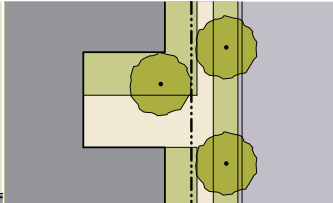
TABLE 5. BUILDING HEIGHT.

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Expression lines shall occur on buildings taller than three stories as shown.

TABLE 6. PRIVATE FRONTAGES

		SECTION		PLAN	
		PRIVATE FRONTAGE	◆◆	PUBLIC FRONTAGE	PRIVATE FRONTAGE ◆◆ PUBLIC FRONTAGE
FIRST LOT LAYER REGULATIONS					
COMMON LAWN					
Transect District	T2, T20, T3, T4, SDB				
Permitted Elements					
Encroachments into setback	Porch no less than 6 feet deep				
Surface Treatment	Grass, groundcover, continuing without interruption, except sidewalks or drive-ways.				
Special Requirements					
FENCED LAWN					
Transect District	T20, T3, T4				
Permitted Elements	Fences, hedges and walls				
Encroachments into setback	80% of setback				
Surface Treatment	Grass, groundcover				
Special Requirements	Fences, hedges and walls shall be along frontage lines or parallel with the facade of the principal building				
TERRACE					
Transect District	T20, T4, T40, T5L, T5, SDB				
Permitted Elements	May be combined with stoop				
Encroachments into setback	Terraces may encroach 100% of setback, no less than 6 ft. Terraces shall be raised a minimum of 12" from average sidewalk grade.				
Surface Treatment	Paved, terraces may be landscaped				
Special Requirements	Ramps for wheelchair access may be located within first layer				
FORECOURT					
Transect District	T40, T5, SDB				
Permitted Elements	May be combined with terrace, stoop, shopfront, or gallery.				
Encroachments into setback	May recess from the frontage line a maximum of 20 feet for pedestrian entries or a maximum of 30 feet for vehicular access.				
Surface Treatment	Paved in coordination with the public frontage or with pervious materials				
Special Requirements	Shall provide access to the main building entrance. Driveways within forecourts are limited to 20 feet in width. Portions of the driveway in the public frontage shall be limited to 12 feet in width and shall be paved in coordination with the adjacent public frontage				

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## Subdivision & Zoning

### PRIVATE FRONTAGES CONTINUED

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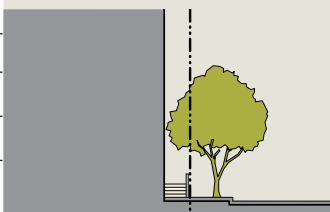
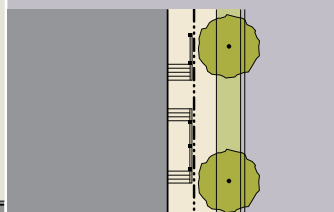

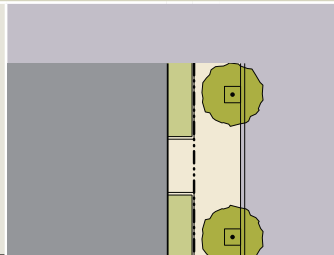
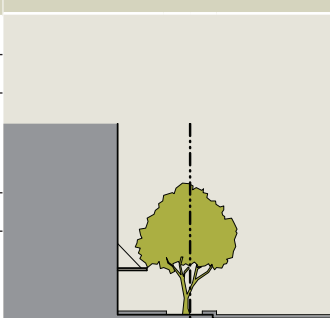
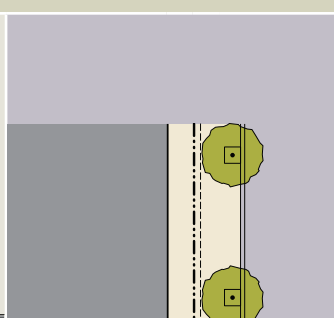
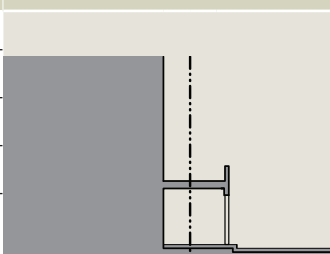
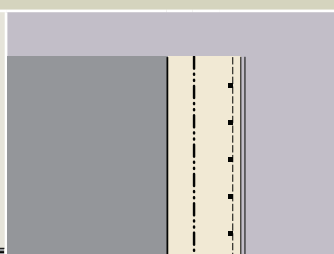
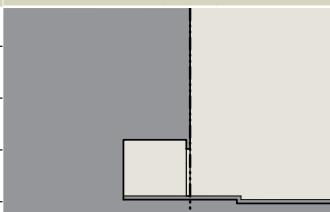
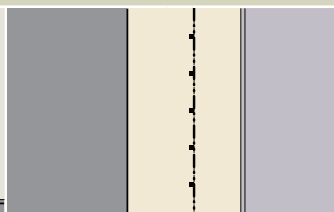
		SECTION		PLAN	
		PRIVATE FRONTAGE	PUBLIC FRONTAGE	PRIVATE FRONTAGE	PUBLIC FRONTAGE
FIRST LOT LAYER REGULATIONS					
STOOP					
Transect District	T2O, T4, T4O, T5L, T5				
Permitted Elements	Hedges and metal fences.				
Encroachments into setback	100% of the setback.				
Surface Treatment	Paved in coordination with the public frontage.				
Special Requirements	May be recessed into the building facade where a front setback is less than 6 feet				
COMMON ENTRY					
Transect District	T4, T4O, T5L, T5, SDB				
Permitted Elements	Planter may line the facade.				
Encroachments into setback	Planter may encroach up to 100%.				
Surface Treatment	Any setback area not within the planter shall be paved at grade.				
Special Requirements	Planter may extend no more than 3' from the facade at grade. The first story of the facade shall be no less than 15% glazed in clear glass				
SHOPFRONT					
Transect District	T2O, T4, T4O, T5L, T5, SDB				
Permitted Elements	Awnings				
Encroachments into setback	Awnings may encroach to within two feet of the curb and must project horizontally from the facade a minimum of 6 feet. Display windows may encroach up to 2 feet				
Surface Treatment	Paved				
Special Requirements	Shall be glazed with clear glass for no less than 50% of the ground floor at frontages, calculated as a percentage of each facade individually.				
GALLERY					
Transect District	T2O, T4, T4O, T5L, T5, SDB				
Permitted Elements	May be combined with shopfront or common entry				
Encroachments into setback	May encroach to within 2 feet of the curb.				
Surface Treatment	Paved in coordination with the public frontage				
Special Requirements	Shall provide a minimum vertical clearance of 10 feet and project horizontally from the facade a minimum of 10 feet				
PRIVATE ARCADE					
Transect District	T5L, T5, SDB				
Permitted Elements	May be combined with shopfront or common entry				
Encroachments into setback	100% of the setback.				
Surface Treatment	Paved in coordination with the public frontage				
Special Requirements	Shall provide a minimum vertical clearance of 10 feet and project horizontally from the facade a minimum of 10 feet				



TABLE 7. BUILDING INTENSITY

	RESTRICTED	LIMITED	OPEN
a. RESIDENTIAL	<p>The number of dwellings on each lot is restricted to one within a principal building and one within an accessory building.</p> <p>Both dwellings shall be under single ownership.</p> <p>The habitable area of the accessory unit shall not exceed 500 sf, excluding the parking area.</p> <p>Residential uses may occupy any building story.</p>	<p>Residential uses may occupy any building story.</p>	<p>Residential uses may occupy any building story.</p>
b. LODGING	<p>The number of bedrooms available on each lot for lodging is limited to five.</p> <p>The lodging must be owner occupied.</p> <p>Food service may be provided in the morning.</p> <p>The maximum length of stay shall not exceed ten days.</p> <p>Lodging may occupy any building story.</p>	<p>The number of bedrooms available on each lot for lodging is limited to twelve.</p> <p>The lodging must be owner occupied. Food service may be provided in the morning.</p> <p>The maximum length of stay shall not exceed fourteen days.</p> <p>Lodging may occupy any building story.</p>	<p>The number of bedrooms available on each Lot for lodging is not limited.</p> <p>Food service may be provided at all times.</p> <p>The area allocated for food service shall be calculated and provided with parking according to retail use.</p> <p>Lodging may occupy any building story.</p>
c. OFFICE	<p>The building area available for office use on each lot is restricted to 600 square feet within the first story of the principal or the accessory building or within basements.</p>	<p>The building area available for office use on each lot is limited to the first story of the principal building and/or to the accessory building.</p>	<p>Office uses may occupy any building story.</p>
d. RETAIL	<p>The building area available for retail use is restricted to the first story of buildings at corner locations and may not exceed 1,500 square feet.</p> <p>Food service is limited to no more than 600 square feet of seating area.</p>	<p>The building area available for retail use is limited to the first story of buildings at corner locations.</p> <p>Food service is limited to no more than 1,800 square feet of seating area.</p>	<p>Retail uses may occupy any building story.</p> <p>Retail spaces under 1,500 square feet are exempt from parking requirements.</p>
e. INSTITUTIONAL		<p>The building area available for institutional use on each lot is limited to the first story of the principal building.</p>	<p>Institutional uses may occupy any building story</p>
f. MANUFACTURING		<p>By special exception</p>	<p>Limited to specific uses in Table 8</p>
g. INDUSTRIAL		<p>By special exception</p>	<p>Limited to specific uses in Table 8</p>
h. AGRICULTURAL	<p>By right</p>	<p>Limited to specific uses in Table 8</p>	

The intensities of the base Transect districts are as follows: T2 – Restricted; T3 – Restricted; T4 – Limited; T5 – Open. Modifiers of L or O are used when the sub-district has a different intensity from the base district.

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TABLE 8. BUILDING USE

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	T2	T2	T3	T4	T4	T5	T5	SD	SD
Intensity	R	O	R	L	O	L	O	B	I
<b>a. RESIDENTIAL</b>									
Mixed use building					■	■	■	■	
Multifamily dwelling				■	■	■	■		
Live-work unit		■	■	■	■	■	■		
Duplex		■	■	■	■	■			
Townhouse		■		■	■	■	■		
Single family residential	■	■	■	■	■	■			
Senior housing	■	■	■	■	■	■	■		
Accessory Unit	■	■	■	■	■	■	■		
<b>b. LODGING</b>									
Hotel (no room limit)					□	■	■	□	□
Inn (up to 12 rooms)	□	□	□	□	■	■	■		
Bed & Breakfast (up to 6 rooms)	■	■	■	■	■	■	■		
School Dormitory					□	□	■	□	
<b>c. OFFICE</b>									
Office building					■	■	■	□	□
Mixed use building					■	■	■		
Live-work unit		■	■	■	■	■	■	□	□
<b>d. RETAIL</b>									
Open-Market Building		■			■	■	■	■	■
Mixed use building					■	■	■	■	
Retail Building		■			■	■	■	■	□
Display Gallery				■	■	■	■	□	□
Restaurant		■	■	■	■	■	■	□	□
Kiosk					■	■	■	□	□
Push Cart		■			■	■	■	□	□
Video Lottery <sup>1</sup>					□		□		
Adult Entertainment <sup>2</sup>									
<b>e. INSTITUTIONAL</b>									
Convention Center							□	■	■
Conference Center					□		■	■	■
Exhibition Center							□	■	■
Live Theater					■	■	■	■	■
Movie Theater					■	■	■	■	■
Museum					■	■	■	■	■
Outdoor Auditorium			□	■	■	■	■	■	■
Sports Stadium							□	■	■
Religious Assembly		■	■	■	■	■	■	■	■
<b>f. AGRICULTURE</b>									
Grain Storage	■	■	■					□	□
Livestock Pen	■		■					□	□
Garden Supply		■			■	■	■	□	□
Greenhouse	■	■	■	□	■			□	□
Stable	■	■	■	□				□	□
Kennel	■	■	■	□	■	□	■	□	□
Family Farm	■	■							
Employment Farm	■	■							
Rear Yard Garden	■	■	■	■					
Honey Bees	■	■	□	□	□	□	□	□	□
Livestock	■								
Poultry	■	■	□	□					

	T2	T2	T3	T4	T4	T5	T5	SD	SD
Intensity	R	O	R	L	O	L	O	B	I
<b>g. AUTOMOTIVE</b>									
Gasoline		□			■	□	■	■	■
Automobile Service					■	□	□	□	■
Automobile Sales					■	□	□	■	■
Truck Maintenance	■							□	■
Drive-Through Facility					■	□	■	■	■
<b>h. CIVIL SUPPORT</b>									
Cemetery	■	■	■	□		□			■
Funeral Home					■	■	■	■	■
Hospital						□	□	■	■
Medical Clinic					■	■	■	■	■
Animal Hospital		■			■	■	■	□	■
<b>i. EDUCATION</b>									
College		□			□	□	□	■	■
High School		□			□	□	□	■	■
Trade School						□	□	■	■
Elementary School		■	□	■	■	■	■	□	■
Childcare Center		■	■	■	■	■	■	■	■
<b>j. INDUSTRIAL</b>									
Heavy Industrial Facility								□	□
Light Industrial Facility		□			□	□	□	■	■
Truck Depot								□	■
Laboratory Facility		□			□	□	□	■	■
Warehouse		□			□	□	□	■	■
Produce Storage	■	■						□	■
Mini-Storage							■	■	■
Heavy Manufacturing								□	□
Light Manufacturing		■		□	■	■	■	■	■

Permitted ■  
Conditional Use Pursuant to 5.7.1 □

<sup>1</sup> Video lotteries may be permitted by Conditional Use as an accessory use to a restaurant or hotel in T-40 or T5 upon the conditions stated in Chapter 19-8(c) (3).

<sup>2</sup> Adult uses only permitted under certain conditions in HC and RC pursuant to Ranson Municipal Code 14-70 and 19-7

**TABLE 9. PARKING CALCULATIONS**

The gross minimum number of parking spaces listed below shall be multiplied by the "occupancy rate" as found in Table 10, for each use for the weekday night, daytime and evening periods respectively, and weekend night, daytime and evening periods respectively. The gross minimum numbers of parking spaces for each of the uses referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period.

	T2	T20	T3	T4	T5
RESIDENTIAL *	2.0 / dwelling	1.5 / dwelling	2.0 / dwelling	1.5 / dwelling	1.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom
OFFICE	n/a	n/a	2 spaces for 600 square feet	3.0 / 1,000 s.f.	2.0 / 1,500 s.f.
RETAIL	n/a	n/a	4.0 / 1,000 s.f.	3.0 / 1,000 s.f.	2.0 / 1,000 s.f.
CIVIC	n/a	1 / 5 seats assembly use Parking may be provided by ownership or lease offsite within 1,000 feet.	1 / 5 seats assembly use Parking may be provided by ownership or lease offsite within 1,000 feet.	1 / 5 seats assembly use 1 / 1,000 s.f. of exhibition or indoor recreation area. Parking requirement may be reduced according to the Parking Occupancy Rate Table 10. Parking ratio may be reduced within 1/4 mile radius of a Transit Corridor by thirty percent (30%). Parking may be provided by ownership or lease offsite within 1,000 feet.	1 / 5 seats assembly use 1 / 1,000 s.f. of exhibition or indoor recreation area. Parking requirement may be reduced according to the Parking Occupancy Rate Table 10. Parking ratio may be reduced within 1/4 mile radius of a Transit Corridor by thirty percent (30%). Parking may be provided by ownership or lease offsite within 1,000 feet.
AGRICULTURE	1.0 / employee	1.0 / employee			
OTHER	Determined by Chapter 19 Sec. 19-12.				

\* Senior housing or co-housing requirements may be reduced by 50%.

# Article 5

## Subdivision & Zoning

TABLE 10. PARKING OCCUPANCY RATE.

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USES	M - F	M - F	M - F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM - 6 PM	6 PM - 12 AM	12 AM - 8 AM	8 AM - 6 PM	6 PM - 12 AM	12 AM - 8 AM
RESIDENTIAL	60%	100%	100%	80%	100%	100%
LODGING	70%	100%	100%	70%	100%	100%
OFFICE	100%	20%	5%	5%	5%	5%
RETAIL	90%	80%	5%	100%	70%	5%
RESTAURANT	70%	100%	100%	70%	100%	100%
MOVIE THEATER	40%	80%	10%	80%	100%	10%
ENTERTAINMENT	40%	100%	10%	80%	100%	50%
CONVERENCE/CONVENTIONS	100%	100%	5%	100%	100%	5%
CIVIC (NON-CHURCH)	100%	20%	5%	10%	10%	5%
CIVIC (CHURCH)	20%	20%	5%	100%	50%	5%

Planning Staff shall provide a spreadsheet that will perform calculations for specific applications based on the above occupancy rates.

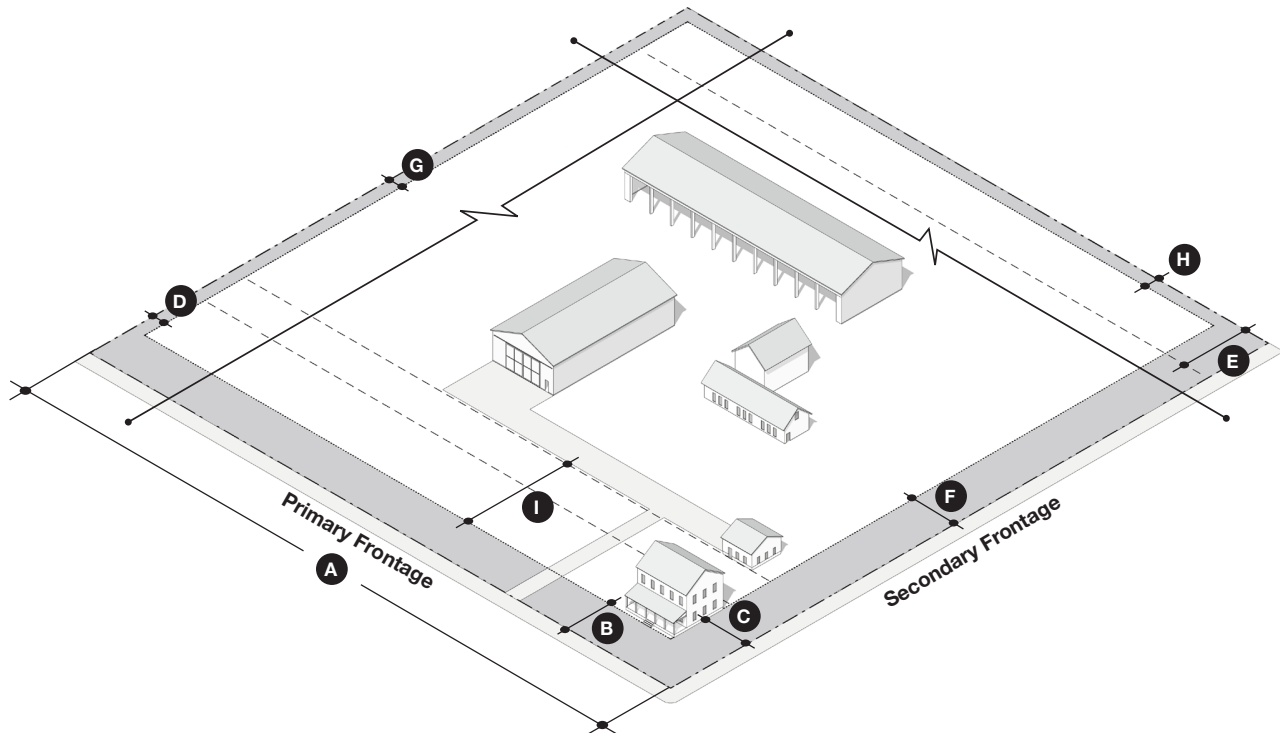
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# Article 5

## Subdivision & Zoning

TABLE 11A: T2 STANDARDS

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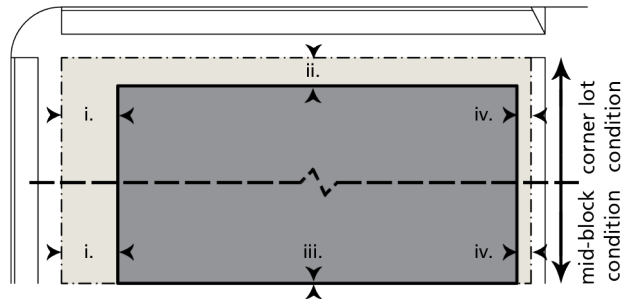
Lot Occupation		Accessory Structures			
A	<u>Lot Width</u>	<u>See §3.6.1</u>	I	<u>Front Setback</u>	<u>50 ft. min.</u>
	<u>Lot Coverage</u>	<u>30% max.</u>	F	<u>Sidestreet Setback</u>	<u>25 ft. min.</u>
Buildings			G	<u>Side Setback</u>	<u>25 ft. min.</u>
B	<u>Front Setback</u>	<u>30 ft. min.</u>	H	<u>Rear Setback</u>	<u>25 ft. min.</u>
C	<u>Sidestreet Setback</u>	<u>30 ft. min.</u>		<u>Rear Alley Setback</u>	<u>n/a</u>
D	<u>Side Setback</u>	<u>25 ft. min.</u>		<u>Height</u>	<u>50 ft. max or 150 ft. max for Agricultural Support</u>
E	<u>Rear Setback</u>	<u>25 ft. min.</u>	Parking		
	<u>Rear Alley Setback</u>	<u>n/a</u>		<u>Front Setback</u>	<u>30 ft. min.</u>
	<u>Height – residential</u>	<u>40 ft. max</u>		<u>Sidestreet Setback</u>	<u>30 ft. min.</u>
	<u>Ground Floor Glazing</u>	<u>n/a</u>		<u>Structure Height</u>	<u>n/a</u>
	<u>Upper Floor Glazing</u>	<u>n/a</u>			
	<u>Entry Frequency</u>	<u>n/a</u>			



TABLE 11. T20 STANDARDS

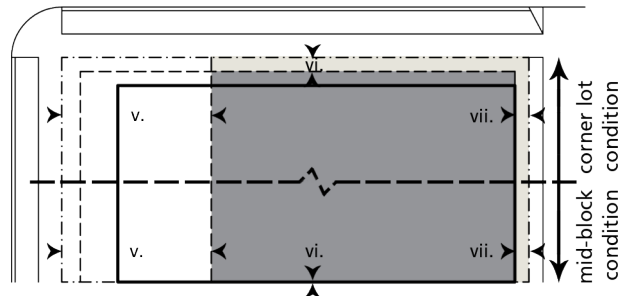
### A. BUILDING PLACEMENT

#### PRINCIPAL BUILDING



i. Front Setback (Principal)	18 ft. max.
ii. Front Setback (Secondary)	10 ft. max.
iii. Side Setback	0 ft. or 6 ft. min. total
iv. Rear Setback	3 ft. min.

#### OUTBUILDING(S)



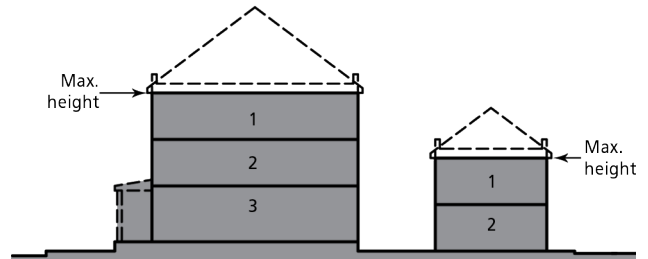
v. Front Setback (Principal)	20 ft. min. + bldg. setback
vi. Side Setback	0 ft. or 3 ft. at corner
vii. Rear Setback	3 ft. min.

#### ENCROACHMENTS

i. Setback Encroachments	
Open Porch	80% max.
Balcony and / or Bay Window	80% max.
Stoop, Lightwell or Terrace	80% max.
ii. Sidewalk Encroachments	
Awning or Gallery	80% max.
iii. Encroachment Depths	
Open Porch	10 ft. max.
Balcony and / or Bay Window	6 ft. max.
Stoop, Lightwell or Terrace	6 ft. max.
Gallery	n/a
Awning	n/a

### B. BUILDING FORM

#### HEIGHT



#### PRINCIPAL BUILDING

Stories	3
To Eave / Parapet	48 ft. max..

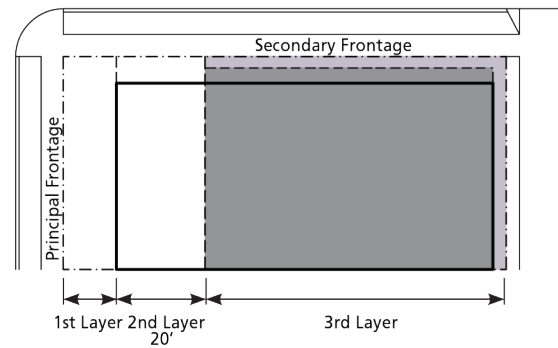
#### OUTBUILDING BUILDING

Stories	2
To Eave / Parapet	35 ft. max.*

#### MASS

Lot Width	40 ft. min., 96 ft. max.
Lot Coverage	50% max.
Facade Buildout at Setback	60% min.

#### PARKING AND STORAGE LOCATION



#### PARKING

1st layer (see Table 16)	not permitted
2nd layer (see Table 16)	side or rear entry permitted
3rd layer (see Table 16)	permitted
4th layer (see Table 16)	permitted

#### Trash & Storage \*\* Location

1st layer (see Table 16)	not permitted
2nd layer (see Table 16)	not permitted
3rd layer (see Table 16)	permitted
4th layer (see Table 16)	permitted

\* Agricultural buildings may be 48 ft. max. in height.

\*\* Storage includes boats and recreational vehicles.

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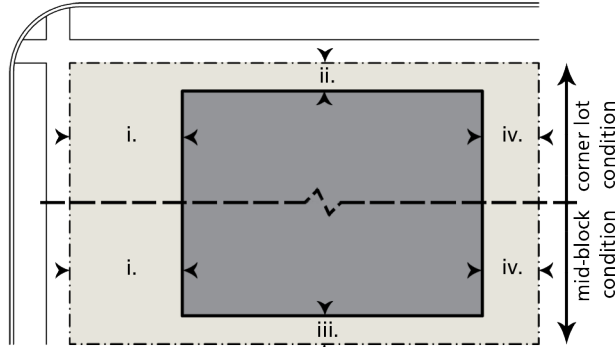
## Subdivision & Zoning

TABLE 12. T3 STANDARDS

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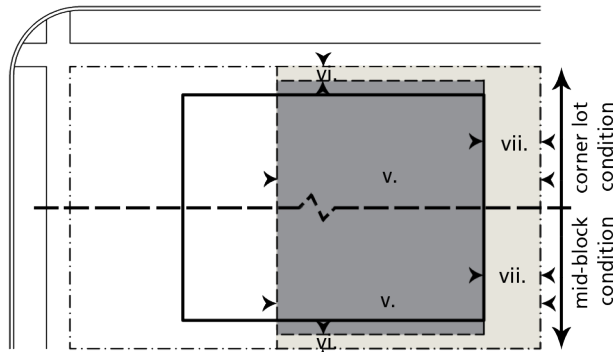
### A. BUILDING PLACEMENT

#### PRINCIPAL BUILDING



i. Front Setback (Principal)	20 ft. min., 30 ft. max.
ii. Front Setback (Secondary)	2 ft. min. 12 ft. max.
iii. Side Setback	0 ft. for duplex or 8 ft. min.
iv. Rear Setback	24 ft. min.

#### OUTBUILDING



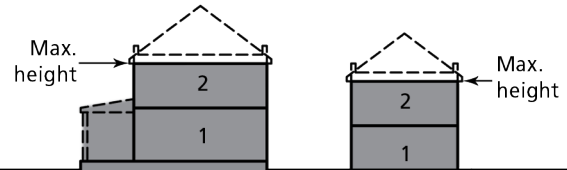
v. Front Setback (Principal)	20 ft. min. + bldg. setback
vi. Side Setback	3 ft. or 6 ft. at corner
vii. Rear Setback	3 ft. min.

#### ENCROACHMENTS

i. Setback Encroachments	
Open Porch	50% max.
Balcony and / or Bay Window	25% max.
Stoop, Lightwell or Terrace	n/a
ii. Sidewalk Encroachments	
Awning or Gallery	n/a
iii. Encroachment Depths	
Open Porch	10 ft. max.
Balcony and / or Bay Window	6 ft. max.
Stoop, Lightwell or Terrace	n/a

### B. BUILDING FORM

#### HEIGHT



#### PRINCIPAL BUILDING

Stories	2
To Eave / Parapet	35 ft. max.

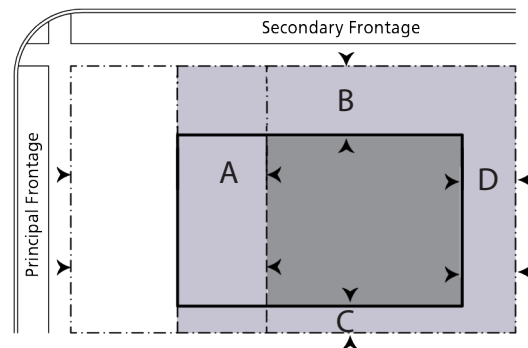
#### OUTBUILDING BUILDING

Stories	2
To Eave / Parapet	35 ft. max.

#### MASS

Lot Width	50 ft. min., 150 ft. max.
Lot Coverage	50% max.
Facade Buildout at Setback	n/a

#### PARKING AND STORAGE LOCATION



#### PARKING

A. Front Setbacks (Principal Frontage)	25 ft. min., or 20 ft. min. for side or rear entry
B. Front Setbacks (Secondary Frontage)	25 ft. min.
C. Side Setbacks	8 ft. min.
D. Rear Setback	24 ft. min.

#### TRASH & STORAGE \* LOCATION

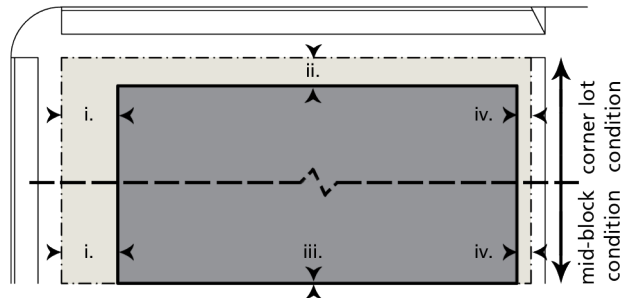
1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

\* Storage includes boats and recreational vehicles.

TABLE 13. T4 / T4O STANDARDS

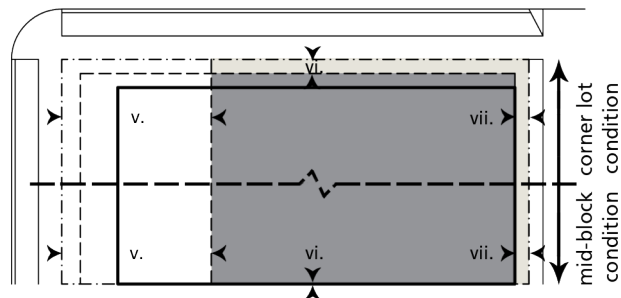
### A. BUILDING PLACEMENT

#### PRINCIPAL BUILDING



i. Front Setback (Principal)	18 ft. max.
ii. Front Setback (Secondary)	10 ft. max.
iii. Side Setback	0 ft. or 6 ft. min. total
iv. Rear Setback	3 ft. min.

#### OUTBUILDING



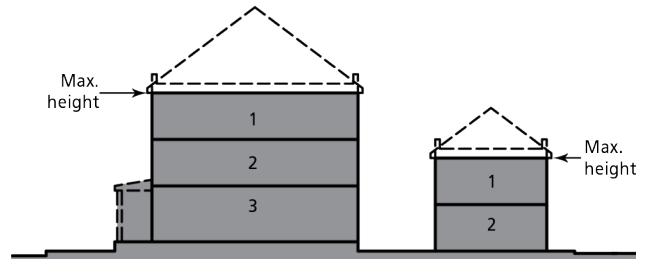
v. Front Setback (Principal)	40 ft. max. from rear property line
vi. Side Setback	0 ft. or 3 ft. at corner
vii. Rear Setback	3 ft. min.

#### ENCROACHMENTS

i. Setback Encroachments	
Open Porch	80% max.
Balcony and / or Bay Window	80% max.
Stoop, Lightwell or Terrace	80% max.
ii. Sidewalk Encroachments	
Awning or Gallery	80% max.
iii. Encroachment Depths	
Open Porch	10 ft. max.
Balcony and / or Bay Window	6 ft. max.
Stoop, Lightwell or Terrace	6 ft. max.
Gallery	within 2 ft. of curb
Awning	within 2 ft. of curb

### B. BUILDING FORM

#### HEIGHT



#### PRINCIPAL BUILDING

Stories	3
To Eave / Parapet	48 ft. max., 60 ft. max. T4O

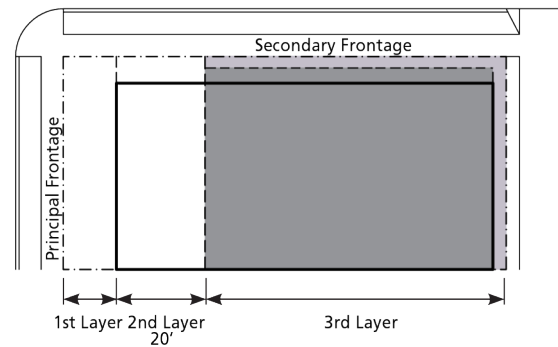
#### OUTBUILDING BUILDING

Stories	2
To Eave / Parapet	35 ft. max.

#### MASS

Lot Width	20* ft. min., 96 ft. max.
Lot Coverage	70% max.
Facade Buildout at Setback	60% min.

#### PARKING AND STORAGE LOCATION



#### PARKING

1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

#### TRASH & STORAGE \*\* LOCATION

1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

\* 16 ft. minimum width is permitted if on site parking is provided.

\*\* Storage includes boats and recreational vehicles.

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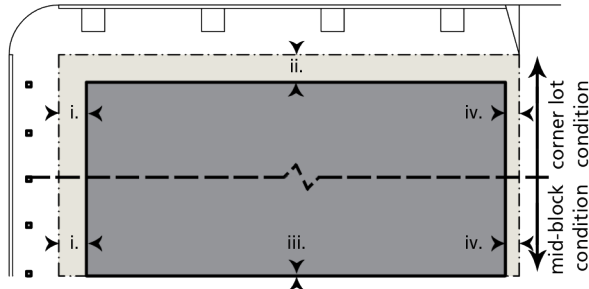
## Subdivision & Zoning

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TABLE 14. T5L / T5 STANDARDS

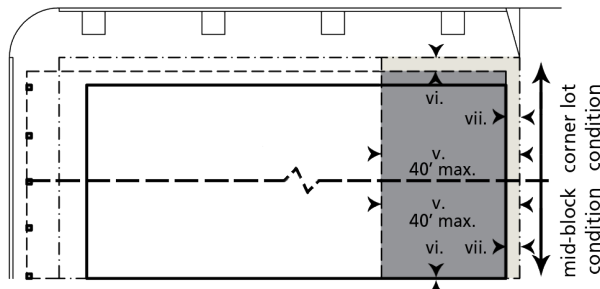
### A. BUILDING PLACEMENT

#### PRINCIPAL BUILDING



i. Front Setback (Principal)	12 ft. max.
ii. Front Setback (Secondary)	12 ft. max.
iii. Side Setback	6 ft. max.
iv. Rear Setback	3 ft. min.

#### OUTBUILDING



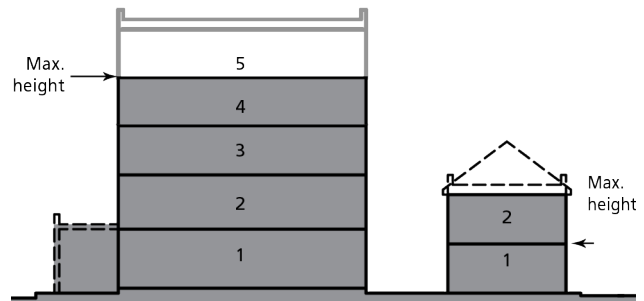
v. Front Setback (Principal)	40 ft. max. from rear property line
vi. Side Setback	0 ft. or 3 ft. at corner
vii. Rear Setback	3 ft. min.

#### ENCROACHMENTS

i. Setback Encroachments	
Open Porch	100% max.
Balcony and / or Bay Window	100% max.
Stoop, Lightwell or Terrace	100% max.
ii. Sidewalk Encroachments	
Awning or Gallery	100% max.
iii. Encroachment Depths	
Open Porch	10 ft. max.
Balcony and / or Bay Window	6 ft. max.
Stoop, Lightwell or Terrace	6 ft. max.
Gallery	within 2 ft. of curb
Awning	within 2 ft. of curb

### B. BUILDING FORM

#### HEIGHT



#### PRINCIPAL BUILDING

Stories	4 max., 5 by special exception
To Eave / Parapet	80 ft. max., 90 ft. by special exception

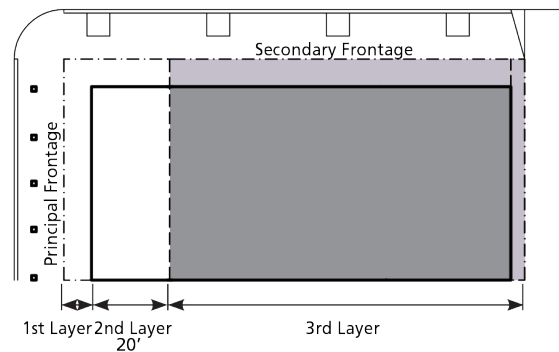
#### OUTBUILDING BUILDING

Stories	2
To Eave / Parapet	35 ft. max.

#### MASS

Lot Width	20* ft. min., 150 ft. max.
Lot Coverage	90% max.
Facade Buildout at Setback	60% min. – 100% max.

#### PARKING AND STORAGE LOCATION



#### PARKING

1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

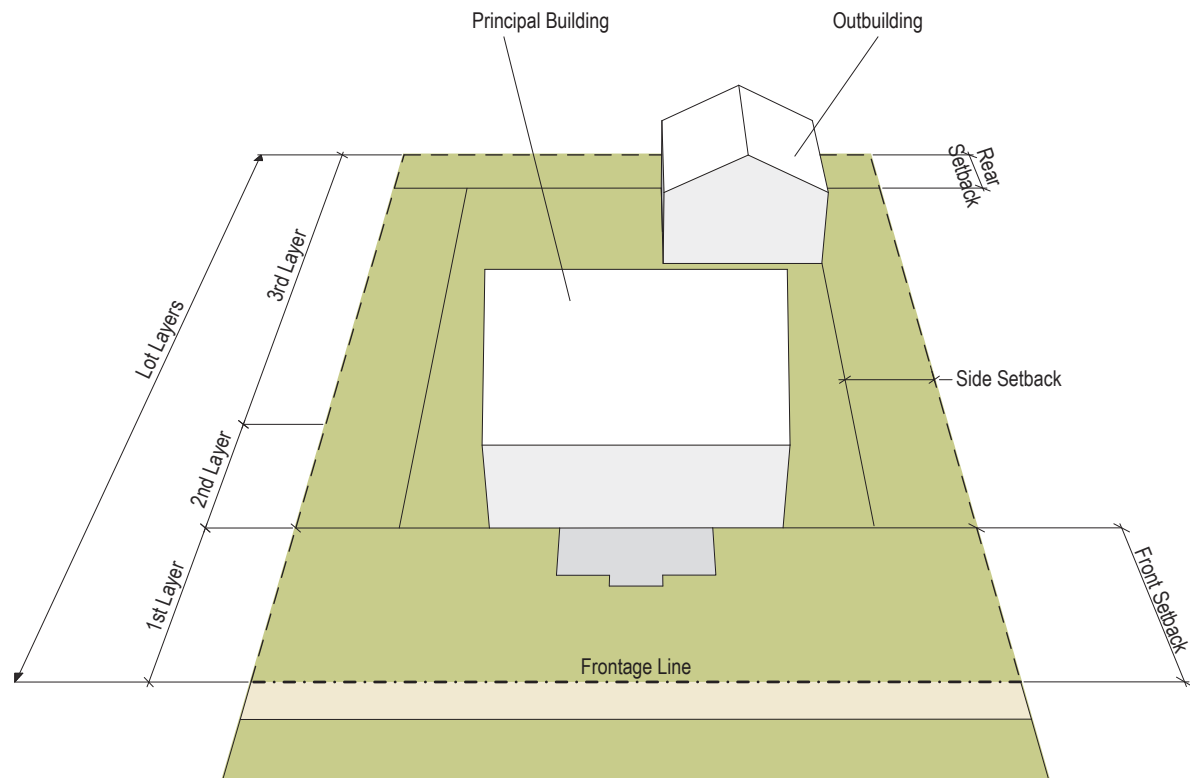
#### TRASH & STORAGE \*\* LOCATION

1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

\* 16 ft. minimum width is permitted if on site parking is provided.

\*\* Storage includes boats and recreational vehicles.

TABLE 15. LOT STRUCTURE



BUILDINGS	
Principal Building	The main building on a Lot.
Outbuilding	A secondary building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include an Accessory Unit.
SETBACKS	
Primary Front Setback	The area of a Lot measured from the Primary Frontage Line to the nearest permissible location of a Principal Building, excluding Encroachments.
Secondary Front Setback	Corner Lots have more than one Frontage Line. One Frontage Line is designated the Primary Frontage Line and all remaining Frontage Lines are designated as Secondary Frontage Lines. The Secondary Front Setback is the area of a Lot measured from the Secondary Frontage Line to the nearest permissible location of a Principal Building, excluding Encroachments.
Side Setback	The area of a Lot measured from any side Lot Line to the nearest permissible location of a Principal Building, excluding Encroachments.
Rear Setback	The area of a Lot measured from a rear Lot Line to the nearest permissible location of a Principal Building or Outbuilding, excluding Encroachments.
LOT LAYERS	
First Layer	The area of a Lot from the the Frontage Line to the Facade of the Principal Building.
Second Layer	The area of a Lot set behind the 1st Layer to a depth of 20 feet.
Third Layer	The area of a Lot set behind the 2nd Layer and extending to the rear Lot Line.
LOT SIZE	
Lot Width	The length of the Principal Frontage Line of a Lot.

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TABLE 16. T20 LOT STRUCTURE



BUILDINGS	
Principal Building	The main building on a Lot.
Outbuildings	A secondary building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include an Accessory Unit. Lots exceeding 150' in depth may have a second outbuilding.
LOT LAYERS	
First Layer	The area of a Lot from the the Frontage Line to the Facade of the Principal Building.
Second Layer	The area of a Lot set behind the 1st Layer to a depth of 20 feet.
Third Layer	The area of a Lot set behind the 2nd Layer and extending to the rear Lot Line or to a depth of 150'.
Fourth Layer	Lots in excess of 150' deep have a fourth layer. This area is usually used for agriculture, and agricultural uses may be limited to this layer. See Subsection 5.7.4.
LOT SIZE	
Lot Depth	Flag lots are permitted in T20. Standard lot depths may be interspersed with lots in excess of 150' that shall be primarily used for agricultural purposes.

TABLE 17. FRONTAGES & ELEVATIONS

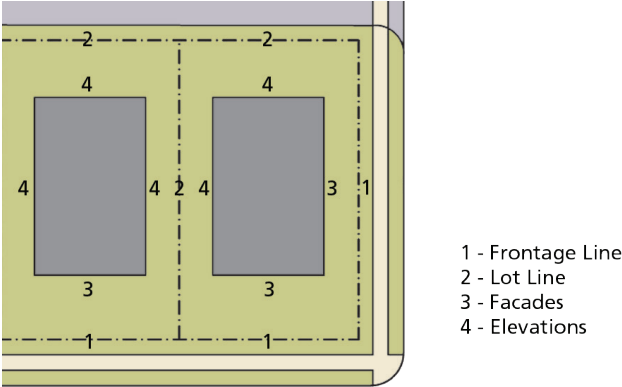




TABLE 18. RESERVED

TABLE 19. RESERVED

TABLE 21. FENCE LOCATIONS

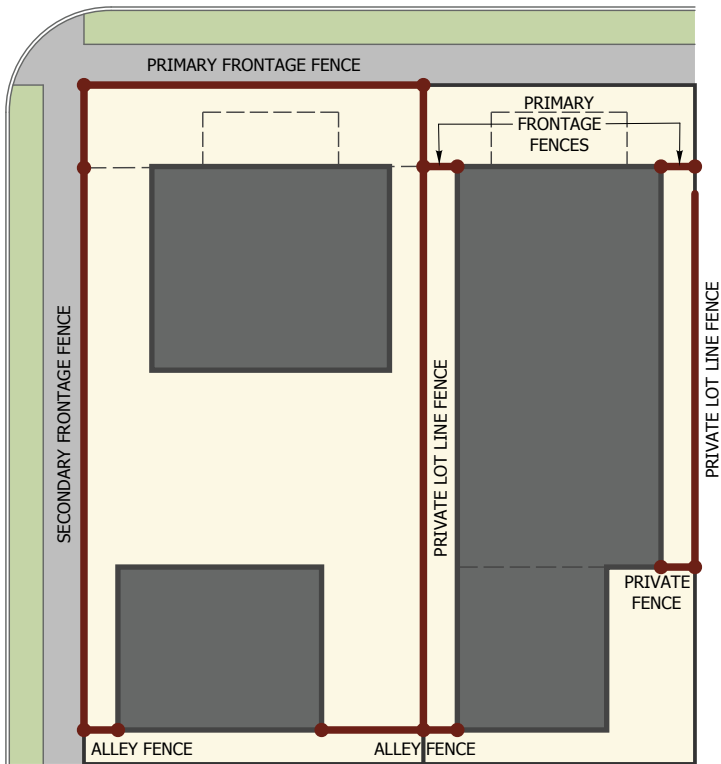


TABLE 20. RESERVED