



# CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

## MIXED USE CG/CR DISTRICT DESIGN STANDARDS

## Schedule N

(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			

In 2020, the Mayor and Council amended the Zoning Ordinance to permit the construction of buildings containing a mixture of residential and commercial uses, subject to certain design standards, in the CG (Commercial General) and CR (Commercial General) Zoning Districts. See Article 4, Section F.2.b(9) of the Land Management Code.

The purpose of these standards is to create quality, pedestrian-centric, truly mixed use environments in commercial districts on properties that are too small to warrant the use of a planned unit development overlay process. The maximum size of such a development is 15 acres. Zoning standards are found in Article 4, while site development standards for this use are found in Article 5.

### Exemption:

None. However, this is a development option, not a requirement. If a developer does not choose to construct a building with a mixture of commercial and residential uses in the CG or CR district, these standards do not apply. But if such a development is proposed, compliance with these standards is required.

### 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: CG or CR (not applicable in other districts).					
4.F.2.b(9)(a)	The land on which a mixed use building (or buildings) is proposed shall not exceed 15 acres in area, including all lands within the legal description of the property, as it existed April 24, 2020.					
4.F.2.b(9)(b)	Commercial uses shall be located on all at-grade floors, however no dwelling shall be located on a floor below a non-residential use.					Provide note in zoning notes.
4.F.2.b(9)(c)	Uses of at-grade floor space shall be limited to, and contain at least two of the following: Restaurants, Fitness and Recreational Sports Centers, Administrative Support Services, Ambulatory Healthcare Facilities (with the exception of outpatient substance abuse centers), Banks, Savings Institutions and Credit Unions, Drinking Places and Brewpubs, Distillery Pubs and Wine Pubs, Dry Cleaning and Laundry Services, Hair, Nail and Skin Care Stores, Ear Piercing Services, Hair Replacement Services, Tattoo Parlors, Permanent Makeup Salons, Dog Grooming Establishments and Tanning Salons, Retail and Wholesale Trade (excluding auto and other motor vehicle dealers, gasoline sales and adult businesses, and in the CG District, no single unit shall exceed 75,000 square feet), Live-Work Spaces(provided that the residential portion of the space is located above the work space and the work use is among those cited in this list), and Child day care centers.					Initial occupants of space and future occupants are not likely to be known at site plan stage. Add this list to the zoning notes as the list of permitted uses in this development.  Only those uses listed shall be permitted in mixed-use buildings regardless of whether other uses are listed as a permitted use in the district.
4.F.2.b(9)(d)	Permitted accessory uses of residential units shall be consistent with Section F.2.d, as applicable.					Note in zoning notes.
4.F.2.b(9)(e)	The sketch plan was required to include generalized concepts for the appearance of the proposed building.					Addressed at sketch plan phase.
4.F.2.b(9)(f)	Building is no less than three complete stories in height.					
4.F.2.b(9)(g)	Parking shall be in accordance with Article 4, Section O for all uses, residential and commercial.					Eligible for BZA variances if justified.
5.I.11.a	The building(s) shall be adjacent to and oriented towards an exterior public street, or line both sides of a site’s principal interior driveway.					See text for more details and exceptions.
5.I.11.b	The residential areas of the building(s) shall have a separate entrance (or entrances) from the ground level commercial uses.					
5.I.11.c	A minimum of two-hundred (200) square feet of open space and/or balcony area shall be provided per unit. This shall be in addition to whatever normal open use areas that would have otherwise been designed for the building’s ground level commercial uses. This open space may be a mixture of green scape and amenity-providing hardscape areas subject to the Planning Commission’s determination that the proposed design meets the intent of this subsection to provide outdoor living area and recreational opportunities for residents of the building(s).					Provide calculations in the zoning notes of the site plan.

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5.I.11.d	Public spaces shall be required and may include, but are not limited to, outdoor areas such as plazas, outdoor dining areas, rooftop gardens, and landscaped areas designed for active or passive use. Pedestrian walk ways shall be installed in such a way to connect to existing on and off-site pedestrian connections. Consideration should be given to the creation of outdoor space for the first floor businesses.					Include in landscaping plan. Schedule A is required, and these standards are in addition to the standard landscaping requirements found in Article 5.
5.I.11.e(1)	The vertical plane of the building facade shall be broken up with a high level of articulation (e.g., projecting entry or window features, recessed elements, transparent Store fronts, identifiable retail spaces, and awning entrance canopies). The ground level facade for a multi-level structure should have a distinct appearance from the facade or the floor levels above.					
5.I.11.e(2)	Buildings shall include three hundred sixty (360) degree architectural design elements.					
5.I.11.e(3)	Building materials shall be high quality, durable, and be earth tone in appearance as regulated elsewhere in Article 5.					
5.I.11.e(4)	Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. Colors shall complement building colors.					
5.I.11.e(5)	Tables, chairs, planters, trash receptacles and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.					Include standard details of these elements in site plan.
5.I.11.e(6)	To allow for pedestrian circulation, a minimum of five (5) feet of sidewalk along the curb and leading to the entrance to the establishment shall be maintained free of tables or other encumbrances.					
5.I.11.f	Near-final building elevations shall be included in the site plan for the development of a mixed-use building under these provisions, and the final construction shall be in substantial conformance with the elevations included in the site plan.					Include in site plan.
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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