



# CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

## COM/MIXED BUILDINGS IN MIXED USE DISTRICTS

## Schedule H

(Last Revised: January 1, 2021)

### Submittal Requirements:

Case No. ZS - 20\_\_ - \_\_\_\_

Office Use Only

- Attach this form to the original site plan or development plan application.
- Include electronic copy of this schedule with the electronic site plan or subdivision application.
- No additional copies are required beyond those required for the plan application itself.
- Filing fee is included in the site plan or development plan fee.

Name and Description of Project: \_\_\_\_\_

Location of Property: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
(Please include street address, if known)

Engineering/Survey Company Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

This Chart for Staff Use Only	1 <sup>st</sup> Review	2 <sup>nd</sup> Review	3 <sup>rd</sup> Review
Date Accepted for Processing			
Review Date			
Returned to Design Firm			

The CC-MU (City Center - Mixed Use) and N-MU (Neighborhood - Mixed Use) Zoning Districts form the heart of the city, which is an environment that mixes residential and commercial uses, often in the same building. Standards have been adopted to ensure that new construction in these districts are compatible with the existing built environment. The purpose of these standards is to create quality, pedestrian-centric developments in the mixed use zoning districts, which will typically be infill development.

Zoning standards are found in Article 4, while site development standards for this use are found in Article 5.

### Exemption:

None.

### Waiver:

If the developer finds need to stray from any of the requirements of Article 5 (Subdivision and Land Development Ordinance) contained herein due to unique conditions associated with the property, a waiver to that provision is required, and the developer shall complete and submit Schedule W in support of the waiver request.

**Instructions to Engineer/Surveyor:** In the column marked “Engineer/Surveyor,” identify each page which the required item appears on the plan. For items that appear on each page of the plan, use “All.” If the item is not applicable, address as not applicable in a note on the plan and reference the page of the plan on which the note appears in the column below. Only addressing the issue as “not applicable” in this checklist is insufficient.

LMC Section	Ordinance Requirements	Engineer/Surveyor	1 <sup>st</sup> Review	2 <sup>nd</sup> Review	3 <sup>rd</sup> Review	Review Key ✓ = OK 0 = Incomplete N/A = Not Applicable
4.Z	Zoning: Only applies in CC-MU and N-MU districts.					
4.E.3	Parking - As applicable under Art. 4, Sec. O. a. Off-street parking spaces must be located to the rear of the principal building. b. Reduction. A development can reduce the required off-street parking spaces up to 50% when certain studies are provided and transit is available. See Article 4, Section E.3.b for details. Subject to approval by the Planning Commission at site plan. c. No off-street parking is required for non-residential uses unless such uses exceed 3,000 square feet of gross floor area.					
4.E.5.b(1)	Maximum Setback Requirements (items b(1) through b(7)). The maximum front and street side building setback may not exceed the average front yard depth of the nearest two lots on either side of the subject lot or 15 feet, whichever is less.					As bulk requirements in Article 4, it is possible to apply to the BZA for variances to these 7 items if it meets the standards in Article 4, Section U.
4.E.5.b(2)	If one or more of the lots required to be included in the averaging calculation are vacant, such vacant lots will be deemed to have a yard depth of zero feet.					
4.E.5.b(3)	Lots fronting a different street than the subject lot or separated from the subject lot by a street or alley may not be used in computing the average.					
4.E.5.b(4)	When the subject lot is a corner lot, the average setback will be computed on the basis of the two adjacent lots that front on the same street as the subject lot.					
4.E.5.b(5)	When the subject lot abuts a corner lot fronting on the same street, the average setback will be computed on the basis of the abutting corner lot and the nearest two lots that front on the same street as the subject lot. Calculating Setbacks Example: $(12 \text{ ft.} + 8 \text{ ft.} + 12 \text{ ft.} + 0 \text{ ft.}) / 4 = 8 \text{ ft.}$					
4.E.5.b(6)	A portion of the building may be set back from the maximum setback line in order to provide an articulated facade or accommodate a building entrance feature, provided that the total area of the space created must not exceed one square foot for every linear foot of building frontage.					
4.E.5.b(7)	In order to accommodate an outdoor eating area, a building may exceed the average front yard depth. However, in order to preserve the continuity of the streetwall, the building may be set back no more than 15 feet from the front or street side property line. The total square footage of an outdoor eating area that is located between a public sidewalk and the building facade may not exceed 12 times the building’s street frontage in linear feet					

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4.E.7.a N-MU only	The G.F.A. of an individual commercial establishment in the N-MU District in a building built after Feb 25, 2010, shall not exceed 15,000 square feet.					
4.E.7.b N-MU only	For new construction, a min. of 70% of the street-facing building façade between two feet and eight feet in height above grade must be comprised of clear windows that allow views of indoor space or product displays.					See additional text for existing, non-residential buildings which are adapted for mixed-use.
4.E.7.c N-MU only	Ground Floor Restriction. For new construction, commercial uses are restricted to the ground floor. This restriction does not apply to bed and breakfast inns.					
4.E.7.d N-MU only	Commercial Uses in Upper Floors of Existing Buildings. For master planned projects containing multiple buildings, existing non-residential buildings may be adapted to include upper floor commercial uses; however, the total amount of commercial space in such master planned projects shall not exceed 20% of the total square footage for the entire development.					
5.1.6.c(1)	The facade of a building shall present a public view to the street or pedestrian corridor. It is preferred that new buildings and additions be architecturally compatible with the existing structures and that the exterior wall surfaces of each individual building be similar in architectural treatment and materials. For large new buildings, modulation should be incorporated in building designs to reduce overall bulk and mass. All rooftop equipment shall be located, screened or shielded so that its visibility is minimized from public view.					
5.1.6.c(2)	Amenity areas are encouraged and should be considered as an integral component of site design. Amenity areas include, but are not limited to public plazas, courtyards, squares or small parks on the site. Examples of design elements that could be included in the amenity areas are seating walls, benches, outdoor dining/gathering areas, decorative fountains or water features, clock towers and/or garden areas.					
5.1.6.c(3)	Building design should form street edges and encourage active, safe street life. Buildings should recognize site patterns and help define entries to interior courtyards, building entrances, and public spaces. In the CC-MU District, storefronts shall be retained on existing buildings – in full or to a minimum of 40 feet in depth.					Window openings on existing store-fronts in the CC-MU District shall not be reduced in area but may be expanded in size with approval of the HDC.
5.1.6.c(4)	Use architectural styles that are associated with traditional neighborhood design and multi-family design that delineates separation of the units. Commercial architectural styles should mimic the Main Street concept and take architectural styles from the City's traditional building designs.					
5.1.6.c(5)	Lights illuminating off-street parking, pedestrian or loading areas shall be arranged and installed so that no material glare or direct light shall spill over into adjacent parcels or shine upwards. Light standards for off-street parking and loading areas shall not exceed 20 feet in height and shall be of a directional type capable of shielding the light source from direct view.					

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5.1.6.c(6)	There shall be no outside storage of any equipment, materials or supplies.					
5.1.6.c(7)	Drive-through facilities and driveways for non-governmental activities are prohibited when directly accessed from public streets. No street curb cuts are allowed for lots that abut alleys.					
5.1.6.c(8)	The preferred access for parking facilities is off of a public alley. Street curb cuts are prohibited unless the applicant can demonstrate the necessity for any proposed curb cut. Visible facades of parking structures shall be designed to be compatible with the architecture of the surrounding structures. The sidewalk level should contain commercial and/or retail space. Where commercial/retail uses are not feasible, other architectural features are encouraged along the street wall, such as murals, display panels, bas-relief, and masonry patterning.					
4.T	Is the project in a historic district? If so, HDC review of the project is required.					
Article 5	Does anything about this development require a reduction or change to the requirements of Article 5? If so, attach Schedule W (Waiver Application) to the application.					See Schedule W

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