

ORDINANCE NO. _____

AN ORDINANCE AMENDING TABLE 1331.05.01 "PERMITTED LAND USES" OF THE PLANNING AND ZONING CODE AS IT PERTAINS TO "LODGING OR ROOMING HOUSE" USES.

The Morgantown City Council hereby ordains that Table 1331.05.01 "Permitted Land Uses" of the City's Planning and Zoning Code is amended as follows (deleted matter struck through):

Table 1331.05.01: Permitted Land Uses

| Uses | R-1 | R-1A | R-2 | R-3 | PRO | B-1 | B-2 | B-4 | OI | B-5 | I-1 | Supplemental Regulations |
|--------------------------|-----|------|-----|-----|-----|-----|-----|-----|----|-----|-----|--------------------------|
| Lodging or Rooming House | | | C | P | | | P | C | | | | |

This ordinance shall be effective upon date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

RECORDED:

City Clerk



MORGANTOWN PLANNING COMMISSION

April 25, 2013
6:30 PM
City Council Chambers

STAFF REPORT

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Jennifer Selin, City Council

CASE NO: TX13-02 / Administrative / Parking Development Standards

REQUEST:

Administratively requested text amendments to Article 1365.09 "Parking Development Standards" of the City's Planning and Zoning Code.

BACKGROUND and ANALYSIS:

The 2006 major amendment of the City's Zoning Ordinance expanded standards for parking lot designs. Attached hereto are the parking lot design requirements in place prior to the enactment of the 2006 major amendment.

After seven years of implementation, it is the opinion of the Planning Division that the following *two* elements require additional regulatory direction and design flexibility.

Parking Stall Dimensions

Prior to 2006, standard parking stalls were permitted with a minimum dimension of nine (9) feet by nineteen (19) feet and compact parking stalls were permitted with a minimum dimension of nine (9) feet by sixteen (16) feet. There was also a ratio establishing a maximum number of compact cars within a parking lot.

Currently, standard parking stalls were permitted with a minimum dimension of nine (9) feet by eighteen (18) feet and compact parking stalls were permitted with minimum a dimension of seven (7) feet by sixteen (16) feet. There is no proportion establishing a maximum number of compact cars within a parking lot.

Staff proposes to modify the size of both standard and compact parking stalls and reestablish a maximum proportion for compact stalls. Additionally, by changing the geometry of the parking stall dimensions, related refinement to angled parking and aisle dimensions becomes necessary (see Addendum A).

The critical elements of parking space dimensions are the width of the parking stall relative to the width of the vehicle and the ease of maneuvering the vehicle into and out of the parking stall.

In many cases, it is difficult to enforce whether vehicles are parked in standard or compact designed stalls. Compact cars can park in full size standard stalls. However, larger vehicles like pickup trucks and SUVs cannot readily fit into compact parking stalls. In most cases, there is a lack of enforcement in how the stalls are used resulting in the encroachment of vehicles into adjacent stalls and aisles.

Compact stalls tend to be the last stalls used and when compact vehicle drivers park their vehicles in standard size stalls, it forces later arriving standard size vehicle drivers into inadequate and inconvenient compact parking stalls. From a practical standpoint, property owners, managers, and the City do have the resources to enforce the proper use of compact parking stalls.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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Standard parking stalls should be 8.5 feet in width instead of 9 feet in width while the length of the standard parking stall depth of 18 feet should not change. The following points are submitted to illustrate this recommended change:

- The 8-foot width is a commonly used dimension for standard parking stalls in zoning ordinances.
- A six-inch reduction in the standard size parking stall would still accommodate full size vehicles including pickup trucks and SUVs.
- A standard passenger vehicle would occupy 66% of an 8.5' x 18' parking stall.
- The average SUV would occupy approximately 72% of an 8.5' x 18' parking stall.

Compact parking stalls should be at least 8 feet in width instead of 7 feet in width. Additionally, the depth of a compact parking stall should be 15 feet rather than 16 feet. The following points are submitted to illustrate this recommended change:

- This minimum design specification will provide more space for compact parking stalls.
- The overall efficiency of a parking lot or parking garage will improve in terms of circulation, comfort of drivers, and a smaller risk factor for accidents and minor incidents.
- With a stall depth of 15 feet, a standard size passenger vehicle would occupy 84% of the proposed 8 foot-wide compact stall versus 96% of the current 7 foot-wide stall.

Additionally, compact parking stalls should not be used for high-turnover parking stalls. Unlike parking areas for office and residential uses which typically have assigned parking stalls and much less turnover, high-turnover stalls mean more vehicles entering and exiting spaces which in turn means a higher probability for door dings, accidents, etc. Furthermore, people with packages, groceries, shopping carts, etc. need more space to enter vehicles.

Buffer Distance between Vehicles and Buildings

Article 1365.09(B)(4)(d) provides that,

"All paved portions of all parking spaces and maneuvering aisles shall be set back a minimum of five (5) feet from any wall of a building."

Prior to the 2006 major zoning ordinance amendment, the following related provision (see attachment) was provided:

"Along any highways, major or minor arterial street, each building or group of buildings, together with its parking or service areas, shall be physically separated by a vertical curb, maintained planting strip, or other suitable barrier to channel and direct vehicular ingress and egress, except for necessary accessways."

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It appears that prior to 2006, a design standard establishing a minimum proximity of parking spaces and aisles to buildings was not provided. In fact, "accessways" were exempt from the physical vertical separation provisions and parking stalls were not mentioned. However, the intent to protect property and vehicles is evident under the previous and current provisions.

It has recently been brought to the attention of City Administration that Article 1365.09(B)(4)(d) has not been uniformly applied during plans review and permitting by the Planning Division since the standard's enactment in 2006.

In response, Staff reviewed this standard and determined the following.

- The current standard does not accommodate developments that include facilities like drive-through windows and stacking lanes. As such, a strict application of the standard would require such developments to obtain variance relief from this five-foot proximity standard.
- The distance of five feet from a building without a vertical barrier does not ensure that the legislative intent to protect property and vehicles will be achieved.

Given the unnecessary hardship this standard places on developments with facilities like drive-through windows, the need to strengthen design solutions to achieve desired protections, return in spirit to the standard in place prior to 2006, and the Planning Division's oversight of applying the current standard uniformly, Staff recommends amending this standard as presented in Addendum A of this report.

STAFF RECOMMENDATION:

The Planning Division respectfully advises the Planning Commission to forward a favorable recommendation to City Council to amend 1365.09 "Parking Development Standards" as presented in Addendum A of this report (deleted matter struck through; new matter underlined) based on the following findings and conclusions.

The recommended revisions to the parking development standards in the City's Planning and Zoning Code:

- Will promote the health, safety and general welfare of the public;
- Will reduce or prevent vehicular congestion;
- Are supported by public necessity, convenience and general welfare; and,
- Are supported by sound zoning purpose and best site design practices.

Development Services

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Director

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STAFF REPORT ADDENDUM A

TX13-02 / Administrative / Parking Development Standards

Staff recommends the following revisions to Article 1365.09 "Parking Development Standards" of the Planning and Zoning Code (deleted matter struck through; new matter underlined).

1365.09 PARKING DEVELOPMENT STANDARDS.

All off-street parking areas for four or more automobiles shall be developed in accordance with the standards of this section, except in the case of one and two-family dwellings, agricultural and rural uses, and storage of vehicular merchandise not counting toward the minimum requirements as set forth in this Code.

(A) Dimensions.

- (1) Each required off-street standard parking space shall be at least ~~nine (9)~~ eight and one half (8.5) feet in width and at least eighteen (18) feet in ~~length~~ depth, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have adequate vertical clearance. ~~For compact stalls, the size may be reduced to seven (7) feet by sixteen (16) feet. Angled parking lots shall conform to the design standards illustrated in Graphic 1365.09.01.~~
- (2) Up to ten (10) percent of the total number of required parking spaces may be designed for compact cars; provided, compact spaces are limited to employees or residents only and the property owner/manager assigns and enforces such spaces accordingly. Compact spaces shall be grouped together and identified as "compact cars only" with pavement stenciling and/or signage. Compact spaces should be located furthest from building entrances to discourage use by non-compact vehicles. Each compact space shall be at least eight (8) feet in width and at least fifteen (15) feet in depth, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have adequate vertical clearance.
- (23) Except on lots occupied by one and two-family dwellings, each off-street parking space shall open directly upon an aisle or driveway at least twelve (12) feet wide or such additional width and design in accordance with Table 1365.09.01, so as to provide safe and efficient means of vehicular access to such parking space. Such aisle or driveway shall be unobstructed and allow for the passage of emergency vehicles at all times. This requirement may be waived by the Planning Director where such waiver will not cause a hazard.
- (34) All required parking spaces and aisles shall be provided wholly within the property lines and shall not extend into any public right-of-way.

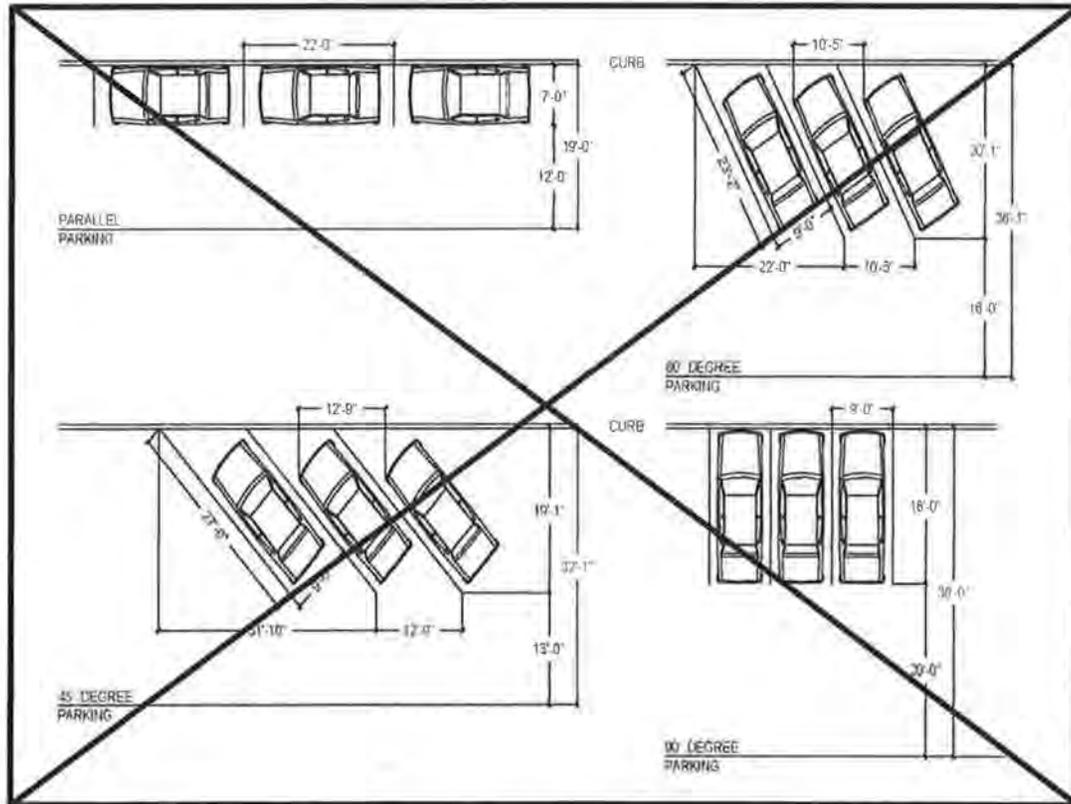
Table 1365.09.01: Dimensions of Parking Stalls, Angles and Aisles and Angles of Parking Spaces

| <u>Parking Angle</u> | <u>Stall Type</u> | <u>Width of Stall (feet)</u> | <u>Depth of Stall Perpendicular to Aisle (feet)</u> | <u>One-Way Aisle Width (feet)</u> | <u>Two-Way Aisle Width (feet)</u> |
|----------------------|-------------------|------------------------------|---|-----------------------------------|-----------------------------------|
| 45° | <u>Standard</u> | <u>8.5</u> | <u>17.5</u> | <u>12.0</u> | <u>20.0</u> |
| | <u>Compact</u> | <u>8</u> | <u>16.0</u> | <u>12.0</u> | <u>20.0</u> |
| 60° | <u>Standard</u> | <u>8.5</u> | <u>19.0</u> | <u>16.0</u> | <u>20.0</u> |
| | <u>Compact</u> | <u>8</u> | <u>17.0</u> | <u>15.0</u> | <u>20.0</u> |
| 90° | <u>Standard</u> | <u>8.5</u> | <u>18.0</u> | <u>20.0</u> | <u>20.0</u> |
| | <u>Compact</u> | <u>8</u> | <u>15.0</u> | <u>20.0</u> | <u>20.0</u> |
| <u>Parallel</u> | <u>Standard</u> | <u>22.0</u> | <u>7.5</u> | <u>12.0</u> | <u>20.0</u> |
| | <u>Compact</u> | <u>19.0</u> | <u>7.5</u> | <u>10.0</u> | <u>20.0</u> |

| <u>Parking Angle* (in degrees)</u> | <u>Aisle Width (in feet)</u> | <u>Aisle Traffic Flow</u> |
|---|-------------------------------------|----------------------------------|
| 45° | 13' | One-way |
| 60° | 16' | One-way |
| 90° or angled parking opening onto two-way aisles | 20' | Two-way |
| Parallel | 12' | One-way |

*Angle shall be measured between centerline of parking space and centerline of aisle.

Graphic 1365.09.04: "Parking Angles"



(B) Layout and Design.

- (1) All off-street parking or loading facilities shall be designed with appropriate means of vehicular access to a street or an alley in a manner which will least interfere with traffic movement.
- (2) Driveway entrances or exits shall be no closer than 15 feet to an adjoining residential property line or 5 feet to an adjoining non-residential property line or designed in such a manner as to least interfere with traffic movement. No driveway across public property at the right-of-way line of the street shall exceed a width of 22 feet, unless a greater width is specifically approved by the City Engineer. No driveway shall be located closer than 30 feet of the nearest point of the intersection of two streets.
- (3) Connections between parking lots or reservations of land for future such connections may be required at the discretion of the Planning Director.
- (4) Required off-street parking spaces shall be so designed, arranged and regulated so that:
 - (a) Such parking areas are lined or designated to insure the most efficient use of the parking spaces.

- (b) Individual spaces on lots with 5 percent average slope or greater are provided with anchored bumper guards or wheel guards. Under no circumstances shall parking spaces be provided on lots in excess of 10 percent slope.
 - (c) Parking spaces are unobstructed and have access to an aisle or driveway so that any automobile may be moved without moving another, and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right-of-way or walkway, unless otherwise permitted at the direction of the Planning Director.
 - (d) With the exception of drive-through windows and related stacking lanes, All paved portions of all parking spaces and maneuvering aisles shall be physically separated from any wall of a building by a vertical curb, maintained planting strip, and/or other suitable barrier set back a minimum of five (5) feet from any wall of a building.
- (5) Off-street parking spaces may be open to the sky or enclosed in a building. In any instance when a building is constructed or used for parking facilities on the lot, said building shall be treated as any major structure and subject to all requirements thereof.
 - (6) All parking lots abutting residential uses or districts, and all parking lots in any district containing more than four (4) spaces shall be subject to the landscaping and screening requirements for such parking lots as set forth in Article 1367, Landscaping and Screening.
 - (7) Any lighting facilities used to illuminate off-street parking areas shall be so located, shielded and directed upon the parking area in such a manner that they do not reflect or cause glare onto adjacent properties or interfere with street traffic. In no instance shall bare, unshaded bulbs be used for such illumination.
- (C) Surfacing and Drainage.
- (1) All open off-street parking areas shall be surfaced with an all-weather, dust-free concrete or asphalt material, and shall be maintained in good condition and free of weeds, dirt, trash and debris; except that, a gravel surface may be used for a period not exceeding six months after the date of granting the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified above.
 - (2) A gravel surface in the area of storage or handling may be used permanently in association with industries that handle liquids or chemicals which create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.

- (3) Such parking areas shall be graded and properly drained in such a manner that there will be no free flow of water onto either adjacent property or public sidewalks. Further, any run-off generated by such improved areas shall be disposed of in accordance with the stormwater management ordinance and other City regulations.
- (4) Other surface materials and designs may be utilized when specifically approved by the City Engineer, for purposes of reducing storm water runoff or other environmental and aesthetic considerations.

- c. **Gross and Net Floor Area:**
See Section 5-24.1, 24.2

C. **PARKING LOT DESIGN REQUIREMENTS:**

A site plan for any proposed lot for four (4) or more spaces shall be submitted to the Planning Department for review and approval at the time of application for a building permit for the building to which the parking is accessory, or at such time any land is to be used for said parking lot. ¹⁸

1. **Minimum Space Standards:**

All parking lots shall conform to the following minimum parking lot dimensions.

- a. The minimum stall size shall be 9 feet by 19 feet, except that compact car spaces, as allowed, may be nine (9) feet by sixteen (16) feet.
- b. In parking lots with more than twenty (20) spaces, up to thirty (30) percent of the spaces in excess of 20 spaces may be designed for compact cars; with a minimum stall size of 9 feet by 16 feet. Compact car spaces must be clearly signed "Compact Car Only."
- c. Up to two feet of the required stall's length may project over a landscaped portion of the site.
- d. The minimum access aisle width shall conform to the standards in the following table, depending on the type of parking arrangement.
- e. Where parking is for employees only, or for residents use, where daily turnover of spaces is low, the space width may be reduced to eight and one-half feet. [8.5 ft.]

2. **Vehicular Access:**

- a. Each required off-street parking space shall open directly upon an aisle of such width and design as to provide safe and efficient means of vehicular access to said space. Each parking lot shall be designed with appropriate means of vehicular access to an improved public or private street on which the lot or building site has frontage. If a secondary means of permanent vehicular access is provided, such as a paved alley or service road, such means of access shall be improved to City standards.
- b. All vehicular accessways shall be located as far as feasible from the ultimate curb line of intersecting streets, in accordance with Engineering Departments standards.
- c. Along any highways, major or minor arterial street, each building or group of buildings, together with its parking or service areas, shall be physically separated by a vertical curb, maintained planting strip, or other suitable barrier to channel and direct vehicular ingress and egress, except for necessary accessways.
- d. Separate entrances and exit driveways shall be so located as to minimize traffic congestion on the site and in the public street. Said entrances and exits may be combined in a single driveway where adequate safeguards are provided to minimize congestion and to protect pedestrian and vehicular traffic upon the approval of traffic flow plans on the site and in the public street.

¹⁸See Section 5-42, Definitions

- c. All required parking spaces, with the exception of spaces for one (1) and two (2) family dwellings, shall be so arranged as not to require the moving of any vehicle on the premises in order to enter or leave any other stall, or to require the backing of any vehicle across any sidewalk or onto any street when exiting the stall. (Unless City Engineer approves alternative)

AN ORDINANCE AMENDING ARTICLE 1365.09 OF THE PLANNING AND ZONING CODE AS IT PERTAINS TO PARKING DEVELOPMENT STANDARDS.

The Morgantown City Council hereby ordains that Article 1365.09 "Parking Development Standards" of the City's Planning and Zoning Code is amended as follows (deleted matter struck through; new matter underlined):

1365.09 PARKING DEVELOPMENT STANDARDS.

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(A) Dimensions.

- (1) Each required off-street standard parking space shall be at least ~~nine (9)~~ eight and one half (8.5) feet in width and at least eighteen (18) feet in ~~length~~ depth, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have adequate vertical clearance. ~~For compact stalls, the size may be reduced to seven (7) feet by sixteen (16) feet. Angled parking lots shall conform to the design standards illustrated in Graphic 1365.09.01.~~
- (2) Up to ten (10) percent of the total number of required parking spaces may be designed for compact cars; provided, compact spaces are limited to employees or residents only and the property owner/manager assigns and enforces such spaces accordingly. Compact spaces shall be grouped together and identified as "compact cars only" with pavement stenciling and/or signage. Compact spaces should be located furthest from building entrances to discourage use by non-compact vehicles. Each compact space shall be at least eight (8) feet in width and at least fifteen (15) feet in depth, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have adequate vertical clearance.
- (23) Except on lots occupied by one and two-family dwellings, each off-street parking space shall open directly upon an aisle or driveway at least twelve (12) feet wide or such additional width and design in accordance with Table 1365.09.01, so as to provide safe and efficient means of vehicular access to such parking space. Such aisle or driveway shall be unobstructed and allow for the passage of emergency vehicles at all times. This requirement may be waived by the Planning Director where such waiver will not cause a hazard.
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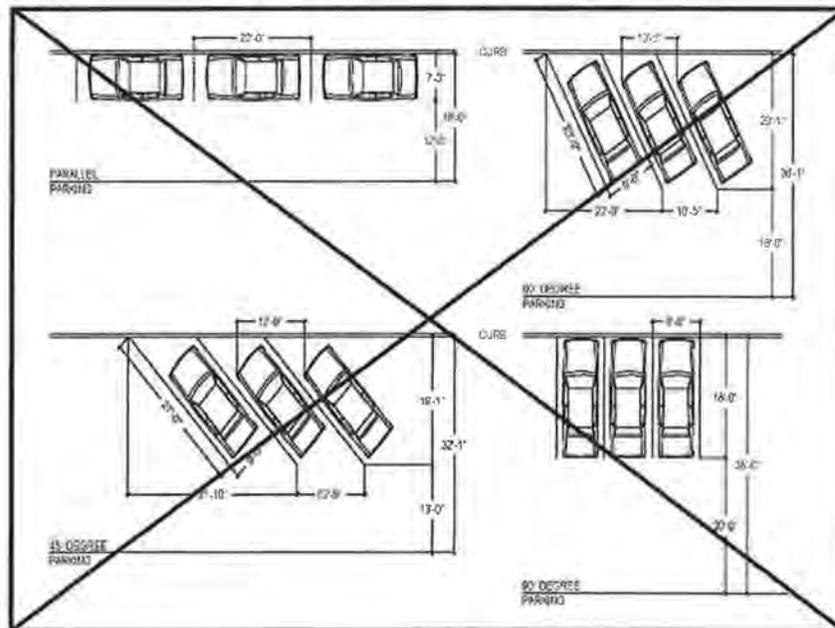
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|---|--------------------------|--------------------|
| 45° | 13' | One-way |
| 60° | 16' | One-way |
| 90° or angled parking opening onto two-way aisles | 20' | Two-way |
| Parallel | 12' | One-way |

*Angle shall be measured between centerline of parking space and centerline of aisle.

| Parking Angle | Stall Type | Width of Stall (feet) | Depth of Stall Perpendicular to Aisle (feet) | One-Way Aisle Width (feet) | Two-Way Aisle Width (feet) |
|---------------|------------|-----------------------|--|----------------------------|----------------------------|
| 45° | Standard | 8.5 | 17.5 | 12.0 | 20.0 |
| | Compact | 8 | 16.0 | 12.0 | 20.0 |
| 60° | Standard | 8.5 | 19.0 | 16.0 | 20.0 |
| | Compact | 8 | 17.0 | 15.0 | 20.0 |
| 90° | Standard | 8.5 | 18.0 | 20.0 | 20.0 |
| | Compact | 8 | 15.0 | 20.0 | 20.0 |
| Parallel | Standard | 22.0 | 7.5 | 12.0 | 20.0 |
| | Compact | 19.0 | 7.5 | 10.0 | 20.0 |

Graphic 1365.09.01: "Parking Angles"



(B) Layout and Design.

- (1) All off-street parking or loading facilities shall be designed with appropriate means of vehicular access to a street or an alley in a manner which will least interfere with traffic movement.
- (2) Driveway entrances or exits shall be no closer than 15 feet to an adjoining residential property line or 5 feet to an adjoining non-residential property line or designed in such a manner as to least interfere with traffic movement. No driveway across public property at the right-of-way line of the street shall exceed a width of 22 feet, unless a greater width is specifically approved by the City Engineer. No driveway shall be located closer than 30 feet of the nearest point of the intersection of two streets.
- (3) Connections between parking lots or reservations of land for future such connections may be required at the discretion of the Planning Director.
- (4) Required off-street parking spaces shall be so designed, arranged and regulated so that:
 - (a) Such parking areas are lined or designated to insure the most efficient use of the parking spaces.
 - (b) Individual spaces on lots with 5 percent average slope or greater are provided with anchored bumper guards or wheel guards. Under no circumstances shall parking spaces be provided on lots in excess of 10 percent slope.
 - (c) Parking spaces are unobstructed and have access to an aisle or driveway so that any automobile may be moved without moving another, and so that no maneuvering directly incidental to entering or leaving a parking space shall be on any public right-of-way or walkway, unless otherwise permitted at the direction of the Planning Director.
 - (d) With the exception of drive-through windows and related stacking lanes, All paved portions of all parking spaces and maneuvering aisles shall be physically separated from any wall of a building by a vertical curb, maintained planting strip, and/or other suitable barrier set back a minimum of five (5) feet from any wall of a building.
- (5) Off-street parking spaces may be open to the sky or enclosed in a building. In any instance when a building is constructed or used for parking facilities on the lot, said building shall be treated as any major structure and subject to all requirements thereof.
- (6) All parking lots abutting residential uses or districts, and all parking lots in any district containing more than four (4) spaces shall be subject to the landscaping and screening requirements for such parking lots as set forth in Article 1367, Landscaping and Screening.

(7) Any lighting facilities used to illuminate off-street parking areas shall be so located, shielded and directed upon the parking area in such a manner that they do not reflect or cause glare onto adjacent properties or interfere with street traffic. In no instance shall bare, unshaded bulbs be used for such illumination.

(C) Surfacing and Drainage.

- (1) All open off-street parking areas shall be surfaced with an all-weather, dust-free concrete or asphalt material, and shall be maintained in good condition and free of weeds, dirt, trash and debris; except that, a gravel surface may be used for a period not exceeding six months after the date of granting the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified above.
- (2) A gravel surface in the area of storage or handling may be used permanently in association with industries that handle liquids or chemicals which create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.
- (3) Such parking areas shall be graded and properly drained in such a manner that there will be no free flow of water onto either adjacent property or public sidewalks. Further, any run-off generated by such improved areas shall be disposed of in accordance with the stormwater management ordinance and other City regulations.
- (4) Other surface materials and designs may be utilized when specifically approved by the City Engineer, for purposes of reducing storm water runoff or other environmental and aesthetic considerations.

This ordinance shall be effective upon date of adoption.

FIRST READING:

Mayor

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Jennifer Selin, City Council

CASE NO: TX13-03 / Administrative / Principal Structures on a Parcel

REQUEST:

Administratively requested text amendments to Article 1363.04 of the Planning and Zoning Code as it relates to the number of principal structures permitted on a parcel.

BACKGROUND and ANALYSIS:

Article 1363.04(A) provides that:

"Structures on a Lot. Only one principal building and its accessory structures may be located on a lot unless development is approved as a planned unit development, or as a shopping center, office park, or research and development center as permitted in the O-1, B-5, and I-1 districts."

The recent development of townhouses and apartment buildings in the City has resulted in the resubdividing of existing parcels to fit residential development site layouts that include multiple buildings.

It appears that excluding townhouse and multi-family developments from the no-more-than one principal structure per lot or parcel provision as afforded to similar land uses and development patterns is prudent. In so doing, site designers will be able to focus on the highest and best development pattern given existing parcel geometry, site characteristics, and topographical challenges rather than how a larger site must be subdivided to achieve one principal building per lot or parcel and related internal building setback requirements.

Additionally, the current provision identifies specific zoning districts within which specific land uses are exempted from the restriction of no-more-than one principal building per lot or parcel. Where land uses can be developed is currently controlled by Table 1331.05.01 "Permitted Land Uses." Restating where land uses are permitted in Article 1363.04(A) is both not necessary and may inadvertently conflict with Table 1331.05.01 as it is amended over time.

STAFF RECOMMENDATION:

The Planning Division respectfully advises the Planning Commission to forward a favorable recommendation to City Council to amend 1365.09 "Parking Development Standards" as presented below (deleted matter struck through; new matter underlined).

Development Services

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1363.04 SPECIAL REQUIREMENTS.

The following special requirements are established to clarify certain conditions pertaining to the use of lots and access points:

- (A) Structures on a Lot. Only one principal building and its accessory structures may be located on a lot unless development is approved as a planned unit development, ~~or as a~~ shopping center, office park, ~~or~~ research and development center, townhouse dwellings, or multi-family dwellings as permitted in the ~~O-1, B-5, and T-1~~ districts Table 1331.05.01 "Permitted Land Uses.
- (B) Lot of Record. Any lot recorded or in single ownership at the time of adoption of these regulations shall be permitted to exist in its present dimension.
- (C) Permanent Outdoor Display of Goods. For nonresidential uses in nonresidential zones, a permanent outdoor display of goods shall conform to the required building setback. No display shall be permitted in any public right-of-way.
- (D) Temporary Outdoor Display of Goods. Temporary outdoor display of merchandise may encroach ten (10) feet on the required building setback. No display shall be permitted in any public right-of-way.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

AN ORDINANCE AMENDING ARTICLE 1363.04 "SPECIAL REQUIREMENTS" OF THE PLANNING AND ZONING CODE AS IT PERTAINS TO THE NUMBER OF PRINCIPAL STRUCTURES PERMITTED ON A LOT.

The Morgantown City Council hereby ordains that Article 1363.04 "Special Requirements" of the City's Planning and Zoning Code is amended as follows (deleted matter struck through; new matter underlined):

1363.04 SPECIAL REQUIREMENTS.

The following special requirements are established to clarify certain conditions pertaining to the use of lots and access points:

- (A) Structures on a Lot. Only one principal building and its accessory structures may be located on a lot unless development is approved as a planned unit development, ~~or as a shopping center, office park, or research and development center,~~ townhouse dwellings, or multi-family dwellings as permitted in ~~the O-1, B-5, and I-1 districts~~ Table 1331.05.01 "Permitted Land Uses."
- (B) Lot of Record. Any lot recorded or in single ownership at the time of adoption of these regulations shall be permitted to exist in its present dimension.
- (C) Permanent Outdoor Display of Goods. For nonresidential uses in nonresidential zones, a permanent outdoor display of goods shall conform to the required building setback. No display shall be permitted in any public right-of-way.
- (D) Temporary Outdoor Display of Goods. Temporary outdoor display of merchandise may encroach ten (10) feet on the required building setback. No display shall be permitted in any public right-of-way.

This ordinance shall be effective upon date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

RECORDED:

City Clerk