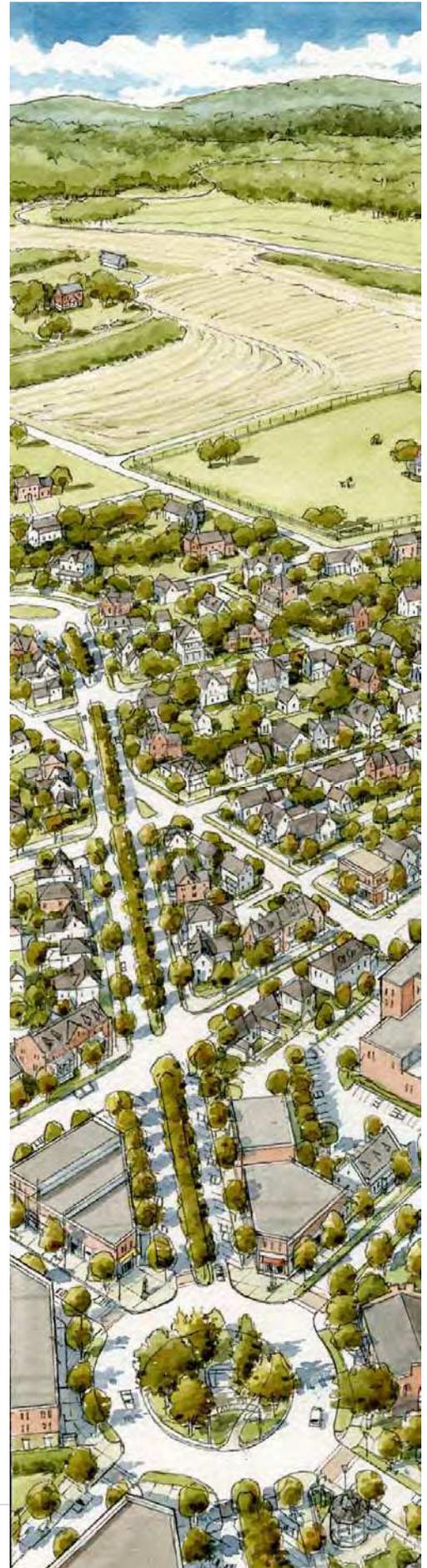


RANSON, WEST VIRGINIA STUDY AND REPORT ON ZONING

(PURSUANT TO W. VA. CODE § 8A-7-4)



Contents

1. LEGAL BASIS:	3
<i>a. Study and Report</i>	3
<i>b. Enactment of a Zoning Ordinance</i>	3
<i>c. Ranson's Methodology and Philosophy to Enact Chapters 19 and 19A</i>	4
<i>d. Compliance with 2012 Comprehensive Plan.</i>	5
2. BACKGROUND:	6
3. PROPOSED ZONING	8
4. PUBLIC ENGAGEMENT AND PROCESS	9
5. FORM-BASED ZONING	11
<i>a. What is form-based zoning?</i>	11
<i>b. Differences between Euclidean Codes & Form-Based Codes:</i>	11
6. SHORT AND LONG-TERM BENEFITS OF FORM-BASED ZONING VERSUS EUCLIDEAN ZONING; FAIRFAX BOULEVARD; EPA AREA-WIDE PLAN AND COMPREHENSIVE PLAN	12
<i>a. Short-Term Outcomes</i>	12
<i>b. Long-Term Outcomes</i>	13
7. CONCLUSION	13

EXHIBITS:

- Exhibit 1: W. Va. Code Zoning Enactment Sections**
- Exhibit 2: Form-Based Zoning Legal Analysis**
- Exhibit 3: Charrette Report**
- Exhibit 4: Current and Proposed Land Use Maps**
- Exhibit 5: Table of Equivalency Charts**
- Exhibit 6: SmartCode On-Site Flyer**
- Exhibit 7: EPA Building Blocks Flyer**
- Exhibit 8: EPA Area-Wide Planning Grant Reception**
- Exhibit 9: Charrette Promotional Material**
- Exhibit 10: January 31, 2012 Public Hearing Legal Notice**
- Exhibit 11: Fairfax Boulevard Resident Notification Letter**
- Exhibit 12: Certified Letter Postcards**
- Exhibit 13: Certified Letter Notifying Residents of Re-Zoning**
- Exhibit 14: March and April 2012 Public Hearing Legal Notices**

Executive Summary

1. LEGAL BASIS:

a. Study and Report

The City of Ranson is currently engaged in the process of repealing and re-adopting its current zoning ordinance in order to comply with a newly adopted comprehensive plan and to complement a new form-based zoning code pursuant to W. Va. Code § 8A-7-1 et seq., known as Chapter 19A of the Ranson Municipal Code. W. Va. Code §8A-7-4 requires that the Ranson Planning Commission and City Council study the land within its jurisdiction after the adoption of the comprehensive plan, but before the enactment of a new zoning ordinance. W. Va. Code § 8A-7-4 specifically states:

The study may include:

- (1) Evaluating the existing conditions, the character of the buildings, the most desirable use for the land and the conservation of property values in relation to the adopted comprehensive plan; and
- (2) Holding public hearings and meetings with notice to receive public input.
(b) The planning commission must use the information from the study and the comprehensive plan and prepare a report on zoning. The report shall include the proposed zoning ordinance, with explanatory maps showing the recommended boundaries of each district, and the rules, regulations and restrictions for each district.
- (c) No zoning ordinance may be enacted without a study and report.

b. Enactment of a Zoning Ordinance

The West Virginia Legislature has provided the City of Ranson the authority to enact a zoning ordinance through W. Va. Code § 8A-7-1 which states, “the governing body of the municipality ... may regulate land uses within its jurisdiction by: (2) working with the planning commission and the public to develop and zoning ordinance; and (3) enacting a zoning ordinance.” W. Va. Code § 8A-7-2 instructs the City of Ranson to consider a number of items when enacting a zoning ordinance. **See Exhibit 1.** After adoption of a comprehensive plan and before enacting a zoning ordinance, the City Council with the applicable planning commission must study the land within its jurisdiction. See W. Va. Code § 8A-7-4. After the study and report, and before the City Council enacts the proposed zoning ordinance, the City Council shall hold at least two public hearings and give public notice. At least one public hearing shall be held during the day and at least one public hearing shall be held during the evening. See W. Va. Code § 8A-7-5. After proper notice and public hearings are held, the City Council may enact the zoning ordinance or it may hold an election to have the qualified voters residing in the affected area approve the zoning ordinance. *Id.* After the enactment of the zoning ordinance by the City Council, the City Council shall file the enacted zoning ordinance in the Office of the Jefferson County Clerk. See W. Va. Code § 8A-7-6.

Although Chapter 19 is being repealed and reenacted in its entirety, property owners currently have entitled zoning. Therefore, it is necessary to “give written notice by certified mail to the landowner(s) whose property is directly involved in the proposed amendment to the zoning ordinance and publish notice of the proposed amendment to the zoning ordinance in the local newspaper as a Class II legal advertisement. *See* W. Va. Code § 8A-7-8a.

In July 2011, a study commissioned by Ranson and PlaceMakers, LLC, provided an in-depth analysis as to how Ranson's proposed form-based zoning would be compatible with West Virginia’s enabling legislation, Chapter 8A of the West Virginia Code. ***See Exhibit 2.***

c. Ranson's Methodology and Philosophy to Enact Chapters 19 and 19A

Due to (1) the substantial amendment of the current zoning ordinance (Chapter 19); (2) the enactment of the Ranson SmartCode (Chapter 19A); and, (3) the enactment of the 2012 Comprehensive Plan that retired the 2004 Comprehensive Plan; Ranson staff and consultants decided that the best method to enact the new zoning was through the enactment procedures of Chapter 8A of the West Virginia Code rather than amendment procedures to ensure complete compliance with Chapter 8A. Due to the unprecedented planning process and public engagement that has taken place in 2011 and 2012 and the ultimate impact of form-based zoning on Ranson and the community, the Ranson Planning Commission and City Council decided to draft and adopt a new Comprehensive Plan in a parallel process with the adoption of the new zoning ordinance. Even though the process was complementary and parallel to one another, the final reading and approval of the 2012 Comprehensive Plan was enacted prior to the final reading and approval of the Ranson Zoning Ordinance.

Consequently, Chapter 19 is repealed in its entirety and re-enacted with certain amendments in order for the new Ranson SmartCode (Chapter 19A) to work seamlessly with Chapter 19. The following substantive changes in Chapter 19 were made to both encourage use of Chapter 19A, Ranson SmartCode, and to ensure compliance with the 2012 Comprehensive Plan and Chapter 8A of the West Virginia Code:

- Repeal and re-enactment of Chapter 19 in entirety to be consistent with 2012 comprehensive plan and Chapter 8A of the West Virginia Code.
- Specify that Chapter 19A applies when parcels of land are zoned SC-NC, T1, T2, T3, T4, T5.
- Deletion of Central Business district as the district will no longer exist.
- Amended 19-13 "area and bulk regulations" to inform reader to refer to Chapter 19A for T1, T2, T3, T4 and T5 and deleted Industrial delineation between north and south of Beltline.
- Amended 19-15 sign chart to inform reader to refer to Chapter 19A for T1, T2, T3, T4 and T5.

- Amended the administrative sections (BZA, variance, special exceptions, non-conformities, amendment procedures etc) to ensure compliance with Chapter 8A of the West Virginia Code.
- Amended 19-21(a) by adding the following language: The TND district designation is historical and is not available for rezoning petitioner after April 17, 2012. Existing TND districts must follow the provisions of this section, but property owners are strongly encouraged to rezone to SmartCode New Community (SC-NC) pursuant to Chapter 19A.
- Deleted all density bonuses in TND district.
- Amended the Rural Reserve district to state that an approved rezoning to SmartCode New Community (SC-NC) pursuant to Chapter 19A is necessary prior to further development. The rezoning must be compatible with the goals and policies of the comprehensive plan.
- Deleted Suburban Homestead district.

d. Compliance with 2012 Comprehensive Plan.

As proposed, Chapters 19 and 19A are consistent with the City of Ranson’s 2012 Comprehensive Plan. Current zoning codes segregate uses, prohibiting the creation of complete neighborhoods. The SmartCode, a transect-based, form-based code, is a tool that guides the form of redevelopment, infill, or Greenfield development into complete neighborhoods at the hamlet, village, or town scale. The zones within the SmartCode are designed to create complete human habitats ranging from the very rural to the very urban. Whereas conventional zoning categories are based on different land uses, SmartCode zoning categories are based on whether their character is urban or rural, or somewhere in-between. All Transect zones allow some mix of uses, enabling complete neighborhoods. The Transect ensures that a community offers a full diversity of building types, thoroughfare types, and civic space types, and that each has appropriate characteristics for its location. The undeveloped land within the Urban Growth Boundary is planned for complete communities that support the economy and quality of life of Old Town Ranson. The traditional grid pattern of streets is the model that is recommended throughout all neighborhoods. Neighborhoods, districts and corridors are the essential elements of development and redevelopment in the City. They form identifiable areas that encourage citizens to take responsibility for their maintenance and evolution.

Land Use, in general, and the zoning ordinance, specifically, responds to all the Community Vision Goals:

1. Connectivity and Sustainability pervade these goals.
2. Local character builds regional economies.
3. Strong core communities make strong foundations.
4. There is a place for everything, and everything has its place.
5. Affordable living includes housing, transportation, energy, recreation, and shopping.
6. Green infrastructure supports sustainable communities.
7. Neighborhoods are the building blocks.

8. Private buildings and public infrastructure work together to shape public space and to build community character.

9. Working together creates bigger opportunities.

The adoption of the SmartCode satisfies over 25% of all Objective and Actions specified in Table 5.8 of the Ranson Comprehensive Plan. See Table 5.8 of Comprehensive Plan.

2. BACKGROUND:

Zoning was enacted by the City Council in the 1950s and updated in the early 1980s. Over the past half-century, Ranson's zoning has largely been based on regulating "uses" – otherwise known as Euclidean zoning. Recognizing that its manufacturing base was quickly disappearing, the City realized it was time for action in order to survive economically. Therefore, Ranson, with its partner Charles Town, formed a "Commerce Corridor Council" consisting of local, state, regional and federal government officials, community and business partners to guide the project and seek resources for planning and implementation and began to annex large parcels of property to remain economically competitive. 2001, Ranson applied for and received the first of three EPA Hazardous Brownfields Assessment grants, with a second EPA grant in 2004 and a third grant in 2006. With the assistance of EPA funding and the resources it leveraged, Ranson created an inventory of brownfield sites for priority action, conducted market feasibility and highest-and best use analyses, held community summits and forums, conducted assessments and remedial planning on 11 properties, and fostered the redevelopment of the Viener metal salvage yard into American Public University's new high-tech, LEED- designed, Academic Center. More than twenty-five local, state and national organizations participated on the Council, which was the linchpin of the area-wide planning process.

The staff, Planning Commission and City Council attempted to balance the growth pressures of newly annexed Greenfield areas with an Old Town which was quickly losing its manufacturing base and identity. Recognizing that if the parcels were not planned properly, the increased land mass could lead to unmanageable and unsustainable sprawl, the City Planning Commission and City Council adopted the Traditional Neighborhood Development District zoning district or TND district in order to create complete neighborhoods rather than traditional subdivisions spawned by the unintended consequences of Euclidean zoning. The purpose of the TND district was four-fold:

(1) *Civic enhancement and identity.* Well configured squares, greens, landscaped streets and parks woven into the pattern of the town center and dedicated to collective social activity, community identity, recreation and visual enjoyment. Civic buildings for assembly or other civic purposes, that acts as landmarks, symbols and activity centers for community identity recreation and visual enjoyment.

(2) *Enhanced transportation system.* To reduce reliance on automotive traffic by promoting pedestrian and bicycle transportation that connects work, home and shopping. Developing a hierarchy of public and/or private streets

with facilities for automotive vehicles, public transit, bicycles and pedestrians. On-site parking and centralized parking facilities to collectively support principle uses in the town center.

(3) *Preservation of environmental or historical resources.* To create compact and sustainable communities that provide a mixture of housing types, interconnected open spaces, amenities and civic places as well as neighborhood shopping and employment. To continue the historic architecture and urban grid pattern commonly found in the city.

(4) *Sense of place.* Dwellings, shops and workplaces are generally compact and located in close proximity to each other. To provide a compact center of neighborhood and commercial activity, providing a horizontal and vertical mix of retail and residential uses to serve nearby neighborhoods.

Although the amendment to the zoning ordinance was a huge improvement over the traditional Euclidean zoning ordinance that dominated Ranson for over a half-century, the TND district still had its issues in that it was difficult to administer, complicated and still largely based upon “use” rather than form. Thus, City staff started to look for alternatives and began to research form-based zoning.

In 2009, the City authorized the City Planner, City Manager and City Attorney to attend SmartCode workshops in Birmingham, Michigan and Atlanta Georgia to learn about an alternative form of zoning known as form-based zoning. After attending the two-day seminars, city staff received approval from City Council and held two-day Smart Code On-Site Workshop in Ranson on September 30 and October 1, 2010, to gauge interest from the community at-large. The attendees of the workshop included developers, real estate agents, land owners, investors and interested citizens. After the on-site workshop, staff began to discuss how to implement form-based zoning in Ranson with the Planning Commission and City Council.

In 2010, Ranson officials saw an opportunity to further the goals and vision of the Commerce Corridor Revitalization Plan, the 2004 Comprehensive Plan and the TND zoning district when the Obama Administration announced various grant opportunities from HUD, EPA and DOT as part of the Partnership for Sustainable Communities – including an EPA Building Blocks for Sustainable Communities grant which further solidified the community’s interest in moving forward. Ranson applied for Partnership funds because its administration and elected officials was to ensure that future development is traditional-neighborhood, mixed-use, green-focused development that is economically sustainable and vibrant.

In October 2010, the week of the City’s 100th birthday, Ranson was notified that it was only one of two communities in the country to receive all three grants from the three respective agencies. Ranson’s funding package of federal grants and loans totaling \$6 million would allow for the planning a revamped “green” corridor connecting Ranson and Charles Town, planning for the mitigation and repurposing of six brownfield sites, an adapted transit-based reuse of a historic Charles Town building and a new form-based code to guide future growth. Not too long after the work began on these ambitious

projects, the City determined it was time to enact a new comprehensive plan to ensure that all the planning efforts were embodied into one official document that would guide Ranson and its residents for the foreseeable future.

After securing the federal money, the City placed bids and hired an expert consulting team in the summer of 2011 to help set the City's vision for the future. This consulting team consists of PlaceMakers, LLC, (responsible for drafting form-based zoning code); Hall Planning and Engineering (responsible for engineering Fairfax Boulevard); and, Stromberg/Garrigan (responsible for an EPA Area-Wide Brownfields Plan). The team held a public workshop in August 2011 and held several private meetings with individual stakeholders to gather information about Ranson.

The City and its consulting team staged a seven-day public workshop in September of 2011 that attracted not only local citizens, officials and property owners but also representatives of the three federal granting agencies. During the week, the consulting team engaged in a synoptic analysis of Ranson's neighborhoods, the two town councils of Charles Town and Ranson scheduled a first-ever known joint meeting, and the draft plans, illustrations and coding proposal that emerged from the workshop were enthusiastically embraced. The consulting team also developed and updated a website where residents could receive real-time updates on the planning process at [www. Ransonrenewed.com](http://www.Ransonrenewed.com). The website continues to serve the purpose today. Over the course of the pre-workshop sessions and seven days of the workshop itself, more than 400 people engaged with the planning team. A complete report of the charrette was drafted by PlaceMakers. **See Exhibit 3.** After holding the seven-day charrette, the consulting teams started drafting codes and plans for Ranson's future. On January 31, 2012, the consulting teams presented their findings at a joint meeting and public hearing of the City Council and Planning Commission.

3. PROPOSED ZONING

Before, during and after the seven day charrette, PlaceMakers and its sub-consultants studied the character of the City of Ranson, conducted a synoptic survey and listened to residents and businesses about their vision for the City of Ranson. The PlaceMakers team soon realized that many of the existing uses in Ranson are illegal under the existing zoning ordinance. Therefore, PlaceMakers made the recommendation to rezone Old Town Ranson in a form-based manner to ensure that many of the existing properties become legally conforming. Under current Ranson zoning, many of the homes in the town's historic section are considered "legally non-conforming." This means the structures are grandfathered into current regulations but could not be built in the same way today. Community visioning exercises during the workshops confirmed a consensus that the character of historic neighborhoods, both within Ranson and in adjacent Charles Town, is something future planning should emulate. And patterns of convenience and accessibility embedded in the older neighborhoods, patterns that allow for walking and biking to daily needs as well as driving, are worth encouraging through zoning, as well. Taking the community's vision into account, PlaceMakers, working with City staff and the Planning Commission proposed a new form-based zoning map for the City of Ranson. **See**

Exhibit 4. Moreover, PlaceMakers calibrated new zoning districts to correspond with the zoning characteristic of existing zoning within Ranson. **See Exhibit 5.**

Furthermore, the development community has shown interests in form-based zoning. Three developers agreed to actively participate in the September workshop and have considered rezoning their properties to SmartCode compliant neighborhoods contingent upon adoption by Planning Commission and City Council. **See Exhibit 3.** With the rezoning of these properties, along with Old Town, the City of Ranson will have approximately 1,500 acres of SmartCode compliant land.

4. PUBLIC ENGAGEMENT AND PROCESS

October 1, 2010 - Ranson introduced the community to form-based zoning and to the SmartCode on October 1, 2010 with SmartCode On-Site workshop. Ranson invited the public, along with targeted stakeholders, bankers, investors, developers and governmental entities. **See Exhibit 6.**

May 17, 2011 - Ranson held a day-long workshop at City Hall after EPA Administrator Lisa Jackson announced that Ranson was among 32 communities in 26 states that will receive assistance with tools that can help them get the type of development they want. Under the Sustainable Communities Building Blocks program, the selected communities will get help on a specific development-related challenge as well as explore general sustainable communities' strategies. Ranson requested assistance with reviewing its zoning code to help determine where barriers or gaps exist that are preventing the community from getting the type of development it wants. The SmartCode was an extensive topic during the workshop. **See Exhibit 7.**

June 14, 2011 - Ranson held a *U.S. EPA Area-Wide Brownfields Planning Project Orientation & Stakeholder Reception*. The reception included a brief presentation of all of the major downtown revitalization planning efforts undertaken in recent years in the two cities and also provide an overview of the work to be performed over the next several years. **See Exhibit 8.**

July 11, 2011 - www.RansonRenewed.com goes live. The website provides real time updates and allows all citizens to actively participate in the process by reviewing materials, commenting and keeping up-to-date. **See Exhibit 3.**

August 1, 2011 - Consulting team met with several key stakeholders, developers and members of the community to gauge interest in project, impressions of the City and provide a strategic briefing of the upcoming process.

August 2, 2011 - The City of Ranson and its consulting team welcomed citizens and business people to a community conversation about building the future of Ranson. The evening workshop helped set the agenda for a bigger event September 8-14, when the city,

the team and citizens devoted a week to customizing a model zoning approach for the entire city. **See Exhibits 3 and 9.**

During the August 2 session, we collectively met together to discuss issues important to property owners, business folks, civic groups and others. City officials and staff were present to listen to ideas, answer questions and focus attention on whatever gaps there might be between where we want to go and the policies and rules we need to get us there. The purpose of the workshop was to nail down some of the essential components of Ranson's character, the kinds of things we want to make sure we were going to protect and enhance as we plan for the future.

September 8 -14, 2011 - Ranson held a seven-day "mega" charrette with consultants working on all three grants. The City advertised the event in the newspaper, sent postcards to all residents, hung three banners, sent mass emails to over 300 stakeholders and handed out business cards promoting the event. **See Exhibit 3** for detailed report on the charrette.

January 16, 2012 - Drafts of 2012 Comprehensive Plan and Zoning Ordinance posted on www.ransonrenewed.com.

January 31, 2012 - At 7 p.m. at Ranson City Hall, a joint public workshop and first public hearing before the Ranson City Council and the Ranson Planning Commission was held to review the latest edits of consulting team proposals emerging from the September 8-14, 2012 public workshop. On the agenda for discussion on January 31 were the following topics: The proposed amendment to the Ranson Zoning Ordinance; An update to the Ranson Comprehensive Plan; Fairfax Boulevard concept plans; and Area-wide brownfields redevelopment plans. **See Exhibit 10.**

February 1, 2012 - Residents in neighborhoods along and adjacent to Fairfax Boulevard were invited to meet with consultants to talk about how design and engineering proposals for the Boulevard are expected to affect their properties. Letters were hand-delivered to all residents adjacent to Fairfax Boulevard. **See Exhibit 10.**

February 17, 2012 - Postcards were mailed out to all affected landowners notifying property owners to receive a certified letter for informational purposes regarding rezoning. **See Exhibit 12.**

February 21-23- Certified letters were mailed out to all affected property owners notifying the property owners of the rezoning. **See Exhibit 13.**

March 5, 2012 - Public hearing held before the Ranson Planning Commission on both the 2012 Comprehensive Plan and Zoning Ordinance. **See Exhibit 14.**

March 26, 2012 - Public hearing held before the Ranson Planning Commission on both the 2012 Comprehensive Plan and Zoning Ordinance. **See Exhibit 14.**

April 3, 2012 - Afternoon (2:00 p.m.) public hearing held before the Ranson City Council on both the 2012 Comprehensive Plan and Zoning Ordinance. **See Exhibit 14.**

April 3, 2012 - Evening (7:00 p.m.) public hearing held before the Ranson City Council on both the 2012 Comprehensive Plan and Zoning Ordinance. **See Exhibit 14.**

5. FORM-BASED ZONING

a. What is form-based zoning?

Form-based zoning codes are a method of regulating development to achieve a specific urban form or look. Form-based codes place an emphasis on the relationship between the street and buildings, pedestrian and vehicles, public and private spaces, and the relationship between multiple buildings, a block, a neighborhood and transitions in scale. They create a predictable public realm by controlling physical form of private developments, with a secondary focus on land use regulations. This is in contrast to conventional zoning's focus on the micromanagement and segregation of land uses, and the control of development intensity through abstract and uncoordinated parameters (e.g., floor area ratios, dwelling units per acre, setbacks, parking ratios) to the neglect of an integrated built form. Not to be confused with design guidelines or general statements of policy, form-based codes are regulatory, not advisory.

b. Differences between Euclidean Codes & Form-Based Codes:

- Euclidean Codes segregate uses where Form-Based Codes stress the importance of mixed-use areas.
- Because Form-Based Codes are prescriptive (they state what you want), rather than proscriptive (what you don't want), form-based codes (FBCs) can achieve a more predictable physical result.
- Form-based codes are pro-active, rather than re-active. Form-Based codes are much shorter, more concise, and organized for visual access and readability.
- This feature makes it easier for non-planners to determine whether compliance has been achieved.
- FBCs work well in established communities because they effectively define and codify a neighborhood's existing structure and promote compatible infill with ease. Euclidean zoning focuses on and regulates use, ignores design and human scale.
- Euclidean zoning codes regulates use and deemphasizes concerns for design and human scale.

6. SHORT AND LONG-TERM BENEFITS OF FORM-BASED ZONING VERSUS EUCLIDEAN ZONING; FAIRFAX BOULEVARD; EPA AREA-WIDE PLAN AND COMPREHENSIVE PLAN.

a. Short-Term Outcomes

- *Increase Community Participation and Decision-Making.* A seven day charrette will precede the development of new zoning ordinances and incentives. This charrette will provide an opportunity for a wide variety of community stakeholders to play a vital participatory and formative role in the creation of a form-based code for Ranson. Representatives of minority and low-income community residents, such as the Jefferson County NAACP and the Interfaith Housing Alliance, have had integral roles in planning past initiatives in the Ranson-Charles Town area and their expertise will be utilized during this charrette as well.
- *Promote Economic Development.* One of the primary goals of revising Ranson zoning ordinances is to promote the productive redevelopment of the brownfield properties along the Green Corridor. Having a zoning structure in place to promote the smart development the City of Ranson desires will enable the City to more effectively partner with prospective developers and return these brownfields to productive use.
- *Reduce Energy Usage and Manage Stormwater Runoff.* The "green overlay district" created during this project will ensure that future development in Ranson" downtown meets high standards of energy efficiency. Since buildings are responsible for more than 40% of national greenhouse gas emissions, encouraging building efficiency will not only reduce electricity consumption at these sites but also significantly lower Ranson" carbon footprint. The plan for incentivizing green infrastructure to manage stormwater runoff throughout Ranson will also provide immediate environmental dividends by protecting the Chesapeake Bay watershed from contaminated runoff – a goal already sought - and soon to be mandated - by U.S. EPA and the WV Department of Environmental Protection, which have provided funding and strong encouragement to Ranson, Charles Town and Jefferson County to begin tackling Chesapeake Bay issues through a green infrastructure plan.
- *Preserve Recreational and Open Space.* By enhancing the City of Ranson's ability to direct growth in its undeveloped areas, a revamped zoning code will ensure that valuable community recreational and open spaces are kept free of development. Primarily, this will mean the continued preservation of Evitts Run Park, which runs directly adjacent to the Green Corridor and provides the most convenient recreational space for Ranson's minority and low-income residents.
- *Enhance Supply of Affordable Housing.* Ranson's existing zoning has provided incentives for the development of workforce and affordable housing throughout both its downtown and undeveloped areas. A new Smart Code will enable Ranson to enhance these incentives by more effectively promoting a mix of market-rate and affordable housing, and locating these low-income resident developments near public services, workplaces and transit.

b. Long-Term Outcomes

- *Enhance Local Utilization of Transit.* Once constructed, the bus shelters along the Green Corridor and the establishment of the Charles Washington Commuter Center will encourage more commuters to utilize PanTran bus service and MARC train service. Enhanced utilization of transit will reduce vehicle-miles traveled by Jefferson County residents and result in an increase of riders on both PanTran and MARC.
- *Increased Accessibility to Job Centers.* Improved local transit will enable easier access to affordable transportation in the Baltimore/DC metro area for low-income residents of Ranson and Charles Town.
- *Promote Livability, Walkability.* The reconstructed Green Corridor will make it safer and easier for both pedestrians and cyclists to travel along this main thoroughfare. Combined with the development of mixed-use facilities that provide jobs along this corridor, these improvements will further reduce vehicle-miles traveled, simultaneously producing significant decreases in per capita greenhouse gas emissions.
- *Promote Economic Development.* The roadway improvements made along the Green Corridor will amplify the development potential of Ranson's zoning code revisions. By producing an attractive road that facilitates multiple transportation modes, these improvements will encourage businesses to locate to the Ranson-Charles Town downtown area and drive its revitalization.
- *Improve State of Repair of Infrastructure.* The reconstruction of the Green Corridor will not only directly service livability goals, but also significantly improve the state of repair of this central, yet severely dilapidated road.

7. CONCLUSION

City administration and planning staff recommend the adoption of the Ranson SmartCode (Chapter 19A) and reenactment of Ranson's zoning ordinance (Chapter 19). The City has engaged in unprecedented public engagement opportunities for residents, businesses, affected governmental agencies and stakeholders. The new comprehensive plan and zoning codes reflect the thoughts, concerns and philosophies of the individuals who participated in the process. The adoption of the new codes may not have an immediate impact, but adoption will set the stage to ensure future economic growth and development in our community is based on the traditional-neighborhood model where residents can live, work and recreate; promotes and encourages mixed-use, economic development and affordable housing opportunities; streamlines the development process to make it predictable for investors within our community and our residents; and, sets standards for economically sustainable development within the City.



1 of 2 DOCUMENTS

Michie's West Virginia Code Annotated
Copyright © 2012 by Matthew Bender & Company, Inc.,
A member of the LexisNexis Group.
All rights reserved.

*** Text Current Through 2011 Fourth Extraordinary Session ***
*** Annotations Current Through November 10, 2011 ***

Chapter 8A. Land Use Planning.
Article 7. Zoning Ordinance.

GO TO WEST VIRGINIA STATUTES ARCHIVE DIRECTORY

W. Va. Code § 8A-7-1 (2011)

§ 8A-7-1. Authority for zoning ordinance.

(a) The governing body of a municipality or a county may regulate land use within its jurisdiction by:

- (1) Adopting a comprehensive plan;
- (2) Working with the planning commission and the public to develop a zoning ordinance; and
- (3) Enacting a zoning ordinance.

(b) A zoning ordinance may cover a county's entire jurisdiction or parts of its jurisdiction.

(c) A zoning ordinance shall cover a municipality's entire jurisdiction.

(d) A municipality may adopt, by reference, the zoning ordinance of the county in which it is located.

HISTORY: 2004, c. 153.

NOTES:

County commissions.

County commissions derive their general authority to adopt zoning ordinances from this section. *Dewey v. Board of Zoning Appeals*, 185 W. Va. 578, 408 S.E.2d 330, 1991 W. Va. LEXIS 113 (1991) (decided under prior law).

Municipalities.

Exhibit 1

Municipalities derive general authority to adopt zoning ordinances from this section. *Wolfe v. Forbes*, 159 W. Va. 34, 217 S.E.2d 899, 1975 W. Va. LEXIS 278 (1975) (decided under prior law).

HIERARCHY NOTES:

Ch. 8A Note

Ch. 8A, Art. 7 Note



2 of 2 DOCUMENTS

Michie's West Virginia Code Annotated
Copyright © 2012 by Matthew Bender & Company, Inc.,
A member of the LexisNexis Group.
All rights reserved.

*** Text Current Through 2011 Fourth Extraordinary Session ***
*** Annotations Current Through November 10, 2011 ***

Chapter 8A. Land Use Planning.
Article 7. Zoning Ordinance.

GO TO WEST VIRGINIA STATUTES ARCHIVE DIRECTORY

W. Va. Code § 8A-7-2 (2011)

§ 8A-7-2. Contents of zoning ordinance.

(a) The following must be considered when enacting a zoning ordinance:

- (1) Promoting general public welfare, health, safety, comfort and morals;
- (2) A plan so that adequate light, air, convenience of access and safety from fire, flood and other danger is secured;
- (3) Ensuring attractiveness and convenience is promoted;
- (4) Lessening congestion;
- (5) Preserving historic landmarks, sites, districts and buildings;
- (6) Preserving agricultural land; and
- (7) Promoting the orderly development of land.

(b) A zoning ordinance may include the following:

- (1) Regulating the use of land and designating or prohibiting specific land uses;
- (2) Authorizing flexible planning standards to create, redevelop, reuse, protect and enhance the physical qualities of the community;
- (3) Designating historic districts and regulating the uses of land and the design of buildings within the historic district;

(4) Establishing corridor overlay districts to achieve land design goals and regulating the uses of land within the corridor overlay districts;

(5) Establishing design standards and site plan approval procedures;

(6) Dividing the land of the governing body into different zone classifications regulating the use of land, establishing performance standards for various land uses when dividing is not desired or any combination of both;

(7) Authorizing overlay districts and special design districts within which specific additional development standards for each permitted, accessory and conditional use shall apply;

(8) Regulating the height, area, bulk, use and architectural features of buildings, including reasonable exterior architectural features and reasonable aesthetic standards for factory-built homes;

(9) Authorizing a process and standards for factory-built homes: Provided, That a governing body is prohibited from establishing a process and standards for regulating factory-built homes that is more restrictive than a process and standards for site-built homes;

(10) Preserving green spaces and requiring new green spaces, landscaping, screening and the preservation of adequate natural light;

(11) Regulating traffic flow and access, pedestrian flow and access, parking and loading;

(12) Identifying flood-prone areas subject to periodic flooding and regulating with specific control the permitted use, type of construction and height of floor levels above base flood elevation permitted in the area so as to lessen or avoid the hazards to persons and damage to property resulting from the accumulation of storm or flood waters;

(13) Designating an airport area and establishing land-use regulations within a specific distance from the boundaries of the airport;

(14) Authorizing planned unit developments to achieve more efficient use of land and setting standards and regulations for the developments; and

(15) Identifying, establishing and designating urban growth boundaries, as defined in section four-a [§ 8-6-4a], article six, chapter eight of this code, for municipalities.

(c) A zoning ordinance shall:

(1) Create a board of zoning appeals;

(2) Specify certification requirements for zoning district maps that are consistent with the governing body's comprehensive plan;

(3) Adopt procedures and requirements for nonconforming land uses;

(4) Adopt procedures and requirements for variances; and

(5) Adopt procedures and requirements for conditional use permits.

HISTORY: 2004, c. 153; 2009, c. 159.

NOTES: Effect of amendment of 2009.

Acts 2009, c. 159, effective July 10, 2009, added (b)(15); and made stylistic changes.

Advertising regulations.

While there is no question that a city is entitled to adopt a zoning ordinance which promotes its interest in land use planning and it has a substantial interest in protecting and preserving the residential quality within the city, a city cannot forbid noncommercial advertising while allowing commercial advertising, although some regulation is permitted.

Fisher v. City of Charleston, 188 W. Va. 518, 425 S.E.2d 194, 1992 W. Va. LEXIS 278 (1992) (decided under prior law).

Political or candidate signs.

Zoning ordinance would be both reasonable and narrowly tailored if it permitted the placement of temporary political or candidate signs for a specified period of time before primary and general elections, with the requirement that all signs must be removed within a specified period after the polls close, further, the number of signs permitted could be limited, within reason, as well as the size, type, placement, and set back, for reasons of safety, public morals, and aesthetics. *Fisher v. City of Charleston*, 188 W. Va. 518, 425 S.E.2d 194, 1992 W. Va. LEXIS 278 (1992) (decided under prior law).

HIERARCHY NOTES:

Ch. 8A Note

Ch. 8A, Art. 7 Note



Ranson Form-Based Coding – Analysis

Bruce F. Donnelly

July 27, 2011

Executive Summary

The City of Ranson can choose in what form to adopt the SmartCode. No matter how it does so, however, certain points of intersection need to be addressed. These are between the *Model SmartCode*, the *Land Use Planning of the West Virginia Code*, the *Ranson, West Virginia Code of Ordinances*, and Ranson's *Comprehensive Plan*. This Report identifies places where those documents differ from each other or need to address each other in order to enable each other. The four main areas of intersection are to do with:

- The *organizational infrastructure* of the adopted ordinances,
- Ordinance's authority in law,
- The process applied by the SmartCode, and
- The goals of Ranson's *Comprehensive Plan* for which the SmartCode has been chosen.

Organizational Infrastructure

The *Model SmartCode* includes a large-scale planning protocol in its Article 2. It has protocols for subdivisions in Articles 3 and 4, and for zoning in Chapter 5. There are several options for adopting it. The SmartCode could be adopted into the *Ranson, West Virginia Code of Ordinances* as a freestanding Chapter co-equal with *Subdivisions* and *Zoning*, or it could be broken up and parceled out into those codes. It could also be made mandatory where it is mapped, or it could be made optional. This review discusses the elements of the various documents that should be considered in relationship to each other — regardless of the eventual organization. That way it can avoid foreclosing options prematurely or getting lost in decision-trees. Nevertheless, the most relevant option for Ranson may be to create a freestanding chapter which refers to organizational infrastructure extracted from the existing ordinances.

Land Use Planning of the West Virginia Code (Chapter 8A) grants to counties and municipalities the authority to plan, zone and subdivide. In order to do that, though, the local governments need the organizational infrastructure. The SmartCode could include the existing organizational infrastructure in Chapters 16, *Subdivisions* and 19, *Zoning* by reference or to extract it from those chapters so that it can be used in common by the SmartCode and the existing regulations. The latter option may be clearer legally and clearer to users, because the SmartCode would not have to refer to a separate but parallel code. The existing and SmartCode provisions would simply refer to a neutral body of processes, terms, and general standards. Doing so would also offer Ranson the opportunity to incorporate into the organizational infrastructure

Exhibit 2



new administrative processes and new development standards general to both codes—including those for thoroughfares and civic open spaces.

At the same time, the organizational infrastructure could be amended to support the SmartCode's structure and provisions. It could be amended (or written) to support the way the SmartCode handles matters such as planning and mapping a Regulating Plan, and the way building heights and home occupations are regulated.

Authority

Although the State grants the same kinds of authority that are used by the SmartCode, Ranson needs to “connect the dots” between the authority to plan, zone, and subdivide and the specific regulations of the SmartCode. Since the State grants the authority based on a comprehensive plan, Ranson's *Comprehensive Plan* should be updated to support the city's current goals and the SmartCode more effectively.

At the same time, the City could provide incentives to use the SmartCode, since the SmartCode offers tools to carry out Ranson's *Comprehensive Plan*. The SmartCode could act as its own incentive, since it could be used for higher densities and more frugal infrastructure. The SmartCode could also be calibrated to include a smoother development process in which responsibility could be handed to individual builders more easily.

Process

The calibration process for the SmartCode includes a “synoptic survey” of its locale, which is also the first of the processes of the SmartCode. These include mapping “Sectors” in which different types of neighborhoods (called “Community Units”) are mapped and eventually subdivided. The SmartCode, then, acts as a unified development code which flows all the way from regional planning through to the individual lot. As such, it should be coordinated both with the *Comprehensive Plan*, the codes internal to Ranson and with Charles Town and Jefferson County.

In order to do this, the SmartCode needs to distinguish between the parts of the process which are to do with planning, subdividing, and zoning land. One critical question is when a project is vested and to what extent zoning can be used to give additional flexibility with regard to the eventual buildout.

Introduction

In the following pages, the West Virginia Land Use Planning Code and Ranson's current Zoning Code are compared to the SmartCode in order to identify issues to address in the calibration process. In this report, these documents are identified as “*WVLUPC*,” for the West Virginia Code, Chapter §8A. *Land Use Planning of the West Virginia Code*; and as “*RWVCO*,” for the



Ranson, West Virginia Code of Ordinances (chiefly Chapter 19, Zoning). The *RWVCO*s Chapter 16, *Subdivisions*, and its chapter 19, *Zoning*, are called *Subdivisions* and *Zoning*. Although this report refers to Ranson’s present *Comprehensive Plan*, it does so only to illuminate the connections between the *WVLUPC* and the SmartCode. This is not a review of the *Comprehensive Plan* in its entirety. The term “SmartCode” refers to the SmartCode in general, or as it will be adopted in Ranson, while the term “*MSC*” refers to the Model SmartCode that will be calibrated for Ranson.

This review is organized by theme rather than according to the (repetitive) order of any of the documents. Under each theme, the *MSC* is compared to the *WVLUPC* and Ranson’s *Comprehensive Plan*, if necessary. This organization allows the task of review to be parceled out to different readers by section. Many of the sections of code discussed in this Report are mentioned repeatedly, because they come up in the contexts of more than one theme.

This review draws attention to the commonalities and divergences between the *MSC* and both the *WVLUPC* and the *RWVCO*. It suggests potential courses of action to consider during the Calibration of the SmartCode, and any matching updates or amendments to the *Comprehensive Plan*.

Themes

The following themes are discussed below.

- | | |
|---|--------------------------------------|
| 1. Authority & Procedures | 5.1. Floodplains |
| 1.1. Incentives | 5.2. Farmland Protection |
| 1.2. Enforcement & Appeals | 6. Civic Open Space & Transportation |
| 1.3. Warrants & Variances | 7. Redevelopment & Brownfields |
| 1.4. Legal Nonconforming Uses | 8. Regulating Plan & Zones |
| 1.5. Comprehensive Plan | 9. Subdivision |
| 2. Synoptic Survey | 9.1. Subdivision, Major |
| 3. Vesting | 9.2. Subdivision, Minor |
| 4. Urban Growth Boundary, Sectors & Community Units | 10. Walkability |
| 5. Preservation of Natural Habitat and Farmland | 11. Energy & Water Standards |
| | 12. Public Utility Standards |
| | 13. Architectural standards |

These are then broken out into discussions vis-à-vis the *WVLUPC* and the *RWVCO*.



1. Authority & Procedures

Introduction

During the calibration process, various changes may need to be made in order to accommodate and authorize the SmartCode. The Comprehensive Plan should be updated to support the SmartCode. The SmartCode derives authority from 8A-7-1, and it is obligated to consider the issues listed in 8A-7-2.

Most importantly, the SmartCode could refer to the organizational infrastructure of Chapters 16 and 19 of the *RWVCO* so that the SmartCode can be relatively independent of the detailed procedures of the balance of those existing Chapters.

The Comprehensive Plan and the WVLUPC

The *WVLUPC* grants the ability to plan, subdivide and zone land, so the SmartCode's authority and procedures should be aligned to it.

The *WVLUPC* derives its authority to plan, zone, and subdivide from Ranson's *Comprehensive Plan*. According to Section §8A-3-12. *Validation of prior comprehensive plans*, the comprehensive plan may remain in effect for ten years after the effective date of the new *WVLUPC*. In addition, Section §8A-7-12. *Validation of prior zoning ordinance*, allows the current zoning to remain in effect until amended or repealed. Article 2 (§8A-2.) *Planning commissions* allows the existing commissions to remain. (See §8A-2-2. *Continuation of established planning commissions*.) Nevertheless, as the *Comprehensive Plan* is amended for a SmartCode, care should be taken to comply with the current *WVLUPC*. The current *Comprehensive Plan* calls for a review every two years in any case (See its *Implementation/Recommendations*, p. 37.). Such a large undertaking as a SmartCode may be substantial enough to require an amendment or update to the *Comprehensive Plan*, as well as a *finding* that the SmartCode supports the *Comprehensive Plan*. Sub-subsection §8A-7-2. (b) (7) of the *WVLUPC* apparently would authorize the SmartCode as an overlay, if necessary:

Authorizing overlay districts and special design districts within which specific additional development standards for each permitted, accessory and conditional use shall apply:
(. . .)

The Authority for the SmartCode (1.1 *Authority*) could be coordinated directly with, and mention specifically, the authority West Virginia grants for zoning ordinances, in Section §8A-7-1. *Authority for zoning ordinance*. Although it refers to zoning specifically, it includes the authority to adopt a comprehensive plan, which in SmartCode terms would include Sectors and the allocation of Community Units. In particular, Provision 1.1.3 of the SmartCode may be coordinated with Subsection §8A-7-2. (a), which lists Items to be considered when enacting a zoning ordinance. Provision 1.1.3 of the *MSC* reads,



This Code was adopted to promote the health, safety and general welfare of the [City,] State and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, historic preservation, education and recreation, reduction in sprawl development, and improvement of the built environment.

Regardless of the SmartCode calibration, it may also be appropriate to create *Intents* for the existing zoning ordinance in order to satisfy the *WVLUPC*. These may be partially based on the SmartCode's Intent, at 1.3 of the *MSC* and the SmartCode's Section 1.1, *Authority*. These sections contents generally may be checked against the *WVLUPC*s Subsection §8A-7-2. (c): "A zoning ordinance shall . . ." This summarizes the considerations a zoning code must address, and may be taken as a checklist both for the SmartCode and for the existing *RWVCO*.

Ranson can justify its use of compact development and its preservation of agricultural land through the *WVLUPC*s Authority. In particular, Sub-subsection §8A-1-1. (a) (4) of the *WVLUPC* observes, "[that] sprawl is not advantageous to a community." This Section supports part of the *MSC*s Authority Section, particularly at 1.1.3, quoted above. Especially by mentioning sprawl, this section begins to justify the *Sequence of Sector Determination*, Section 2.2 in the *MSC*. There, the SmartCode organizes compact development in Community Units organized by Pedestrian Sheds centered on Common Destinations. Those otherwise would be minimally justified by the *WVLUPC*. It also creates both the "Open" Sectors — O-1 and O-2 — for preserving natural and agricultural land and the G-1 Sector which sets aside such land. (These are 2.3 (*O-1*) *Preserved Open Sector*, 2.4 (*O-2*) *Reserved Open Sector*, and 2.5 (*G-1*) *Restricted Growth Sector*.)

Sub-subsection §8A-1-1. (a) (6) of the *WVLUPC* requires that "the needs of agriculture, residential areas, industry and business be recognized in future growth." Since this reads as a justification for single-use zoning, Ranson may wish to write a *finding* that these individual needs can be met effectively by zoning for mixed-use areas following Section 1.3 *Intent* of the *MSC*.

During its legal Calibration, the procedures of Ranson's SmartCode may be written to include the *WVLUPC*s Article 2 (§8A-2.) *Planning commissions* by reference, and refer to the *WVLUPC*s Section §8A-5-1, *Jurisdiction of planning commissions* (for *Subdivisions*) in order to derive the authority to plan Community Units from its current authority to subdivide. Among the procedures are Methods of Security for subdivisions, as listed under Article §8A-6, *Methods of Security*. These methods (bonds, etc.) could be included in the two Articles of the SmartCode that involve subdivision. These are Article 2, *Regional Scale Plans*, and Article 3, *New Community Scale Plans* in the *MSC*. In particular, at least four sections may be calibrated to include security: 3.1 *Instructions*, 3.2 *Sequence of Community Design*, 3.7 *Thoroughfare Standards*, and 4.1 *Instructions*.



The SmartCode could include an explanation saying that its Community Units are parallel to subdivisions for the purposes of the *WVLUPC*, particularly its Article 4, *Subdivision and Land Development Ordinance* (§8A-4). The Community Units and Regulating Plans of the SmartCode could be checked against Sub-sections §8A-4-2. (a) (2) and (4) (under *Contents of subdivision and land development ordinance*). The SmartCode's procedures may also be checked against Sub-sections §8A-4-2. (a) (12)-(17) and §8A-4-2. (b) (1), (4), and (6), which cover the details of various procedures, processes, and requirements.

The *RWVCO*

Non-problematic and Problematic Sections

Certain sections of *Zoning* of the *RWVCO* are general to all zones. We can think of these as providing organizational infrastructure for the SmartCode to use, even if it is implemented as a freestanding code.

The organizational infrastructure listed below does not appear to be problematical for the SmartCode, although it or the SmartCode must be adjusted so they can operate together:

- 19-1, *Authority; purpose, enactment.*
- 19-2, *Definitions.*
- 19-3, *General provisions.*
- 19-4, *District regulations.*
- 19-15, *Signs.*
- 19-19, *Amendments.*
- 19-20, *District boundaries.*
- 19-18, *Administration and enforcement.*

The provisions below, however, are somewhat problematical for the SmartCode, and could be either superseded by it, or be amended to support it:

- 19-12, *Minimum parking requirements.* The SmartCode has its own parking regulations, at 5.9.2, *Parking and Density Calculations*, as well as in Table 10. *Building Function* and Table 11. *Parking Calculations.*
- 19-13, *Area and bulk regulations.* Because the SmartCode functions as a form-based code, these conflict in their entirety.
- 19-14, *Site plans.* The SmartCode needs different standards, because its regulations are different.
- 19-16, *Nonconformities.* Although in general nonconformities are tolerated within both documents, the SmartCode allows changes which result in greater conformity.
- 19-17, *Board of adjustment.* As will be noted with regard to Warrants, the *MSC* includes a procedure for administrative review which is not contemplated in the *RWVCO*.



Perhaps the SmartCode can refer to the organizational infrastructure as necessary without referring to these more problematical sections.

The TND Code as a Precedent

The Traditional neighborhood development code incorporated into Ranson's *Zoning* code offers some useful precedents and cautions for the SmartCode.

The *Traditional neighborhood development district* is a floating district which can be applied upon request. At 19-21. (b), *Establishment of a TND district*, IT says, "All other properties may receive such zoning designation by petition and in accord with this section." Although the TND code includes its own voluminous provisions, it still relies on the basic apparatus of authority and approvals of the balance of the *Zoning* code.

The SmartCode is intended to be used to plan Community Units at the scale of a Pedestrian Shed, so that applicants who want to develop a portion of a Community Unit need not necessarily do their own detailed studies. That is, the locality can opt to take on the task of planning large areas so that individual developers don't have to. The *Traditional neighborhood development district*, at 19-21. of the *RWVCO*, requires various studies which are similar in scope to a synoptic survey. For example, at 19-21. (b) (8), it requires a commercial/residential economic development study. Any analogous study in the SmartCode could potentially be done by the City, so that the City in effect operates as a Master Developer.

The SmartCode could be written to allow Community Units to evolve more organically than the *Traditional neighborhood development district* contemplates. For example, 19-21. (b) (3) and (4) require a certain mixture of uses for each of the zones it regulates, whereas Transect zones allow uses to vary somewhat in response to market and other conditions. Article 5 of the *MSC, Building Scale Plans*, operates as a zoning code, so the ongoing administration of developed lots can be a municipal responsibility.

Terms and Definitions

The Authority for the SmartCode, its use of terms, and its definitions should be harmonized with *Subdivisions* and *Zoning*.

The Authority of the *RWVCO's Zoning*, Chapter 19, should be amended to include the SmartCode. While the entirety of the Traditional neighborhood development district could be mapped as a district, the SmartCode includes procedures that could be considered subdivisions. If the territory subject to the SmartCode is considered a "district," then it would have to be a district containing other districts—which is to say Transect Zones, Civic Zones, and Special Districts.

At the same time, the SmartCode's Articles 2, 3, and 4 may be created as, or derive authority from, the Subdivision ordinance (16-20. through 16-230. of the *RWVCO*). If the SmartCode is inserted into the *RWVCO* as a freestanding chapter, it should be referenced in both the zoning



and subdivision codes, and may include their organizational infrastructure by reference. In particular, 19-1. (d), *Authority; purpose, enactment: Conflicting ordinances* should be amended to include the SmartCode. Both Purposes in the Zoning code, at 19-1 (b) and the *Purpose* section of the Subdivision code, at 16-21 should be harmonized with the *Intents* of the SmartCode, at (1.3 of the *MSC*).

The word interpretations for *Zoning* in 19-2. (1) and *Subdivisions* in 16-26 of the *RWVCO* should be harmonized with the SmartCode. For example, the word “may” is considered optional in the SmartCode, but “advisory” at 16-26 (4) of the *RWVCO*. Similarly, the *Specific definitions* for zoning at 19-2. (2) and *Definitions* for subdivisions at 16-27. should be harmonized with the SmartCode. For instance, the SmartCode’s “frontage” refers to a physical volume of space the and the zoning code’s “frontage” refers to “all the property abutting one side of a street.”

1.1. Incentives

Introduction

The SmartCode can provide incentives to use the SmartCode. It can also remove incentives to use the existing TND ordinance. The structure of the SmartCode could provide its own incentives. If the process of zoning can allow developers to defer or let builders make certain detailed decisions of a subdivision’s buildout, then that could be an incentive to use the SmartCode. More, the SmartCode could use more frugal standards for infrastructure which take advantage of the ability of grids to distribute traffic, and the ability of compact mixed-use development to reduce the need to travel.

The *RWVCO*

TND Bonuses to be Removed

Ranson can provide incentives to use the SmartCode. It can also remove the density bonus incentive from the Traditional Neighborhood Development District to give the SmartCode a comparative advantage.

The *Density bonus option* of the TND district (at *Zoning*, 19-21. (b) (7) and 19-21. (b) (11) d.) could be removed to create a comparative advantage for the SmartCode. The SmartCode, fortunately, already includes opportunities for density. Compactness is already featured in its *Intents*, at 1.3 of the *MSC*, and it can be calibrated to permit higher density. Moreover, thoroughfares, infrastructure, and the process of development within the SmartCode could be tuned to be as frugal as would be compatible with each Community Unit and Transect zone.

In particular, 1.4 *Process* of the *MSC* provides the option to allow the Consolidated Review Committee to grant administrative deviations through an administrative, rather than a quasi-judicial process. The *Instructions* sections for creating New or Infill Communities outline the



procedure for developing Communities under the SmartCode. (See 3.1 and 4.1 of the *MSC*, respectively.) The city could use such a streamlined process as an incentive to use the *MSC*.

As another incentive to use the SmartCode, the City could provide some information of the type called for in 19-21. (b) (10) b, *Required documents and information of the Traditional neighborhood development district*. For example, the City could study the design characteristics appropriate to Ranson, and provide them as optional design guidelines. By preparing or commissioning land surveys, Ranson could also map much of the background information required in 19-21. (b) (10) c. 8. and 9. of *Zoning* and make it available to developers—almost as in a Request for Proposals. Finally, the City could mark suggested locations for conservation and preservation areas, and map tentative Pedestrian Sheds around them (see Article 7, Definitions of Terms in the *MSC*.)

Incentives in the Subdivision Process

The City could smooth the process of developing preliminary Community-Scale plans by smoothing *Intergovernmental agency review*. (See 16-54. (e) of *Subdivisions*.) This could be written into the *Sequence of Community Design* section of Article 3 (at 3.2 of the *MSC*) and the *Instructions* section of Article 4 (at 4.1). There is also a SmartCode Module for Incentives prepared by DPZ & Co.

The earliest phase of the *Subdivision* process at 16-52. and 16-53. Through 54, *Subdivisions* offers comparatively light sketch and preliminary plan requirements which could be incorporated—potentially in lighter form—within the SmartCode. Of course the Sketch plan application requirement of 16-52. (2) a. of *Subdivisions* is only light compared to the preliminary and final requirements. The city could also potentially make detailed surveys of land and historical and cultural resources available to developers as an incentive to use the SmartCode.

If the City adopts a Regulating Plan based on a preliminary plan, the City could act somewhat as a Master Developer and allow developers to devolve responsibility down to builders more fluidly. For example, if the Transect zones are administered by the City, then the developer need not draw plans that are as detailed as would be required for an ordinary subdivision. The developer would only need to sell improved zoned lots to builders.

Article 3, at 3.1.6 says that:

New Community Plans shall include a Regulating Plan consisting of one or more maps showing the following for each Community Unit in the plan area, in compliance with the standards described in this Article:

- a. Transect Zones*
- b. Civic Zones*
- c. Thoroughfare network*
- d. Special Districts, if any*



e. Special Requirements, if any

f. numbers of Warrants or Variances, if any.

The zones at a. through e. above could all offer a developer a way to vest some ability to develop while retaining all of the flexibility offered within those zones. A conventional subdivision requires a great deal of up-front commitment to details which could be mitigated by platting and zoning Transect Zones, Civic Zones, and possibly Special Districts under the SmartCode. This incentive to use the SmartCode would, in effect, be built into its structure rather than a specific provision.

To do this, the SmartCode could allow an adopted regulating plan to serve as part of a final plan for a Community, with the buildout of lots and public spaces treated as supplemental to it. Ranson might do this under a process similar to 16-61. *Final plan procedure* and 16-62. *Final Plat Requirements of Subdivisions*.

As a further reward for developing compact mixed uses, the City could allow applicants to include statistics for reduced trip generation to meet the Sketch Plan and Preliminary Major Subdivision Plan requirements (at 16-52. (2) b. and 16-54. (d) of *Subdivisions*, respectively). Perhaps the City could even perform studies of older areas of Ranson, Charles Town, and nearby communities, and use them as a benchmark against which to adjust the trip generation study.

Incentives in the Design Process

A final bundle of incentives could come from allowing infrastructure to be developed frugally. One way to do this is to build only what is needed for each Transect zone. Another is to build less infrastructure, and build it incrementally. This could be done in three parts.

Firstly, the *street hierarchy* contemplated in *Subdivisions* could be superseded by the SmartCode. (See 16-94. (a) and (b) *Street design standards* and *General street standards*.) It uses the arterial-collector-local model, which is alien to the SmartCode. The SmartCode could refer to an Institute of Transportation Engineers publication: *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, An ITE Recommended Practice*. It allows minor thoroughfares to be narrower and more frugal than they might be if they were treated as conventional streets. It could also help justify the Thoroughfare Standards of Section 3.7 and Table 4C of the *MSC*.

Secondly, some narrow thoroughfares such as Alleys, Lanes, and pedestrian Passages could perhaps be considered *Private streets* and accepted as private streets under 16-72. of *Subdivisions*. These could be designated as private in 3.7 Thoroughfare Standards and Table 4C of the *MSC*. (See a similar discussion with regard to *Subdivision* standards, under Regulating Plan & Zones, below.)

Finally, *Subdivisions* provides easy-to-grasp guidelines which are not incorporated into the *MSC*. (See 16-92, *Lots and lot size*.) As handy as it would be for the SmartCode to incorporate them,



these provisions typify *Subdivisions'* bias toward single-family development. They would be problematical for the SmartCode. For example, the ratio of width to depth of a lot is too wide for townhouses (at (3)). Lots for Civic buildings can often absorb odd angles (conflicting with (4)) and corner lots in the *MSC* have shallow Secondary Frontages. (Compare (5) with Table 15 of the *MSC*.) Ranson could provide a comparable set of provisions, so that the SmartCode could offer the same level of guidance to those who are unused to its style of development.

1.2. Enforcement & Appeals

Introduction

The SmartCode could either incorporate its own provisions for enforcement and appeals or rely on those existing in *Subdivisions* and *Zoning*.

The Comprehensive Plan and the WVLUPC

The enforcement mechanism of the SmartCode could be located at 1.1 *Authority* or 1.4 *Process*. It may reflect Article 10, *Enforcement* (§8A-10.) of the *WVLUPC* (or include it by reference).

Appeals within the SmartCode, introduced at 1.4.3 of the *MSC*, may be coordinated with the *WVLUPC's* Sections §8A-8-10. through §8A-8-12. (Titled *PART II. Appeal Process to Board of Zoning Appeals*). It may also refer to the details of the appeal process in Article 9 (§8A-9) of the *WVLUPC* by reference.

The RWVCO

The SmartCode should be coordinated with both *Division 10, Compliance; Administration and Enforcement of Subdivisions* and *Administration and enforcement of Zoning* (16-130. through 16-139. and 19-18. Of the *RWVCO*, respectively). These could be coordinated with the SmartCode either by including them by reference in the SmartCode's Sections 1.1 *Authority* and 1.4 *Process*, or by including the *Subdivision's* section within 3.1 and 4.1, *Instructions for New and Infill Community Plans*, respectively.

Appeals under *Subdivisions* of the *RWVCO* are handled in *Subdivisions' Division 11, Amendment; Variance; Appeal*. (See 16-140. through 16-149.) This should be coordinated with the SmartCode, particularly with Section 1.4.3 of the *MSC*. There, the appeals process for Community Plans and the appeals process for zoning could be differentiated from each other (to avoid confusion) and could be included by reference. Note, Warrants and Variances under the SmartCode are discussed below.

1.3. Warrants & Variances

Introduction

If Ranson desires, Warrants could offer a way to permit property owners to deviate from specific standards without requiring quasi-judicial review. Variances are also available in the Smart-



Code. Since Ranson offers both variances in both *Zoning* and *Subdivisions*, and since the SmartCode depends on both of those Chapters' organizational infrastructure, it may be best for the SmartCode to distinguish between its own variances and those two types of variances. It may also be important for the SmartCode to use the word "use" to mean only a broad category of internal function of buildings, since the *WVLUPC* limits the ability to grant variances for "use."

The Comprehensive Plan and the WVLUPC

The appeals process under *Zoning* relies heavily on quasi-judicial review, and doesn't offer the sort of administrative review contemplated by the SmartCode.

The *MSC*, at 1.5 *Warrants and Variances* offers two kinds of "deviations" from the balance of the SmartCode. One is by "Warrant," and one is by "Variance." Variances in the SmartCode may be aligned to the term as used in the *WVLUPC*, but a "Warrant" is intended to be for administrative scrutiny of specific, named deviations from the SmartCode. If it is granted by a small body called the Consolidated Review Committee, or CRC. Although the *WVLUPC*'s Section §8A-7-11. *Variance* may be appropriately quasi-judicial for SmartCode Variances, it is not appropriate for Warrants. Those are for specific purposes. (See Section 1.5 Warrants and Variances.) It is appropriate only to cases where unusual conditions occur. During the Calibration process, the SmartCode may be adjusted to refer to those causes for Warrants specified in the SmartCode's text. Ranson may wish to determine whether *WVLUPC* allows a board of zoning appeals to hear a Warrant under provisions (2)-(4) of Section §8A-8-9. *Powers and duties of board of zoning appeals*:

A board of zoning appeals has the following powers and duties:

- (1) Hear, review and determine appeals from an order, requirement, decision or determination made by an administrative official or board charged with the enforcement of a zoning ordinance or rule and regulation adopted pursuant thereto;*
- (2) Authorize exceptions to the district rules and regulations only in the classes of cases or in particular situations, as specified in the zoning ordinance;*
- (3) Hear and decide conditional uses of the zoning ordinance upon which the board is required to act under the zoning ordinance;*
- (4) Authorize, upon appeal in specific cases, a variance to the zoning ordinance . . .*

Perhaps permissions granted only by Warrant could fall under the term "classes of cases" in (2) above and be heard by the board of zoning appeals. As an alternative, perhaps it would be possible for a board of zoning appeals to delegate the authority to review certain "classes of cases" to the CRC. If so, perhaps they could be based on standards the board sets. If the function of the CRC is calibrated to be to recognize whether certain specified conditions exist and no other conditions would interfere, then perhaps the CRC could be considered to function somewhat as an inspector. As another alternative, perhaps Warrants could be considered a type of



design review. In that case, each type of Warrant would have its own standards against which the CRC would judge applications.

The SmartCode does not regulate by “use” in the ordinary way. It regulates according to several criteria. For buildings, it regulates by Building Disposition, Configuration, and Function—with Building Function broken down to include “Building Function” and “Specific Function and Use.” (In the *MSC*, see 5.6 *Building Disposition*, 5.7 *Building Configuration*, 5.8 *Building Function*, and Table 12 *Specific Function & Use*.) Since the *WVLUPC* specifies in Subsection §8A-7-11. (a) that Variances “shall not involve permitting land uses that are otherwise prohibited in the zoning district,” it may be best for the SmartCode to specify that Building Disposition, Configuration, and Specific Function are to do with the *manner of use*, and that only the broadest category of use, such as “lodging” is meant to constitute what the *WVLUPC* means by “use.” For example, if “lodging” is considered a use, and “Inn” or “Hotel” is considered a particular *manner of use*, then the Board of Adjustment could probably grant a Variance to allow a Hotel instead of an Inn. If, however, the more specific “Inn” or “Hotel” is itself considered a use, not just a manner of use, the *WVLUPC* would presumably prohibit the Board of Adjustment from granting such a Variance.

The *RWVCO*

As with the Appeals process generally, the Warrants and Variances of the SmartCode should be coordinated with both *Subdivisions* and *Zoning*. As noted above, Warrants are granted administratively for specific deviations throughout the SmartCode.

Subdivision Variances, defined in Section 16-27. of *Subdivisions*, are distinguished from zoning variances. Subdivision variances are granted by the Zoning Commission following 16-141, *Variance*. The SmartCode could parallel that distinction by distinguishing the appeals processes for *New* and *Infill Community-Scale Plans* from the appeals process for *Building Scale Plans*. (See articles 3, 4, and 5, respectively.) The *Instructions* and *Sequence of Community Design* for *New Community Scale Plans*, at 3.1 and 3.2 of the *MSC*, respectively, could include Subdivision variances by reference. So could *Instructions* for *Infill Community Scale Plans*, at 4.1 of the *MSC*. Appeals under Article 5 of the *MSC*, *Building Scale Plans*, could include *Zoning* variances by reference.

The *Traditional neighborhood development district* offers a deviation similar to a Warrant, called an Administrative Variation. Per 19-21. (b) (10) d, the City Manager may “allow minor variations of a site plan or subdivision plat from an approved application plan, standard of development and a general development plan or design guideline” (The text then lists a number of conditions.) Perhaps the SmartCode could follow suit for Warrants, with the City Manager making the decision based on the recommendation of the CRC. The Warrants could then remain sprinkled throughout the SmartCode. Alternatively, the process for Administrative Variations could be incorporated into *Zoning’s* appeals process. It could be made general to all zones, so



that the SmartCode and the TND district could both use it. In that case, revisions to that process could all be made in one place.

An alternative to treating Warrants as Administrative Variations could be to treat them as “Special Exceptions,” which are already available to all zones. They are similar to conditional uses, as well as Variances, and are granted by Ranson’s Board of Adjustment. Ranson’s Board of Adjustment is regulated under 19-17, Board of adjustment in Zoning. It serves as a “quasi-judicial panel to decide questions of interpretation of [Zoning] applications for special exceptions, and requests for variances.” As such, it is not administrative, whereas the CRC would be. If necessary, it could provide an additional level of scrutiny without having to meet the tight conditions for a Variance. Moreover, per 19-18. (c) (2) of Zoning, the Board can attach conditions to a Special Exception which might not be possible with an Administrative Variation.

In order to obtain a Special Exception, the Board must make three findings which require a quasi-judicial level of judgment, under 19-18. (d) (3) a. through c:

- a. The use 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.*
- 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 of the use, 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.*

Even if the SmartCode does not use these conditions directly, they could be used for Warrants in the SmartCode. It may be appropriate to define “Use” in the SmartCode, or adjust the terminology. As noted above, since the *RWVCO* doesn’t allow variances to be granted for use, the SmartCode should say that only the broadest category of use (e.g. Lodging), not a particular way of building that use (e.g. Hotel), constitutes a “use” as intended by the *WVLUPC*.

1.4. Legal Nonconforming uses

Introduction

The SmartCode for Ranson could address the issue of nonconforming land uses as well as nonconforming building uses.

The Comprehensive Plan and the WVLUPC

The SmartCode includes provisions for legal nonconforming uses in buildings, at 4.6.3 and 5.2.3 of the *MSC*. However, the *MSC* does not include any similar provisions for the use of land, including natural resources. Since the *WVLUPC* is concerned with the use of land, not just buildings, the SmartCode for Ranson could be adjusted to refer to land as well. The SmartCode’s



Regional Scale Plans and New Community Scale Plans (Article 2 and Article 3 of the *MSC*) may also be calibrated to clarify or safeguard the status of land which is not in a Community Unit or within Ranson itself, but which is within Ranson’s Urban Growth Boundary. It may also clarify both whether land which is within the municipal boundary must be mapped on a Regulating Plan and whether it must be in a Community Unit or a Special District. This language may be coordinated with Subsections §8A-7-10. (c) and (d) of the *WVLUPC*, which include the use of land in the effect of the zoning ordinance.

The *RWVCO*

Nonconformities, as regulated in 19-16, *Nonconformities of Zoning*, should be coordinated with the SmartCode. As noted above, the SmartCode, at 4.6.3 and 5.2.3 of the *MSC*, is concerned with buildings and the “modification of existing buildings.” It permits alterations which result in greater conformance by right. This is an advance over codes which take conformance as a whole, and often hamper the reformation of non-conforming structures. However, the SmartCode does not mention nonconformities to do with land and land use. Perhaps it could do so.

1.5. Comprehensive Plan

Introduction

The SmartCode offers tools for large-scale planning which include much of the same analysis and decision-making that goes into a comprehensive plan. The *Comprehensive Plan* could justify using that process – including a requirement to update that planning’s results into the *Comprehensive Plan* itself. In any case, the *WVLUPC* may require an update to the *Comprehensive Plan* when a new zoning code is created.

The *Comprehensive Plan* and the *WVLUPC*

It may be appropriate to update the *Comprehensive Plan* to include a “bootstrapping” process. It could be amended to justify the incremental planning process of Articles 2, 3, and 4 of the *MSC*, and then incorporate that planning back into the *Comprehensive Plan*. Within the *WVLUPC*, the authority to plan, subdivide, and zone depends upon justifying municipal actions with a comprehensive plan. (Sub-subsection §8A-1-1. (b) (8) says, “Based upon a comprehensive plan, governing bodies may” Sub-subsection §8A-1-1. (b) (3) says, “A comprehensive plan should be the basis for land development and use, and be reviewed and updated on a regular basis . . .”). As noted above, Ranson may temporarily draw upon its existing *Comprehensive Plan* for its authority to plan, subdivide, and zone. At the same time, the *MSC* includes general instructions for planning. These are managed at the regional (or county or Urban Growth Boundary) level in Article 2 of the *MSC*, at the level of “greenfield” subdivisions in Article 3, at the level of “infill” subdivisions in Article 4, and at the lot and block scale of Article 5. (Community Unit Types are regulated in Sections 3.3 and 4.2, *Community Unit Types* of the *MSC*.) These general instructions may serve as a guide for documenting the planning process for incremental amendments to the *Comprehensive Plan*. Perhaps the Sequence of Sector Determina-



tion (2.2 of the *MSC*) and also the Community Units' individual Regulating Plans could be recorded as amendments to the *Comprehensive Plan*. This could have the added benefit of avoiding two “zoning events.”

In any case, such a comprehensive mapping process may be necessary to accommodate the SmartCode. As noted above, Section §8A-3-12. *Validation of Prior Comprehensive Plans*, suggests that prior plans may have to be amended to give authority to implement the SmartCode. While Subsection §8A-3-12. (a) allows prior plans to remain in effect for a time, (b) requires amendments to prior plans to abide by the new Article:

(a) The adoption of a comprehensive plan or any general development plans by a planning commission, under the authority of prior acts, is hereby validated and the plans may continue in effect for ten years after the effective date of this chapter or until the plans are revised, amended or replaced in accordance with this chapter.

(b) After the effective date of this chapter, amendments to prior plans shall be made in accordance with the provisions of this article.

The requirements for a comprehensive plan are detailed at Article 3 (§8A-3) of the *WVLUPC*, and one part of that Section may comport generally well with the *MSC* without much modification. Among other purposes, Subsection §8A-3-1. (d) includes these (required) purposes in subsections (5)-(10):

(5) Reduce the wastes of physical, financial, natural or human resources which result from haphazard development, congestion or scattering of population;

(6) Reduce the destruction or demolition of historic sites and other resources by reusing land and buildings and revitalizing areas;

(7) Promote a sense of community, character and identity;

(8) Promote the efficient utilization of natural resources, rural land, agricultural land and scenic areas;

(9) Focus development in existing developed areas and fill in vacant or underused land near existing developed areas to create well designed and coordinated communities;
and

(10) Promote cost-effective development of community facilities and services.

These purposes may be reflected in the *MSC* in Articles 1, 2, 3, and 4—particularly in 1.1 *Authority*, 1.3 *Intent*, 2.2 *Sequence of Sector Determination*, 3.5 *Civic Zones*, and 4.4 *Civic Zones*. (The Transect Zones and the Civic Zones comprise the normative zones which set the standards for community character, whereas Special Districts are to be planned individually.) Civic Zones include parks, and the present *Comprehensive Plan* calls for establishing active and passive parks—partly for recreation and partly to protect natural resources (Introduction, pp. 2-3).



The RWVCO

As noted above, when the *Comprehensive Plan* is amended for the SmartCode, perhaps the plans for Community Units under Articles 2, 3, and 4 could be amendments to the *Comprehensive Plan*. (See Section 2.2 and Articles 3 and 4 of the *MSC*.) If so, the Community Units and their Pedestrian Sheds could be written into the *Comprehensive Plan*, potentially smoothing the conformance process for the new subdivisions which conform with the *Comprehensive Plan*. (See 16-30, *Compliance with comprehensive plan in Subdivisions*.)

Given the frequent updates contemplated for the *Comprehensive Plan*, it may be important to decide whether or not to incorporate the date of the *Comprehensive Plan* into the SmartCode. (See *Implementation/Recommendations of the Comprehensive Plan*, page 37.) The *Purpose* of the Traditional Neighborhood development ordinance, is partly to further the “concepts identified in the 2004 comprehensive plan for the city.” (See 19-21. (a).) It does not just further “the Comprehensive Plan,” but gives a date which can be superseded. If the *Comprehensive Plan* is updated, then presumably the TND regulations would require an explicit finding that the TND ordinance remains in compliance. In any case, the *Comprehensive Plan* could be mentioned specifically in 1.1, *Authority* in the SmartCode—though not necessarily the date of the plan.

2. Synoptic Survey

Introduction

The SmartCode is usually customized to its context via a process called a *Synoptic Survey*. The *WVLUPC* requires a study which should be coordinated with it. The *Comprehensive Plan* calls for calibration to locally appropriate conditions as well, and these can inform *Community-Scale Plans*.

The Comprehensive Plan and the WVLUPC

The SmartCode incorporates local patterns through a process called a *Synoptic Survey* within a wider process called *Calibration*. These two processes should be verified against the requirements of the *WVLUPC*. Such a process is required by several Sections of the *WVLUPC*: Sections §8A-7-4. *Study and report on zoning*, §8A-7-5. *Enactment of zoning ordinance*, §8A-7-8. *Amendments to the zoning ordinance by the governing body*, and Section §8A-7-8a. *Requirements for adopting an amendment to the zoning ordinance*. These require a study which is similar to a Synoptic Survey and Calibration. The wider Calibration process includes the study of existing land uses similar to the one the *WVLUPC* requires. In Ranson, this may justify steering development to particular locations within the Urban Growth Boundary. Calibration also ensures that the Community Unit Types are appropriate to the locale, so they can support New and Infill Community Scale Plans in Articles 3 and 4 of the *MSC*, respectively. This is particularly important for Infill Regulating Plans. Provision 4.3.1 of the *MSC* requires a Synoptic Survey:



4.3.1 Transect Zone standards for Infill Regulating Plans should be calibrated by means of a survey of exemplary existing and intended conditions, as identified in a process of public consultation and subject to the approval of the Legislative Body. Metrics shall be recorded on Table 14 and Table 15.

At the smaller scale of zones, the Transect zones, Civic Zones, and Special Districts must be adjusted for local character using a Synoptic Survey. (These zones are regulated in Sections 3.4 and 4.3; 3.5 and 4.4; and 3.6 and 4.5, respectively, in the *MSC*). To meet the *Comprehensive Plan's* Implementation/Recommendations (p. 38), this survey may have to include examples both from Ranson and from nearby cities to locate appropriate models for small lots and mixed use:

Implementation/Recommendations, p. 38: Encourage modification to the City's zoning code to allow residential (single and multi-family) in the Highway Commercial and Central Business districts, and the limited reduction of the minimum lot size (6,000 and 7,000 sq. ft.) for residential lots to provide a viable use of the existing 25' x 125' lot.

The RWVCO

As noted under Incentives above, the Traditional Neighborhood development district makes use of studies comparable in depth, though not subject matter, to a Synoptic Survey. (See 19-21. (b) (8), *Traditional Neighborhood development district, of Zoning.*) As Community-Scale plans are prepared, they could include similar studies along with the Synoptic Survey. Such studies could be prepared by the City or by applicants.

3. Vesting

Introduction

The SmartCode could state when vesting occurs, as well as when the right to develop to a certain level is conferred – even if it is just through the fact that land is zoned.

The Comprehensive Plan and the WVLUPC

The SmartCode Calibration may take account of Vesting. At 1.1 *Authority*, the *MSC* may defer to the existing Subdivision Ordinance for Vesting as—well as for Authority, fees, schedules, and general standards. Subsections §8A-4-2. (c) and §8A-5-12 (f) of the *WVLUPC* extend Vesting for approximately a year, or as specified by the municipality. Section §8A-5-12 details it more specifically. The SmartCode could incorporate (or include by reference) standards for Vesting in these sections: 1.1 *Authority*, 1.4 *Process*, 2.2 *Sequence of Sector Determination*, 3.1 *Instructions*, 4.1 *Instructions*, and 5.1 *Instructions* of the *MSC*.

The RWVCO

In *Subdivisions*, vesting only occurs when a plat is approved, or approved with conditions. (See 16-50. (f) (1) a. and b, *Division 4: General Procedure.*) In the terminology of the SmartCode,



this could be considered to happen when the Regulating Plan (or a plat accompanying a Regulating Plan) is approved with or without conditions. The provisions of Articles 3 and 4 regarding what is contained in a Regulating Plan differ, though they are similar. Each could include a requirement for a plat, or specifically exclude a plat if it is not desired that vesting should occur when the Regulating Plan is approved. In the *MSC*, the two provisions read:

3.1.6 New Community Plans shall include a Regulating Plan consisting of one or more maps showing the following for each Community Unit in the plan area, in compliance with the standards described in this Article:

- a. Transect Zones*
- b. Civic Zones*
- c. Thoroughfare network*
- d. Special Districts, if any*
- e. Special Requirements, if any*
- f. numbers of Warrants or Variances, if any.*

. . . and . . .

4.1.3 Infill Regulating Plans shall consist of one or more maps showing the following:

- a. The outline(s) of the Pedestrian Shed(s) and the boundaries of the Community Unit(s)*
- b. Transect Zones and any Civic Zones within each Pedestrian Shed, assigned according to an analysis of existing conditions and future needs*
- c. a Thoroughfare network, existing or planned (Table 3A, Table 3B, Table 4A, Table 4B, and Table 4C)*
- d. any Special Districts (Section 4.5)*
- e. any Special Requirements (Section 4.7)*
- f. a record of any Warrants or Variances.*

In addition to this, the SmartCode could clarify which rights are conferred when a *Regulating Plan* is accepted and zoned. Such zoning may not constitute vesting per se, but would grant the ability to zone as-of-right.

4. Urban Growth Boundary, Sectors & Community Units

Introduction

The Comprehensive Plan and the WVLUPC

SmartCode Sectors determine where the areas to be urbanized are located. Transect Zones and Civic Zones are generally mapped only within Community Units, and the SmartCode's Special Districts can be mapped between them. Each SmartCode Calibration, however, can specify the relationship between these zones, Community Units, the Sectors which govern them, and the



municipality's jurisdiction(s). In Ranson's case, the process governing Sectors and Community Units in Article 2 of the *MSC* would have to take into account the relationship between the County, the City's incorporated land, Charles Town, and the Urban Growth Boundary. This Calibration may be easier because Subsections §8A-7-1. (a) and (b) of the *WVLUPC* offer municipalities and counties a great deal of discretion over how zones are mapped, including allowing counties to zone land. This may allow Ranson to coordinate with Charles Town and Jefferson County not only with regard to the Urban Growth Boundary, but with regard to a menu of Sectors and even Community Units coordinated among the jurisdictions.

Sub-subsection §8A-7-2. (b) (15) authorizes Urban Growth Boundaries. Together with the broad ability to zone, it may justify the *Sequence of Sector Determination*, including the (O-2) *Reserved Open Sector* (Sections 2.2 and 2.4 of the *MSC*, respectively). As noted below, the O-2 Sector is designed to preserve land which is not yet preserved.

Sub-subsections §8A-7-2. (b) (10)-(12) of the *WVLUPC* also grants zoning sweeping purposes so that it can be used at a large enough scale to safeguard undeveloped areas and shape the intensities of development:

(10) Preserving green spaces and requiring new green spaces, landscaping, screening and the preservation of adequate natural light;

(11) Regulating traffic flow and access, pedestrian flow and access, parking and loading;

(12) Identifying flood-prone areas subject to periodic flooding and regulating with specific control the permitted use, type of construction and height of floor levels above base flood elevation permitted in the area so as to lessen or avoid the hazards to persons and damage to property resulting from the accumulation of storm or flood waters

This, however, is a different project from simply designating an Urban Growth Boundary into which Ranson can grow. It requires setting aside natural and agricultural space. The SmartCode uses three Sectors to do that—2.3 (O-1) *Preserved Open Sector*, 2.4 (O-2) *Reserved Open Sector*, and the 2.5 (G-1) *Restricted Growth Sector*. In order to do its job of preserving land, Ranson's SmartCode may specify that the open land within the small Community Units in G-1 (called Clustered Land Development) be contiguous and meet ecological or other standards. The *WVLUPC* makes it clear that zones may cover different territories and may overlap (Subsection §8A-7-3. (b)). Thus, Community Units could possibly be contained within an overall zone designed to conserve natural resources.

Ranson's *Comprehensive Plan* provides ample justification for planning by Community Unit. *History*, p. 7, says,

Today, the Urban Growth Boundary is also envisioned as multiple neighborhoods using distinctive names to create their own identity and preserve the "small town" atmosphere



(See Appendix E). Each of these "neighborhoods" should have its own commercial center to support their local needs. This plan encourages the "islands" within the Urban Growth Boundary to annex into the City. This will complete the neighborhoods and help unify Ranson's residential and business communities.

It should be noted that the "Neighborhoods" contemplated by the *Comprehensive Plan* are larger than the Community Units of the SmartCode, and so could be composed of clusters of Community Units, with the most intense Community Units at their centers.

The RWVCO

The regulations in the *RWVCO* regarding subdivisions of land require that subdivisions accord with the *Comprehensive Plan*. Except for that, though, they intersect very little with Community Units—or community-scale planning principles in general. Still, 16-37. of *Subdivisions* does require subdivisions to connect to thoroughfares outside the subdivision. Some Community Units are more intense than others, and they require different amounts of connectivity between them. That connectivity can affect the number of trips onto outside streets. The SmartCode could specify the different levels of connectivity in both 3.3 *Community Unit Types* for New Community-Scale Plans and 4.2, *Community Unit Types* for Infill Community-Scale Plans.

5. Preservation of Natural Habitat and Farmland

Introduction

The tools the *WVLUPC* offers for farmland protection appear to be helpful, but may not be enough to protect natural lands which the *Comprehensive Plan* calls for protecting. The *Comprehensive Plan* suggests using parkland to protect natural land, but Ranson may have more options as it uses the SmartCode. At the same time, *Zoning* includes districts designed to preserve open space, although their metric standards may fall short of what is needed to do so.

The Comprehensive Plan and the WVLUPC

Section §8A-3-5. Includes optional components of a comprehensive plan which could justify conserving land and natural resources:

(4) Conservation. -- Recommend programs to conserve and protect wildlife, natural habitats, sensitive natural areas, green spaces and direct access to sunlight.

(6) Natural resources use. -- Identify areas for natural resources use in an urban area.

However, Ranson may not have the tools it needs to satisfy such plans. Perhaps partly because of this dearth, the *Comprehensive Plan* suggests using parkland for this purpose. In the *Introduction*, pp. 2-3, it says, "There is a need to establish both active parks and playgrounds, as well as passive parks, to provide recreational activities for the community and protection of the City's natural resources." (Emphasis added.) Under *Parks, Open Space, and Recreation*, p. 21, the *Comprehensive Plan* recommends a "comprehensive" community park system, and on p. 25



and under *Implementation/Recommendations* on p. 38, it suggests acquiring the 100-year floodplain and buffers. On p. 21, the *Comprehensive Plan* also suggests acting proactively, and leaving some parkland in “reserve” until a use is found.

The SmartCode may offer the requisite tools. The lands that would be preserved under *Parks, Open Space, and Recreation*, on p. 20, are very similar to the ones which are preserved in the MSCs O-1 and O-2 Sectors. The *Comprehensive Plan* lists, “. . . streambeds, wetlands, floodplains and their buffers, steep slopes, forestland, sinkholes, wildlife habitats, and other unique natural features and resources.” The O-1 Sector includes land which is preserved: Surface Waterbodies, Protected Wetlands, Protected habitat, Riparian corridors, purchased open space, Conservation Easements, Land Trusts, Transportation Corridors, and CLD open space. The O-2 Sector, which is for land to be protected, includes: Flood Plain, Open Space to be Acquired, Corridors to be Acquired, Buffers to be Acquired, Legacy Woodland, Legacy Farmland, Legacy Viewsheds, and CLD Residual Open Space. (See Table 2 Sector/Community Allocation.) These lists could absorb Ranson’s criteria from its *Comprehensive Plan*.

Section 2.2, of the MSC, *Sequence of Sector Determination*, uses a process akin to the Farmland Protection process available through the *WVLUPC*. In this sequence, land which is not yet, but should be, preserved is mapped into the (O-2) *Reserved Open Sector* (Section 2.4 of the MSC). One of the first actions undertaken in the *Sequence of Sector Determination* is to identify natural lands which should be protected. It is, however, unclear whether *WVLUPC* could allow Farmland Protection to be used to preserve natural habitat. Subsection §8A-12-15. (f) says,

The historical, architectural, archaeological, cultural, recreational, natural, scenic, source water protection or unique value of the easement: Provided, That determinations of the authority or a county farmland protection board are not a substitute for and do not have the effect of other procedures under state or federal law for granting protected status to land, including, but not limited to, procedures under the National Historic Preservation Act of 1966, as amended, or rules of the director of the historic preservation section of the division of culture and history authorized in section eight, article one, chapter twenty-nine of this code, or procedures under the authority of the tourism commissioner or the parks and recreation section of the division of natural resources;

Thus, although natural habitat and historical heritage can be considered, Article 12 (§8A-12) of the *WVLUPC* seems to be exclusively intended to preserve agricultural land. Should Ranson wish to preserve land via Sectors (or Community Units, if Article 2 is truncated), it may find it essential to identify all the tools, if any, Ranson has available to fulfill the recommendations of its *Comprehensive Plan*.



The *RWVCO*

Three districts in *Zoning* could be amended for use with the SmartCode, or Ranson could refrain from mapping them after the SmartCode is adopted.

The *Rural reserve district*, at 19-22 in *Zoning*, is broadly similar in purpose to the O-2 Sector and G-1 Sector of the *MSC*. It is intended to allow a small amount of development on land, while leaving some as open space (See 19-22. (a), *Purpose*.) The O-2 Sector of the *MSC* would do this by transfer of development rights, purchase, and other mechanisms. The G-1 Sector would do this by allowing Community Units which must set aside land for natural or agricultural use. Unfortunately, G-1 does this at a smaller scale, so large areas of open space may not be preserved. If desired, G-1 could be rewritten to require more open space or to require that it be contiguous and substantial enough to be useful. Such a requirement could be aligned with farmland protection goals. (See the discussion of farmland protection below.) *Zoning's* Area and bulk regulations and its modest requirements for open space suggest that the O-2 or G-1 Sector, or even zoning as T-2 might preserve the land better. (See 19-22. (f).)

The *Suburban homestead district* encourages clustering. (See 9-23. In *Zoning*.) It is somewhat comparable to the G-1 Sector, which allows only Clustered Land Developments, or CLDs in the *MSC*. In a CLD, as regulated in the *MSC*, 50% of the land must be set aside as open space, and in the *Suburban homestead district*, Nature Preserves are a permitted use. (See 19-23. (b) (6) in *Zoning*.) Nevertheless, the G-1 Sector and CLDs may meet Ranson's needs better—especially if they include a requirement that the open space be contiguous and substantial.

5.1. Floodplains

Introduction

The SmartCode could make use of the *RWVCO's* proscription against building structures in flood-prone areas and also steer development away from them using both the *MSC's* large-scale and small-scale regulations.

The Comprehensive Plan and the *WVLUPC*

Although it is not intended to preserve natural lands per se, the *WVLUPC's* Sub-subsection §8A-4-2. (a) (6), *Standards for flood-prone or subsidence areas*, does permit localities to set standards for land in floodplains and dangerous slopes. This, which may be coordinated with the SmartCode. Section 2.2, *Sequence of Sector Determination*, steers development and the inhabited part of Community Units (3.3 *Community Unit Types* of the *MSC*) away from such hazards. The Transect Zones mapped within the Community Units, naturally, are also steered by this process. T-1 and Portions of T-2 can be mapped into flood plains, but higher T-zones should not be located in flood plains. This can be coordinated via 3.4 *Transect Zones* of the *MSC*. Certain Special Districts (Sections 3.6 and 4.5 of the *MSC*) could potentially be mapped



onto floodplains. Doing so would accord with the *Comprehensive Plan's* recommendations to preserve flood plains, noted above.

The *RWVCO*

Although the *MSC* allocates flood-prone areas to the O-1 Sector in the hopes that they will be preserved from development, *Subdivisions* actually prohibits them from being built upon. (See 16-39.) Of course that does not mean they are preserved from development for parking lots, etc. However, the SmartCode could be made consistent with *Subdivisions* by prohibiting development in flood-prone areas in Articles 2, 3, 4, and 5. In Articles 3 and 4, this might be included in new sections in which various requirements for conformance with other codes could be collected (e.g. *Farmland Protection*, Sections §8A-12-1. through §8A-12-21 of the *WVLUPC*). In Article 5, *Building Scale Plans* it might be located at 5.1, *Instructions*. In addition, there is a SmartCode Module for riparian buffers by DPZ & Co. with Daniel Slone.

5.2. Farmland Protection

Introduction

The SmartCode could incorporate West Virginia's *Voluntary Farmland Protection Programs* and stop using its *Suburban homestead district* in favor of tools available in the SmartCode.

The *Comprehensive Plan* and the *WVLUPC*

As noted above, Farmland Protection is provided for in the *WVLUPC*. Article 12 *Voluntary Farmland Protection Programs* (Sections §8A-12-1. through §8A-12-21 of the *WVLUPC*) provides funds and tools to preserve farmland. The Farmland Protection board's standards and guidelines, authorized under Subsections §8A-12-3. (2), may be incorporated into the SmartCode's *Sequence of Sector Determination*, Section 2.2 of the *MSC*. That Section uses standards which are entered into Table 2 of the *MSC*, including "Legacy Woodland." If it is active woodland available for harvest, it may fall under the *WVLUPC's* definition of "Woodland," in Subsection §8A-12-11. (e) *Definitions. . . . Woodland*. The tools available under Section §8A-12-12. *Methods of farmland protection* approximate the Transfer of Development Rights used to preserve the O-2 *Reserved Open Sector* (Section 2.4 of the *MSC*). The Farmland Protection tools of the *WVLUPC* may make it unnecessary to preserve the bulk of farmland or abandoned farmland in parkland (*Parks, Open Space, and Recreation*, p. 26).

The *RWVCO*

The *Suburban homestead district* is meant to blend between countryside and city, "facilitating a harmonious transition from the county's rural areas to the high density urban center. . . . All land uses in the SH district are encouraged to co-exist with, support, and complement the region's agricultural uses." (See 19-23. of *Zoning*.) Unfortunately, such a blending is difficult in practice. The SmartCode, through, could include a specific designation for agriculture in proximity to settlement, along with its standard measures for farmland preservation—chiefly 2.2 *Se-*



quence of Sector Determination, 2.4 (O-2) Reserved Open Sector, and 2.5 (G-1) Restricted Growth Sector. The T-2 Transect zone can be mapped where agriculture is mapped in a Community Unit, and perhaps a sub-zone of it could regulate agricultural uses in proximity to Community Units. (For example, it might prohibit noxious agricultural uses.)

6. Civic Open Space & Transportation

Introduction

The SmartCode has design standards for Civic Open Spaces and for thoroughfares that can support the *Comprehensive Plan* and improve upon *Subdivisions'* standards. Those design standards could potentially be inserted into the organizational infrastructure of *Zoning*, so that conventional zones can take advantage of it.

The Comprehensive Plan and the WVLUPC

Sub-subsection §8A-4-2. (b) (2) of the *WVLUPC* allows localities to set standards for “green space, common areas, public grounds, walking and cycling paths, recreational trails, parks, playgrounds and recreational areas.” These are regulated in a number of places within the *MSC*. If they are Special Districts, they can be regulated by Article 2, and worked into the SmartCode via the *MSC's* Section 2.2 *Sequence of Sector Determination*—and by extension 3.3 *Community Unit Types* and 4.2 *Community Unit Types*. Civic Spaces, such as parks and squares, are regulated in Table 13. *Civic Space*. Thoroughfares are regulated by Table 4C. *Thoroughfare Assemblies*. These may be expanded by incorporating various SmartCode Modules.

Ranson's *Comprehensive Plan* calls for specific requirements for roads, sidewalks, trails, and other connections in a number of places. On p. 2 of the *Introduction*, it encourages careful development of “. . . not only the road system within and around the City, but also the pedestrian links between residential neighborhoods, open space, and commercial areas.” This includes sidewalks and connections to Jefferson County trails. As noted above, it calls for playgrounds as well as parks—partly to protect natural resources. Under *Transportation*, on p. 17, the *Comprehensive Plan* calls for pedestrian travel within and around Ranson, including a “safe” pedestrian/bike system that interlocks with commercial/employment centers—possibly using a rails-to-trails program. Such a system, to be safe and well-used, should be generally contiguous and well-integrated with thoroughfares. In combination with the above call for a “comprehensive” system (p. 21) including flood plains (pp.25, 38), this may justify shaping communities and densities around contiguous open space, since well-traveled routes overlooked by new development tend to be safe and well-used. This, again, may be worked into the SmartCode based on Articles 2, 3, and 4, as well as Regulating Plans.

The *Comprehensive Plan's Parks, Open Space, and Recreation* chapter (p. 20) mentions both passive and active recreation space. As noted above, it provides justification for preserving natural areas—some kept in reserves until a use is found. It is also notable that it mentions that



“[u]rban plazas, squares, parkways, gardens, and other urban spaces result from man-made changes to the environment. . . . These open spaces appropriate to higher T-zones found in Table 13, provide breathing space for urban residents and a sense of openness in an otherwise developed environment.” This provides explicit support for the types of Civic Open Space found in higher Transect Zones.

The *RWVCO*

The SmartCode could use the standards for *Parks, open space, and recreation areas* as organizational infrastructure. (See 16-180. (d) of *Subdivisions*.) In that case, its *Open space types* could be made subject to Table 13, *Civic Space*, of the *MSC*, where the SmartCode is in effect. (See 16-180. (d).) As an alternative, *Subdivisions* could include the types of open space listed in Table 13 of the *MSC*. Moreover, the organizational infrastructure now in *Zoning* could be updated to include standards for Thoroughfares and Civic Open Spaces, so that they can apply to areas covered by the existing zoning.

7. Redevelopment & Brownfields

Introduction

The SmartCode offers both large-scale and small-scale tools for redeveloping infill sites. The *MSC*, however, also requires some adjustment if it is used to regulate density on a lot-by-lot basis. In addition, the *MSC* can include designations for development districts.

The Comprehensive Plan and the *WVLUPC*

Ranson’s *Comprehensive Plan* calls specifically for implementing the Charles Town/Ranson Commerce Corridor Plan on p. 37, *Implementation/Recommendations*. The Calibration process for the SmartCode may also include an amendment to the *Comprehensive Plan* which better justifies infill and redevelopment—possibly at p. 38 in *Implementation/Recommendations*. The *WVLUPC* requires localities’ *Comprehensive Plans* to identify areas for redevelopment in Subsection §8A-3-4. (c) (10):

Mandatory components of a comprehensive plan. . . . Preferred development areas. -- Consistent with the land use component, identify areas where incentives may be used to encourage development, infill development or redevelopment in order to promote well designed and coordinated communities and prevent sprawl.

The SmartCode offers tools for large-scale infill development at the scale of a subdivision. Article 4 of the *MSC* regulates the process of redeveloping large infill projects as well as for mapping existing urbanism. Section 4.1 includes instructions for deploying Community Units within an urbanized area. The Transect Zones (Section 4.3 of the *MSC*) can be adjusted to reflect ideas such as the recommendation on p.38 of the *Comprehensive Plan* to allow development on small 25’x125’ lots. (See *Implementation/Recommendations*, p. 38)



It should be noted that although density in the SmartCode is generally controlled by the parking requirement, at 5.9.2 e. of the *MSC, Parking and Density Calculations: Specific to Zones T4, T5, T6*. It says,

The total Density within each Transect Zone shall not exceed that specified by an approved Regulating Plan based on Article 3 or Article 4.

This may be difficult to enforce, since presumably it could limit the redevelopment of later lots in a Transect Zone, but not the earlier ones. (Nevertheless, a similar Section at 3.8 *Density Calculations* of the *MSC* may be enforceable, if it is applied to new development by one initial developer, under *New Community Plans*.)

The RWVCO

Redevelopment is more a strategy than a specific designation under *Zoning*. Several TND “Development districts” are mapped and listed in *District boundaries*, Section 19-20. of *Zoning*, and the SmartCode’s Special Area Plans offer another opportunity for targeted redevelopment. If desired, the SmartCode’s Infill Community Scale Plans could map the borders of development districts, or of some other district designation that allows the City to steer funds—e.g. development grants.

8. Regulating Plan & Zones

Introduction

Once a regulating plan does its job in the subdivision process it becomes a zoning map. Unfortunately, some of the general provisions of *Zoning* conflict with the SmartCode, and would need to be adjusted to work with it. Lots could be permitted to front upon non-vehicular thoroughfares (or count rear access). Building height terminology could be adjusted. Home occupations and buffering with walls, rather than landscape, could be enabled. Building types (as opposed to use types) could be regulated. If the *General provisions* of *Zoning* are extracted into organizational infrastructure for the SmartCode’s use, then certain T-zones could be applied to certain of its classes of districts (e.g. “residential districts”). Both minimum parking requirements and sign regulations could be adjusted to work with mixed-use pedestrian-oriented T-zones. Finally, some of the general provisions of *Subdivisions* should be scrutinized, and decisions made as to their desirability.

The Comprehensive Plan and the WVLUPC

The SmartCode’s analog to a zoning map is the Regulating Plan. It should be coordinated with Section §8A-7-3. *Zoning – Generally* of the *WVLUPC*. Regulating Plans are specified in the *Instructions* sections of the New and Infill Community Scale Plans—Articles 3 and 4 of the *MSC*. 3.1.6 is quoted below, and 4.1.3 is similar:



New Community Plans shall include a Regulating Plan consisting of one or more maps showing the following for each Community Unit in the plan area, in compliance with the standards described in this Article:

- a. Transect Zones*
- b. Civic Zones*
- c. Thoroughfare network*
- d. Special Districts, if any*
- e. Special Requirements, if any*
- f. [N]umbers of Warrants or Variances, if any.*

The Charles Town/Ranson Commerce Corridor Plan would be, of course, infill. On p. 11, *Land Use*, the *Comprehensive Plan* says, “The preferred development pattern within the Urban Growth Boundary is a mix of uses in the neo-traditional development pattern.” This may provide justification for Transect Zones, some Special Districts and Special Requirements, and may inform the decision as to what should constitute a “use.” (See 1.2 *Appeals*, above.)

The RWVCO

Zoning

Some of *Zoning’s* provisions may conflict with Transect Zones and other zones within the SmartCode.

Zoning’s 19-3. (e) *General provisions: Structures to have access* could be amended to provide an exception for the SmartCode, or could treat the SmartCode’s pedestrian *Passages* as streets—at least for the purposes of that provision. The SmartCode, at 3.7.1 g. Reads, “Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots within each Transect Zone may Enfront a Passage.” Otherwise, public pedestrian walkways across blocks and sidewalks inserted between attached greens and lots would both be prohibited. The SmartCode’s *Thoroughfare Standards* and *Thoroughfare Assemblies* (at 3.7 and Table 4C, respectively) could be amended to ensure that any concerns about servicing, fire protection and off-street parking are met.

In contrast to most codes, the SmartCode limits heights by the number of stories, below the eaves, if any. (See Tables 15A through 15D in the *MSC*.) This provides an incentive to build habitable attics, as well as the opportunity for a pleasant variation of building height within a given number of stories. At 19-3. (k), *General provisions: Height regulation exceptions*, the *Zoning* code could provide an exception for the SmartCode. Both the SmartCode and *Zoning* have lists of structures that can extend above the height limit, but the two lists cannot be easily harmonized. The SmartCode allows the whole building, in effect, to be raised above a raised basement, and it includes habitable attics. The *Zoning* code appears not to provide for habitable spaces above eaves, except possibly belfries and cupolas.



The SmartCode promotes mixed use, while the *Zoning* code limits home occupations at 19-3. (l), *General provisions: Home occupations*. The *Zoning* code could provide an exception for Transect zones (at 3.4 and 4.3 of the *MSC*). Transect zones offer a certain amount of flexibility with regard to the uses permitted in them. That list could not be easily coordinated with the *Zoning* code. It would not be easy to provide detailed exceptions, because that list would have to be updated whenever the SmartCode's uses are updated. The *Zoning* code's regulations are global to the entire code, whereas the SmartCode is organized so that exceptions can be made at a low level. For example, *Zoning* prohibits home occupations in all accessory buildings, whereas the SmartCode could easily allow home occupations in specific types of Outbuildings in certain T-zones. (See the *MSCs* Tables 10 and 12 regarding building functions.)

Another global provision of both the *Zoning* code and the *Subdivision* code is to do with buffers. The SmartCode uses compatible building functions and carefully managed transitions between T-zones in order to avoid the need for buffers. Table 10 of the *MSC* includes increasingly less restricted categories of use: Restricted, Limited, and Open. Those categories, combined with T-zones, can provide an array of subtly compatible zones. In that case, buffers may not be as necessary. In any case, denser urbanism generally buffers uses by mass (e.g. Walls) rather than by landscaped strips. *Subdivisions* and *Zoning* could be amended to provide an exception for the SmartCode, or could allow walls and other massive buffers to replace landscaped buffers. (See *Subdivisions*, 16-177. (a) *Buffering and screening standards* and *Zoning*, 19-3. (m): *General provisions: Buffer areas*.)

Although they do not conflict with the SmartCode's zones directly, many of the definitions in the individual district regulations listed in 19-5. through 19-11. of *Zoning*, could require adjustments to the SmartCode's *Definitions* (Article 7 of the *MSC*). For example, the term "Villa" in the *MSC* is not found in *Zoning*. Many of the SmartCode's definitions could be written to avoid confusion by saying that they encompass a category of *Zoning* terms. For example, the *MSCs* "Thoroughfares" could be defined as comprising roadways, streets, highways, etc. as defined in *Zoning*. Other terms could be defined as types of *Zoning* terms: a Villa would be a type of single-family dwelling.

At the same time, if the SmartCode is created as a freestanding document, it could include some or all of *Zoning's* districts by reference, so that they could be mapped as Special Districts under the SmartCode. (See 3.6 and 4.5 in the *MSC*.)

Section 19-3, *General provisions of Zoning*, applies certain provisions to classes of districts, such as "residential districts." Most of the SmartCode's zones are mixed-use and do not fall into these categories. (The exception is Special Districts.) There are four main options for coordinating the two. First, the SmartCode could copy, adjust, and include those *General provisions* which would be appropriate to its various Transect zones, Civic Zones, and Special Districts. It could then stand independent of those provisions and could be specifically exempted from them to avoid



confusion. A second alternative would be to amend the existing text to say that “for the purpose of conformance” with the *General provisions* in *Zoning*, “T-3, T-4, and Civic Zones are considered residential zones, and T-5 and T-6 are considered commercial zones.” (See 3.5 and 4.4 of the *MSC* for *Civic Zones*.) Third, the *General provisions* could simply exempt the SmartCode. Finally, *General provisions* could include separate, parallel provisions for the zones of the SmartCode.

The *Minimum Parking Requirements* for *Zoning*, at 19-12. of *Zoning*, could be superseded by the SmartCode’s *Building Function* and *Parking Calculations* (Table 10 and Table 11, respectively). It is important to note that under the *MSC*, the Buildable Density on a lot “shall be determined by” the parking provided. The implicit cap on density in most codes becomes an explicit cap under the *MSC*. (See 5.9 under *Building Scale Plans* of the *MSC*.)

The *Sign* regulations of *Zoning*, at 19-15. include organizational infrastructure which would be useful to the SmartCode. However, certain of those provisions may be rewritten to work for mixed uses and urban frontages. For example, 19-15. (b) (1), *Signs: General requirements and standards: Signs for Active Uses* states that “Signs must be for an active business, on the premises.” Presumably, the uses that are considered Civic under the SmartCode are considered businesses in this regulation.

Still, the SmartCode may wish to use this organizational infrastructure. The SmartCode, at 5.12, *Signage Standards* of the *MSC*, permits no signs in addition to those permitted in the SmartCode. (See 5.12.1 a.) That may be problematical or even unconstitutional if it does not refer to or duplicate some of the *Sign* regulations of *Zoning*. One option, then, might be to include selected definitions and regulations by reference, and base the SmartCode’s terminology on the definitions. For example, a “Blade Sign” could be a “type of Projecting Sign” where “Projecting Sign” is defined in the existing *Sign* regulations. Another would be to adapt selected definitions and regulations to the SmartCode. A more complex, but ultimately more flexible solution might be to distinguish “business signs” from other signs in both *Zoning* and the *MSC*, and then regulate only “business signs” in the SmartCode. Directional signs, leaflets, political signs, and so on would still be regulated by the existing *Sign* code.

In addition, there is a SmartCode Module for Signs, prepared by Brown & Keener Urban Design.

One provision which does not conflict is the manner in which districts must be established. If the SmartCode is created as a district, then it would have to follow the provisions of 19-4. (a), *District Regulations: Establishment of districts*. This would have to be coordinated with the *MSCs Authority*, at 1.1.



Subdivisions

A number of standards within *Subdivisions* could be improved to allow better Regulating Plans under the SmartCode. These are not mere technical adjustments, though. They require consideration of the substance of the standards.

An adjustment to the Minor subdivision procedure (16-56. of *Subdivisions*) would provide better Regulating Plans. The SmartCode encourages vehicular access to the rear of lots, and often makes use of Passages for pedestrians. Perhaps if a lot is subject to the SmartCode, it could be allowed to be subdivided through *Minor subdivisions* even if it includes an Alley, Lane or Passage, and even if that alley or lane includes new utilities. This could be done in two parts. The first could be to permit Alleys, Lanes, and Passages (etc.) as Private Streets. (16-72. of *Subdivisions*). The second is either to exempt private Thoroughfares from the requirements for a *Minor subdivision*, or allow a subdivision for up to five lots if one lot is for a private thoroughfare which abutting lots use in common. (See a similar discussion with regard to Passages in *Zoning* standards, under Authority & Procedures, above.)

As noted earlier with respect to *Zoning*, sometimes it is appropriate (and economical) to face lots onto pedestrian Passages. *Subdivisions* requires that “All lots shall have reasonable access and frontage upon an approved and improved public street, ‘reasonable access’ shall be considered frontage on an existing or approved public or private road that is designed and approved to accommodate its traffic volume.” (See 16-92 (2) of *Lots and Lot Size*.)

In order to consider Passages to be thoroughfares, then, not only must Passages be considered a “public or private road,” but Passages must be exempted from the requirement for traffic or perhaps be permitted to count access from an Alley or Lane.

One adjustment is corollary to allowing Passages to be considered streets or roads under *Subdivisions* and *Zoning*. If they are considered streets or roads, then in some cases the length of a block might not meet the minimum of 400 feet (16-93, *Block length*, under *Subdivisions*). Although this applies to block length rather than width, it could hamper good platting under a Regulating Plan—especially where Passages give access to the rear of commercial lots. It should be noted that this minimum may not otherwise conflict with the block perimeters given for the SmartCode, but that it might unnecessarily hamper urban design. (See Table 14 of the *MSC* for block perimeters.)

For narrow urban lots, the ratio of width to depth of 1:2.5 in 16-92. (3) of *Subdivisions* is too wide. On a lot 125 feet deep, it requires a minimum frontage of 50 feet. This would conflict with the higher Transect zones—as well as Ranson’s recommendation to permit development of its older lots. At (12) in the same section, flag lots are prohibited except by approval of the planning commission for TNDS. The same courtesy could be extended to the SmartCode. (See 3.4



and 4.3 and Table 15 of the *MSC* and *Implementation/Recommendations*, p. 38, of the *Comprehensive Plan*. See also a discussion of this ratio under *Incentives*, above.)

As noted above, under Design Incentives, *Subdivisions* insists on the arterial-collector-local model of street hierarchy. Not only can that system be inefficient for highly connected networks, but it can impact the whole Regulating Plan. The SmartCode could supersede these standards through Table 4C *Thoroughfare Assemblies* and Section 3.7, *Thoroughfare Standards* of the *MSC*. One way to do this might be to adopt the approach of *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, An ITE Recommended Practice*. It would be to provide a table in which the SmartCode's Thoroughfares are related to the hierarchy of terms in 16-27, *Definitions of Subdivisions*. (. . . *Street, arterial* . . . *Street, collector (major)* . . . *Street, collector (minor)* . . . *Street, local*.) These could also be entered in the *Definitions* in the SmartCode. (See Article 7, *Definitions of Terms* in the *MSC*.) In addition, there is a SmartCode Module for "Complete Thoroughfare Assemblies" prepared by DPZ & Co. with Rick Chellman, Rick Hall, and Peter Swift.

Street design standards of *Subdivisions* fortunately encourages street grids and intersections sufficient to drain excess local traffic. (See 16-94. (a) (2).) These standards could also couple those grids with traffic-calming properties of the SmartCode's Thoroughfare Assemblies, such as narrow street widths. (See 3.7, *Thoroughfare Standards*, and Table 4C, *Thoroughfare Assemblies*.) One option would be to state that the Planning Commission would use its judgment to balance the need for street width and capacity with the density of the street network. Another option would be to grant the use of narrow street widths only under the SmartCode. (See *Incentives*, above.)

Note that the requirements for Regulating Plans require a "Thoroughfare Network," not just a "street plan." The emphasis is on a functioning network, not on the subdivision of land. (See 3.1.6, "New community Plans . . ." and 4.1.3, "Infill Regulating Plans . . .")

Sight triangles in both *Subdivisions* and *Zoning* can hamper the design of Regulating Plans. They can interrupt the continuity of the urban fabric—especially in higher T-zones, where buildings and fences are close to the sidewalk. *Street intersections* of *Subdivisions* requires "Clear sight triangles of a minimum 25 feet or as required by AASHTO measured along street right-of-way lines from their points of intersection . . . at all intersections." (See 16-96. (3).) *Zoning* requires only 15 feet, but it still may impinge on corner buildings unnecessarily. (See 19-3. (h), *General provisions: Intersection Visibility*.)

The SmartCode's *Thoroughfare Standards* could tie sight triangles to engineering standards including AASHTO's. Those are based on the edge of the near travel lane, are sharper to the left than the right, and are different for different kinds of traffic controls at intersections. (See Section 3.7 of the *MSC*.)



It is true that the standard quoted above does say “or as required by AASHTO.” However, since that “or” could be interpreted to imply, “whichever is more restrictive,” it might be best to be specific in the text.

The *Multi-Family Development Guidelines of Subdivisions* apply to multi-family development generally, and so may cause practical difficulty where the SmartCode permits multi-family buildings. (See 16-190. through 16-200. of *Subdivisions* and 3.4 and 4.3, *Transect Zones* of the *MSC*.) The Multi-Family standards encourage standards for open space at 16-191 which could be difficult to achieve under the SmartCode’s requirements for frontages. Those guidelines could either exempt the SmartCode or refer to ancillary guidelines which would show developers how to achieve the required open space while also meeting the SmartCode’s requirements for continuous frontage.

9. Subdivision, General

Introduction

The SmartCode offers much of the flexibility of a PUD while still using zones. In order to keep the workflow from subdivision through to adopted zones clear, though, the SmartCode should explain when vesting occurs, and when the subdivision process ends and zoning takes over.

The Comprehensive Plan and the WVLUPC

Within the SmartCode, subdivision is handled for New and Infill communities by Articles 3 and 4, respectively. The review process for Community Units in Articles 3 and 4 of the *MSC* (at 3.1, 3.2, and 4.1) may be calibrated to satisfy Section §8A-4-2. of the *WVLUPC, Contents of subdivision and land development ordinance*—particularly Sub-subsections §8A-4-2. (a) (7) through (11). Sub-subsection (10) requires that the locality’s planning commission only approve subdivisions that accord with its comprehensive plan. The mechanics of the procedures in Articles 3 and 4 of the *MSC* may be written (or include by reference) provisions which satisfy Sections §8A-4-3. Through §8A-4-7. of the *WVLUPC*, which cover the enactment, filing, amendments, effect, and validation of the Subdivision and Land Development Ordinance.

Several parts of the *Comprehensive Plan* provide support for the Intents of the SmartCode (1.3 of the *MSC*) and overall planning goals it was written to further.

- *Introduction*, on p. 2, calls for building on “a grid pattern established by the City’s early planners,” though it mentions specifically “key north-south and east-west collector roads” as well.
- *Land Use*, on p. 9, recommends the “traditional grid pattern of streets” as a model.
- *Community Services, Fire, Rescue and Emergency*, on p. 31, and *Implementation/Recommendations*, on p. 39, mention the need to expand emergency service. Ranson may wish to accept the findings of the *CNU Report on Emergency Response &*



Street Design. It this justifies a dense network on safety grounds, rather than a branching roadway system with many dead ends.

- *Community Services, Utilities*, on p. 35, recommends a closed-section storm-drain system for more intense development. It supports using density as a best management practice for rainwater.
- *Implementation/Recommendations*, on p. 38, supports giving guidance to land owners who submit development applications.
- *Implementation/Recommendations*, on p. 38, suggests that the subdivision regulations be modified to require analysis of subdivisions' use of schools and recreation facilities. It may need to reflect the effects of mixed-use development, and may be easier if it is calculated based on Transect Zones.
- *Community Services, Utilities*, on p. 36, recommends a stormwater utility, which could include sewers as well as management systems, and *Implementation/Recommendations* on p. 39 suggests requiring that lots of less than one acre construct a closed storm drain system. If implemented, these recommendations could help make it feasible to meet the *Intents* for compactness by taking the onus to provide retention and detention on each lot.

The *RWVCO*

The SmartCode could adopt the *Pre-application conference of Subdivisions*, or simply use it to provide guidance on the sort of urbanism which is likely to be accepted. (See 16-51, *Pre-application conference of Subdivisions*.) Although the principles behind the SmartCode are increasingly popular, the skills of practitioners may not be keeping pace. As noted above, the *Comprehensive Plan*, in its *Implementation/Recommendations*, on p. 38, supports giving guidance to land owners who submit development applications. Guidance could be inserted into the *Instructions* or *Sequence of Community Design for New Community-Scale Plans*, at 3.1 and 3.2 of the *MSC*, respectively, and under Section 4.1, *Instructions* for Infill Community-Scale Plans.

If desired, *Nonresidential subdivision design standards of Subdivisions*, at 16-71, could be incorporated by reference as Special Districts for non-mixed-use subdivisions under the SmartCode. (See Sections 3.7 and 4.5, *Special Districts*, for New and Infill Community-Scale Plans.) Additional standards for such Special Districts could be added—e.g. that they should use particular Thoroughfare assemblies.

9.1. Subdivision, Major

Introduction

The SmartCode prescribes two processes by which land owners can initiate either more modest “Special Area Plans” or more sweeping “New Community Plans.” The provisions regulating them in the SmartCode should refer to the State legislation that enables subdivisions.



The Comprehensive Plan and the WVLUPC

The Communities regulated by Articles 3 and 4 may be considered subdivisions in order to calibrate them with the *WVLUPC*.

In particular, the SmartCode procedures in Articles 3 and 4 of the *MSC* may be calibrated to meet Sub-subsection §8A-4-2. (a) (3) and Sections §8A-5-6. through §8A-5-11. These require a process, criteria, and requirements for major subdivisions—which are parallel to the contents of Articles 3 and 4 of the *MSC*. The processes under 4.1.5 and 4.1.6 of the *MSC* allow Special Area Plans and New Community Plans to be initiated by the owner of at least 10 acres and 30 acres, respectively. These plans would usually be considered Major Subdivisions under the *WVLUPC*.

The Communities developed under the SmartCode also offer a level of flexibility in planning usually associated with Planned Unit Developments or PUDs, which may be authorized under Sub-subsection §8A-7-2. (b) (14) of the *WVLUPC*. In addition, some PUDs may be permitted as Special Districts, which are regulated under Sections 3.6 and 4.5 of the *MSC*.

The RWVCO

Article II, *Subdivisions*, (16-20. through 16-230. of the *RWVCO*) grants the authority for subdivision in general, and for *New* and *Infill Community-Scale Plans* in particular. The SmartCode should refer to *Article II* of *Subdivisions*. (See Articles 2, 3 & 4 of the *MSC*.) If desired, the *Instructions* at 3.1 and 4.1, respectively, could explain which steps in the process are to be amendments to the *Comprehensive Plan* (if any), which are pursued as part of the *Subdivision* process, and explain when vesting occurs. (See the discussion of vesting under *Comprehensive Plan*, above.)

9.2. Subdivision, Minor

Introduction

With some matching tweaks, the minor subdivision process of *Subdivisions* and the SmartCode might be able to smooth the consolidation process of land for development and enable the use of the minor subdivision process with Alleys, Lanes, or Passages.

The Comprehensive Plan and the WVLUPC

The process, criteria, and requirements for minor subdivisions called for by Sub-subsection §8A-4-2. (a) (1) and Sections §8A-5-2.-§8A-5-5. *Part I Minor Subdivision or Land Development Process* of the *WVLUPC*, may be coordinated in Article 5 of the *MSC*, *Building Scale Plans*. The *MSC* has a process for planning small “Special Area Plans,” as noted under Redevelopment and Brownfields, above. However, the minimum acreage to qualify is 10 acres, which is one or two orders of magnitude larger than a reasonable minimum size for a minor subdivision. (See Section 4.1.5 of the *MSC*.) Nevertheless, if the block structure is retained, a Special Area Plan or even Infill Community Plan could presumably be implemented through incremental minor subdivisions.



By Sub-subsection §8A-5-2. (a) (2) of the *WVLUPC*, Minor Subdivisions must not “require the development of new or the extension of existing off-tract infrastructure.” An exception or work-around for this requirement sometimes may be necessary to accommodate rainwater runoff—particularly if a new stormwater utility must install infrastructure at the same time. There are SmartCode Modules available that include rainwater standards which may be useful to avoid repercussions to lot size. Section 5.2.3 of the *MSC*, noted above for legal nonconforming uses, may be included as part of the regulations for minor subdivisions. It could be expanded or emulated in another Section of Article 5 to include modifications of disposition on the lot, lot size, etc.

The *RWVCO*

In addition to allowing *Minor Subdivisions* to include Lanes, Alleys, and Passages, the definition of what constitutes a *Minor Subdivision* might be adjusted to include some consolidation of land. (See the discussions in *Incentives* and *Regulating Plans & Zones*, above, and 16-56. of *Subdivisions*.) Perhaps in some cases the consolidation of land required for Infill Community-Scale Plans could be considered a *Minor subdivision*. The *WVLUPC* allows the “[m]erger or consolidation of parcels of land . . .” To be considered minor subdivisions where the planning commission approves. (See §8a-5-2. (b) (1) of the *WVLUPC*.) That could allow consolidation for a Special Area Plan or New Community Plan under 4.1.5 and 4.1.6 of the *MSC*, respectively. (A Special Area Plan requires at least 10 acres under 4.1.5 of the *MSC*. A New Community Plan requires 30 acres under 4.1.6.)

10. Walkability

Introduction

In addition to promoting walkability through the SmartCode and making adjustments to *Zoning* and *Subdivisions*, it may be appropriate for Ranson to police the balance of the *RWVCO* for provisions which limit walkability. In particular, *Traffic* may need some adjustment.

The Comprehensive Plan

The SmartCode is permeated with walkability, but it has few provisions specific to it. The few such provisions the *WVLUPC* makes are to do with Civic Open Space (above) and Public Utility Standards (below). Ranson’s *Comprehensive Plan*, however, calls for walkability in several places.

As noted above, the *Introduction*, on p. 2 of the *Comprehensive Plan*, emphasizes connections between pedestrian nodes, and under *Land Use*, p. 11, it emphasizes mixed use. Under *Transportation*, on p. 17, it positions pedestrian travel as central to urban vibrancy. Ranson may wish to create a *finding* that the overall structure of the Community Units and Transect Zones supports walkability, and tie walkability into the standards for Civic Open Space (above) and Public Utility Standards (for subdivisions) below.



The *RWVCO*

The *MSC*, at 1.1.3 says, in part, that the SmartCode promotes the health benefits of a pedestrian environment. Certain provisions in Chapter 18, *Traffic*, could hamper walkability in general, as well as under the SmartCode.

Technically, Section 18-191, *Traffic. Parking position*, appears to prohibit diagonal parking, because the wheels of parked cars must be parallel to the curb. 18-130, *Traffic: Pedestrians*, prohibits pedestrians from crossing a street or alley within the central business district, except at street intersections or crosswalks. What is practical for a street may not be practical for an alley. 18-132. (a) (3), *Traffic: Pedestrians. . . . Crossing at other than crosswalks*. requires pedestrians to yield to vehicles whenever they are not in crosswalks, which precludes traffic-restricted thoroughfares, such as woonerfs, in which pedestrians have the right-of-way. These provisions might benefit from scrutiny even outside the SmartCode calibration process.

11. Energy & Water Standards

Introduction

SmartCode Modules can help Ranson attain environmental goals in addition to those usually associated with smart growth.

The Comprehensive Plan and the *WVLUPC*

The *WVLUPC* calls broadly for environmentally-friendly and specifically energy-conserving design. (See Sub-subsection §8A-1-1. (a) (8) of the *WVLUPC*.) It also calls for considering energy conservation at Sub-subsection §8A-4-2. (b) (3). In *Community Services, Utilities*, pp. 35-36 and again under *Implementation/Recommendations*, p. 39, the *Comprehensive Plan* calls for rainwater management that would broadly support the State's goal. The SmartCode also offers the opportunity to frame mixed use as environmentally more benign, as it is called for under *Land Use*, p. 11 of the *Comprehensive Plan*.

The *RWVCO*

Certain SmartCode Modules offer ways to improve energy and water performance. In addition to their obvious benefits, they can support the energy and water goals of the *Purpose* of the Traditional Neighborhood development district's bonus option. (See 19-21. (b) (7) a, *Purpose*.) There is a Renewable Resources Module available by Jaime Correa with Maria Bendfeldt & Jennifer Hamilton. It includes food and both solar and wind energy. At 16-52. (2) a. 9, *Subdivisions* requires provisions for stormwater management from the Sketch Plan forward. There are SmartCode Modules available for stormwater by PlanGreen and DPZ Charlotte.



12. Public Utility Standards

Introduction

The SmartCode specifies Thoroughfares, and it can specify other infrastructure as needed. Ranson may wish to look into opportunities for frugal infrastructure—especially of thoroughfares and rainwater runoff, but also in other areas.

The Comprehensive Plan and the WVLUPC

Since utilities must be deployed in a compact and incremental way in higher T-zones, it may be appropriate for Ranson’s SmartCode to specify more compact, urban standards for utilities. Sub-section §8A-4-2. (a) (5) of the *WVLUPC* requires that subdivision standards include “easements, rights-of-way, drainage, utilities, infrastructure, curbs, gutters, street lights, fire hydrants, storm water management and water and wastewater facilities.” A compact approach is suggested by the *Comprehensive Plan* with regard to stormwater in *Community Services, Utilities* on pp. 35-36 and by *Implementation/Recommendations* on p. 39. Wherever the SmartCode includes public utility standards, a matching amendment to the *Comprehensive Plan* may justify them.

The RWVCO

Ranson could inspect its public utility standards for opportunities to coordinate better with the SmartCode. For example, where alleys are used, wet utilities may best be located at the front, and dry utilities in the alley.

13. Architectural standards

Introduction

The SmartCode offers the opportunity to engender sound architectural standards. Doing so may help it differentiate between “factory-built” and “mobile” homes, so that small factory-built cottages can be installed in the City. Ranson’s *Signs* could potentially be consolidated in such a way that they support the SmartCode, which otherwise has no standards for signs that are not for businesses.

The Comprehensive Plan and the WVLUPC

The *WVLUPC*, in sub-subsections §8A-7-2. (b) (8) and (9), allows localities to set “reasonable” architectural features and aesthetic standards, in addition to the usual height, bulk, and form controls. Further, both that Sub-subsection and Section §8A-11-1 allow localities to set standards for factory-built homes—except that by §8A-7-2. (b) (8) the standards for factory-built homes cannot be more restrictive than for site-built homes. The SmartCode and the *Comprehensive Plan* are silent, or nearly so, on the subject of factory-built homes. Especially since factory-built homes are an economical and/or temporary alternative to site-built construction on narrow lots, Ranson may wish to set standards for them. (See *Implementa-*



tion/*Recommendations*, p. 39, “Encourage modification to the City’s Zoning Code . . . 25’ x 125’ lot.”)

The *RWVCO*

Architectural Standards

If desired, the SmartCode could include architectural standards. As noted above, the WVLUPC allows some regulation of architectural features, including those for factory-built homes. (See its §8A-7-2. (b) (8) and (9)) The Traditional Neighborhood development district already has architectural standards for residential, commercial/office, and mixed uses. (See 19-21. (b) (9) a, c, and e: *Traditional neighborhood development district, Establishment of a TND district.*) There is a Module for Architectural standards by DPZ & Co.

Ranson regulates mobile homes in Chapter 12-4. (3), *Mobile Homes*, of the *RWVCO*. However, the WVLUPC mentions the regulation of all factory-built homes, which are not necessarily mobile. Ranson could disambiguate these terms and permit factory built homes selectively within Transect zones—particularly for existing 25-foot lots.

Sign Standards

As noted above under Regulating Plan & Zones, the SmartCode should be coordinated with 19-15, *Signs of Zoning*. The SmartCode’s *Signage Standards*, at 5.12 of the *MSC*, permit no signage which is not regulated in that section. 5.12.1 a. reads, “General to zones T2, T3, T4, T5, T6: There shall be no signage permitted additional to that specified in this section.” To recap, the SmartCode could

- Adopt the sign regulations by reference and base the SmartCode terminology on the existing terminology,
- Adopt selected existing definitions and regulations, or
- Regulate only business signs in the SmartCode.

One problem to solve is how to permit the blade signs permitted under the SmartCode at 5.12.5 (a) of the *MSC*. The SmartCode allows them to project over the sidewalk at a clear height of 8 feet, but *Zoning* permits only governmental signs to encroach upon public rights of way. (See 19-15. (b) (5), *Signs: General requirements and standards: Rights of way.*) At 19-15. (f) (2) b, however, it allows signs to project up to 4 feet into a required setback given in Table 19-15G, if they are 9 feet from the ground. (Note that the setback for a sign may not be the same as for a building.) Thus, one solution may be to set the building facades back, so the signs can project forward from them. If the minimum sign setback along the Frontage is 4 feet under the SmartCode, with a sidewalk extending into that setback, then blade signs could be permitted over the sidewalk—though they would still have to be at 9 feet, rather than the 8 feet of the *MSC*. This arrangement would also satisfy 19-15. (e) (1), *Signs*, which prohibits signs from extending into



private rights-of-way except with the approval of the city manager, or into private rights-of-way without the approval of the state department of transportation.

Unfortunately, this extra 4-foot setback could have the unnecessary effect of widening the public realm between building facades. That might be solved by creating Thoroughfare Standards and Assemblies that have narrower rights-of-way than their built width. For example an ST-50 Street might have a right-of-way width of 42 feet. (See 3.7 and Table 4C of the *MSC*, respectively.) The best alternative, however, may be to allow signs to project into the right-of-way—assuming no other agencies object.

In commercial and industrial districts, signs may extend over a building line. For this purpose, the SmartCode could regulate T-5 and T-6 as commercial. According to 19-15 (g) (1), “Signs may extend over a building line or public right-of-way not closer than three feet to the curbing.” This seems to contradict the provision above, and could be clarified or superseded within the SmartCode.

In any case, the SmartCode could adopt the terminology under 19-15 (k), *Definitions*, or define its own terms, e.g. “Blade” sign using those terms. A Blade sign, for example, could be a projecting sign as used in Ranson, but with certain characteristics, such as the way it is hung.

A BLUEPRINT FOR
THE NEXT CENTURY

RANSON RENEWED

CHARLES TOWN
CONNECTED

Ranson, West Virginia
HUD Challenge Planning Grant
Charrette Report

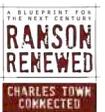


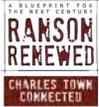
This page is deliberately blank.

TABLE OF CONTENTS

Chapter 1. Introduction.....	01
1.1 The HUD Charrette Team	01
1.2 The Livable Communities Charrette.....	02
1.3 Livability Principles.....	04
Chapter 2. The Urban Growth Boundary	05
2.1 Introduction	05
Figure 2.1 Urban Growth Boundary	05
Figure 2.2 Natural Resources.....	06
Figure 2.3 Sector Plan.....	07
Figure 2.4 Neighborhood Structure	08
Figure 2.5 Sector Plan / Pedestrian Sheds.....	09
Figure 2.6 UGB Transportation	10
Chapter 3. The City.....	11
3.1 The Transect	11
Figure 3.1 Current Zoning	12
Figure 3.2 Zoning Translation Map	13
Figure 3.3 Regulating Plans	14
Chapter 4. Master Plans	15
Figure 4.1 Ranson Renewed Key Plan.....	15
Figure 4.2 Old Town Existing Zoning	16
Figure 4.3 Existing Parcels Regulating Plan	16
4.1 Old Town	17
Figure 4.4 Future Scenario Regulating Plan.....	17
Figure 4.5 Existing Conditions.....	18
Figure 4.6 Integrated Efforts	18
Figure 4.7 Redevelopment with SmartCode.....	19
Figure 4.8 Consolidated Development Areas	19

4.2 Lancaster Circle	20
Figure 4.9 Lancaster Existing Conditions.....	20
Figure 4.10 Lancaster Regulating Plan.....	20
Figure 4.11 Lancaster Illustrative Plan	21
Figure 4.12 Lancaster Illustration	21
4.3 Beltline Square	22
Figure 4.13 Beltline Existing Conditions	22
Figure 4.14 Beltline Regulating Plan	22
Figure 4.15 Beltline Illustrative Plan Detail.....	22
Figure 4.16 Fairfax boulevard Illustration	23
Figure 4.17 Beltline Illustrative Plan	24
Figure 4.18 Beltline Square Aerial Illustration.....	25
4.4 Fairfax Green.....	26
Figure 4.20 Fairfax Green Existing.....	26
Figure 4.19 Fairfax Green Regulating Plan	26
Figure 4.21 Fairfax Green Illustrative Plan.....	26
Figure 4.22 Fairfax Green Illustration	27
Figure 4.23 University Plaza Aerial Illustration.....	28
4.5 University Plaza	29
Figure 4.25 University Plaza Existing	29
Figure 4.24 University Plaza Regulating Plan.....	29
Figure 4.26 University Plaza Illustrative	29
4.6 Powhatan Place	30
Figure 4.27 Powhatan Place Existing	30
Figure 4.28 Powhatan Place Regulating Plan.....	30
Figure 4.29 Powhatan Place Illustrative	30
Figure 4.30 Powhatan Place Illustration	31
Figure 4.31 North Mildred Street Existing.....	32
Figure 4.32 North Mildred Street Illustration	33





4.7 The Transect Explained	34
Chapter 5. Greenfield Master Plans.....	35
Figure 4.33 Ranson Renewed Key Plan Revisited.....	35
5.1 Jefferson Orchard / North Port.....	36
Figure 5.1 North Port Regulating Plan.....	36
Figure 5.2 Jefferson Orchard / North Port Illustrative Plan.....	37
5.2 Lakeland Place	38
Figure 5.3 Lakeland Place Regulating Plan	38
Figure 5.4 Lakeland Place Illustrative Plan	39
5.3 Clayhill Farms.....	40
Figure 5.5 Clayhill Farms Regulating Detail	40
Figure 5.6 Clayhill Farms Illustrative Detail.....	40
Figure 5.7 Clayhill Farms Illustration.....	41
Figure 5.8 Clayhill Farms Regulating Plan.....	42
Figure 5.9 Clayhill Farms Illustrative Plan.....	43
Chapter 6. The Ranson SmartCode	44
Figure 5.10 T20 / T3 Illustration.....	44
Figure 6.2 T20 SmartCode Summary Table.....	45
Figure 6.1 T3 SmartCode Summary Table.....	45
Figure 6.3 T4 Illustration.....	46
Figure 6.4 T5 Illustration.....	46
Figure 6.6 T4/T40 SmartCode Summary Table.....	47
Figure 6.5 T5L/T5 SmartCode Summary Table	47

CHAPTER 1. INTRODUCTION

1.1 THE HUD CHARRETTE TEAM

City of Ranson

- + A. David Hamill - Mayor
- + Andy Blake - Acting City Manager and City Attorney
- + David Mills - Economic Development Director

City of Charlestown

- + Joe Cosentini - City Manager
- + Katie See - City Planner

Jefferson County

- + Jennifer M. Brockman - Director of Planning & Zoning

PlaceMakers, LLC

- + Susan Henderson - Coding / Planning / Project Principal
- + Geoff Dyer - Lead Designer / Planning
- + Howard Blackson - Planning
- + Scott Doyon - Communications
- + Ben Brown - Communications / Public Relations
- + Hazel Borys - Economic Development
- + Nathan Norris - Development / Schools
- + Lori McLaren - Design

Hurley~Franks & Associates

- + Jennifer Hurley - Facilitation / Administration

Gibbs Planning Group

- + Bob Gibbs - Retail

Andrews University

- + Andrew von Maur - Planning

Christopher Illustration

- + Dede Christopher - Illustration

New Urban Water Works

- + Milt Rhodes - Stormwater / Environmental

William H. Gordon Associates, Inc.

- + Mark Dyck - Landscape / Transportation / Utilities

Bartman Planning

- + Dan Bartman - Design

SmartCode Education Partners

- + Chad Emerson - Adoption Process

AccessPlaces

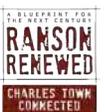
- + Bruce Donnelly - Analysis

In collaboration with EPA Grant Team

- + Stromberg / Garrigan & Associates, Inc.
- + HR&A
- + The Ferguson Group
- + Redevelopment Economics
- + Gaito & Associates

In collaboration with DOT Grant Team

- + Hall Planning & Engineering
- + Stromberg/Garrigan & Associates, Inc.
- + William H. Gordon Associates, Inc.
- + Zanetta Illustration
- + Utility Professional Services, Inc.
- + PlaceMakers, LLC



1.2 THE LIVABLE COMMUNITIES CHARRETTE

From September 8 through the 14th, 2011, in an unprecedented week-long mega-workshop, city officials, residents, business community and a team of international consultants considered ideas and actions to help guide Ranson, Charles Town, and Jefferson County towards a future rich in opportunity for citizens and businesses.

The Ranson-Charles Town community was selected by HUD, DOT and EPA to serve as a national model for how small rural cities on the fringe of a major metropolitan area can foster sustainable economic development, transit, and community livability through targeted and strategic planning and infrastructure investments. To facilitate this transformative change, planning funds are being used for the following linked and interdependent project components:

- + Develop a new zoning overlay district for downtown, as well as undeveloped, outlying areas (the topic of this report and funded by HUD);
- + Redesign the Fairfax Boulevard-George Street Corridor into a "complete street" with green infrastructure, to promote a better transportation route for pedestrians, cyclists, and transit (DOT);
- + Design a new regional Charles Washington Commuter Center in downtown Charles Town that will facilitate access to regional rail and bus transit systems for Ranson, Charles Town and Jefferson County (DOT); and
- + Continue brownfield revitalization for multiple sites in the downtown area. The current effort will update the Commerce Corridor plan to match changes in the economy, take advantage of new job creation opportunities, deploy green infrastructure and sustainable community design, and connect the brownfield project to broader smart growth strategies, sustainable transportation investments, workforce housing, and community facilities and parks (EPA).

Together, these HUD / DOT / EPA efforts work to create a master plan for downtown Ranson that spurs job growth and economic development in former dilapidated manufacturing sites, as well as modeling strategies for compact, walkable, sustainable development patterns throughout the region.

"We couldn't be happier about the way this process is shaping up," says Ranson Mayor A. David Hamill. "It is our goal to continue evolving Ranson into

a vibrant community where residents can live, work, and recreate within cohesive neighborhoods. Exciting things are beginning to happen, and I expect the next 12 to 18 months to be even more exciting as the real work begins to plan our future."

In the spirit of an open, collective design process, a charrette was conducted with the task of establishing a set of rules and regulations that would allow for a real implementation of The Partnership for Sustainable Communities Livability Principals. This public workshop was conducted by PlaceMakers, LLC in the Ranson City Hall, where a core design team worked to calibrate a model land use code, the SmartCode, to reflect the character of Ranson and provide an implementation tool for the Livability Principals as well as the City's Comprehensive Plan. Public meetings and presentations were scheduled throughout the week to allow constant feedback to the design team from the public, and to foster a broad public discussion on the code and vision.



September 2011 mega-workshop collected ideas and constraints, and tested urban design alternatives.

A BLUEPRINT FOR THE NEXT CENTURY
RANSON RENEWED
 CHARLES TOWN CONNECTED

HOME | PROJECT TEAM | SCHEDULE + LOCATIONS | RESOURCES | IN THE NEWS | CONTACT US | powered by | **Charrette**

Mayor's Rezoning Notification Mailing to Residents

Improved zoning options envisioned during last year's Ranson Renewed community initiative take another step forward this week as residents within impacted areas receive, via certified mail as required by state law, notification of the update. A copy of that notice can be reviewed [here](#) while supporting documents can be found [here](#).

There are still multiple opportunities to learn more and comment on proposed changes. Check [here](#) for the complete schedule.

February 19th, 2012 at 4:27 pm | No Comments | [Read More](#)

Next Steps for New Plans? Public discussions, Jan. 30, 31 & Feb. 1

Almost there.

That's how we'd describe the work in progress towards new Ranson zoning options, an update of the City's Comprehensive Plan, the Fairfax Boulevard plan, and the brownfield redevelopment plans addressed during fall, 2011 public meetings.

Here's what happens next... [\[cont.\]](#)

January 16th, 2012 at 3:01 pm | No Comments | [Read More](#)

Ranson and Charles Town's Future? Sustainable, connected, in character

On Wednesday, September 14, Ranson and Charles Town's citizens and leaders sloshed into Charles Town's Old Opera House from a dusk downpour to celebrate the conclusion of an intensive week of planning with their consulting team.

"Unless you were on the third floor of city hall this week to watch these people work," said Ranson Mayor A. David Hamill, "it would be hard to imagine how hard they went at it..." [\[cont.\]](#)

September 14th, 2011 at 12:57 am | Comment (1) | [Read More](#)

Workshop Wraps Wednesday Night at the Old Opera House, 7 p.m.

The weeklong Ranson Renewed/Charles Town Connected workshop concludes at 7pm Wednesday evening, September 14, at the Charles Town Opera House with a presentation by the **teams** working in collaboration with the community on plans and ideas to shape future growth for the region.

Here's what attendees will see... [\[cont.\]](#)

PROJECT OVERVIEW

A HUNDRED YEARS OF PROGRESS TO BUILD ON.

Ranson and Charles Town's next 100 years begin now.

From **September 8** through the **14th**, we're charting the course for our next century. And everyone's invited.

In an unprecedented week-long mega-workshop, city officials, residents, business community and a team of international consultants will be considering ideas and actions to help guide Ranson, Charles Town, and Jefferson County towards a future rich in opportunity for our families and businesses.

INFORMATION

DRAFTS AVAILABLE
Review drafts of our Comp Plan update and new zoning option [here](#).

FEDERAL GRANTS
Moving forward, whenever appropriate, you'll see our news posts identify the respective source(s) of project funding with one or more of these icons:

HUD
EPA
DOT

This video explains the grants, along with the process overall.

PROJECT CALENDAR

« Jan Feb Mar »
February 2012
 S M T W T F S
 1 2 3 4
 5 6 7 8 9 10 11
 12 13 14 15 16 17 18
 19 20 21 22 23 24 25
 26 27 28 29

FOLLOW

SEARCH THIS SITE

SEARCH BY TOPIC

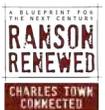
- Events
- Implementation
- Preparation
- Workshop Week

PROJECT LINKS

Ranson, WV
 Charles Town, WV



The project website, www.RansonRenewed.com, hosts an online idea exchange and clearinghouse of work in progress.



1.3 LIVABILITY PRINCIPLES

These livability principles guided the Ranson Renewed charrette, as well as the resulting master plans, form-based code, and zoning maps.

- + **Provide more transportation choices.** Develop safe, reliable, and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
- + **Promote equitable, affordable housing.** Expand location- and energy-efficient housing choices for people of all ages, incomes, races, and ethnicities to increase mobility, lower cost of housing and transportation.
- + **Enhance economic competitiveness.** Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers, as well as expanded business access to markets.
- + **Support existing communities.** Target federal funding toward existing

communities—through strategies like transit oriented, mixed-use development, and land recycling—to increase community revitalization and the efficiency of public works investments and safeguard rural landscapes.

- + **Coordinate and leverage federal policies and investment.** Align federal policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy
- + **Value communities and neighborhoods.** Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.^[1]

1 www.sustainablecommunities.gov



The Ranson SmartCode implements Livability Principles.

CHAPTER 2. THE URBAN GROWTH BOUNDARY

2.1 INTRODUCTION

Ranson's Comprehensive Plan maps out where development is preferred within the Urban Growth Boundary using a Sector Plan. This plan updates the timeless principles of Ranson's original town plan in response to new community-building Challenges. The vision is to renew and build neighborhoods, districts and corridors throughout the City.

The Challenges include introducing urbanism to the suburbs, maintaining agricultural production within neighborhoods and adjacent to the town center, introducing transit-oriented developments, and encouraging appropriately scaled redevelopment.

The building block for a sustainable region is the compact, walkable, complete, neighborhood. A neighborhood is defined by a pedestrian shed, roughly measured by a 5-minute walk (1/4 mile) from center to edge.

The SmartCode defines a number of neighborhood types, called Community Unit Types, each measured by a pedestrian shed. The traditional grid pattern of interconnected streets is the recommended model for both new and existing neighborhoods.

Much of the 6,700+ acres within the Urban Growth Boundary is made up of farmlands and vacant land. Ranson/Charles Town's direct relationship with the surrounding agriculture is part of its character and its appeal as freestanding, independent towns.

To maintain this positive relationship in the community, it is necessary to understand the Urban Growth Boundary as more than land that can ultimately be annexed to Ranson. Rather, it is an area of transition within which the more urbanized area of Ranson (and Charles Town) gives way into countryside.

Instead of being a blurred transition, it should be a carefully modulated one

that celebrates the contrast between town and country. The economic, environmental and societal benefits of maintaining this clear edge are significant, and required for implementing the Livability Principles.

The Sector Plan, Figure 2.3, is the primary regulating tool in the Urban Growth Boundary for guiding future growth. Instead of regulating for pods of separate land uses, the Sector Plan regulates for Community Units: compact, pedestrian-oriented, mixed use neighborhoods as well as identifying areas to remain suburban for the near term.

This regional perspective identifies regional synergies and opportunities for economic development sparked by land use planning. The Economic Development section of the Comprehensive Plan details those strategies. This charrette report lays out how to connect resources in a community-based way to increase livability and capture value.

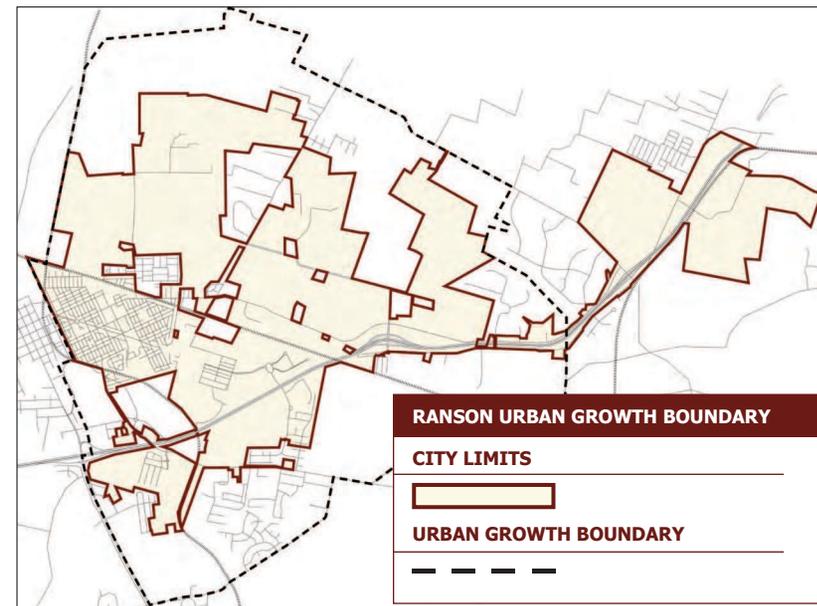


FIGURE 2.1 URBAN GROWTH BOUNDARY

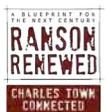
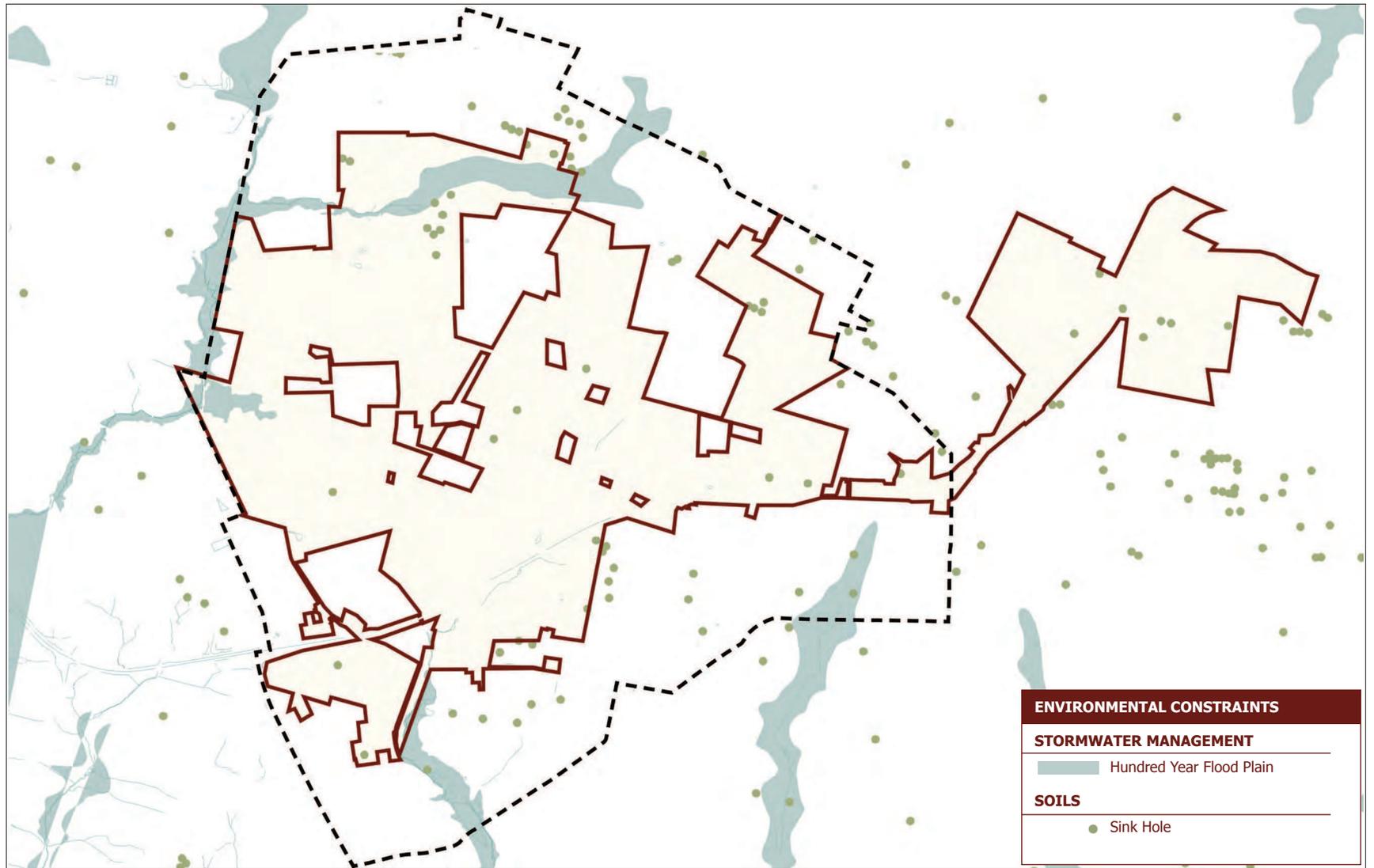
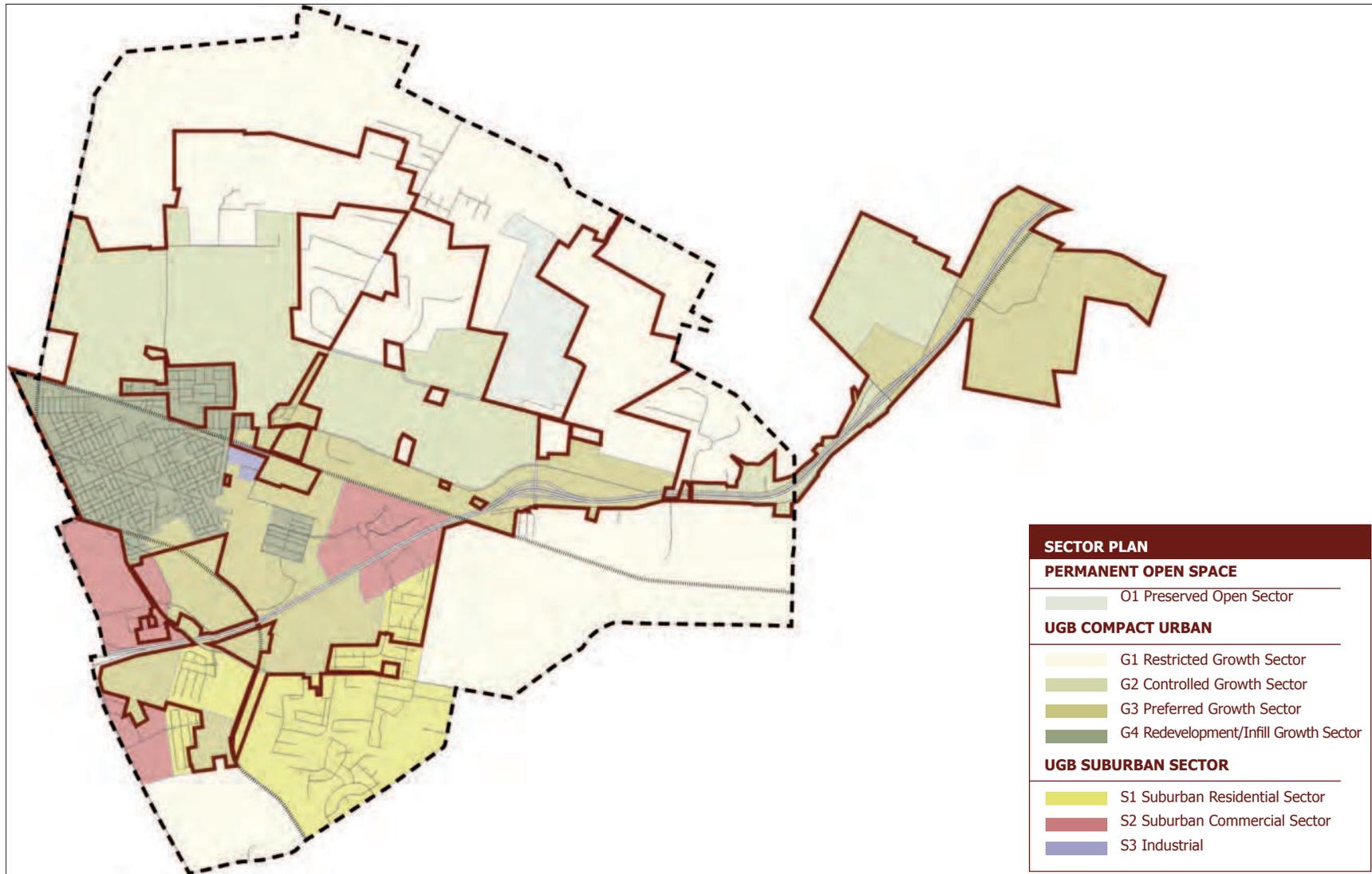


FIGURE 2.2 NATURAL RESOURCES



Areas of natural significance must be carefully considered as future growth areas are identified. Flood plains and sink holes are particularly critical with the limited stormwater management currently in place.

FIGURE 2.3 SECTOR PLAN



The sector plan is the primary planning tool in the Urban Growth Boundary for guiding future growth. Instead of regulating for pods of separate land uses, the Sector Plan regulates for Community Units: compact, pedestrian-oriented, mixed use neighborhoods as well as identifying areas to remain suburban for the near term.

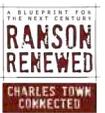
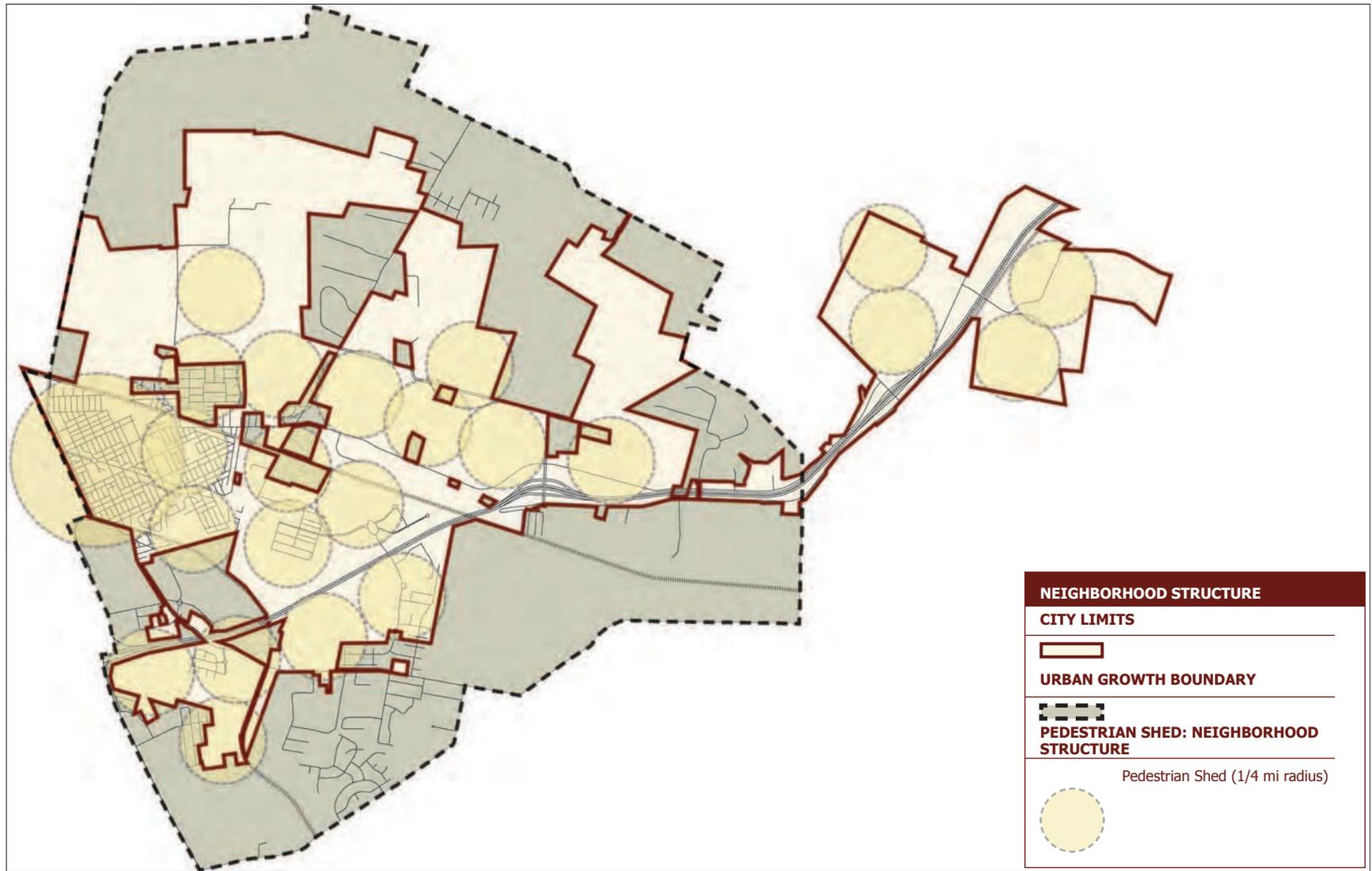
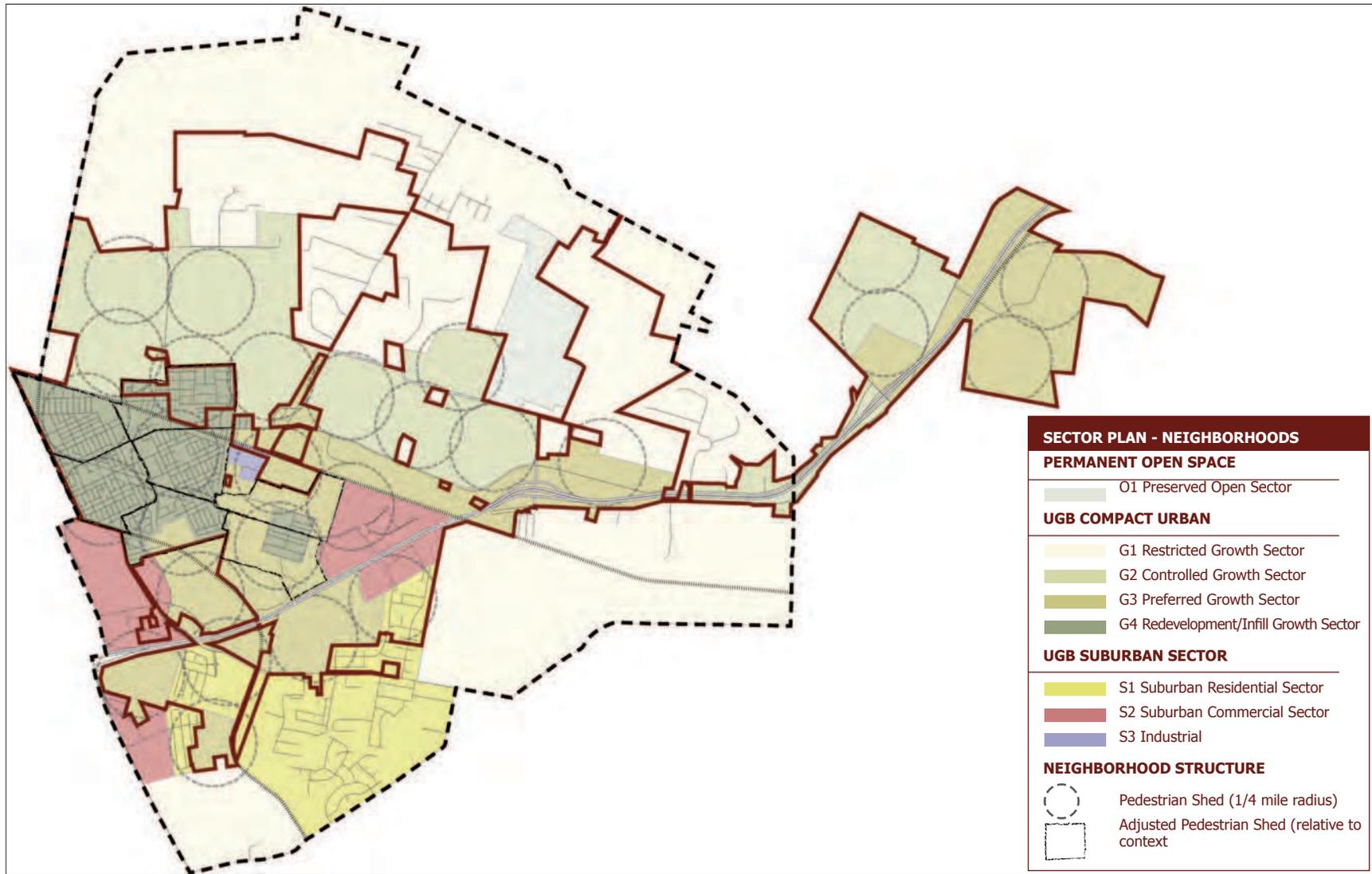


FIGURE 2.4 NEIGHBORHOOD STRUCTURE



The building block for a sustainable region is the compact, walkable, neighborhood. This is defined by a pedestrian shed, roughly measured by a 5-minute walk (1/4 mile) from center to edge. This graphic shows how the city might be structured into distinct neighborhoods with the pedestrian shed.

FIGURE 2.5 SECTOR PLAN / PEDESTRIAN SHEDS



Each sector allows for certain Community Types. As measured by the pedestrian shed, this map demonstrates how neighborhood structure could establish distinct community units on the Sector Plan.

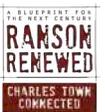
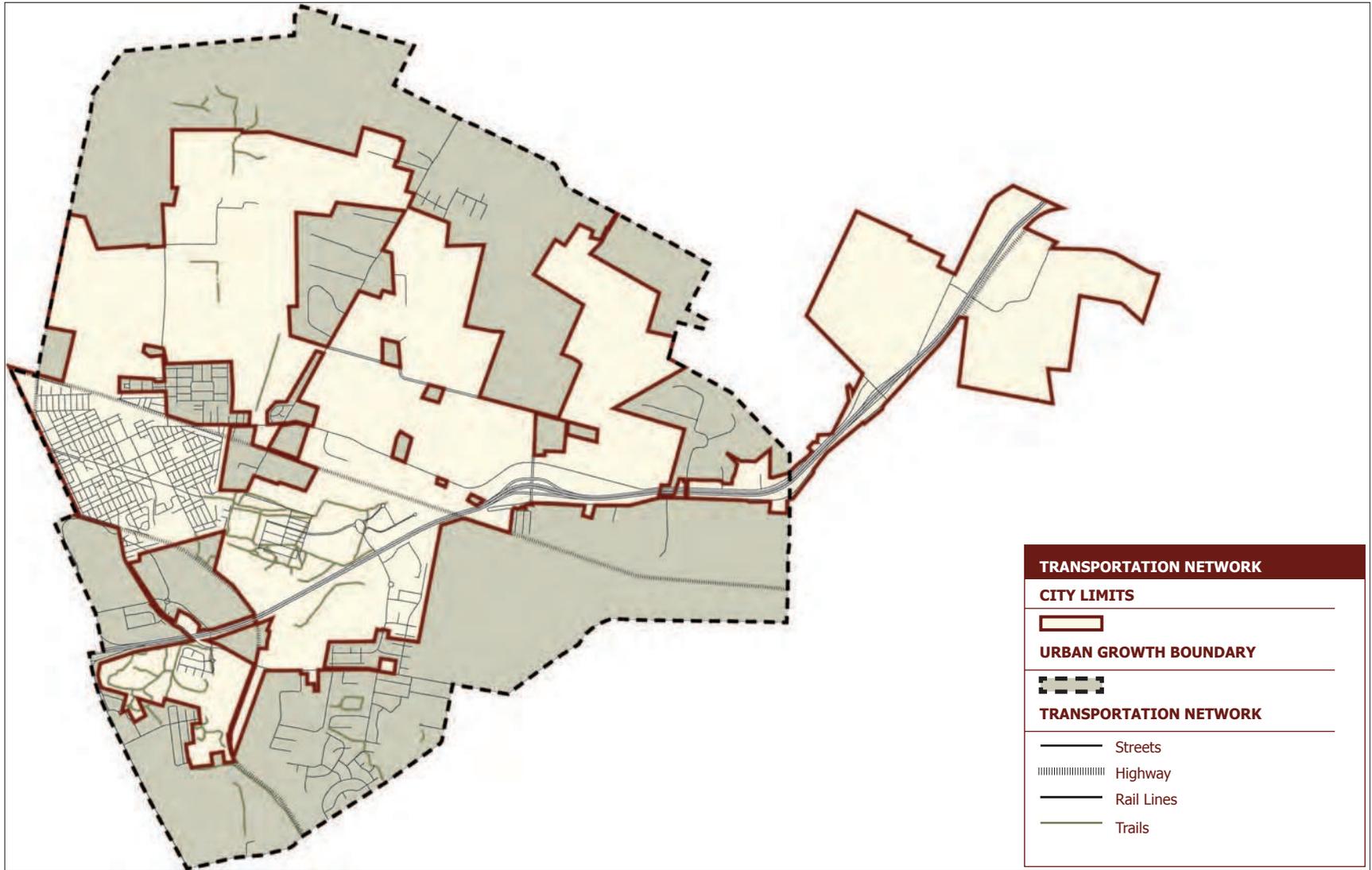


FIGURE 2.6 UGB TRANSPORTATION



The transportation plan provides a basis for the Sector Plan, aiming to plan and reserve transportation corridors in coordination with land use as well as prioritizing development adjacent to existing infrastructure.

CHAPTER 3. THE CITY

3.1 THE TRANSECT

The Fairfax Boulevard – George Street Corridor as well as the brownfield revitalization is being planned within the context of a new form-based zoning and subdivision code, the SmartCode. Ranson wants to ensure that future development in this central area of Jefferson County is traditional-neighborhood, mixed-use, green-focused development. The new code links together revised downtown zoning to protect existing character with a new zoning approach for the undeveloped, outlying areas of the City to enable traditional neighborhood mixed use development and green infrastructure.

The vision for Ranson is a thriving small-town community where people want to live, learn, work, visit, shop, and play because the economy and neighborhoods support a comfortable lifestyle for residents from all walks of life. The current zoning does not support this vision. The code is primarily use-based, dividing the city into segregated land use pods regardless of the underlying character. The pods discourage walkability, transit, and community services.

The “transect” of Ranson provides a visual summary of how Ranson becomes more intense as it moves from countryside to downtown. The “character zones” of the proposed SmartCode zoning overhaul, designated T-Zones 1 through 5, are based on the varying character that occurs along this natural system. These character-based T-Zones regulate the form of the built environment first, and then use second.

Property within a T-Zone may have the option of the following sub-districts:

T-2 Open (T2O): a transition district modifying a T4 frontage on a T2 parcel by permitting agricultural uses at the rear of the lot, and limiting block perimeter requirements.

T-4 Open (T4O): transition modifying T4 by permitting more commercial uses.

T-5 Limited (T5L): transition modifying T5 by limiting commercial uses.



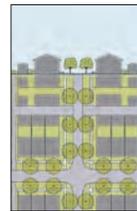
T1 Natural Lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.



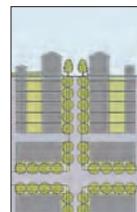
T2 Rural Sparsely settled open or cultivated lands. Woodland, agricultural land, and grassland. Typical buildings are farmhouses, agricultural buildings, cabins, and estate homes.



T3 Sub-Urban Low density residential. Some mixed use, home occupations, outbuildings. Naturalistic plantings, deep setbacks. Blocks may be large and irregular.



T4 General Urban Mix of uses, but primarily residential. Houses, townhouses, duplexes, small apartment buildings, and live-work units. Variable setbacks, medium-sized blocks.



T5 Urban Center Higher density mixed-use buildings of retail, offices, townhouses and apartments. Finely-gridded streets, street trees, buildings close to wide sidewalks.

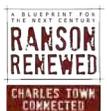
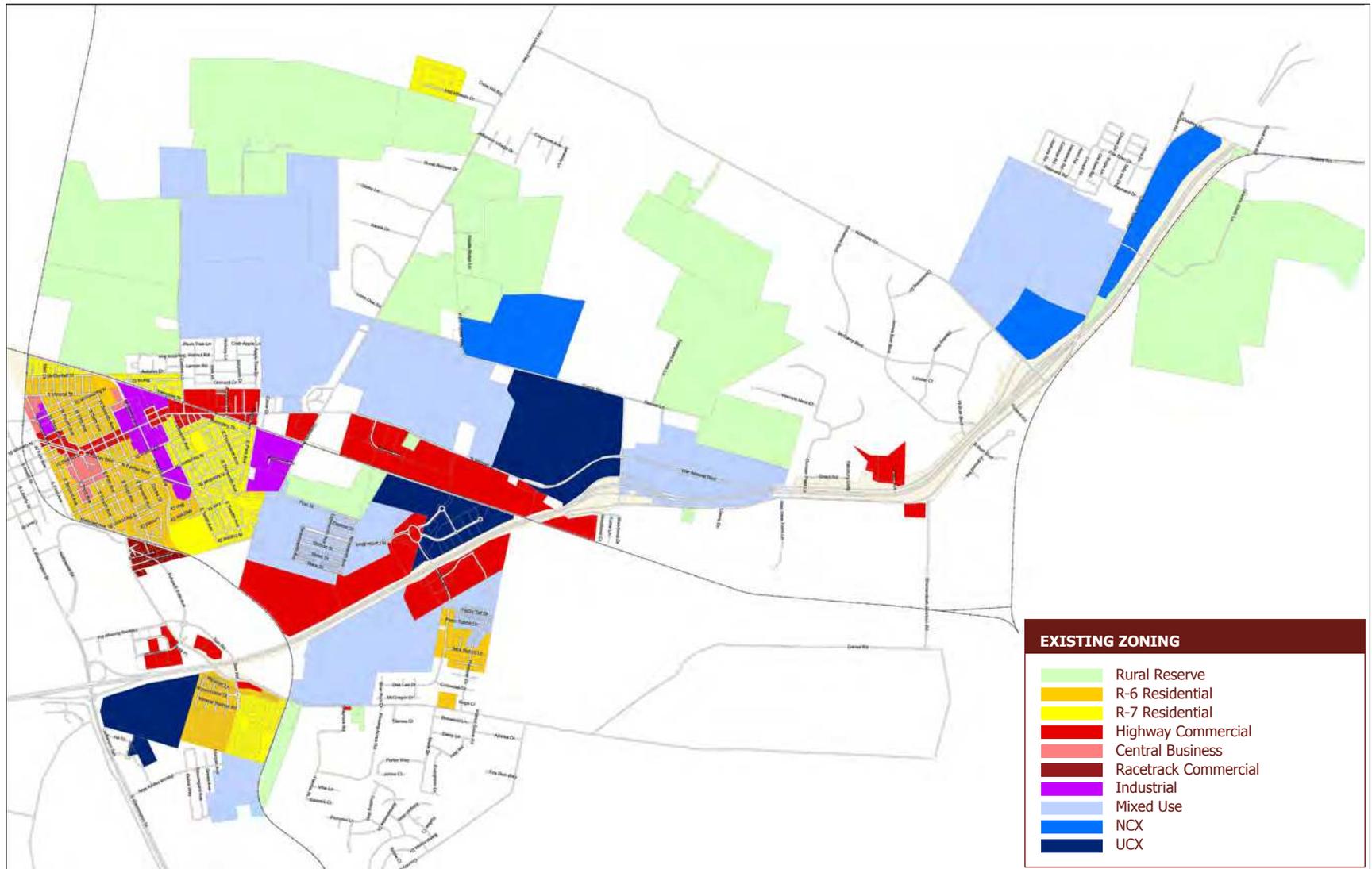


FIGURE 3.1 CURRENT ZONING

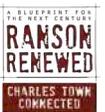


This map shows the existing zoning designations for the City of Ranson. The current zoning is primarily use-based, dividing the city into segregated land use pods regardless of the underlying character.

FIGURE 3.2 ZONING TRANSLATION MAP



This map demonstrates a translation from existing zoning to the new form based code system. While the new districts allow for more development options and flexibility, the translation map is a study to prevent unintended down zoning. The zoning translation reflects current conditions and has too large of swaths of single intensities, rather than the finer grained quality of Old Town



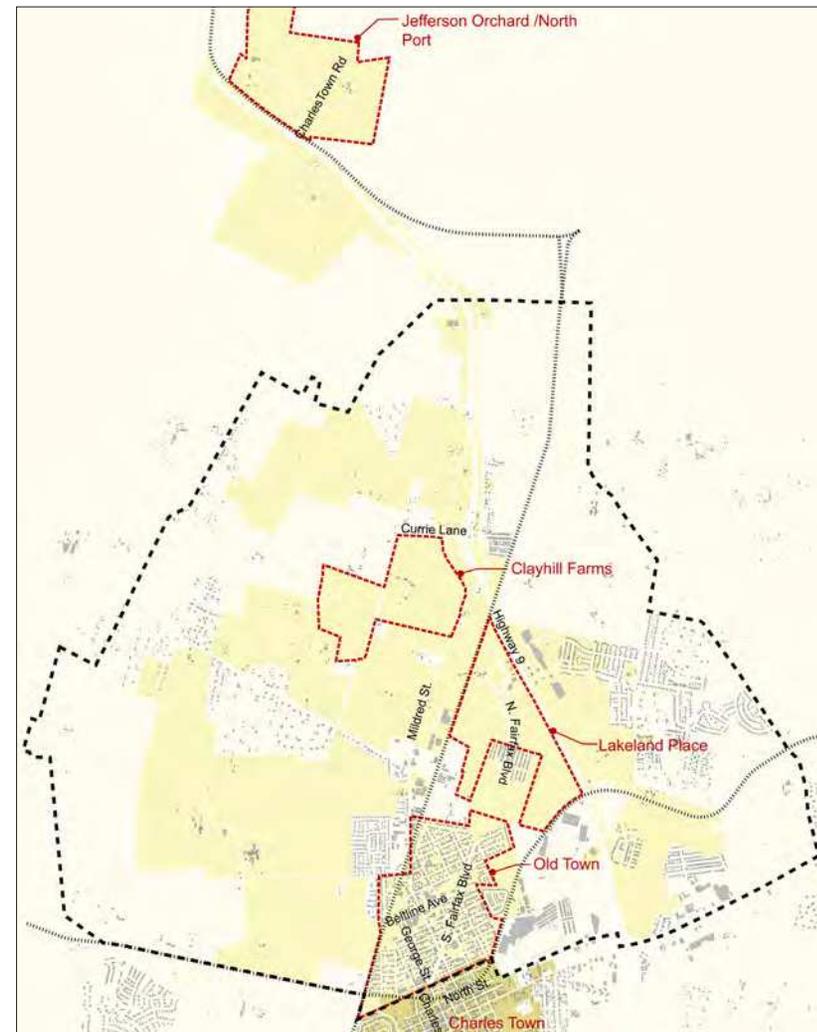
CHAPTER 4. MASTER PLANS

To enact the Ranson SmartCode, the Old Town is proposed to be rezoned to the SmartCode because of its fine network of streets and existing mixed use. Additionally, seven major redevelopment and development projects were proposed within and adjacent to Ranson, and two on a rural farms:

- + **Old Town:** rezoning to allow for redevelopment and to bring historic parcels into compliance.
- + **Powhatan Place Town Center:** N. Mildred Street at W. Beltline.
- + **Beltline Square:** E. Beltline Avenue at N. Fairfax Boulevard: mixed-use neighborhood center.
- + **Lancaster Circle at City Hall:** plan enhances pedestrian access and provides redevelopment sites that frame the circle.
- + **University Plaza:** Fairfax Boulevard at George Street. Redevelopment began with the American Public University System’s academic center building; this plan has been refined by the Green Corridor project, and is included by reference.
- + **Lakeland Place:** a proposed connection between Fairfax Boulevard and Lakeland Place, with new neighborhoods surrounding.
- + **Clayhill Farms:** a new agrarian urbanism neighborhood on a historic farm.
- + **Jefferson Orchard / North Port:** A proposed relocation of the Duffields MARC station and development of a TOD in an intended growth urban area. This area is also proposed for an Industrial Special District that would utilize the rail access.

Illustrative plans, regulating plans, and hand-drawn illustrations were developed to test the application of the SmartCode in these areas, and ensure it complies with the Livability Principles while implementing the collective regional vision.

FIGURE 4.1 RANSON RENEWED KEY PLAN



To demonstrate and enact the proposed Ranson SmartCode, several development areas were identified as focal areas for the Ranson Renewed Charles Town Connected Process. Each of these areas are described in more detail in the subsequent pages.

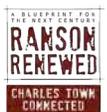
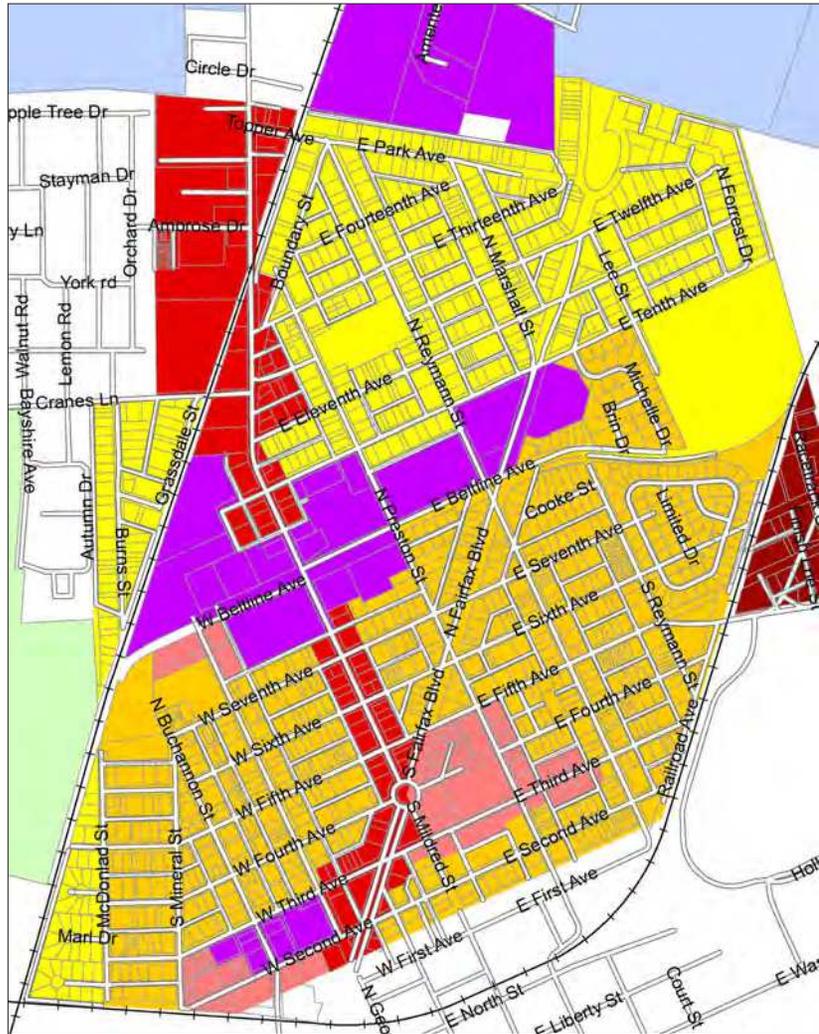
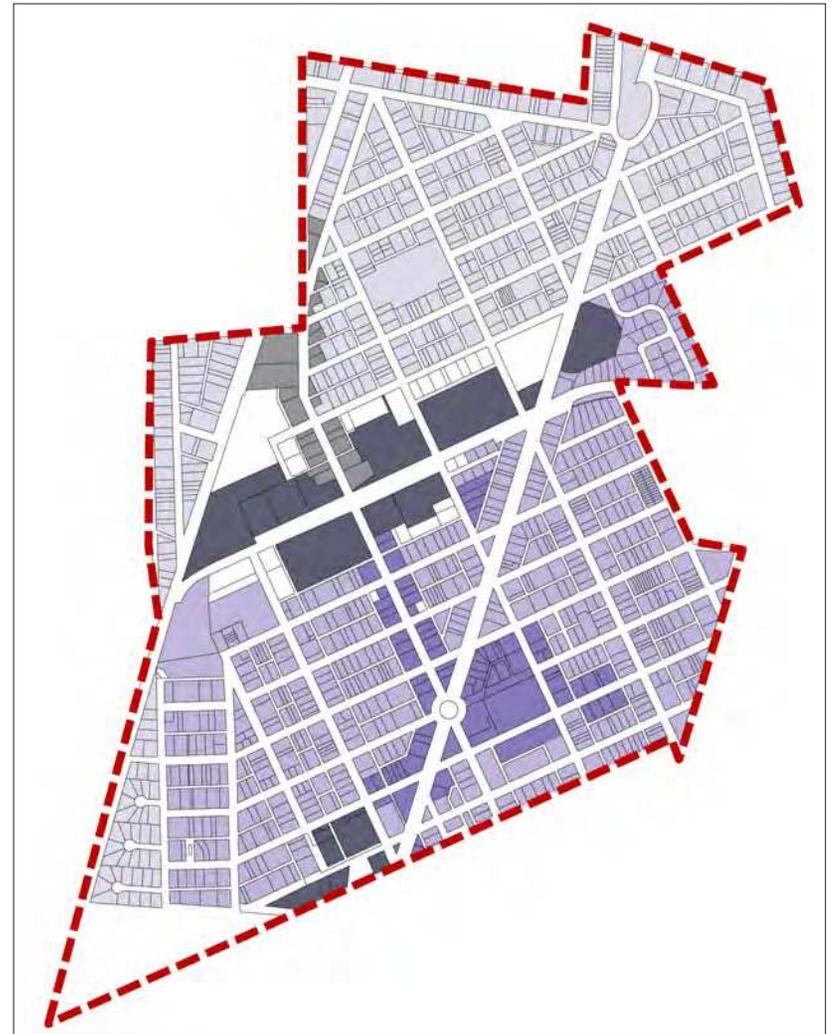


FIGURE 4.2 OLD TOWN EXISTING ZONING



The current zoning is primarily use-based, dividing the city into segregated land use pods regardless of the underlying character. This approach often does not reflect what is actually occurring on the site, or local vision.

FIGURE 4.3 EXISTING PARCELS REGULATING PLAN



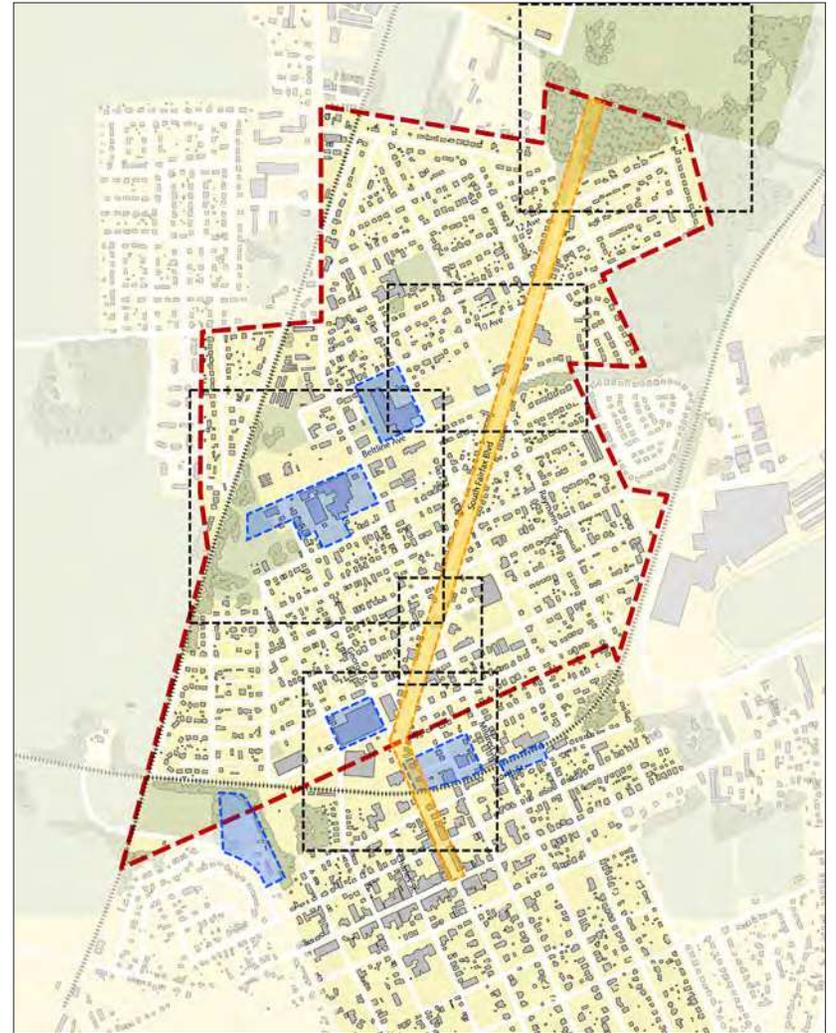
Dividing the city into areas of a specific intensity and character allows flexibility in use while ensuring an appropriate character, mix of uses, and pedestrian-orientation. This Regulating Plan is based on existing parcel patterns.

FIGURE 4.5 EXISTING CONDITIONS



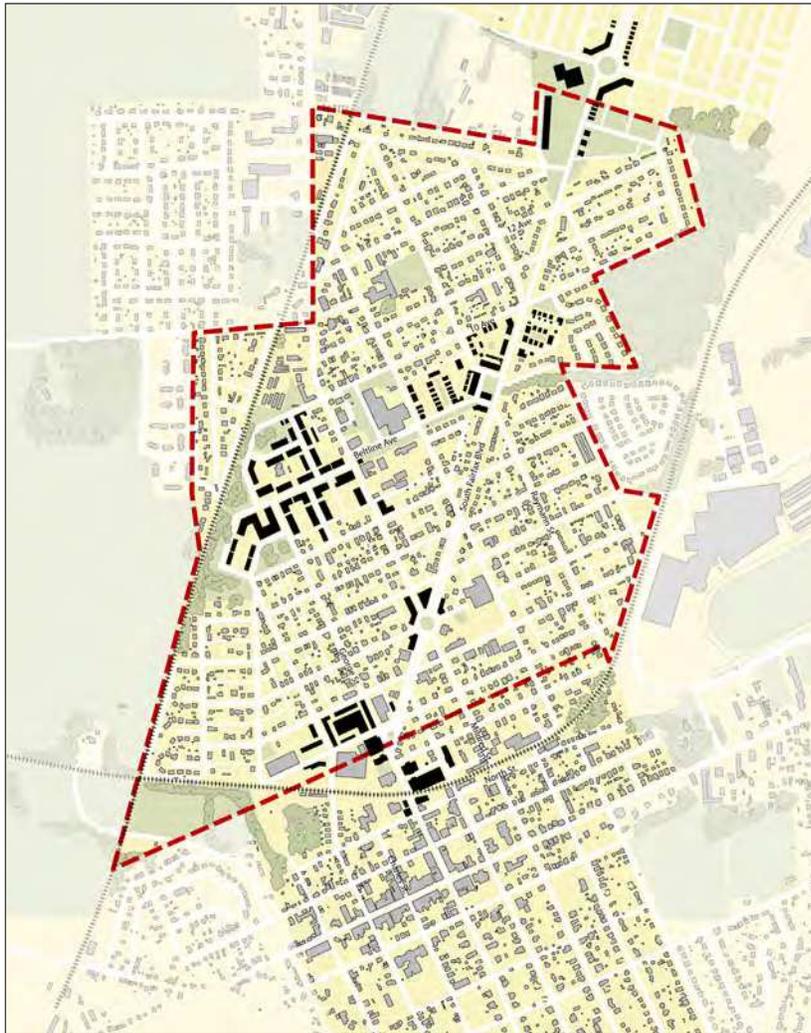
This graphic shows existing streets and buildings in Old Town. Zoomable images of maps available at project website, www.RansonRenewed.com.

FIGURE 4.6 INTEGRATED EFFORTS



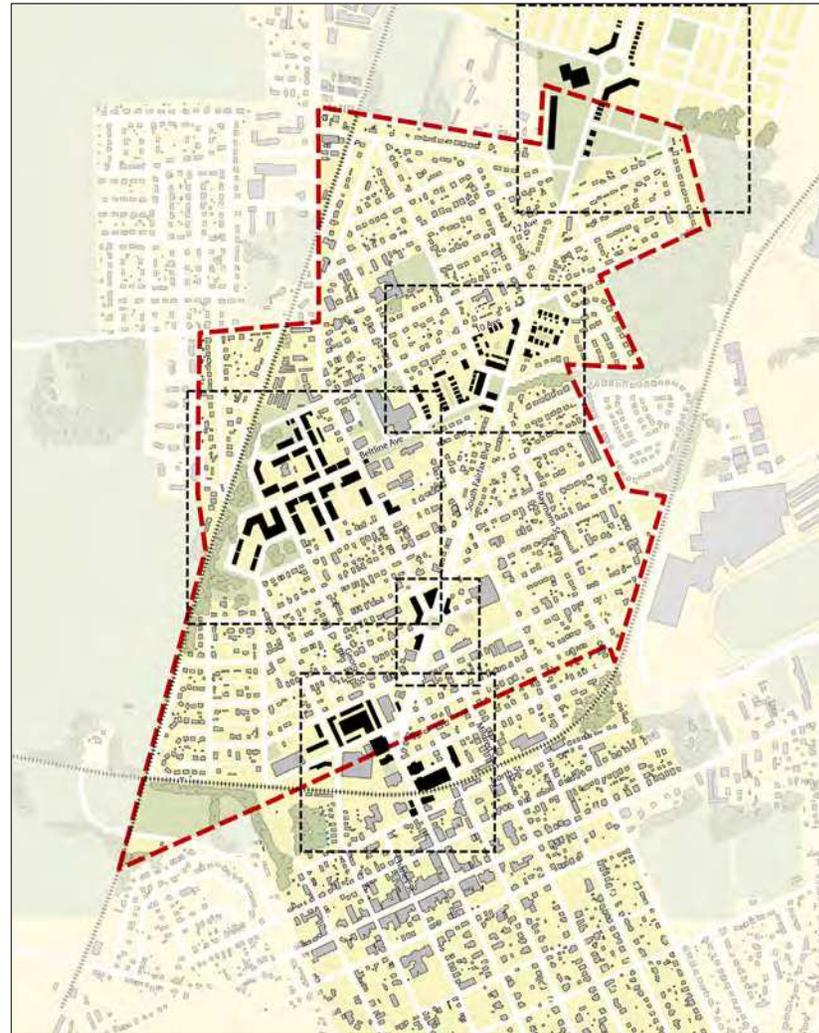
DOT team focuses on Fairfax Boulevard corridor, while EPA team establishes brownfield remediation and redevelopment strategies. HUD team develops a SmartCode to guide and implement the collective redevelopment strategies.

FIGURE 4.7 REDEVELOPMENT WITH SMARTCODE

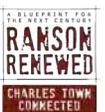


Several redevelopment schemes now possible under SmartCode. Black demonstrates potential new buildings as part of five consolidated redevelopment areas. Other individual properties able to redevelop under SmartCode as well.

FIGURE 4.8 CONSOLIDATED DEVELOPMENT AREAS



To demonstrate and enact SmartCode, five consolidated redevelopment areas were identified. Each was chosen in coordination with Fairfax Boulevard and brownfield redevelopments, as well as imminent development opportunities.



4.2 LANCASTER CIRCLE

The first redevelopment site is in the heart of Ranson at Lancaster Circle. As the civic center of the City, many of the abutting parcels are under-utilized and disinvested. The streets cater more to cars than they do to pedestrians, and mixed-use is minimal.

The Regulating Plan establishes the properties around the Circle as T5-Urban Center, the most intensely mixed-use and pedestrian oriented zone. A suitable interface with the nearby residential neighborhoods, shown here as T4-Urban General, is established by zoning to the rear alley, or at corner parcels. Civic buildings are shown in red, for the Ranson City Hall.

The Illustrative Plan demonstrates a redevelopment scenario possible under the SmartCode. In coordination with Fairfax redevelopment plans, an intense urban city is formed at Lancaster Circle with ground floor pedestrian oriented commercial. Due to challenging parcel sizes, most parking is accommodated on-street, creating an additional buffer to pedestrians on the sidewalk. Upper storey office and residential uses are also possible.

FIGURE 4.9 LANCASTER EXISTING CONDITIONS

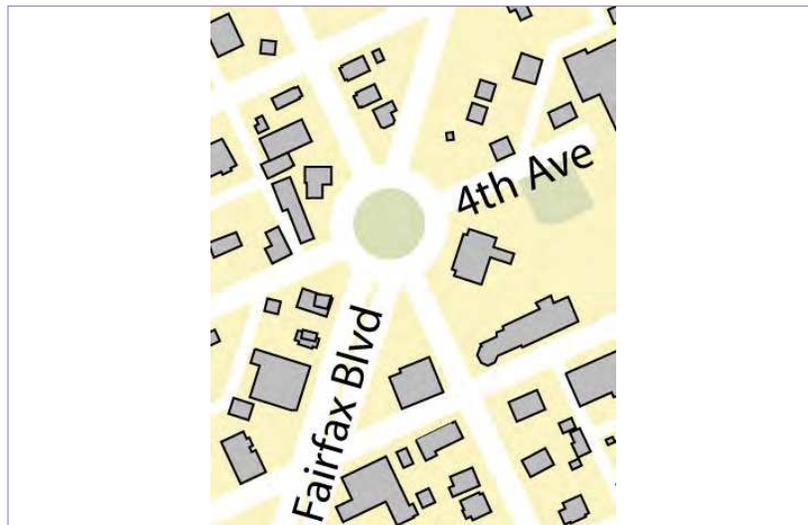


FIGURE 4.10 LANCASTER REGULATING PLAN

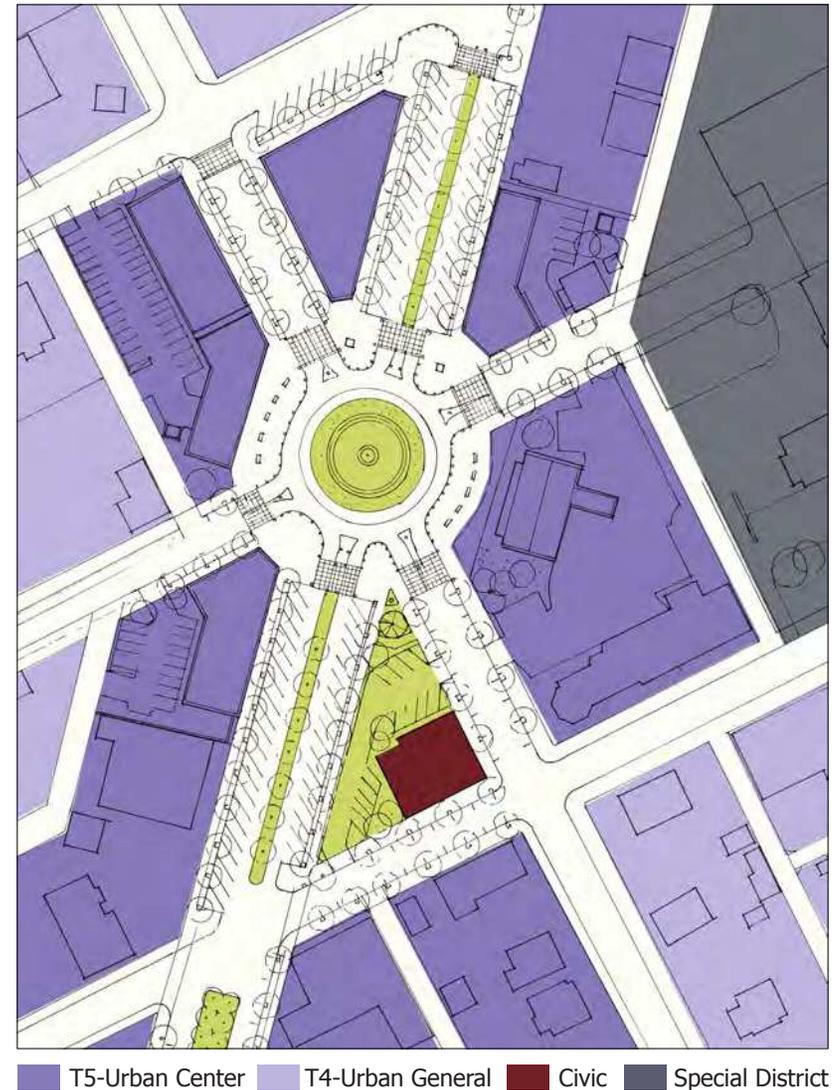


FIGURE 4.11 LANCASTER ILLUSTRATIVE PLAN

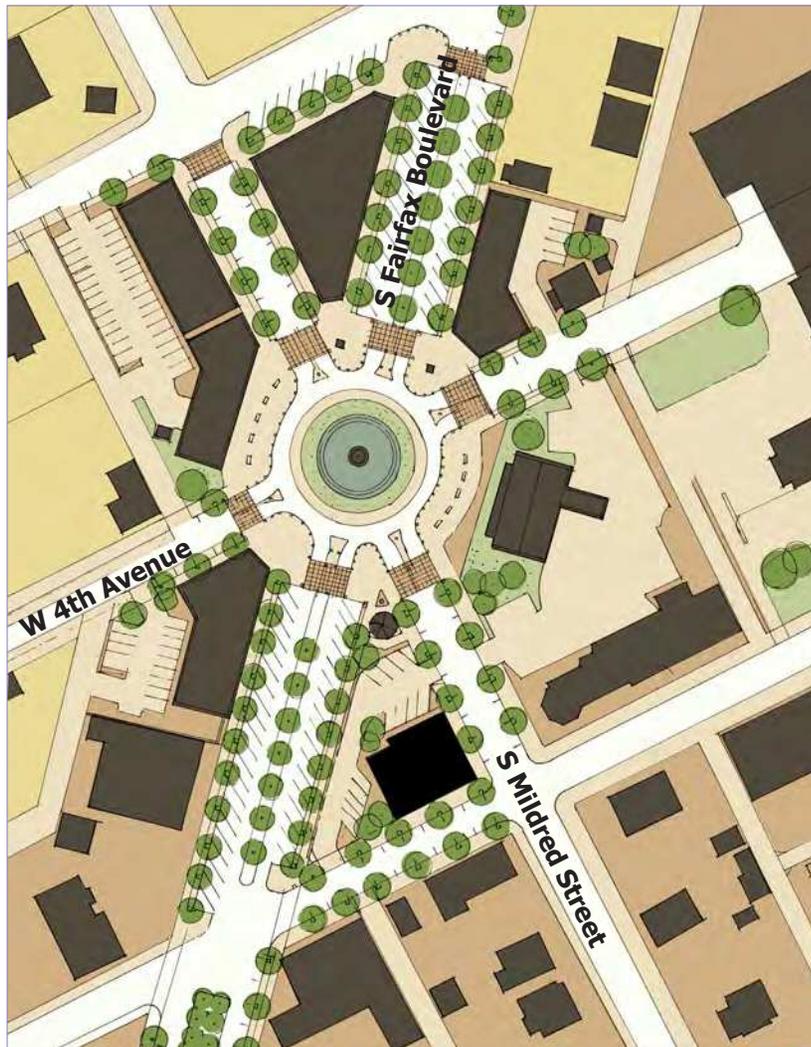
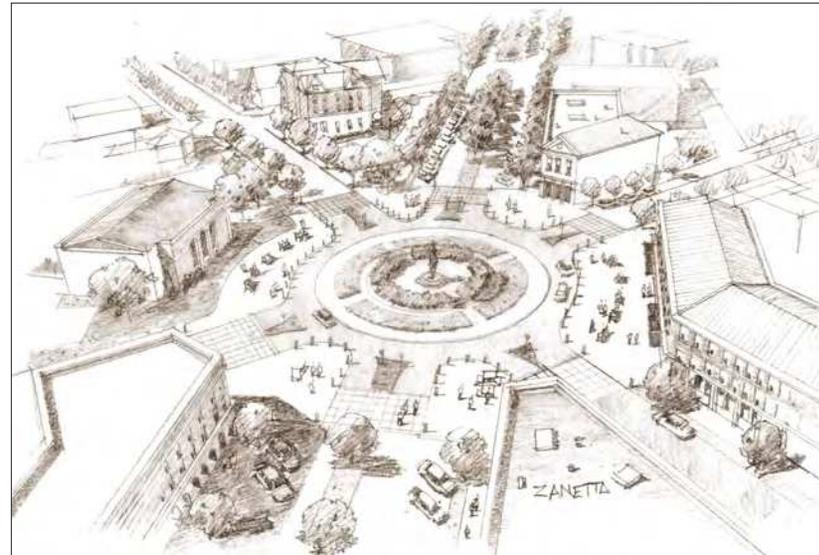


FIGURE 4.12 LANCASTER ILLUSTRATION



The buildings frame Lancaster Circle, celebrating a signature Ranson civic space at City Hall. This sense of enclosure, along with street and sidewalk upgrades, and onstreet parking, make for a walkable, mixed-use environment.

The center of Old Town Ranson is considered to be at Fourth Avenue and Mildred Street's (Route 115) intersection with Lancaster Circle. Fairfax Boulevard leaves Lancaster Circle to the northeast, as it cuts diagonally through the street grid. The original street aligns with Charles Town's, but the diagonal extends in the direction in which Ranson grew. This street was planned as a major route, with a 100-foot right-of-way, but was never completed to the north. The \$1.2 million U.S. DOT TIGER II grant will plan, engineer and provide construction drawings for the completion of Fairfax Boulevard to Route 9.

4.3 BELTLINE SQUARE

The intersection of Beltline Avenue and Fairfax Boulevard is unremarkable, defined by a mix of low density housing, industrial yards, and vacant parcels. This area has great potential as an important neighborhood gathering place, particularly as it links to the future Powhatan redevelopment along Beltline.

Reconfiguration of parcels in collaboration with landowners would allow for a new public square along the redeveloped Fairfax Boulevard streetscape. The square would allow for passive recreational green space and a possible public building that terminates the view along Beltline Avenue from the east. This T4-General Urban zoning allows a number of redevelopment opportunities in character with the neighborhood.

The cost of the square is off-set by higher density housing that frames the square as an outdoor room. The public building could be a privately run recreation centre, daycare, or community hall. A possible small corner store at the corners of Fairfax and Beltline provide local convenience shopping.

FIGURE 4.13 BELTLINE EXISTING CONDITIONS



FIGURE 4.14 BELTLINE REGULATING PLAN



FIGURE 4.15 BELTLINE ILLUSTRATIVE PLAN DETAIL



FIGURE 4.16 FAIRFAX BOULEVARD ILLUSTRATION



This shows the Fairfax Boulevard redevelopment that might lead up to the new square, an example of T4-Urban General character from the Ranson SmartCode.

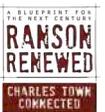


FIGURE 4.17 BELTLINE ILLUSTRATIVE PLAN

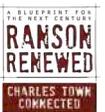


A possible redevelopment scenario reconfigures the parcels to allow for a new public square along the redeveloped Fairfax Boulevard streetscape. The square would allow for passive recreational green space and a possible public building that terminates the view along Beltline Avenue from the east.

FIGURE 4.18 BELTLINE SQUARE AERIAL ILLUSTRATION



With North Fairfax Boulevard heading from bottom left to top right, this illustration shows how the intersection of Beltline Avenue and Fairfax Boulevard might look in the future with the new Beltline Square.



4.4 FAIRFAX GREEN

Fairfax Green adds the missing link between Fairfax Boulevard in Old Town and the Fairfax Crossing Development to the north. This linkage is an important task of the Fairfax Boulevard redevelopment, reducing vehicle miles traveled both by increased transportation connections as well as a neighborhood center adding services and amenities to the existing residential.

Fairfax Green is defined by T4 leading to a new traffic circle edged by modest T5, which provides a significant visual termination from the north and south along Fairfax Boulevard.

Plans are well underway for a large green space and recreational buildings at the interface of Fairfax Boulevard between Fairfax Crossing and Old Town. Defined as a large green, this creates yet one more unique public space along Fairfax Boulevard. Guided by the Regulating Plan, this Illustrative Plan shows the mix of potential buildings that would frame and activate this green and the future Fairfax Boulevard connection.

FIGURE 4.20 FAIRFAX GREEN EXISTING



FIGURE 4.19 FAIRFAX GREEN REGULATING PLAN



FIGURE 4.21 FAIRFAX GREEN ILLUSTRATIVE PLAN



FIGURE 4.22 FAIRFAX GREEN ILLUSTRATION



Looking northward on Fairfax Boulevard toward a new traffic circle, this aerial rendering illustrates a possible future scenario for the Fairfax Green area. This is the sort of place Ranson's SmartCode T4-Urban General will produce, moving into T5-Urban Center around the circle.

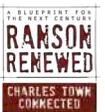


FIGURE 4.23 UNIVERSITY PLAZA AERIAL ILLUSTRATION



An initial design scenario for the University Plaza area based on the Illustrative Plan looks beyond American Public University toward a proposed new plaza at the intersection of Fairfax and George.

4.5 UNIVERSITY PLAZA

The bend of South Fairfax Boulevard as it nears Charles Town marks an important, highly visual point. American Public University is currently redeveloping this area, providing an opportunity to increase the visual appeal of this significant intersection. The regulating plan provides a higher intensity T5-Urban Center zoning to allow the University to pursue its expansion vision, while a T4-Urban General makes a suitable interface with adjacent properties.

The illustrative plan necessarily bridges the municipal boundaries of Ranson and Charles Town. While the SmartCode is currently limited to the City of Ranson, the transportation planning efforts along Fairfax Boulevard bridge municipal lines, proposing a plaza at the intersection of 2nd Street where Fairfax Boulevard bends into North Charles Street.

FIGURE 4.24 UNIVERSITY PLAZA REGULATING PLAN

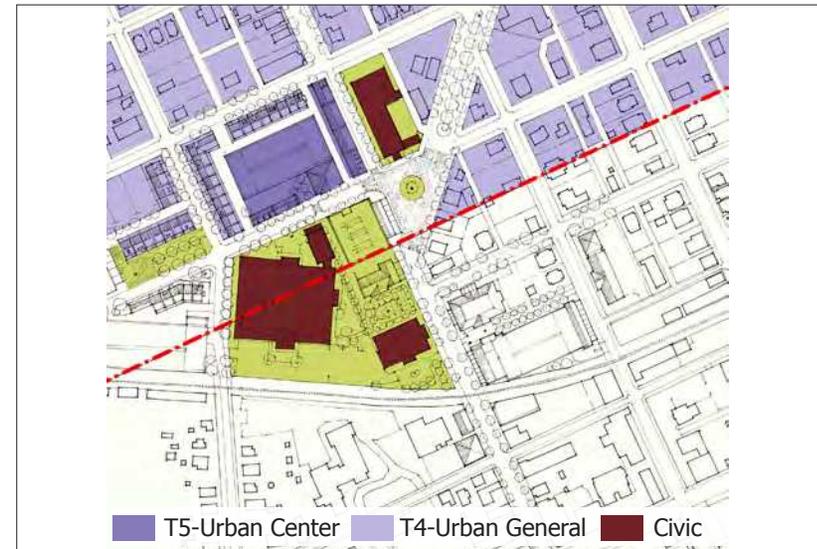
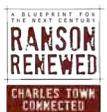
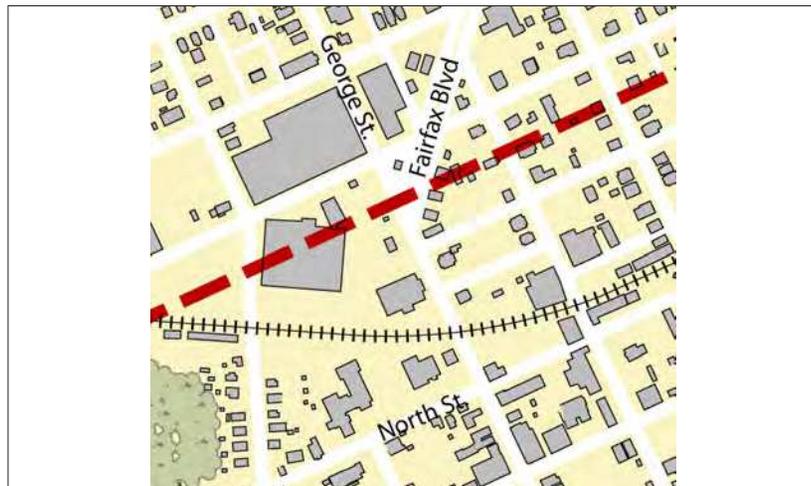


FIGURE 4.26 UNIVERSITY PLAZA ILLUSTRATIVE

FIGURE 4.25 UNIVERSITY PLAZA EXISTING



4.6 POWHATAN PLACE

The City of Ranson owns a 7-acre United Technologies brass foundry and plans to redevelop Powhatan Place, a mixed-use infill project with 150 units of affordable and market-rate housing. A HUD Brownfields Economic Development Initiative (BEDI) grant has been awarded to assist with site development, making this a key economic development tool within this planning effort.

In addition to the redevelopment strategies focused specifically on the brownfield remediation site, a number of other plans are under development in the area. Several large, underutilized parcels add potential to the development mix of this neighborhood.

Following the intent of the SmartCode and the need for coordinated planning, this plan shows a coordinated vision for the entire area, across property boundaries and beyond the brownfield site. Should this regulating plan be pursued, this regulating plan shows how the vision would be implemented under the Ranson SmartCode.

FIGURE 4.27 POWHATAN PLACE EXISTING

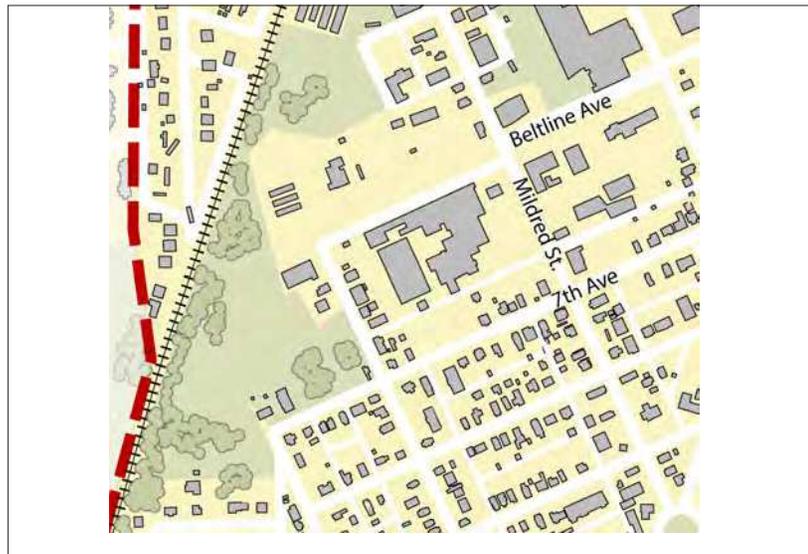


FIGURE 4.28 POWHATAN PLACE REGULATING PLAN



FIGURE 4.29 POWHATAN PLACE ILLUSTRATIVE



Powhatan Place is identified as a secondary focal point for Ranson’s downtown with significant T5-Urban Center opportunities along Mildred as it leads to Lancaster Circle. To activate this center with more population, additional parcels to the east are designated as T5L-Urban Center Limited, a designation that allows for limited commercial but higher density residential.

The concept enables an immediate redevelopment of the brownfield remediation site while establishing a broader vision for a cohesive walkable urban center. Beltline Avenue is proposed to form an active urban street. If the City were to purchase 40’ of railway right of way to provide an 80’ deep parcel that could be used to leverage and incentivize adjacent land owners to build street-oriented buildings along Beltline.

New streets in adjacent parcels make street oriented residential viable. A possible public building along Beltline Avenue visually terminates Charles Street

to the northeast from the University Plaza. The interface with the railway to the east includes usable green space and storm water management facilities.

Figure 4.30 shows a proposed mixed use pharmacy as part of an immediate redevelopment opportunity at the southeast corner of Mildred and Beltline Avenue. A redeveloped Beltline Avenue falls away to the right with a mixture of higher density housing and a link to the new greenspace formed at the railway.

Additional mixed use buildings line Mildred to the left, as illustrated further in Figures 4.31 and 4.32. Several parcels along Mildred are identified with T4O-Urban General Open, which allow a variety of existing and new building forms to retain commercial zoning rights.

FIGURE 4.30 POWHATAN PLACE ILLUSTRATION

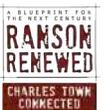


FIGURE 4.31 NORTH MILDRED STREET EXISTING

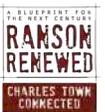


Many of the buildings along Mildred have great potential for conversion into other commercial uses more in line with the future Powhatan Place opportunity. This is a far less expensive redevelopment opportunity than wholesale demolition and redevelopment. Pictured lots are proposed as T40-Urban General Open.

FIGURE 4.32 NORTH MILDRED STREET ILLUSTRATION



This illustration shows possible conversion of an existing automotive garage to an outdoor cafe and restaurant, with a new mixed use building nearby - all possible under T40.



4.7 THE TRANSECT EXPLAINED

Section 3.1 defines the rural-to-urban Transect in legal terms, and illustrates it with diagrams and Ranson / Charles Town photos. The Transect is a shape sorter, helping to find “a place for everything, and everything in its place.” Each city and town has its own particular Transect, and in it is found the local character.

The SmartCode extracts this DNA of place, and allows it as a matter of right. The SmartCode is a form-based code, but it is also a Transect-based code. The operating system is the Transect. The SmartCode prioritizes form over use, and the way it characterizes that form is with the Transect.

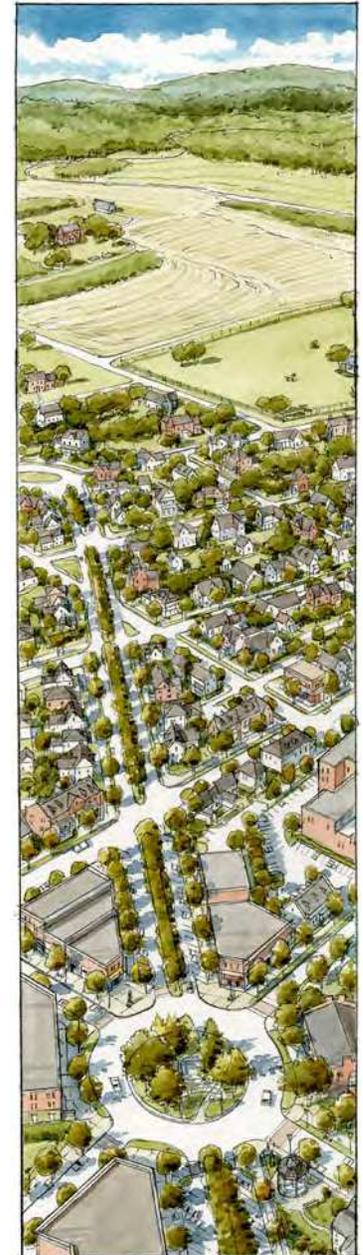
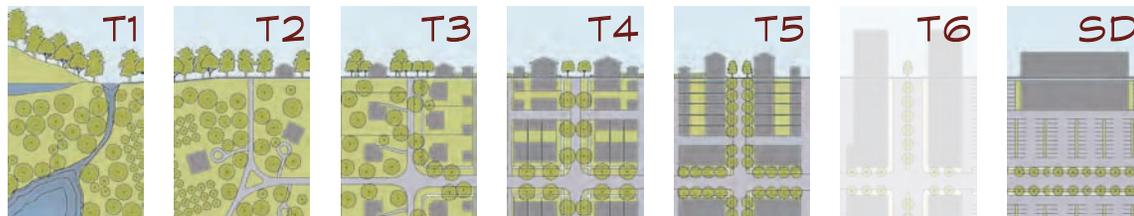
This illustration of the Ranson Transect is a visual summary of how Ranson becomes more intense as it moves from countryside to downtown. The “character zones” of the proposed SmartCode zoning overhaul, designated T-Zones 1 through 5, are based on the varying character that occurs along this natural system.

Biologists and ecologists have long used the Transect to study the environment, and the symbiotic elements required for different species to thrive. Just like plants and animals, different people thrive in different environments. Regardless of personal preference, people and economies thrive more in walkable environments than they do in places with few mobility choices.

The SmartCode guides the form of redevelopment, infill, or greenfield development into complete neighborhoods at the hamlet, village, or town scale. The Transect Zones within the SmartCode are designed to create complete human habitats ranging from the very rural to the very urban. Whereas conventional zoning categories are based on different land uses, SmartCode zoning categories are based on whether their character is urban or rural, or somewhere in-between.

All Transect Zones allow some mix of uses, enabling complete neighborhoods. The Transect ensures that a community offers a full diversity of building types, thoroughfare types, and civic space types, and that each has appropriate characteristics for its location.

Because the Transect offers a range of compatible character within each Transect Zone, it provides flexibility in a changing marketplace which makes for economic resilience. Compact development patterns provide more frugal infrastructure investments, while intensive placemaking delivers significant economic returns.



CHAPTER 5. GREENFIELD MASTER PLANS

The six infill master plans addressed so far are located in Old Town Ranson, and implement much of the concurrent work being done by the EPA Brownfields team and the DOT transportation team. The proposed Old Town rezoning updates all of Old Town to the SmartCode, at a translation of existing conditions to allow and encourage redevelopment. The additional five regulating plans within Old Town incentive landowner and developer collaboration with appropriate upzoning, but will require the private sector to actualize.

In addition to these six infill master plans in Old Town, three large greenfield sites have been identified to demonstrate the New Community Plan regulations of the SmartCode. Each of these will be further developed as actual Community Plan proposals that may then be pursued by the associated landowners. See Chapter 6 for applications under development.

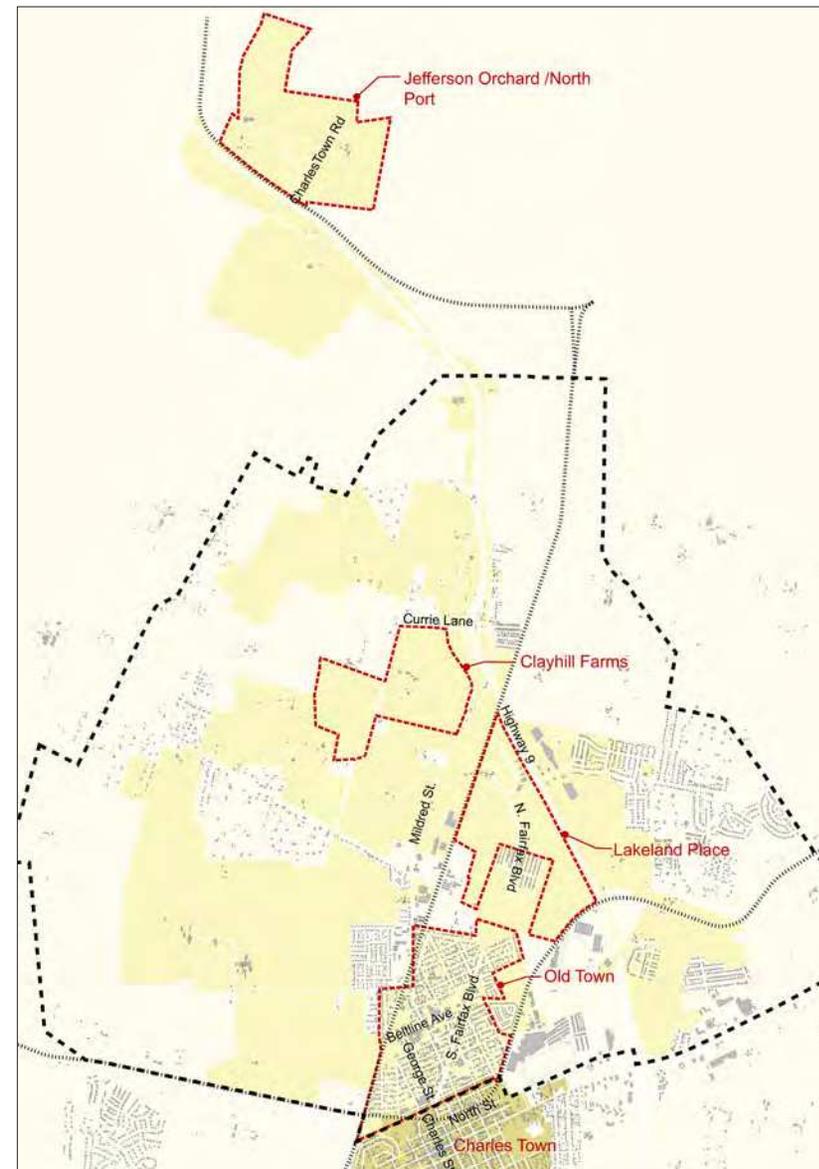
The greenfield sites are:

- + **Lakeland Place:** a proposed connection between Fairfax Boulevard and Lakeland Place, with new neighborhoods surrounding.
- + **Clayhill Farms:** a new agrarian urbanism neighborhood on a historic farm.
- + **Jefferson Orchard / North Port:** A proposed relocation of the Duffields MARC station and development of a TOD in an intended growth urban area. This area is also proposed for an Industrial Special District that would utilize the rail access.

The proposed Old Town rezoning updates make the SmartCode mandatory for Old Town. Elsewhere within Ranson, the SmartCode is an additional option. Within the G1, G2 and G3 Sectors, developers of 10-50 acres may apply for a Hamlet, or 40-200 acres for a Village. Within the G3 Sector, developers of 80 to 200 acres may apply for a Town Center.

The following three greenfield plans illustrate what those might look like in illustrative plans, regulating plans, and illustrations.

FIGURE 4.33 RANSON RENEWED KEY PLAN REVISITED



5.1 JEFFERSON ORCHARD / NORTH PORT

On the far north of the City, Jefferson Orchards has a sector designation of G-3 Intended Growth, allowing for a Village, Town Center or Transit Oriented Development Community Type. This regulating plan demonstrates a Transit Oriented Development in addition to a single use industrial "District." Alternatively, a Village might also be appropriate in the District location.

This plan demonstrates conformance to the New Community Plan criteria of the SmartCode. It should be noted that lot lines and other details are not typically part of a regulating plan, as this plan is demonstrative only.

While this area has great potential, there are a number of opportunities that need to come together to mutually support a successful development. These include:

- + Securing of local employment through a large industrial district or other employment district
- + Employers seeking office and industrial areas outside the D.C. security perimeter
- + The relocation of the Duffields MARC commuter rail station to the site that would attract Ranson traffic
- + A new connection over Highway 9

The industrial area could be either to the east or the west of a central mixed use Transit Oriented Development centered on the new commuter rail station and the Charles Town corridor. The illustrative plan is formed by a dense town center that expands into lower densities at the edge, where existing orchards and agricultural uses are maintained and integrated into the neighborhood.

FIGURE 5.1 NORTH PORT REGULATING PLAN

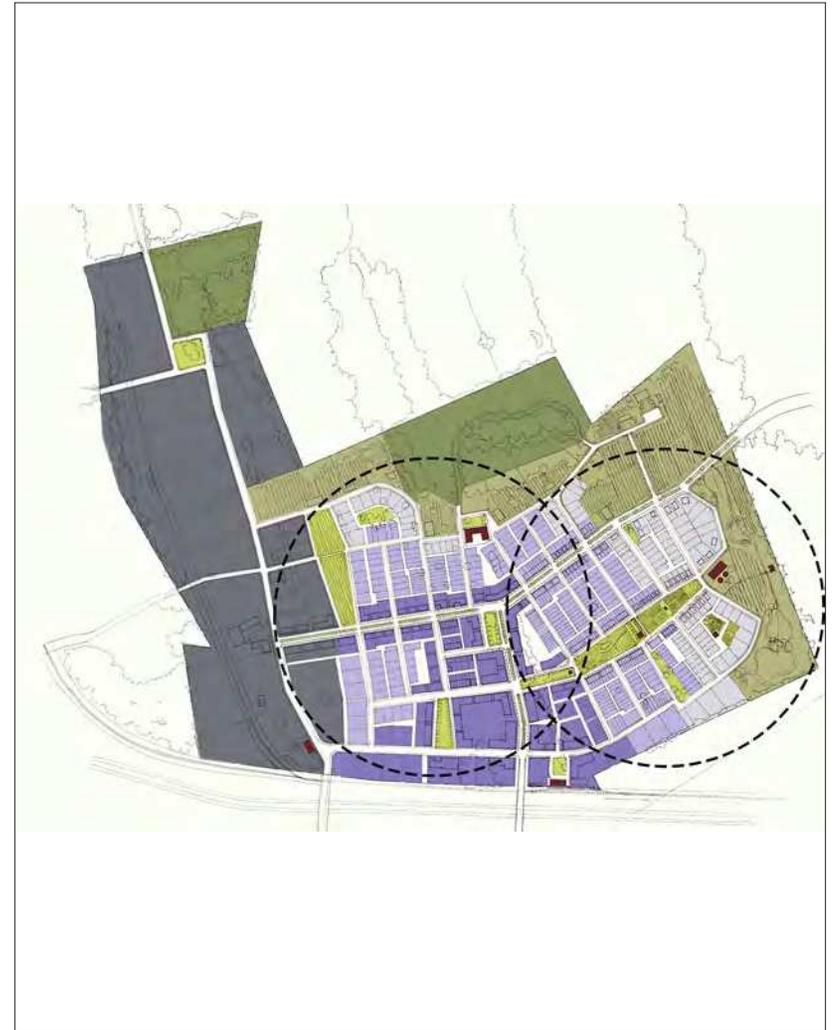


FIGURE 5.2 JEFFERSON ORCHARD / NORTH PORT ILLUSTRATIVE PLAN



5.2 LAKELAND PLACE

Lakeland Place is a proposed connection between Fairfax Boulevard and Lakeland Place, with new neighborhoods surrounding.

The Lakeland Place area is currently under active development and is fully entitled. With some modification, the SmartCode-based regulating plan demonstrates improved walkable neighborhood structure, a range of valuable green-spaces, additional possible densities, and a better transition to the nearby big-box area.

With the SmartCode in place, this illustrative plan demonstrates a possible future development scenario. Additional flexibility and some moderate density increases create incentives for the developer while the community gets a more walkable plan with an improved system of public spaces.

FIGURE 5.3 LAKELAND PLACE REGULATING PLAN



FIGURE 5.4 LAKELAND PLACE ILLUSTRATIVE PLAN



5.3 CLAYHILL FARMS

Clayhill Farms is envisioned as a new agrarian urbanism neighborhood on a historic farm. The land presents a unique opportunity to create a lively mixed use town center adjacent to active agriculture and scenic countryside.

Settled on a gentle rise, Clayhill Farms could be a unique picturesque new neighborhood where buildings and public spaces take advantage of scenic views, and the village is an attractive complement to the landscape as viewed from afar.

This regulating plan, pictured in full in Figure 5.9, allows for a range of options while maintaining a walkable, compact, mixed-use character. The plan details of Figures 5.6 and 5.7 approximate the land covered by the illustration of Figure 5.8.

The illustrative plan in Figure 5.10 demonstrates a possible development scenario as enabled by the SmartCode. The proposed concept can allow for the current commercial entitlement in a street-oriented, mixed-use town center format, while providing additional flexibility in uses to better respond to future market conditions.

The plan also demonstrates integration with the existing farmstead and other historical structures in an emerging agrarian urbanism neighborhood concept, where residents live nearby and can participate in local agricultural production and processing. This production can in turn integrate with the markets and restaurants in the town center.

A market square might replace a shopping square. In agrarian urbanism, the farmer's market is a gathering place that is not only fully integrated into both local urbanism and culture, but is also essential to life.

Agriculture is making its way back into culture in its search for the organic, the connected, and the communal. In the search for meaningful daily rituals and seasonal celebrations. In the search for slow food, localism, community, economic resilience, environmental stewardship, health and fitness, and just plain fun. In a time when people are seeking to wean themselves off of petroleum for a wide range of reasons, localism may be a viable path forward.

FIGURE 5.5 CLAYHILL FARMS REGULATING DETAIL



FIGURE 5.6 CLAYHILL FARMS ILLUSTRATIVE DETAIL



FIGURE 5.7 CLAYHILL FARMS ILLUSTRATION



FIGURE 5.8 CLAYHILL FARMS REGULATING PLAN

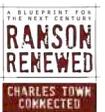


Clayhill Farms draft regulating plan allows for a range of options while maintaining a walkable, compact, mixed-use character. Importantly, this reflects the current commercial entitlement of the property, which is now enabled in a more suburban format.

FIGURE 5.9 CLAYHILL FARMS ILLUSTRATIVE PLAN



Agrarian urbanism illustrative plan demonstrates a possible development scenario as enabled by the SmartCode. The proposed concept can allow for the current commercial entitlement in a street-oriented, mixed-use town center format, while providing additional flexibility in uses to better respond to future market conditions.



CHAPTER 6. THE RANSON SMART-CODE

The Ranson SmartCode is proposed as a form-based and Transect-based code augmenting the existing use-based zoning ordinance. The update will take the form of a new zoning overlay district for Old Town, as well as undeveloped, outlying areas of the city.

The SmartCode implements Livability Principles, DOT transportation planning, and HUD brownfield remediation. It also enables many objectives of the 2012 Ranson Comprehensive Plan, including:

- + Encourage the preservation and extension of existing neighborhood character. Create incentives for infill.
- + Encourage a variety of building types, particularly for affordable housing.
- + Allow residential, single and multi-family, retail, office, and light industrial in most zones. Provide a range of zones from rural to urban, so that people have a choice of where to live and work.
- + In older building fabric, tailor the zones to permit buildings of the existing type and character, rather than rely on their being legally non-conforming.
- + Designate locations for industrial development to reduce travel time for employees. Promote the development of complete neighborhoods (coordinating adjacent developments as necessary). Encourage connectivity in new and existing developments.
- + Allocate higher densities appropriately: the most intense neighborhoods should have the highest densities and enhanced infrastructure and services, particularly transit. Encourage connectivity of streets, sidewalks, and paths.
- + Consider a program for connecting cul-de-sacs and “collectors” into the existing thoroughfare network – by building complete street sections, or by connecting sidewalks and/or paths between them.
- + Incentivize redevelopment and expansion in areas most appropriate to promote well designed communities, and to prevent sprawl.

The Ranson SmartCode draft may be downloaded in full at www.RansonRenewed.com. A few summary pages have been excerpted here.

FIGURE 5.10 T20 / T3 ILLUSTRATION

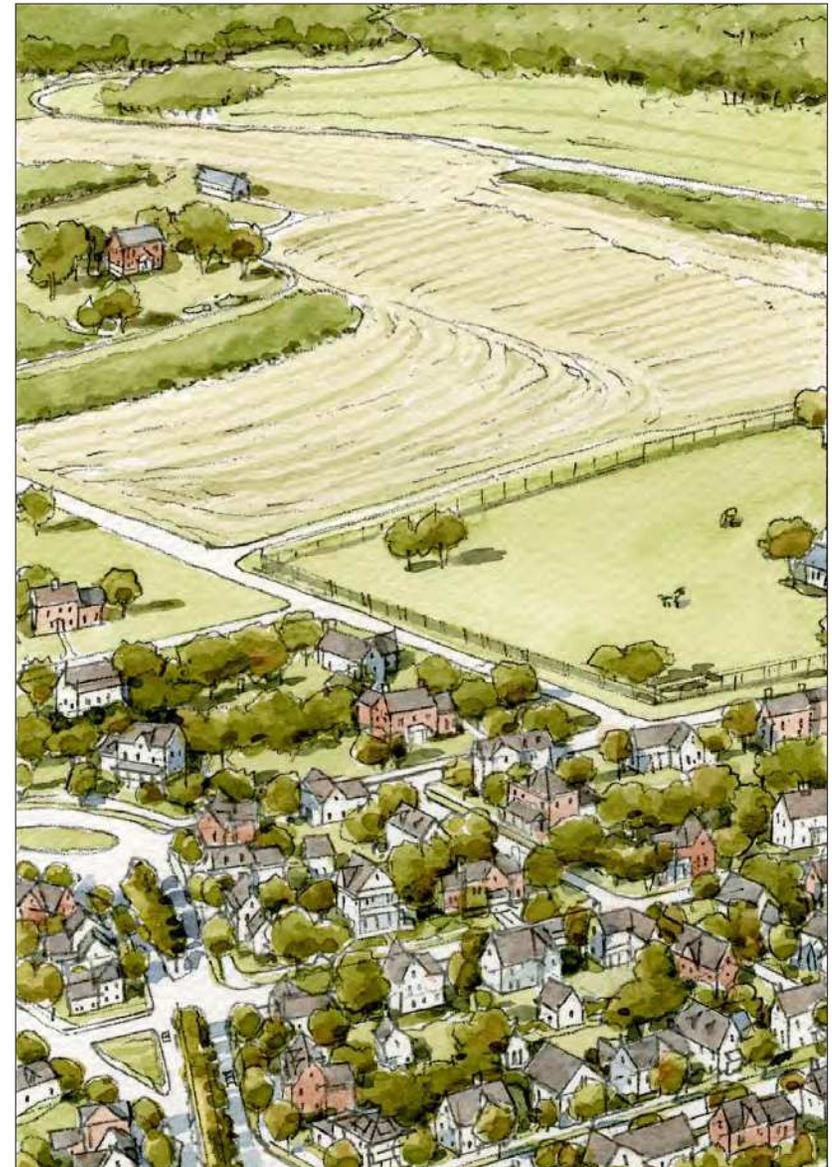
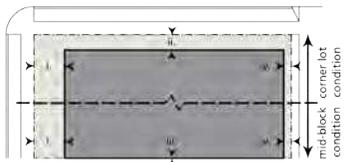
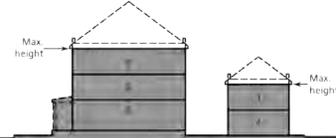
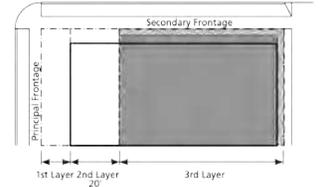
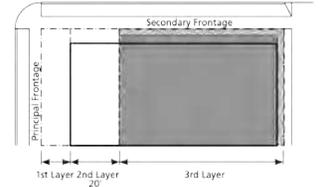
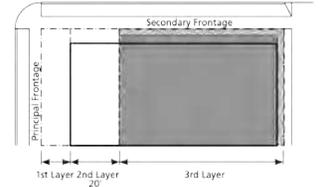
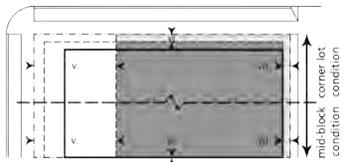


FIGURE 6.2 T20 SMARTCODE SUMMARY TABLE

Article 5

Subdivision & Zoning

53

TABLE 11. T20 STANDARDS																																																																					
A. BUILDING PLACEMENT	B. BUILDING FORM																																																																				
PRINCIPAL BUILDING																																																																					
																																																																					
<ul style="list-style-type: none"> 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. 	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: #f2f2f2;">PRINCIPAL BUILDING</td> </tr> <tr> <td>Stories</td> <td>3</td> </tr> <tr> <td>To Eave / Parapet</td> <td>48 ft. max..</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">OUTBUILDING BUILDING</td> </tr> <tr> <td>Stories</td> <td>2</td> </tr> <tr> <td>To Eave / Parapet</td> <td>35 ft. max.*</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">MASS</td> </tr> <tr> <td>Lot Width</td> <td>40 ft. min., 96 ft. max.</td> </tr> <tr> <td>Lot Coverage</td> <td>50% max.</td> </tr> <tr> <td>Facade Buildout at Setback</td> <td>60% min.</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">PARKING AND STORAGE LOCATION</td> </tr> <tr> <td colspan="2" style="text-align: center;">  </td> </tr> </table>	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																																															
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																																																																					
																																																																					
OUTBUILDING(S)																																																																					
																																																																					
<ul style="list-style-type: none"> 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. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: #f2f2f2;">ENCROACHMENTS</td> </tr> <tr> <td>i. Setback Encroachments</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>80% max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>80% max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>80% max.</td> </tr> <tr> <td>ii. Sidewalk Encroachments</td> <td></td> </tr> <tr> <td>Awning or Gallery</td> <td>80% max.</td> </tr> <tr> <td>iii. Encroachment Depths</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>10 ft. max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>6 ft. max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>6 ft. max.</td> </tr> <tr> <td>Gallery</td> <td>n/a</td> </tr> <tr> <td>Awning</td> <td>n/a</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">ENCROACHMENTS</td> </tr> <tr> <td>i. Setback Encroachments</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>50% max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>25% max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>n/a</td> </tr> <tr> <td>ii. Sidewalk Encroachments</td> <td></td> </tr> <tr> <td>Awning or Gallery</td> <td>n/a</td> </tr> <tr> <td>iii. Encroachment Depths</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>10 ft. max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>6 ft. max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>n/a</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">PARKING</td> </tr> <tr> <td>1st layer (see Table 16)</td> <td>not permitted</td> </tr> <tr> <td>2nd layer (see Table 16)</td> <td>side or rear entry permitted</td> </tr> <tr> <td>3rd layer (see Table 16)</td> <td>permitted</td> </tr> <tr> <td>4th layer (see Table 16)</td> <td>permitted</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">TRASH & STORAGE ** LOCATION</td> </tr> <tr> <td>1st layer (see Table 16)</td> <td>not permitted</td> </tr> <tr> <td>2nd layer (see Table 16)</td> <td>not permitted</td> </tr> <tr> <td>3rd layer (see Table 16)</td> <td>permitted</td> </tr> <tr> <td>4th layer (see Table 16)</td> <td>permitted</td> </tr> </table>	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	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	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
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																																																																				
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																																																																				
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																																																																				

DRAFT 3

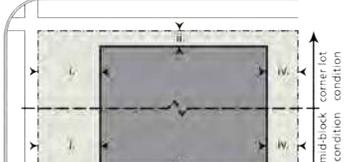
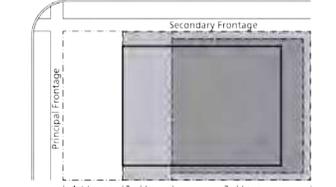
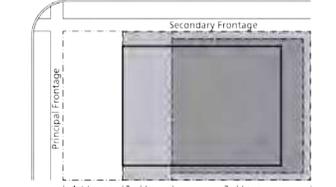
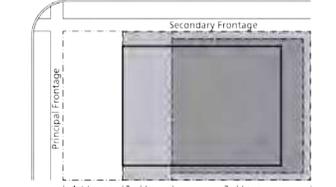
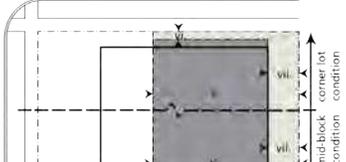
* Agricultural buildings may be 48 ft. max. in height.
 ** Storage includes boats and recreational vehicles.

FIGURE 6.1 T3 SMARTCODE SUMMARY TABLE

Article 5

Subdivision & Zoning

54

TABLE 12. T3 STANDARDS																																							
A. BUILDING PLACEMENT	B. BUILDING FORM																																						
PRINCIPAL BUILDING																																							
																																							
<ul style="list-style-type: none"> i. Front Setback (Principal) 20 ft. min., 30 ft. max. ii. Front Setback (Secondary) 2 ft. min. 12 ft. max. iii. Side Setback 8 ft. min. iv. Rear Setback 24 ft. min. 	<div style="text-align: center;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: #f2f2f2;">PRINCIPAL BUILDING</td> </tr> <tr> <td>Stories</td> <td>2</td> </tr> <tr> <td>To Eave / Parapet</td> <td>35 ft. max.</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">OUTBUILDING BUILDING</td> </tr> <tr> <td>Stories</td> <td>2</td> </tr> <tr> <td>To Eave / Parapet</td> <td>35 ft. max.</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">MASS</td> </tr> <tr> <td>Lot Width</td> <td>50 ft. min., 150 ft. max.</td> </tr> <tr> <td>Lot Coverage</td> <td>50% max.</td> </tr> <tr> <td>Facade Buildout at Setback</td> <td>n/a</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">PARKING AND STORAGE LOCATION</td> </tr> <tr> <td colspan="2" style="text-align: center;">  </td> </tr> </table>	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																	
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																																							
																																							
OUTBUILDING																																							
																																							
<ul style="list-style-type: none"> 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. 	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="background-color: #f2f2f2;">ENCROACHMENTS</td> </tr> <tr> <td>i. Setback Encroachments</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>50% max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>25% max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>n/a</td> </tr> <tr> <td>ii. Sidewalk Encroachments</td> <td></td> </tr> <tr> <td>Awning or Gallery</td> <td>n/a</td> </tr> <tr> <td>iii. Encroachment Depths</td> <td></td> </tr> <tr> <td>Open Porch</td> <td>10 ft. max.</td> </tr> <tr> <td>Balcony and/or Bay Window</td> <td>6 ft. max.</td> </tr> <tr> <td>Stoop, Lightwell or Terrace</td> <td>n/a</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">PARKING</td> </tr> <tr> <td>1st layer (see Table 15)</td> <td>not permitted</td> </tr> <tr> <td>2nd layer (see Table 15)</td> <td>side or rear entry permitted</td> </tr> <tr> <td>3rd layer (see Table 15)</td> <td>permitted</td> </tr> <tr> <td colspan="2" style="background-color: #f2f2f2;">TRASH & STORAGE * LOCATION</td> </tr> <tr> <td>1st layer (see Table 15)</td> <td>not permitted</td> </tr> <tr> <td>2nd layer (see Table 15)</td> <td>not permitted</td> </tr> <tr> <td>3rd layer (see Table 15)</td> <td>permitted</td> </tr> </table>	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	PARKING		1st layer (see Table 15)	not permitted	2nd layer (see Table 15)	side or rear entry 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
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																																						
PARKING																																							
1st layer (see Table 15)	not permitted																																						
2nd layer (see Table 15)	side or rear entry 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																																						

DRAFT 3

* Storage includes boats and recreational vehicles.

FIGURE 6.3 T4 ILLUSTRATION



FIGURE 6.4 T5 ILLUSTRATION



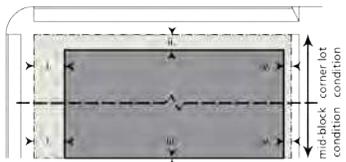
FIGURE 6.6 T4/T40 SMARTCODE SUMMARY TABLE

Article 5 Subdivision & Zoning

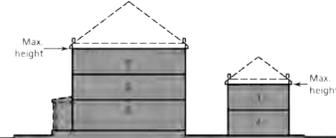
55

TABLE 13. T4 / T40 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.

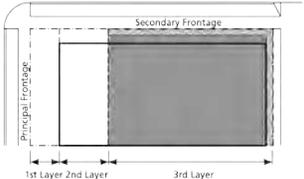


B. BUILDING FORM	
HEIGHT	
PRINCIPAL BUILDING	Stories: 3
To Eave / Parapet	48 ft. max., 60 ft. max. T40
OUTBUILDING BUILDING	Stories: 2
To Eave / Parapet	35 ft. max.



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

PARKING AND STORAGE LOCATION



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

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.

DRAFT 3

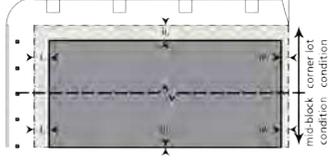
FIGURE 6.5 T5L/T5 SMARTCODE SUMMARY TABLE

Article 5 Subdivision & Zoning

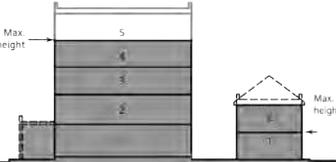
56

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.

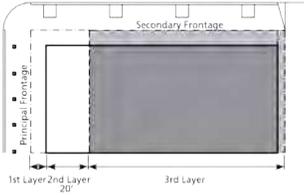


B. BUILDING FORM	
HEIGHT	
PRINCIPAL BUILDING	Stories: 4 max., 5 by special exception
To Eave / Parapet	80 ft. max., 90 ft. by special exception
OUTBUILDING BUILDING	Stories: 2
To Eave / Parapet	35 ft. max.



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



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

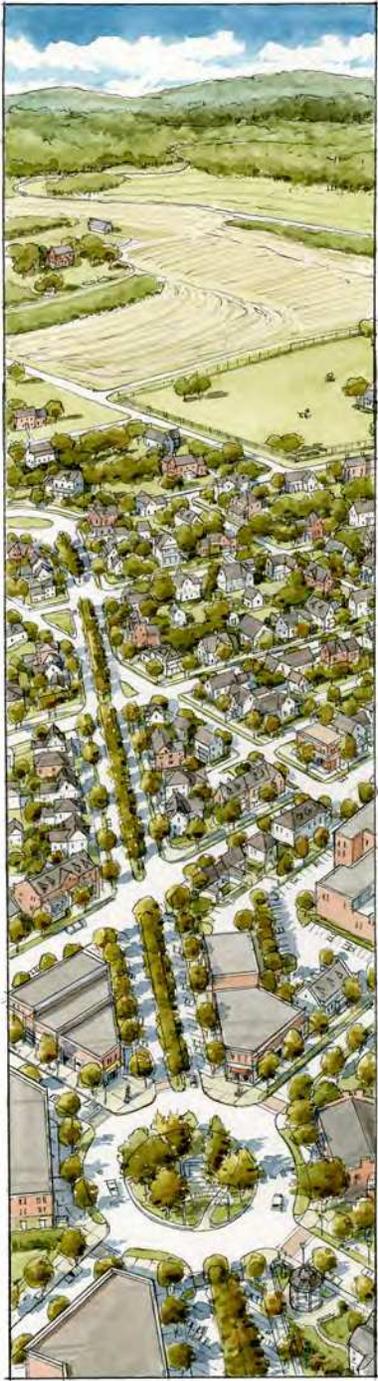
PARKING	
1st layer (see Table 15)	not permitted
2nd layer (see Table 15)	not permitted
3rd layer (see Table 15)	permitted

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.

DRAFT 3



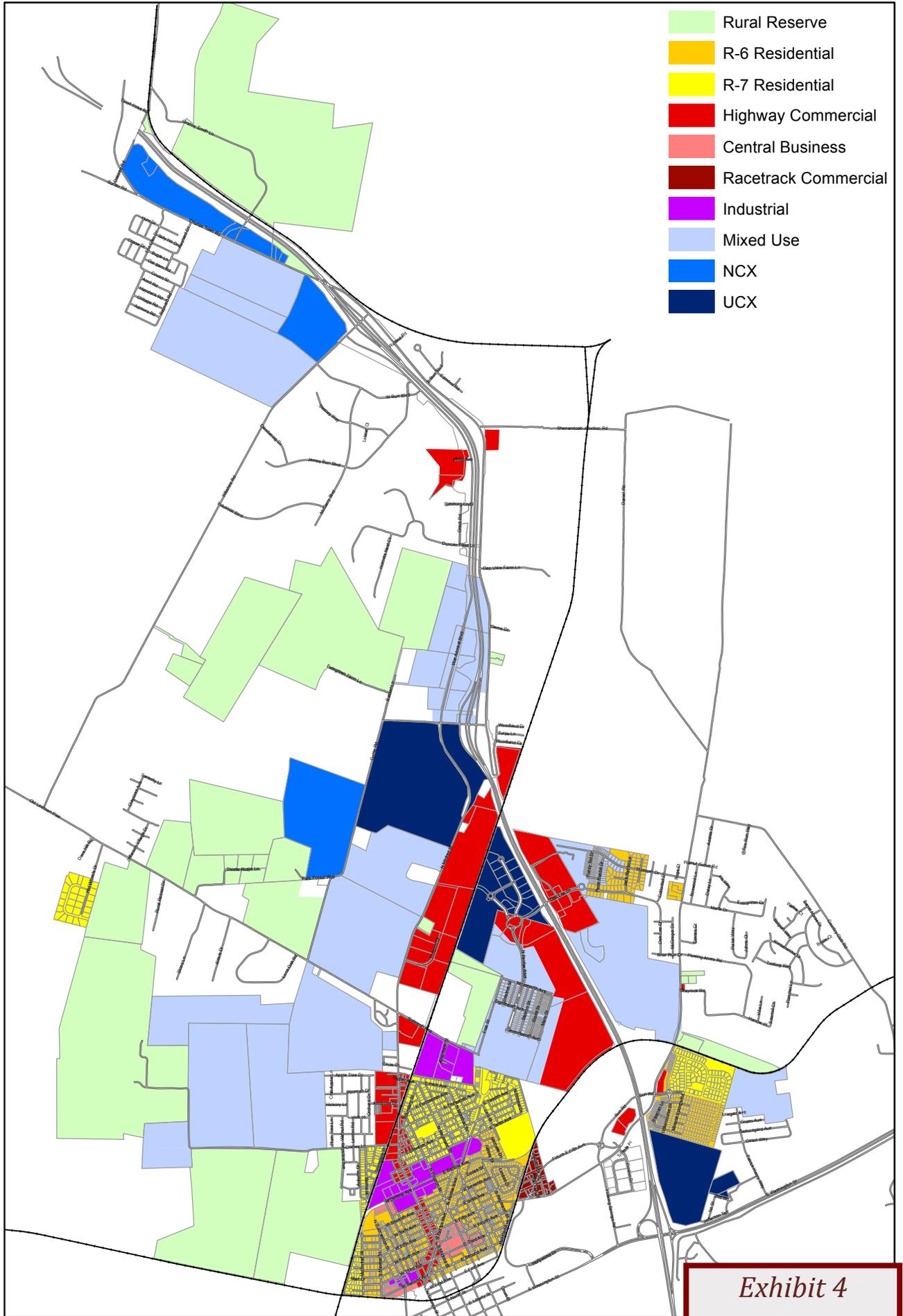
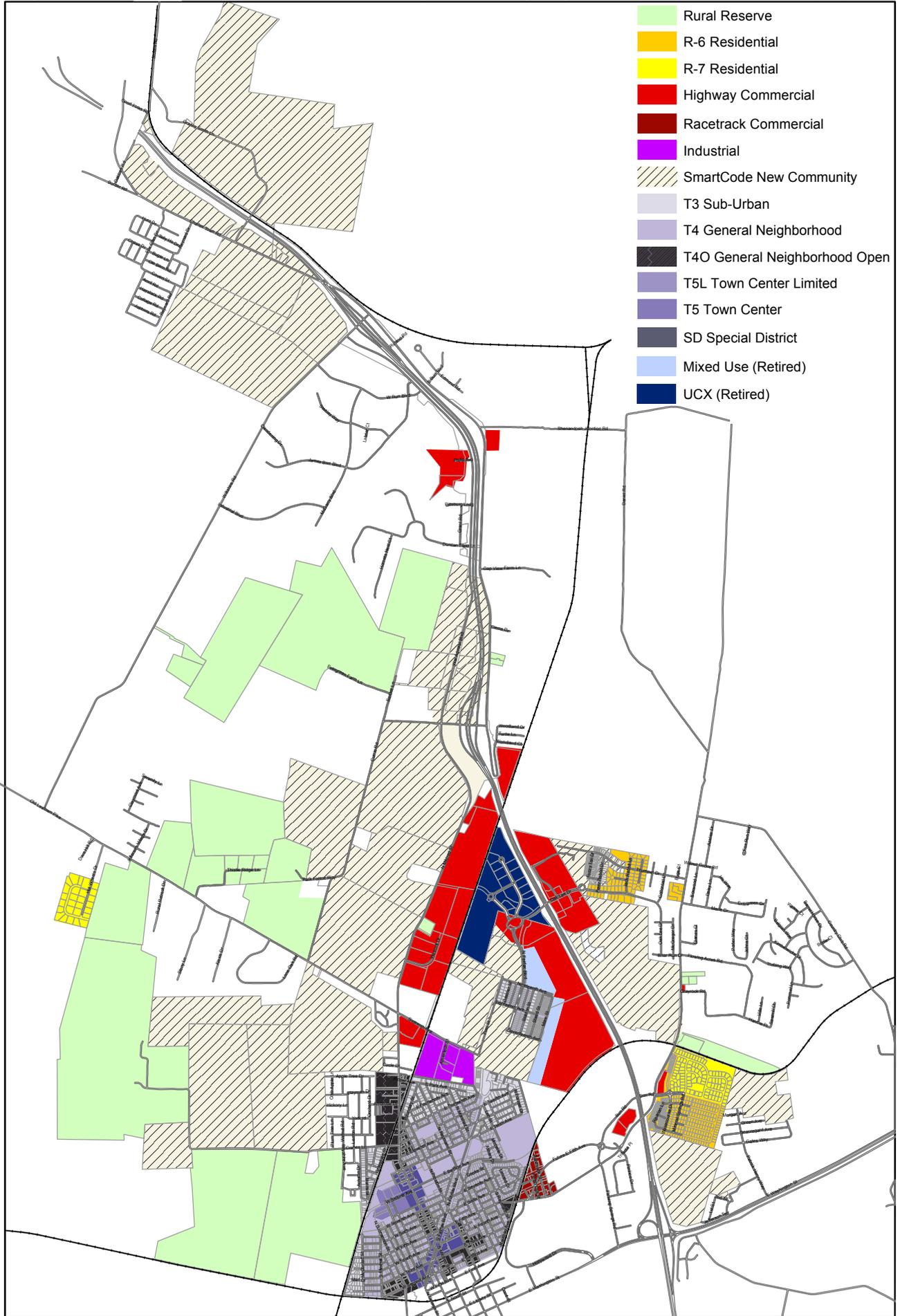
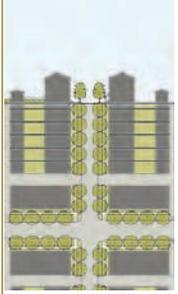


Exhibit 4



A BLUEPRINT FOR
THE NEXT CENTURY
**RANSON
RENEWED**

	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	PROPOSED
	medium- to high-density single family and multifamily development	Commercial areas to be located on highways and major thoroughfares; primarily retail trade or service establishments		COMMUNITY UNIT (MUX uses + more) Provide for the location of shops, services, small workplaces, and civic buildings central to a neighborhood within walking distance to residential dwellings.	COMMUNITY UNIT (MUX + NCX Uses + more) Serves a large market but not regional; employment, industrial parks, mixture of housing types; community buildings and stores/offices/workplaces	
	R-6	Highway Commercial (HC)	Industrial District (I)	Neighborhood Center Mix (NCX)	Urban Commercial Mix (UCX)	T5L Urban Center Limited
LOT			Landscape Buffer*			
Width	50 ft. min. (single fam); 60 ft. min. (multi-fam)	25	150 ft. - 180 ft.	16 ft. min. - 125 ft. max.	16 ft. min. - 125 ft. max.	16 ft. min. 150 ft. max.
Depth	-	-	125 ft.	-	-	-
Density	7.25 DU/ac.	-	-	4 DU/ac. + bonus	4 DU/ac. + bonus	39 DU/ac.
SETBACK				by Building Type*	by Building Type*	
Front Primary	25 ft.	none	0 ft.	5-20 ft. min	5-20 ft. min	12 ft. max.
Front Secondary	5 ft.	none	0 ft.	5-30 ft. min.	5-30 ft. min.	12 ft. max.
Side	5 ft.	none	10 ft.	5-30 ft. min.	5-30 ft. min.	6 ft. max.
Rear	20 ft. (single fam) 30 ft. (multi-fam)	none	10 ft.	15-30 ft. min.	15-30 ft. min.	3 ft. min.
HEIGHT						
Principal Building	35 ft.	80 ft.	50 ft.	none	none	80 ft.
Accessory Building	35 ft.	-	50 ft.	none	none	35 ft.
FUNCTION				Required Mixed-Use†	Required Mixed-Use†	
Single Unit	permitted	conditional	not permitted	permitted	permitted	permitted
Duplex	conditional	conditional	not permitted	permitted	permitted	permitted
Apartment Building	conditional	not permitted	not permitted	permitted	permitted	permitted
Row House	-	not permitted	not permitted	permitted	permitted	permitted
Accessory Unit	permitted	not permitted	not permitted	conditional	conditional	permitted
Lodging	bed and breakfast/ boarding house	Open	not permitted	Open	Open	Limited
Office	limited (doctor/ lawyer, dentist, accountant)	Open	not permitted	Open	Open	Limited
Retail	not permitted	Open	Open	Open; Conditional if serving alcohol	Open	Limited
Industrial	not permitted	not permitted	manufacturing, fabrication, and processing	not permitted	Limited: light manufacturing, processing, repair, storage, distribution	Conditional
Education	permitted: elementary/ secondary; conditional: art/dance/music, kindergarten, day care	not permitted	not permitted	permitted	permitted	permitted
Home Occupation	permitted	not permitted	not permitted	not permitted	not permitted	permitted
SPECIAL						
† Required Mixed Use	-	-	8ft. Height along rear and sideyards where abutting any residential district	Residential 25-60%; Commercial 40-75%	Residential 0-25%; Commercial 75-100%	
* Building Type based Setbacks	-	-	-	Click here for Setback Table	Click here for Setback Table	

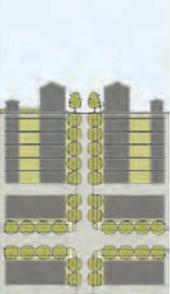
DISPOSITION

CONFIG.

FUNCTION

Exhibit 5

A BLUEPRINT FOR
THE NEXT CENTURY
**RANSON
RENEWED**

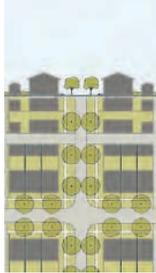
	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING	PROPOSED
	provides an area for a central pedestrian-oriented concentration of retailing, personal services, public uses, and office uses.	SPECIAL DISTRICT provide for commercial areas to be located on highways and major thoroughfares; primarily retail trade or service establishments		SPECIAL DISTRICT Primarily for manufacturing and processing industries, and their accessory uses, supporting storage, transportation and distribution activities and the supporting activities needed for the convenience of employees	COMMUNITY UNIT (MUX uses + more) Provide for the location of shops, services, small workplaces, and civic buildings central to a neighborhood within walking distance to residential dwellings.	COMMUNITY UNIT (MUX + NCX Uses + more) Serves a large market but not regional; employment, industrial parks, mixture of housing types; community buildings and stores/offices/workplaces	
	Central Business (CB)	Highway Commercial (HC)	Racetrack Commercial (RC)	Industrial District (I)	Neighborhood Center Mix (NCX)	Urban Commercial Mix (UCX)	T5 Urban Center
LOT				Landscape Buffer*			
Width	25 ft. min.	25	25 ft. min.	150 ft. - 180 ft.	16 ft. min. - 125 ft. max.	16 ft. min. - 125 ft. max.	16 ft. min. 150 ft. max.
Depth	-	-	-	125 ft.	-	-	-
Density	-	-	-	-	4 DU/ac. + bonus	4 DU/ac. + bonus	39 DU/ac.
SETBACK					by Building Type*	by Building Type*	
Front Primary	0 ft.	none	0 ft.	0 ft.	5-20 ft. min	5-20 ft. min	12 ft. max.
Front Secondary	0 ft.	none	0 ft.	0 ft.	5-30 ft. min.	5-30 ft. min.	12 ft. max.
Side	10 ft. if abutting w/ residential	none	10 ft. if abutting w/ residential	10 ft.	5-30 ft. min.	5-30 ft. min.	6 ft. max.
Rear	0 ft.	none	0 ft.	10 ft.	15-30 ft. min.	15-30 ft. min.	3 ft. min.
HEIGHT							
Principal Building	50 ft.	80 ft.	50 ft.	50 ft.	none	none	80 ft.
Accessory Building		-		50 ft.	none	none	35 ft.
FUNCTION					Required Mixed-Use†	Required Mixed-Use†	
Single Unit Duplex	conditional residential	conditional	permitted	not permitted	permitted	permitted	permitted
Apartment Building		conditional	permitted	not permitted	permitted	permitted	permitted
Row House		not permitted	permitted	not permitted	permitted	permitted	permitted
Accessory Unit	not permitted	not permitted	not permitted	not permitted	conditional	conditional	permitted
Lodging	not permitted	Open	not permitted	not permitted	Open	Open	Open
Office	permitted	Open	permitted	not permitted	Open	Open	Open
Retail	permitted	Open	limited; retail with incidental manufacturing or processing of goods; restaurants; horse stables; general and specialty retail	Open	Open; Conditional if serving alcohol	Open	Open
Industrial	not permitted	not permitted	limited; incidental manufacturing or processing related to on-site retail	manufacturing, fabrication, and processing	not permitted	Limited: light manufacturing, processing, repair, storage, distribution	Conditional
Education	permitted	not permitted	not permitted	not permitted	permitted	permitted	permitted
Home Occupation	not permitted	not permitted	not permitted	not permitted	not permitted	not permitted	permitted
SPECIAL							
† Required Mixed Use	-	-	-	8ft. Height along rear and sideyards where abutting any residential district	Residential 25-60%; Commercial 40-75%	Residential 0-25%; Commercial 75-100%	
* Building Type based Setbacks	-	-	-	-	Click here for Setback Table	Click here for Setback Table	

DISPOSITION

CONFIG.

FUNCTION

A BLUEPRINT FOR
THE NEXT CENTURY
**RANSON
RENEWED**

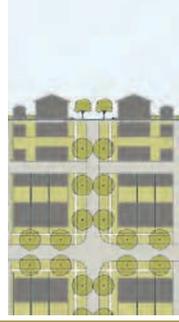
	EXISTING provides an area for a central pedestrian-oriented concentration of retailing, personal services, public uses, and office uses. Central Business (CB)	EXISTING SPECIAL DISTRICT provide for commercial areas to be located on highways and major thoroughfares; primarily retail trade or service establishments Highway Commercial (HC)	EXISTING SPECIAL DISTRICT The racetrack commercial district features the same bulk regulations as the CBD but with specific controls on Uses to support the performance of racetrack functions, and provide for its efficient operation, continuation, and expansion. Racetrack Commercial (RC)	EXISTING SPECIAL DISTRICT Primarily for manufacturing and processing industries, and their accessory uses, supporting storage, transportation and distribution activities and the supporting activities needed for the convenience of employees Industrial District (I)	EXISTING medium- to high-density single family and multifamily development R-6	PROPOSED  T40 General Urban Open
LOT				Landscape Buffer*		
Width	25 ft. min.	25	25 ft. min.	150 ft. - 180 ft.	50 ft. min. (single fam); 60 ft. min. (multi-fam)	16 ft. min. - 96 ft. max.
Depth	-	-	-	125 ft.	-	-
Density	-	-	-	-	7.25 DU/ac.	23.9 DU/ac.
SETBACK						
Front Primary	0 ft.	none	0 ft.	0 ft.	25 ft.	18 ft. max.
Front Secondary	0 ft.	none	0 ft.	0 ft.	5 ft.	10 ft. max.
Side	10 ft. if abutting w/ residential	none	10 ft. if abutting w/ residential	10 ft.	5 ft.	0 ft min
Rear	0 ft.	none	0 ft.	10 ft.	20 ft. (single fam) 30 ft. (multi-fam)	3 ft. min.
HEIGHT						
Principal Building	50 ft.	80 ft.	50 ft.	50 ft.	35 ft.	60 ft.
Accessory Building		-		50 ft.	35 ft.	35 ft.
FUNCTION						
Single Unit		conditional	permitted	not permitted	permitted	permitted
Duplex		conditional	permitted	not permitted	conditional	permitted
Apartment Building	conditional residential	not permitted	permitted	not permitted	conditional	permitted
Row House		not permitted		not permitted	-	permitted
Accessory Unit	not permitted	not permitted	not permitted	not permitted	permitted	permitted
Lodging	not permitted	Open	not permitted	not permitted	bed and breakfast/ boarding house	permitted
Office	permitted	Open	permitted	not permitted	limited (doctor/ lawyer, dentist, accountant)	permitted
Retail	permitted	Open	limited; retail with incidental manufacturing or processing of goods; restaurants; horse stables; general and specialty retail	Open	not permitted	permitted
Industrial	not permitted	not permitted	limited; incidental manufacturing or processing related to on-site retail	manufacturing, fabrication, and processing	not permitted	conditional
Education	permitted	not permitted	not permitted	not permitted	permitted: elementary/ secondary; conditional: art/dance/music, kindergarten, day care	permitted
Home Occupation	not permitted	not permitted	not permitted	not permitted	permitted	permitted
SPECIAL						
† Required Mixed Use	-	-	-	8ft. Height along rear and sideyards where abutting any residential district	-	
* Building Type based Setbacks	-	-	-	-	-	

DISPOSITION

CONFIG.

FUNCTION

A BLUEPRINT FOR
THE NEXT CENTURY
**RANSON
RENEWED**

EXISTING	EXISTING	PROPOSED
medium- to high-density single family and multifamily development	COMMUNITY UNIT Primarily residential in nature, but provides opportunities for a variety of housing types; to include small commercial uses within walking distance of residential uses	
R-6	Mixed Use (MUX)	T4 General Urban

LOT			
Width	50 ft. min. (single fam); 60 ft. min. (multi-fam)	16 ft. min. - 125 ft. max.	16 ft. min. - 96 ft. max.
Depth	-	-	-
Density	7.25 DU/ac.	4 DU/ac. + bonus	23.9 DU/ac.
SETBACK		by Building Type*	
Front Primary	25 ft.	5-20 ft. min	18 ft. max.
Front Secondary	5 ft.	5-30 ft. min.	10 ft. max.
Side	5 ft.	5-30 ft. min.	0 ft min
Rear	20 ft. (single fam) 30 ft. (multi-fam)	15-30 ft. min.	3 ft. min.
HEIGHT			
Principal Building	35 ft.	none	48 ft.
Accessory Building	35 ft.	none	35 ft.
FUNCTION		Required Mixed-Use†	
Single Unit	permitted	permitted	permitted
Duplex	conditional	permitted	permitted
Apartment Building	conditional	permitted	permitted
Row House	-	permitted	permitted
Accessory Unit	permitted	conditional	permitted
Lodging	bed and breakfast/ boarding house	Limited	Limited
Office	limited (doctor/ lawyer, dentist, accountant)	Limited	Limited
Retail	not permitted	Open; Conditional if serving alcohol	Limited
Industrial	not permitted	not permitted	not permitted
Education	permitted: elementary/ secondary; conditional: art/dance/music, kindergarten, day care	permitted	permitted
Home Occupation	permitted	not permitted	permitted
SPECIAL			
† Required Mixed Use	-	Residential 60-80%; Commercial 20-40%	
* Building Type based Setbacks	-	Click here for Setback Table	

DISPOSITION

CONFIG.

FUNCTION

A BLUEPRINT FOR
THE NEXT CENTURY
**RANSON
RENEWED**

	EXISTING	EXISTING	PROPOSED
	a medium density residential neighborhood composed primarily of single family dwellings and some public and community uses	COMMUNITY UNIT: encourages clustered development patterns; permits Lot based small scale agriculture; used to buffer and protect rural and natural areas	
	R-7	Suburban Homestead (SH)	T3 Sub-Urban
LOT		Cluster Option* 150 ft. min. (on public roads) 200 ft. min. (on private roads)	
Width	60 ft.		58 ft. min. - 150 ft. max.
Depth	-	-	
Density	6 DU/ac.	1 DU/ac. (2 DU/ac. cluster option)	7 DU/ac.
SETBACK		Cluster Option* Cluster Setbacks† Accessory Setbacks‡	
Front Primary	25 ft.	50 ft. min.	20 ft. min.
Front Secondary	10 ft.	-	2 ft. min.
Side	8 ft.	40 ft. min.	8 ft. min.
Rear	25 ft.	100 ft. min.	24 ft. min.
HEIGHT			
Principal Building	35 ft.	40 ft. max. (100 ft. for agricultural support or energy production structures)	35 ft.
Accessory Building	35 ft.	40 ft. max.	35 ft.
FUNCTION			
Single Unit	permitted	permitted	permitted
Duplex	permitted	not permitted	not permitted
Apartment Building	not permitted	not permitted	not permitted
Row House	-	not permitted	not permitted
Accessory Unit	permitted	permitted	permitted
Lodging	not permitted	Limited; Bed & Breakfast on 3+ac. Lots	Restricted
Office	permitted	not permitted	Restricted
Retail	not permitted	permitted	Restricted
Industrial	not permitted	not permitted	not permitted
Agriculture	not permitted	permitted	not permitted
Education	conditional: schools, kindergarten, day care	permitted; Child Care < 10	permitted; childcare, elementary schools
Home Occupation	permitted	permitted	permitted
SPECIAL			
* Cluster Option		if 40% of (SH) = 1 DU/ac., any single permitted use, or open space, than 60% of (SH) = 2 DU/ac.;	
† Cluster Setbacks		lots 1 acre or smaller must have either public water or public sewer Front : 35 ft. min. Rear: 40 ft. min. Sides: 25 ft. min.	
‡ Accessory Setbacks		Side/Rear Setbacks for Accessory Units: Residential = 15ft Ag. Support 25 feet Fenced Livestock =50 ft. min.	

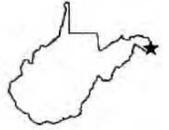
DISPOSITION

CONFIG.

FUNCTION



City of Ranson



Office of the City Manager

312 South Mildred Street
Ranson, West Virginia 25438-1621
Phone (304) 725-1010 FAX (304) 728-8579
E-mail: citymanager@cityofransonwv.net
www.cityofransonwv.net

A David Hamill – **Mayor** Ray A. Braithwaite – **Recorder**

Council Members

Debbie McClure
Scott Coulter
Donnie Haines
Duke Pierson
David Cheshire

September 14, 2010

Mayor Jim Addy
Harpers Ferry
P.O. Box 217
Harpers Ferry, WV 25425

RE: SmartCode On-Site Workshop
Ranson Civic Center, October 1, 2010

Dear Mayor Addy:

I am writing to invite you to participate in a momentous one-day seminar that will introduce the community at large to the development potential of the SmartCode. The SmartCode is an integrated land development ordinance. It folds zoning, subdivision regulations, urban design, public works standards and basic architectural controls into one compact document. It is also a unified ordinance, spanning scales from the region to the community to the building.

In 2003, the City of Ranson established its first Urban Growth Boundary (UGB) and embarked on a campaign to encourage annexation within the UGB. To prepare for this new growth and development, the City adopted a Growth Management Plan that in part sought to ensure that as the City grew, it grew in a sustainable, balanced fashion. To this end, my staff and I attended a number of presentations on the implementation and use of SmartCode and found it to be a valuable tool for both government and the development community. Ultimately, the City wants to develop in a planned and practical manner, while also ensuring that we offer a predictable process for our developers and understandable rules for our citizens.

The City has invited PlaceMakers to present the SmartCode concept during a one-day seminar to be held on Friday, October 1st at the Ranson Civic Center with lunch and light refreshments provided. I encourage you to attend this free event and ask that you invite others as we would like a large audience. If you are able to participate, please RSVP by September 28th to Stacey Dodson at (304) 724-3863 or sdodson@cityofransonwv.net

Regards,

P. David Mills, ICMA-CM
City Manager

Exhibit 6

smartcode onsite



Program Agenda

Friday, October 1, 2010
Ranson Civic Center
431 W. Second Avenue
Ranson, West Virginia 25438

- | | |
|-------------------------|---|
| 8:30 a.m. – 8:40 a.m. | Welcome and Introduction
<i>City Manager Paul D. Mills</i> |
| 8:40 a.m. – 10:00 a.m. | PlaceMaking as an Economic Development Tool
<i>Nathan R. Norris</i> |
| 10:00 a.m. – 10:15 a.m. | Break |
| 10:15 a.m. – 11:45 a.m. | Safeguarding Community Character with the SmartCode:
Article by Article Overview
<i>Nathan R. Norris & Howard M. Blackson III</i> |
| 11:45 a.m. – 1:00 p.m. | Lunch |
| 1:00 p.m. – 2:00 p.m. | Walking Tour: Understanding SmartCode Details by
Walking Downtown
<i>Nathan R. Norris & Howard M. Blackson III</i> |
| 2:00 p.m. – 3:00 p.m. | How to Customize a SmartCode for Your Community
<i>Howard M. Blackson III</i> |
| 3:00 p.m. – 3:30 p.m. | Next Steps
<i>Nathan R. Norris & Howard M. Blackson III</i> |



smartcode onsite



Program Agenda

Nathan R. Norris is the Director of Implementation Advisory for PlaceMakers, LLC, working with developers and municipalities to plan, develop and market traditional places. He has successfully helped educate and build support for the adoption of form-based codes in places as diverse as El Paso, Lawrence, Taos, Kona and Leander, Texas. He frequently speaks to municipalities, organizations and groups interested in placemaking as an economic development tool; zoning code reform for sustainability; greenbuilding; and promoting Smart Growth through intelligent school planning and design. He is a contributor to the SmartCode Manual, a Board Member of the New Urban Guild Foundation as well as the Transect Codes Council, and is the primary author of the Smart Growth Schools Report Card. Nathan is a licensed attorney and real estate broker. He received his undergraduate degree from the University of Virginia and his law degree from the University of Alabama.

Howard M. Blackson, III is the Director of Planning for PlaceMakers, LLC. Howard is known for crafting plans that reflect the unique nature and culture of the site's location. This is manifested in his work for Kona, Hawaii, and Taos, New Mexico.

Prior to joining PlaceMakers, Howard gained valuable public sector experience as a member of the San Diego County Planning Department. Howard received his Bachelor of Arts in Geography from the University of Texas and his Master of Arts in Urban Design from the University of Westminster in England.



The SmartCode

The SmartCode is an integrated land development ordinance. It folds zoning, subdivision regulations, urban design, public works standards and basic architectural controls into one compact document. It is also a unified ordinance, spanning scales from the region to the community to the building.

The SmartCode is freeware, available for use without charges or licensing fees.

The SmartCode enables the implementation of a community's vision by coding the specific outcomes desired in particular places. It allows for distinctly different approaches in different areas within the community, unlike a one-size-fits-all conventional code. To this end, it is meant to be locally customized by professional planners, architects, and attorneys. This gives the SmartCode unusual political power, as it permits buy-in from stakeholders.

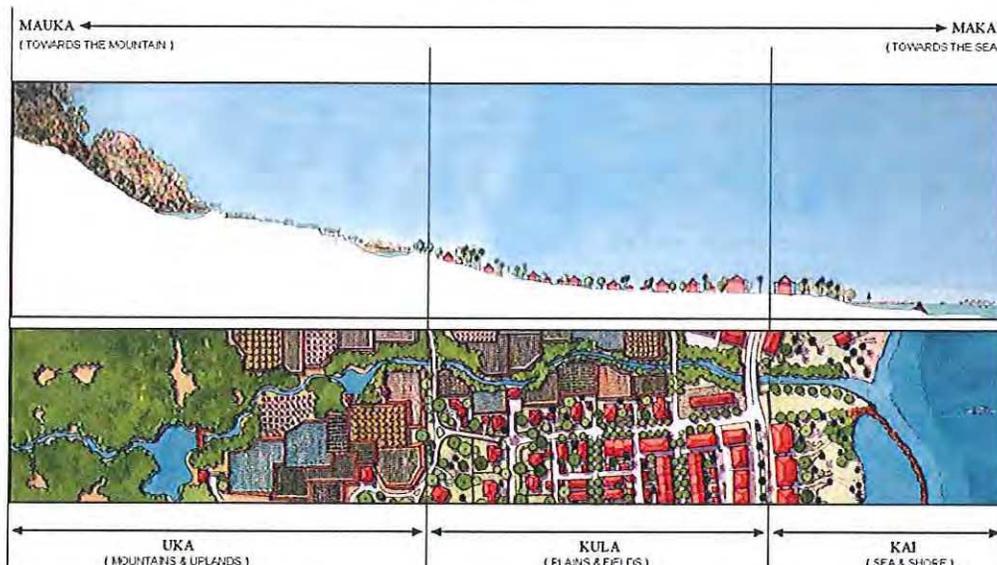
The SmartCode supports these outcomes: walkable and mixed-use neighborhoods, transportation options, conservation of open lands, local character, housing diversity, and vibrant downtowns.

The SmartCode discourages these outcomes: sprawl development, automobile dependency, loss of open lands, monotonous subdivisions, deserted downtowns, and unsafe streets and parks.

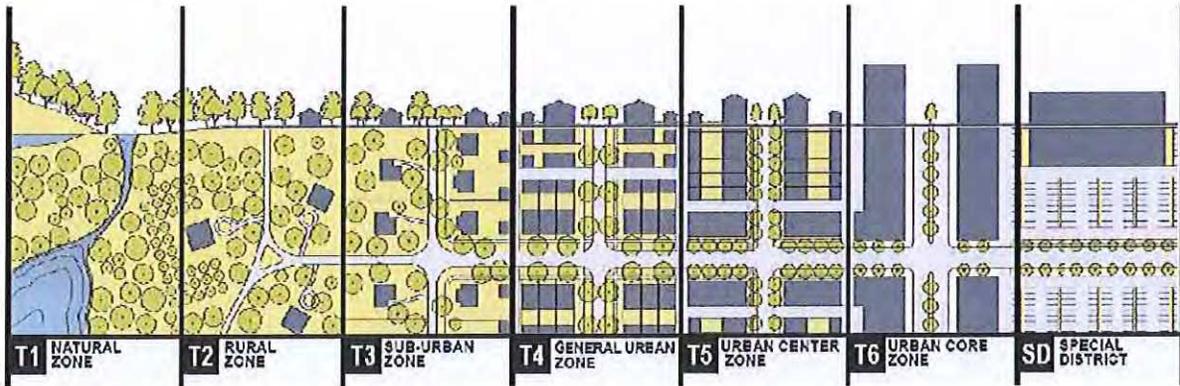
The SmartCode is one of the family of “form-based codes” addressing primarily the physical form of building and community. It is thus unlike conventional zoning codes based on use and density, which have caused systemic problems over the past sixty years by making mixed use and walkable neighborhoods inadvertently illegal.

The SmartCode is also a “transect-based code.” A transect is usually encountered as a continuous cross-section of natural habitats for plants and animals, ranging from shorelines to wetlands to uplands. The transect of the SmartCode is extended to the human habitat, ranging from the most rural to the most urban environments. This allows environmental and urban concerns to be administered in an integrated way. Here is a rural-to-urban transect, showing section and plan views.

HAWAII' AHUPUA'A
(A VALLEY SECTION)



The SmartCode's rural-to-urban Transect is divided into a range of "T-zones" each with its own complex character. The Transect ensures that a community offers a full diversity of building types, thoroughfare types, and civic space types, and that they have characteristics appropriate to their locations in the environment. The metrics for these T-zones should be locally calibrated.



The Transect is a powerful tool that can coordinate standards across other disciplines including ITE (transportation) and LEED (environmental performance) standards. The platform of the Transect allows the integration of the design protocols of traffic engineering, public works, town planning, architecture, landscape architecture, and ecology.

The SmartCode addresses development patterns at three scales of planning:

- Regional Scale
- Community Scale
- Block and Building Scale

Thus it may replace a number of other documents, despite being only 50 pages.

Additional Modules and PlugIns are available that are compatible with the SmartCode. If stronger architectural guidelines are desired, a community may adopt one of the Pattern Books correlated to the Transect.

To purchase a bound copy of *SmartCode Version 9.0 and Manual*, contact New Urban News Publications at 607-275-3087, mail@newurbannews.com, or www.newurbannews.com.

For free electronic editable files and PDFs of the model v9.0 and v8.0 SmartCodes, SmartCode Modules and Plug-Ins, case studies, workshop opportunities, and consultant services, visit www.SmartCodeCentral.com.



POSITIONING THE CITY OF RANSON FOR THE FUTURE: THE KICKOFF

-Creating a community where you can take your kids to school, go to work, see a doctor, drop by the grocery store, go out to dinner, and play with your kids in a park, all without having to get in your car.

May 17, 2011

Facilitators:

Bruce Meighen, AICP
AECOM

Kevin Nelson, AICP
U.S. EPA, Office of Sustainable Communities

May 17, 2011:

9:00 to 5:00 **Stakeholder Meetings, Mapping & Brainstorming Sessions that can be Implemented to Target Smart Growth Development**

7:00 to 9:00 **Public Workshop: Smart Growth Opportunities**

All members of the public are invited and very much encouraged to attend and participate in the Public Workshop. The stakeholder meetings are also open to anyone from the public that may desire to attend and provide input.

Location: Ranson City Hall Council Chambers

Please RSVP by May 13 by contacting Stacey Dodson at sdodson@cityofransonwv.net or (304) 724-3863

The City of Ranson is beginning an 18 month process to lay the groundwork for creating a great community where transportation, housing and commercial development investments are coordinated so that people have access to adequate, affordable and environmentally sustainable options. As such, Ranson is kicking off the entire project by hosting a technical assistance workshop sponsored by the U.S. EPA that will focus on key issues and strategies for directing growth to specific areas in the community. By targeting development to areas with existing infrastructure, near neighborhood assets and resources, the city leaders seek to protect natural resources as well as reduce costs associated with new and existing development.

A U.S. EPA-led team will conduct a workshop with interested stakeholders and the general public to discuss strategies and policies related to sub-area planning in the city. This process will assist local stakeholders to better understand the key considerations and factors that guide growth and development. The discussion will draw from EPA's publication *Essential Smart Growth Fixes for Urban and Suburban Zoning Codes* to illustrate options and best practices that can influence policy changes. After the workshop, the EPA team will provide the city with specific options for implementation based on the conversation and input from the community. This information will then be used to support work being performed under our EPA, HUD and DOT grants.

POWHATAN PLACE
RANSON'S DOWNTOWN REVITALIZATION

Home, Parks, and the Corner Store:
Be a part of Ranson's Downtown Revival in an environmentally sustainable neighborhood for the City's next 100 years of progress.



POSITIONING THE CITY OF RANSON FOR THE FUTURE:
THE U.S. EPA AREA-WIDE BROWNFIELDS PLANNING PROJECT
PROJECT ORIENTATION & STAKEHOLDER RECEPTION

June 14, 2011

Public Project Orientation
& Stakeholder Reception

Date: June 14, 2011:
Time: 7:00 PM to 8:30 PM

Location: American Public University System
Academic Center 330 N. George Street Charles Town

The City of Ranson is beginning an 18 month process to lay the groundwork for creating a great community where transportation, housing and commercial development investments are coordinated so that people have access to adequate, affordable and environmentally sustainable options. Ranson is hosting a project orientation and reception to kick-off its U.S. EPA funded Area-Wide Brownfields Planning Project focused on portions of the Downtowns of both Ranson and Charles Town. This project is the next phase of a nearly decade-long planning effort undertaken as a partnership between the two cities.

The reception will include a brief presentation of all of the major downtown revitalization planning efforts undertaken in recent years in the two cities and also provide an overview of the work to be performed over the next several years.

Your involvement in this and other related projects is essential in the ongoing revitalization success of both Ranson and Charles Town and we hope you are willing to participate in this and other events in the future. Your ideas and opinions are important to the future success of the community. Please attend and provide your insight and how Ranson and Charles Town can continue to enhance their communities.

All members of the public are invited and are very much encouraged to attend and participate in this event. Light refreshments and hors d'oeuvre will be provided.

Please RSVP by June 13th by contacting Stacey Dodson at sdodson@cityofransonwv.net or (304) 724-3863

POWHATAN PLACE

RANSON'S DOWNTOWN REVITALIZATION



Home, Parks, and the Corner Store:

Be a part of Ranson's Downtown Revival in an environmentally sustainable neighborhood for the City's next 100 years of progress.



Exhibit 8

IT'S TIME TO PLAN FOR
THE FUTURE OF RANSON
AND CHARLES TOWN.

What:

A week-long collaborative planning workshop to revitalize former industrial sites, transform the Fairfax Boulevard-George Street corridor into a more vibrant gateway into the historic towns and shape a regulatory framework to guide growth in harmony with community character. Everybody's invited.

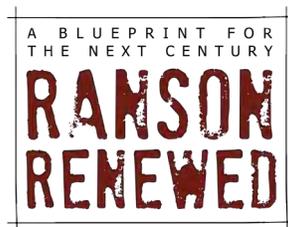
When:

September 8-14. Kick off is Thursday, September 8 at 7 p.m., when representatives from federal agencies, Ranson and Charles Town officials, and consulting team leaders present goals and outline the week's tasks.

Where:

Washington High School, Ranson, on September 8, then at other venues in Ranson and Charles Town during the week. (See reverse.)

Everything you need to know is at
www.ransonrenewed.com.



THE RANSON / CHARLES TOWN PLANNING WORKSHOP SEPTEMBER 8-14

Here's your chance to collaborate with city staffs, designers and planners. Get your ideas on the table. Review work in progress. Watch plans evolve.

Opening Presentation. Keynoter former Maryland Governor Glendenning & EPA Assistant Administrator Mathy Stanislaus will set the stage for the bigger picture sustainability goals behind Ranson Renewed. Afterward, the team leaders will discuss community involvement for their areas followed by an overview of the week ahead. There will be pre-meeting "Images of Our Future" activity that the community is encouraged to participate in. Everyone interested in the future of Ranson, Charles Town, and Jefferson County is strongly encouraged to attend this session on Thursday, Sept 8, 7:00-8:30 pm, at Washington High School, 300 Washington Patriots Drive, Charles Town.

Charles Washington Commuter Center. A new regional commuter center is being designed to facilitate access to regional rail and bus transit systems for Ranson, Charles Town and Jefferson County residents and workers. This smaller focus topic meeting is for individuals directly involved with the commuter center design, development and operations, and will take place on Friday, Sept 9, 9-10:30 am, at the Reedy Senior Center, 103 West 5th Avenue, Ranson.

Fairfax Boulevard / George Street Corridor. This important corridor is being redesigned into a "complete street" with new green infrastructure, to promote better transportation for pedestrians, cyclists, and transit. This focus topic meeting is for those directly involved with the corridor redevelopment as well as all property owners along the corridor, and will take place on Friday, Sept 9, 10:30 am-noon, at the Reedy Senior Center.

Economy. Developing a stable marketplace and determining the funding sources to take the joint HUD / DOT / EPA initiatives into reality is an important underlying theme both during this week's workshop, and into the months ahead. This meeting will start with a presentation by HR&A housing and retail market analysis. Bob Gibbs will then present retail formats in traditional urbanism, and then the meeting will conclude with a facilitated roundtable discussion for anyone with insights into methods and sources for getting it done. This focus group will take place on Friday, Sept 9, from 1-2:30, at the Reedy Senior Center.

Real Estate Development. This meeting will start with a brief presentation on how form-based codes can create more options and viability within the marketplace — and contribute to economic stability. Developers, architects, engineers, and real estate brokers are encouraged to attend this session, and will then be asked to participate in critiquing the form-based code, to ensure that the design team has full insights into the local development marketplace. This focus group will take place on Friday, Sept 9, from 3-4:30, at the Reedy Senior Center.

Old Town Community Character. Most of the historic properties in Old Town are illegal under the current outdated zoning code. All property owners in Old Town are strongly encouraged to attend this focus topic meeting, where they'll be asked to break into smaller groups to discuss the critical issues necessary to protect and enhance Ranson's character using the tool of the form-based SmartCode. This focus topic meeting will take place on Saturday, Sept 10, 10:00-11:30 am, at the Reedy Senior Center.

Charles Washington Hall Tour. Everyone is welcome to join a tour through this important historic building, which is rarely open to the public. The preservation architect will lead the tour to discuss potential civic uses as well as the Charles Washington Commuter Center redevelopment, on Saturday, Sept 10, 1:00-2:30 pm, at Charles Washington Hall.

Community Critique. The workshop team will provide a brief overview of what the community had to say this week and how it's been integrated into the work. An open house will follow, with the workshop team available in smaller groups to take further comments and to answer questions. Of particular interest will be the first draft of Ranson's Comprehensive Plan Preferred Development Map. This general public meeting will take place on Sunday, Sept 11, 7:00-8:30 pm, at the Independent Fire Hall, 200 West 2nd Avenue, Ranson.

Closing Presentation. The team will present detailed work to date and take another round of community critique before completing the draft plans. This general public meeting will take place on Wednesday, Sept 14, 7:00-8:30 pm, at the Old Opera House, 204 N George Street, Charles Town.

Everything you need to know is at www.ransonrenewed.com.

Andy Blake

From: Andy Blake [hazel@placemakers.ccsend.com] on behalf of Andy Blake [ablake@cityofransonwv.net]
Sent: Monday, August 29, 2011 2:05 PM
To: Andy Blake
Subject: Ranson Renewed: workshop next week!

Having trouble viewing this email? [Click here](#)



Hello Andy,

From September 8 through the 14th, we're charting a course for the next 100 years. And everyone's invited.

In an unprecedented week-long mega-workshop, city officials, residents, business community and a team of international consultants will be considering ideas and actions to help guide Ranson, Charles Town, and Jefferson County towards a future rich in opportunity for our families and businesses.

The Ranson-Charles Town community has been selected by DOT, HUD and EPA to serve as a national model for how small rural cities on the fringe of a major metropolitan area can foster sustainable economic development, transit, and community livability through targeted and strategic planning and infrastructure investments.

To facilitate this transformative change, planning funds are being used for the following three linked and interdependent project components:

- + Develop a form-based SmartCode system that joins a green downtown overlay district with a new zoning approach for the undeveloped, outlying areas of the Cities.
- + Redesign the Fairfax Boulevard-George Street Corridor into a "complete street" with green infrastructure, to promote a better transportation route for pedestrians, cyclists, and transit; and
- + Design a new regional Charles Washington Commuter Center in

Thursday, Sept 8
Washington High

7:00-8:30 pm
Opening Presentation
Keynoter former Maryland Governor
Glendenning & EPA Assistant
Administrator
Mathy Stanislaus

Friday, Sept 9
Reedy Senior Center

9-10:30 am
Charles Washington
Commuter Center

10:30-noon
Fairfax Boulevard/
George Street

1-2:30 pm
Economy

3-4:30 pm

downtown Charles Town that will facilitate access to regional rail and bus transit systems for Ranson, Charles Town and Jefferson County.

It all starts with an opening presentation on September 8.

Come, and lend your voice. There'll be all kinds of [ways to participate](#), even for events you can't attend in person. So don't miss it.

And it isn't just our region who is interested in this big task. Former Maryland Governor Parris Glendening will be our keynote speaker on September 8 at 7 pm, followed by EPA Assistant Administrator, Mathy Stanislaus. Even the [White House](#) has been blogging about it.

Thursday and Friday are packed with meetings, so please make yourself as available as possible. We really need community and business support and engagement to make a real difference.

We hope you'll also check in on Sunday evening for the community critique of work in progress to share your insights. And for the closing presentation on Wednesday, September 14.

Find out all about it on www.ransonrenewed.com.

See you next week,

Andy Blake
Acting City Manager
City of Ranson

Real Estate
Development

Saturday, Sept 10

Reedy Senior Center

10-11:30 am

Old Town

Rezoning

Sunday, Sept 11

Independent Fire Hall

7-8:30 pm

Community Critique

Tuesday, Sept 13

Charles Town City Hall

7-8:30 pm

Joint Ranson /

Charles Town

Council Workshop

Wed., Sept 14

Old Opera House

7-8:30 pm

Closing

Presentation

[Join Our Mailing List!](#)

[Forward email](#)



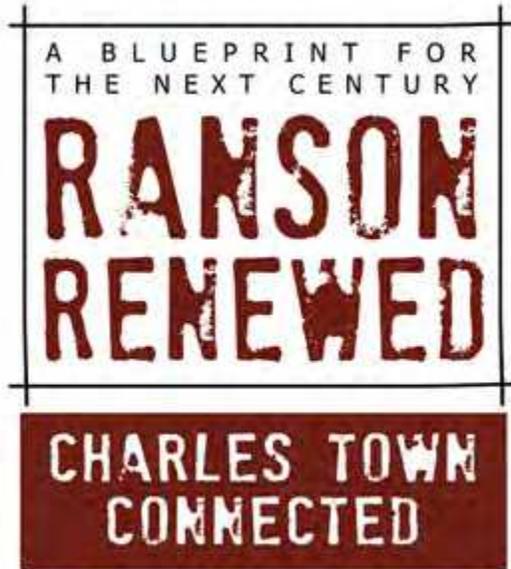
Try it FREE today.

This email was sent to ablake@cityofransonwv.net by ablake@cityofransonwv.net | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
PlaceMakers | 5136 Sevilla Ave., NW | Albuquerque | NM | 87120

Andy Blake

From: Andy Blake [hazel@placemakers.ccsend.com] on behalf of Andy Blake [ablake@cityofransonwv.net]
Sent: Saturday, September 10, 2011 4:50 PM
To: Andy Blake
Subject: Ranson Renewed: see you tomorrow!

Having trouble viewing this email? [Click here](#)



Hello Andy,

We've been glad to see a strong turn out for the Ranson Renewed Charles Town Connected workshop meetings this week! We've made some significant progress in the HUD / DOT / EPA initiatives.

To watch videos of various local perspectives, and to catch up on stories of some of the sessions you might have missed, visit ransonrenewed.com.

I'm looking forward to seeing you tomorrow night at 7 pm for the community critique. The team will provide a brief overview of what the community had to say this week and how it's been integrated into the work. An open house will follow, with the workshop team available in smaller groups to take further comments and to answer questions. Of particular interest will be the first draft of Ranson's Comprehensive Plan Preferred Development Map.

See you tomorrow!
Andy Blake
Acting City Manager
City of Ranson

Saturday, Sept 10

Ranson City Hall
5-6 pm
Studio Open

Sunday, Sept 11

Ranson City Hall
10 am - noon
Studio Open

Independent Fire Hall
7-8:30 pm
Community Critique

Monday, Sept 12

Ranson City Hall
10 am - 1 pm
Studio Open

Wed., Sept 14

Old Opera House
7-8:30 pm



Closing Presentation

Project Website
ransonrenewed.com

Join Our Mailing List!

[Forward email](#)



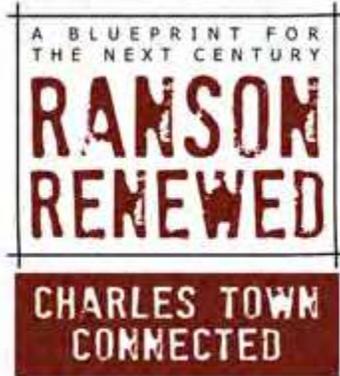
Try it FREE today.

This email was sent to ablake@cityofransonwv.net by ablake@cityofransonwv.net | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
PlaceMakers | 5136 Sevilla Ave., NW | Albuquerque | NM | 87120

Andy Blake

From: Andy Blake [hazel@placemakers.ccsend.com] on behalf of Andy Blake [ablake@cityofransonwv.net]
Sent: Tuesday, September 13, 2011 12:12 PM
To: Andy Blake
Subject: Ranson Renewed: workshop wrap up

Having trouble viewing this email? [Click here](#)



Hello Andy,

What a week!

With the third floor of City Hall turned into command central for long hours over seven days, and focus topic meetings and larger public gatherings occurring around Ranson and Charles Town, we're nearing some design recommendations for our **HUD / DOT / EPA initiatives**.

The project website covering our week-long public workshop -- **ransonrenewed.com** -- has been getting a lot of visits, both locally and nationally. If you've missed any of the sessions, you can check in and catch up on the feedback we're hearing from the community.

While the input has been great, **I'd like to encourage you to bring your friends and colleagues out tomorrow night at 7 pm at the Old Opera House for the closing presentation.** This is our opportunity to hear directly from the **consulting team** about the detailed work to date -- and take another round of community critique before completing the draft plans. We'd appreciate your perspective.

Within two months, we'll have a completed draft from the consultants, and will continue with more public review at that time. Keep an eye on the **website** for updates.

See you tomorrow!
Andy Blake
Acting City Manager
City of Ranson



[Join Our Mailing List!](#)

[Forward email](#)

 [SafeUnsubscribe](#)

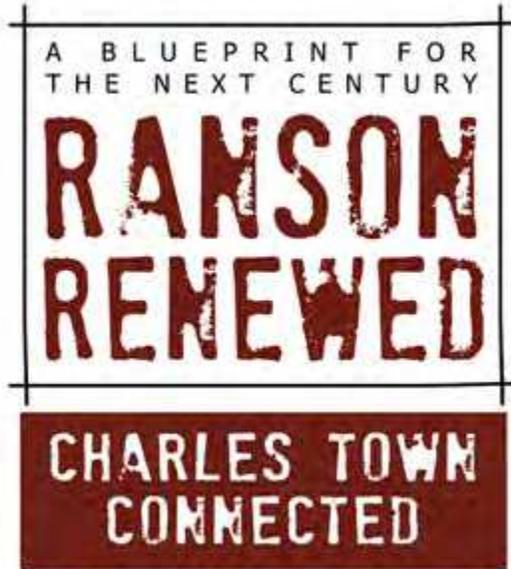
 Trusted Email from
Constant Contact
Try it FREE today.

This email was sent to ablake@cityofransonwv.net by ablake@cityofransonwv.net |
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
PlaceMakers | 5136 Sevilla Ave., NW | Albuquerque | NM | 87120

Andy Blake

Subject: Ranson Renewed: see you tomorrow!

Having trouble viewing this email? [Click here](#)



Greetings!

I'm looking forward to seeing you tomorrow night at 7 pm. Along with everyone else in Ranson, Charles Town and Jefferson County who is interested in planning our future -- together.

And look who's coming to the party:

The staffs and elected officials of two historic West Virginia towns; a **consulting team** of more than 30 specialists in design and planning across a half-dozen disciplines; officials from **three federal agencies**; and property owners, business people and citizens from throughout the region.

Tomorrow's event is the kick-off to a 7-day planning workshop, which is designed so you can enter directly into planning, putting your ideas on the table to be tested and critiquing the team's progress as plans evolve through the week. On most days, especially in the first half of the workshop, there are multiple opportunities to jump into the conversation. But you don't have to show up every day. Pick the spots where you can catch up and offer your encouragement and suggestions along the way.

If you only have two or three hours to devote to the workshop, drop by the opening presentation on September 8, follow the progress on

Thursday, Sept 8

Washington High

7:00-8:30 pm

Opening Presentation

Keynoter former Maryland Governor
Glendening & EPA Assistant
Administrator
Mathy Stanislaus

**Friday, Sept 9
Saturday, Sept 10**

Reedy Senior Center
Focus Group
Meetings - Click **here** for the full
schedule and
description.

Sunday, Sept 11

RansonRenewed.com, then come to the closing event on the evening of September 14.

See you tomorrow!
Andy Blake
Acting City Manager
City of Ranson

Independent Fire Hall
7-8:30 pm
Community Critique

Wed., Sept 14
Old Opera House
7-8:30 pm
Closing
Presentation

[Join Our Mailing List!](#)

[Forward email](#)



Try it FREE today.

This email was sent to jmgaito@comcast.net by ablake@cityofransonwv.net | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
PlaceMakers | 5136 Sevilla Ave., NW | Albuquerque | NM | 87120

A BLUEPRINT FOR
THE NEXT CENTURY

RANSON RENEWED

WE'RE PLANNING FOR OUR FUTURE.
AND WE NEED YOUR HELP.

LET'S RENEW RANSON TOGETHER.

In our **September 8-14 workshop**, we'll be shaping ideas and tools to provide greater flexibility and choices to residents, transform abandoned industrial sites, and build a stronger local economy, all while retaining the unique character of our historic neighborhoods.

Learn more at www.ransonrenewed.com.

And be sure to make plans to join a special conversation devoted to **topics that affect Old Town residents** on **Saturday, September 10**, at **10 a.m.** at the **Anna M. Reedy Senior Center**, 103 West 5th Avenue in Ranson.



SWITCHBOARD

Natural Resources Defense Council Staff Blog

Kaid Benfield's Blog

How a small community is becoming greener - with help from some important friends



Posted September 19, 2011 in [Green Enterprise](#), [Living Sustainably](#), [U.S. Law and Policy](#)

Share |

0 |

Like

12



The small city of Ranson, West Virginia – population about 4000 – has taken some very important steps toward a more sustainable future. In particular, it is cleaning up its contaminated sites; reconceiving its streets and stormwater management; and encouraging walkable, in-town redevelopment, all at the same time. That Ranson had the initiative to do this is immensely significant, since we need more and better examples of green initiatives in small, rural communities. But just as significant is that none of this would be possible without the assistance of the federal government's [Partnership for Sustainable Communities](#).

The role of the federal Partnership

As many readers will know, the Partnership comprises the federal Departments of Transportation and Housing and Urban Development, along with the Environmental Protection Agency, all working together for healthier, more affordable, greener, and more economically secure neighborhoods, cities, and towns. It was launched two years ago.

The Partnership is under attack now in Congress, unfortunately, and criticized by some as the federal government intruding on local affairs. The Ranson case illustrates that nothing could be further from the truth. It was the local community leaders that initiated a request for federal assistance, not the government agencies swooping down from above. And it will be totally up to Ranson to take advantage of the innovative and impressive new planning that has been undertaken with federal assistance.



The assistance consists of several coordinated grants, which have been summarized in [a White House blog post](#):

“In Ranson, the Partnership aligned planning grants and assistance from our three agencies to integrate affordable housing, economic development, and transportation to build a livable community. An [EPA Brownfields Area-Wide Planning Grant](#) will help Ranson prioritize cleanup of contaminated lots and develop reuse plans based on community input while [EPA's Sustainable Communities Building Blocks](#) assistance will help the city ensure that its development codes promote the kind of growth residents want. Using a [DOT TIGER II Planning Grant](#), Ranson will create a Complete Street plan for the important Fairfax Boulevard / George Street corridor. This will ensure easy and safe downtown access for pedestrians and bicyclists as well as motorized vehicles. And a [HUD Challenge Planning Grant](#) will help Ranson develop a smart building code that encourages more compact, walkable development patterns.”

As it turns out, I have several friends working on the coordinated effort – called [Ranson Renewed](#) – both within government and in the planning firm [PlaceMakers](#), one of the contractors retained to assist part of it. So I might be a little biased. But I also think most anyone who cares about these issues would be impressed with what’s been accomplished so far. I’ll say more about that in a minute but, first, a little context:

A bit about Ranson

I can assure you that this is far from a radical or even liberal community. This is a town whose [website](#) features headlines like “July Yard and Brush Pick-up” and “Apple Valley Waste Route” - on the front

page. It is adjacent to the Jefferson County seat, Charles Town, which has about the same number of residents but a more visible civic and commercial presence to its streets. And that's pretty much it for Jefferson County's "big cities." The other major player is the [Hollywood Casino at Charles Town Races](#), whose enormous site sits adjacent to both cities and employs 1,200 people.

Ranson prospered a century ago as a small industrial town but, today, the industrial legacy includes contaminated properties left behind when the plants eventually closed. According to [its Wikipedia entry](#), "many of the homes date from the turn of the [20th] century and reflect styles of that era. Most are unassuming, vernacular, frame or brick, single family, two-story dwellings or one-story cottages." Sprawl has been cropping up, especially along Route 9, which bypasses the town just to the east. Median household income is only half that of the US as a whole, and 25 percent of Ranson's population lives below the poverty line.

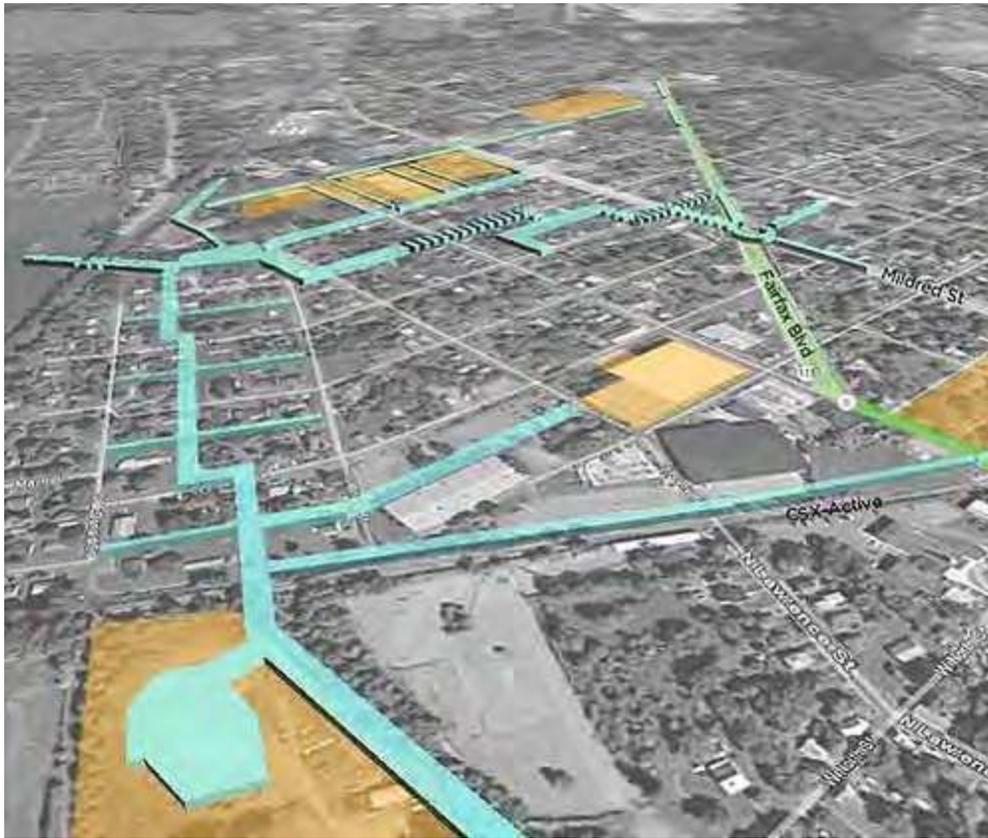


Results of the planning effort

Pursuant to the HUD grant, PlaceMakers is recommending that Ranson adopt a "SmartCode" for zoning based on the new urbanist planning [transect](#), which supplies design guidelines that differ for various areas planned to grow with different intensities of use. The basic transect has six zones, with T1 being the most rural and T6 being the most urban. The code places particular emphasis on walkability and how buildings address the street. The map just above shows the different transect zones proposed for Ranson. (Since Ranson is a small rural city, only one parcel is planned for T6.)



There is an emphasis on redevelopment and infill, which I like. See the images above for illustrative examples of how this might turn out. The plan for the contiguous developed area of Ranson makes logical sense to me.



EPA's grant was specifically for "a master plan for downtown Ranson that spurs job growth and economic development in former dilapidated manufacturing sites." In this image, the orange parcels are brownfields designated for cleanup and redevelopment. The blue corridors are where public rights-of-way might be retrofitted with green infrastructure to filter stormwater instead of allowing it to run off as pollution into receiving waterways.



Planned with DOT funds, Fairfax Boulevard would become a designated "complete street" with both green infrastructure for stormwater and a slow design speed for motor vehicles, along with design to accommodate pedestrians and cyclists safely.

Also with DOT assistance, Historic Charles Washington Hall in adjacent Charles Town has been restored, with one section of it planned for [adaptive reuse as a regional commuter center](#) “that will facilitate access to regional rail and bus transit systems for Ranson, Charles Town and Jefferson County.”

Misgivings

I think all of that is pretty fabulous. But I don't think the planning effort has been perfect.



First, there's an elephant in the room. The Hollywood Casino at Charles Town Races is the largest employer of residents of Ranson and Charles Town, and surely the county's most significant economic engine. It is also a major, major landholder. Look above at the size and location of the casino/race track property, outlined in red, next to Ranson, outlined in blue. (Since I was drawing the boundary conservatively based on what is built, the gambling property's full tract may actually be larger.)

As noted, the facility employs 1200 people. It also draws three million visitors per year. According to [its website](#):

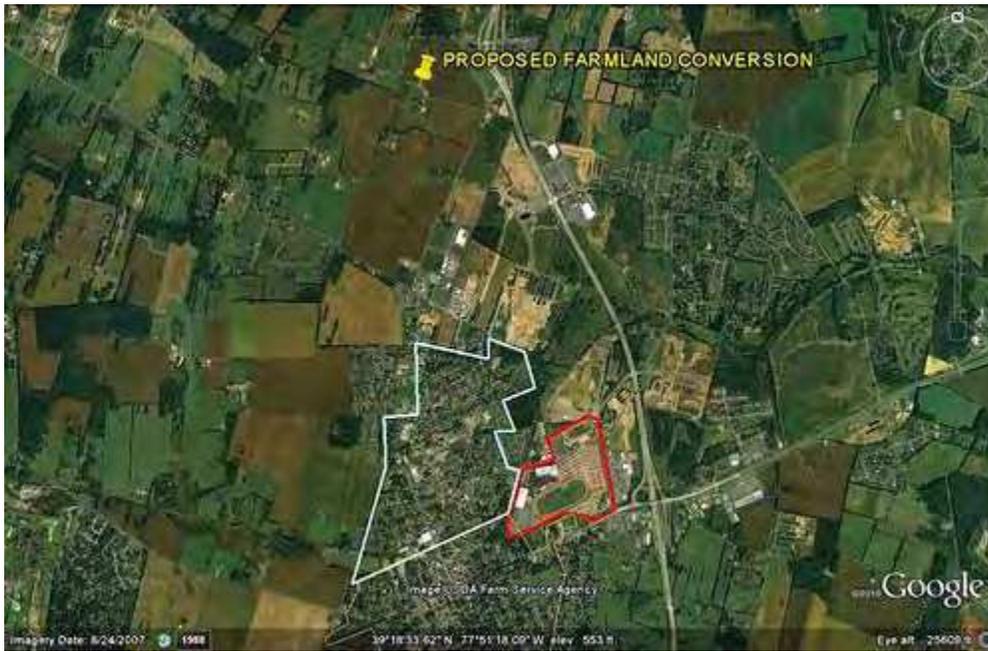
“Hollywood Casino at Charles Town Races is a world-class entertainment venue featuring over 5,000 slot machines, 85 table games including Blackjack, Craps, Roulette, live poker, Mini-Baccarat and Pai Gow Poker, live entertainment, a wide range of food and beverage choices, and live and simulcast horse racing. The facility's ¾ mile surface now attracts some of the East Coast's best trainers, horses and jockeys.”

The racing is year-round, and the casino is open 24 hours per day, seven days per week. The facility also features "great dining to satisfy any hunger, including the all new Final Cut Steakhouse where you can savor prime cuts of steak, shopping outlets, and live entertainment."



Wouldn't you think all this would have major implications for land use and transportation? Just about all significant new retail in recent years has located near the track and casino, for example, not in Ranson proper. The Casino's parking garage alone is larger than any building in Ranson.

I have not read every word of every document posted on the *Ranson Renewed* website. But those that I did read, including [a 100-slide summary presentation](#) of the whole shebang and a background document called *Ranson's Economy*, contain not one reference, not one, to the massive facility. It is as if it didn't exist. (Surely it is discussed in one of the other background documents, at least, but I never found it.) If it were my money – and, come to think of it, it is – I would want the town's planning to thoroughly analyze the effect of the casino and race track on the town and account for it. I'm not saying whether the gambling operation, on balance, is good or bad for the community, just that a planning exercise that ignores it risks being naïve.



My second misgiving concerns the planners' proposal to encourage leapfrog development on what is now farmland north of the city (see above). (Ranson went on an annexation spree a few years ago, so the parcel may be within the city limits now for all I know, but it is neither within nor contiguous to the currently developed area.) This is currently a farm owned by the Clayhill family. Under the proposal, some two-thirds to three-fourths of it will be irrevocably converted to residential (and a small bit of hoped-for commercial) use, with a green buffer around the developed portions, assuring that it will remain isolated from anything that develops nearby over the years.

The planners call the proposal for the Clayhill property "[agrarian urbanism](#)," which is all the rage among a considerable wing of the [Congress for the New Urbanism](#), of which I am a longstanding member and for which I was a volunteer for several years. I'm not a fan of the concept, which would sprinkle new development around what is now contiguous farmland, for the reasons I explained in detail [here](#). I believe it fragments agriculture, weakening it, and is certainly not "urban" in the vocabulary of anyone except those who support it. It also spreads development farther and farther out, creating a range of environmental problems. (If only Jefferson County had a "[transfer of development rights](#)" program, whereby owners of farmland like the Clayhills could sell the rights to develop their property to infill builders in parts of Ranson that would benefit from more density.) I suspect that here, though, it will generate high-end returns for the property owner and developer, which may be the real point.



That said, the folks who present it here and espouse the concept elsewhere are professional friends and people I respect a great deal. We agree on 80-90 percent of land use principles and I certainly endorse 80-90 percent of what they have proposed for Ranson. I just hope the Clayhill family and not HUD paid

for this part of the planning. If HUD paid for it, [the agency's pledge](#) to use location efficiency and the location standards of [LEED for Neighborhood Development](#) in its grantmaking are starting to ring hollow.

To close on a more upbeat note – because my feelings about what's been happening in Ranson are far more positive than negative – here's an image of what the planners are proposing back in town, in the T4 zone:



In addition, you can go to the [Ranson Renewed website](#) and pick from several very good short videos about the project. Here's one of them:



Move your cursor over the images for credit information.

Kaid Benfield writes (almost) daily about community, development, and the environment. For more posts, see [his blog's home page](#).

Share | | 0 | Like < 12

Comments

Sandra Hagen — [Sep 19 2011 05:36 PM](#)

So fortunate a community to have leaders who really care about doing the right things for their community / constituents To put that above money/cold cash us a joy to read about..... Hope this kind of activity catches on locally.

Comments are closed for this post.

© Natural Resources Defense Council



[Home](#) [Archives](#) [Profile](#) [Comment Policy](#)

« [Cars 2 distracted driving ad demonstrates the value of strong safety partners](#) | [Main](#) | [National Transportation Week in pictures](#) »

June 16, 2011

Partnership for Sustainable Communities marks two trailblazing years

By *Shaun Donovan, Lisa Jackson, and Ray LaHood*

Two years ago, President Obama offered a [new vision for sustainable communities](#) and vastly improved how our agencies work together. He challenged us to coordinate our efforts and help build communities where housing, public transportation, jobs, and services are conveniently connected, where businesses thrive, and where the air, water and land are clean.

That is the goal of the HUD-DOT-EPA [Partnership for Sustainable Communities](#). And since June 2009, we have worked to help improve access to affordable housing, provide more transportation options at lower costs, and protect the environment in communities across the nation.



Americans have made it clear they want their communities back--back from the neglected brownfields of earlier decades, back from traffic congestion and sprawl, and back from housing choices that exclude most families.

In places like Ranson, West Virginia, and Boston, Massachusetts, residents are already benefiting from our Partnership's coordinated efforts to help revitalize neighborhoods and reposition them for a more sustainable future.

SUBSCRIBE

E-mail updates RSS feed

SEARCH

Search this blog



WWW

fastlane.dot.gov

Google Search

SHARE

Ray LaHood
RayLaHood

RayLaHood Because @whitehouse said #WeCantWait, DOT didn't. #TIGER program says US can still get things done [bit.ly/tFBNGb](#)
3 hours ago · reply · retweet · favorite

RayLaHood DOT's #TIGER III continues to generate excitement [bit.ly/tFBNGb](#)
5 hours ago · reply · retweet · favorite



Join the conversation

Find us on Facebook



Ray LaHood



Confirm

You like tt
Page · Ins
You like tt
Page · Ins



Ray LaHood

Because they understood that we can't wait, the states, counties, and municipal agencies that were awarded grants in



In Ranson, the Partnership aligned planning grants and assistance from our three agencies to integrate affordable housing, economic development, and transportation to build a livable community. An [EPA Brownfields Area-Wide Planning Grant](#) will help Ranson prioritize cleanup of contaminated lots and develop reuse plans based on community input while [EPA's Sustainable Communities Building Blocks](#) assistance will help the city ensure that its development codes promote the kind of growth residents want. Using a [DOT TIGER II Planning Grant](#), Ranson will create a Complete Street plan for the important Fairfax Boulevard / George Street corridor. This will ensure easy and safe downtown access for pedestrians and bicyclists as well as motorized vehicles. And a [HUD Challenge Planning Grant](#) will help Ranson develop a smart building code that encourages more compact, walkable development patterns.

Coordinating these grants and assistance will help Ranson create more affordable housing and transportation choices for its residents--saving them money, protecting their air and water, and encouraging long-term economic growth.



The Fairmount Corridor in Boston connects several low-income neighborhoods that rely heavily on public transit. Although a rail line runs along the corridor, it largely bypasses these areas. Boston municipal agencies and regional community groups have been working with the Partnership agencies to improve access to the Fairmount Corridor and open up more economic, environmental and recreational opportunities for neighborhood residents. [DOT support](#) is helping upgrade infrastructure, refurbish two transit stations, and build four more. HUD is helping build new affordable homes near these stations. And [EPA](#) is helping clean up nearby brownfield sites and prepare station areas for redevelopment. When this work is complete, residents will enjoy more accessible rail service between Boston and the surrounding region, greater prospects for economic development around local stations, new affordable housing choices and more opportunities to improve their lives and the lives of their families.

From Portland, Oregon, to Portland, Maine, DOT, EPA, and HUD have worked closely together to support innovative ideas from communities that help meet their housing, transportation, economic, and environmental challenges head-on. When we back local innovation with coordinated, targeted investments, the economic ripple effect creates jobs, supports business development, and helps keep America on track toward economic recovery and long-term prosperity.

this third round of TIGER set aside differences and worked together toward innovative transportation solutions.



TIGER continues to generate excitement

8,584 people like **Ray LaHood**. 8,583 people like **Ray LaHood**.



Facebook social plugin

ADD THIS BLOG TO MY Technorati FAVORITES

RECENT POSTS

[TIGER III generates excitement](#)

[TIGER grants help rural and tribal communities solve problems and create jobs](#)

[TIGER projects remind us what America can do](#)

[DOT takes "We Can't Wait" to heart: TIGER III projects announced ahead of schedule](#)

[Delaware I-95 / SR 1 interchange improvement another job-creating problem-solver](#)

[December "On the Go" is here with answers to your transportation questions](#)

[This holiday season, drive sober or get pulled over](#)

[Final leg of Salt Lake City's TRAX light rail will ease commutes, create good jobs](#)

[Volunteers spread holiday cheer with United Fantasy Flight](#)

[Pipeline Emergency Response forum one more step toward important safety goals](#)

ARCHIVES

[December 2011](#)

[November 2011](#)

[October 2011](#)

[September 2011](#)

[August 2011](#)

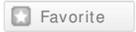
[July 2011](#)

[June 2011](#)

As the President said last October, "We're working to change the way government works, and that means investing tax dollars wisely and well."

For more information about the Partnership for Sustainable Communities, please visit www.sustainablecommunities.gov.

Posted at 08:15 AM | [Permalink](#)



TrackBack

TrackBack URL for this entry:

<http://www.typepad.com/services/trackback/6a00e551eea4f58834014e8904514c970d>

Listed below are links to weblogs that reference [Partnership for Sustainable Communities marks two trailblazing years](#):

Comments

I think the Partnership is a great idea and encouraging. It would be even more so if the federal government followed its own "Recommendations on Sustainable Siting for Federal Facilities" that were developed by DOT, GSA, EPA, HUD, DOD, and Homeland Security early last year. The EPA Region 7 office has announced it is moving from a downtown location in an environmental justice community to a greenfield environment far out in a more affluent suburb with little transit access. (Although that suburban building already exists, there is farmland across the street in two directions from it.) This decision by GSA and EPA should change to show the federal government and this Partnership are truly "walking the walk." (And yeah, there's nothing much to walk to from the announced new EPA Region 7 location, either.) The region where the EPA Region 7 office is location received one of these Sustainable Communities grants.

Posted by: Disillusioned in EPA Region 7 | [June 16, 2011 at 08:53 AM](#)

This is so exciting!! I'm ready to help our community reapply!

Posted by: WS | [June 16, 2011 at 09:44 AM](#)

Woo hoo! Congratulations PSC!! Happy Anniversary!

Posted by: Faith | [June 16, 2011 at 10:27 AM](#)

This is amazing,

We have a project following the same line of idea in Quebec and I must say this is great. This is how we can make sure that our child will have the chance to live in a world with breathable air. I'll make sure to send this information to the person in charge of the project here.

Thanks

Posted by: [Phil Vandal](#) | [June 17, 2011 at 11:27 AM](#)

Post a comment

Comments are moderated, and will not appear until the author has approved them.

Comment below or sign in with  [TypePad](#)  [Facebook](#)  [Twitter](#) and [more...](#)

[May 2011](#)

[April 2011](#)

[March 2011](#)

[More...](#)

DOT AGENCIES

[Federal Aviation Administration](#)

[Federal Highway Administration](#)

[Federal Motor Carrier Safety Administration](#)

[Federal Railroad Administration](#)

[Federal Transit Administration](#)

[Maritime Administration](#)

[National Highway Traffic Safety Administration](#)

[Pipeline & Hazardous Materials Safety Administration](#)

[Research & Innovative Technology Administration](#)

[Saint Lawrence Seaway Development Corporation](#)



LEGAL NOTICE
JOINT WORKSHOP AND PUBLIC HEARING OF THE RANSON PLANNING
COMMISSION AND RANSON CITY COUNCIL

In accordance with W. Va. Code § 8A-7-5, 8A-7-9 and 8A-3-6 the Ranson City Council and Ranson Planning Commission will hold a joint public workshop and public hearing on **Tuesday, January 31, 2012, at 7:00 PM** at Ranson City Hall, 312 S. Mildred Street, Ranson, WV. The purpose of the public workshop and public hearing is to allow for presentations from the City's consultants who will present first drafts and accept public comments on the following topics: (1) proposed amendment to Ranson Zoning Ordinance by adding Chapter 19A "Ranson SmartCode" form-based zoning; (2) revisions to the Ranson Comprehensive Plan; (3) Fairfax Boulevard concept plans; and, (4) area-wide brownfields redevelopment plans. These presentations stem from the public process and charrette held in September 2011 as part of the Ranson Renewed effort and funded by the U.S. DOT, EPA and HUD. Copies of the proposed draft zoning amendment and comprehensive plan will be available by January 16th by visiting www.ransonrenewed.com or may be inspected during regular office hours at Ranson City Hall.

Also, on **February 1, 2012, at 5:00 p.m.**, at Ranson City Hall, residents adjacent to Fairfax Boulevard are invited to a public workshop to meet with consultants designing and engineering Fairfax Boulevard to have individual discussions as to how future design may affect individual properties.

Anthony Grant, President
Ranson Planning Commission

Tony Braithwaite, Recorder
Ranson City Council

LEGAL NOTICE
CITY OF RANSON
NOTICE TO THE PUBLIC
The City of Ranson, West Virginia, is hereby giving notice to the public that the City Council has adopted the following resolution...

Certificate of Publication

This is to certify the annexed advertisement
CITY OF RANSON
Notice

appeared for 2 consecutive days/weeks
in The Journal Publishing Company, a news-
paper in the City of Martinsburg, WV in it's
issue beginning:

12-30-2011
and ending
01-16-2012

The Journal
207 W. King Street
Martinsburg, WV 25401

Fee (\$) 85.85

THE STATE OF WEST VIRGINIA
COUNTY OF BERKELEY

The foregoing instrument was acknowledged
before me this 19th of January 2012 by

Whitney Mullins

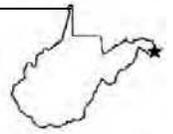
My commission expires Feb. 21, 2016

[Signature]
Notary Public





City of Ranson



Office of the Mayor

312 South Mildred Street
Ranson, West Virginia 25438-1621
Phone: (304) 725-1010 Fax: (304) 728-8579
E-mail: mayor@cityofransonwv.net
cityofransonwv.net

Council Members

Debbie McClure
Scott Coulter
Donnie Haines
Duke Pierson
David Cheshire

A David Hamill – **Mayor** Ray A. Braithwaite – **Recorder**

December 15, 2011

Re: Green Corridor Revitalization (Fairfax Boulevard) - Soil Samples & Property Owner Meeting

Dear Property Owner:

Ranson and Charles Town are continuing the exciting design for the Green Corridor Revitalization along Fairfax Boulevard and George Street. The project limits are between 12th Ave. on the north and Washington St. on the south. Three things are worth noting:

1. **Soil Samples** – Crews will be drilling for Soil Samples beginning on or about December 19, 2011.
2. **Property Owner Workshop** – The City of Ranson will host a Property Owner Meeting on **February 1, 2012, at 5:00 p.m.** at Ranson City Hall to discuss design details near your property. I also wish to invite you to a joint Planning Commission/City Council workshop on January 31, 2012 at 7:00 p.m., where the consultant team will be presenting its concepts of the boulevard and updates on other planning efforts.
3. **The Project**–Designs underway will make walking and bicycling much easier, will improve storm water treatment and will beautify the corridor with new landscaping and seamlessly connect Old Town Ranson with the newly annexed portions of Ranson Sidewalks are coming.

First, crews from the company of Specialized Engineering will be performing borings to gather **soil samples** beginning December 19, 2011. Please help by allowing access to your property so the crews can perform their work. If you live in rental property, please inform your landlord of this work. If someone rents from you, please inform them also.

Second, we will be hosting a **workshop** to discuss the project with you at City Hall on **February 1, 2012 at 5:00**. The consultant team and members from City staff will provide a presentation and be available to answer any questions you may have at that time. Some things are going to change, so we are eager to resolve any questions as early as possible, so this exciting project can proceed to the next level. Although the City is excited that it received funds to design and engineer Fairfax Boulevard, the ultimate success will be the actual construction of the boulevard – a concept that has literally been on the City's plat since 1896. To that end, the City will begin the process of actively seeking funding for construction. Construction funds have not been obtained at this time so there is no specific timeframe for construction.

Finally, this letter provides you with basic planning information about **the project** and how it may affect you. The Green Corridor Revitalization Project is sponsored by the United States Department of Transportation along with the cities of Ranson and Charles Town. Project goals include a redesigned Fairfax Boulevard/George Street where you will feel more comfortable and safe while walking or bicycling. A parallel project includes a regional commuter center at Charles Washington Hall, also focusing on walking, biking and public transit as essential travel modes for this century, in addition to motor vehicle

Exhibit 11

transportation. Ranson's green corridor vision will advance our community as a national model of sustainable, walkable and livable communities in rural areas and seamlessly connect Old Town Ranson with the newly annexed portions of Ranson. Just as important, construction of the project will provide a public safety element as Fairfax Boulevard, when complete, will be the only street leading in or out of Ranson without an active railroad crossing.

After a public charrette and design workshop held in early September, the planning team prepared concept plans for the entire corridor. These plans may require changes near your property, specifically your current street access and parking. Sidewalks will be added where they don't exist now.

The following attachment highlights design concepts being considered for each segment of the corridor. Please note, the goal is to enhance walkability and economic viability of areas along Fairfax Boulevard and George Street. To do this, we must manage vehicular travel speeds to around 25mph, to greatly improve conditions for walking, bicycling and safety. The goal is not to create a high-speed thoroughfare on Fairfax Boulevard. A number of design elements are included to do just this:

- On-street parking (Parallel and Reverse angle parking depending on location)
- Wide sidewalks
- Street trees
- Buildings closer to street providing a sense of comfort
- A mix of selected, quality commercial uses, only where appropriate, will increase both walking and maintain property values.

The greatest change for most landowners will be to their driveways and parking arrangement. Sidewalks are best added next to parallel parking spaces on the street. Many drives will not be needed, because plenty of new parking spaces will be added. Note: parking will not be diminished! It will simply be transferred to the edge of the street in front of the building next to the new trees and sidewalks. Access to some homes and businesses will be provided from the back, in the form of rear lanes.

In addition to these walkability improvements, the new design incorporates green technology to treat storm water and to better move rainwater to the south; a major issue for Ranson today. Many brand new water and sewer lines will also be added during this process.

You can contact me with any questions regarding the project at (304)725-1010, or follow study progress on the website at www.ransonrenewed.com.

Sincerely,



A. David Hamill
Mayor

attachments: Concept Design
Corridor Segment Map
Property Change Exhibit

**DOT TIGER II Grant
Ranson-Charles Town Green Corridor Revitalization**

Design Concept (Segment Map Follows)

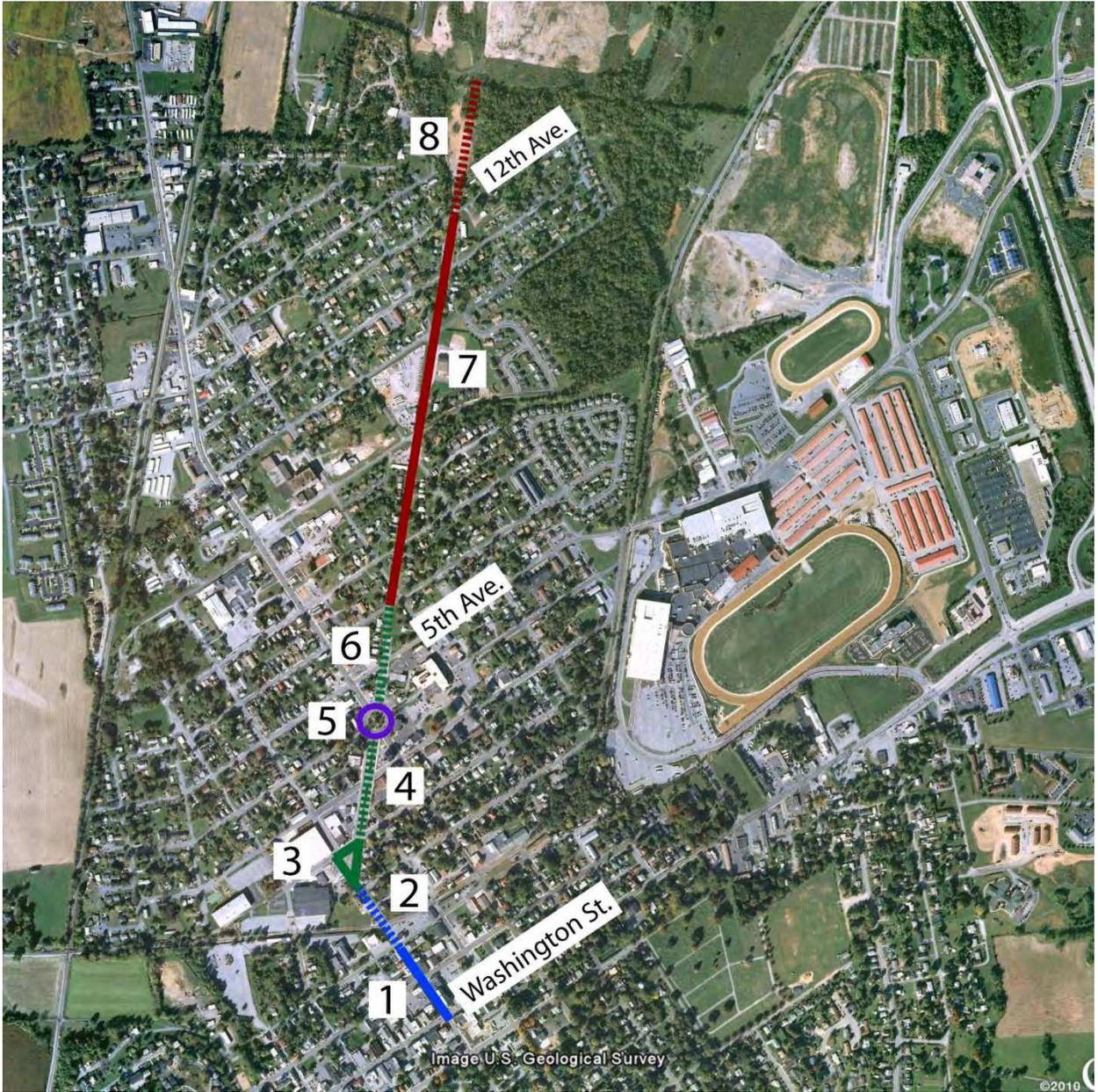
1. Washington to North Street – this most walkable segment of the corridor will be preserved.
2. North Street to 1st Avenue – walkability will be enhanced by providing a pedestrian sleeve across the railroad and to the new APU buildings. Design includes features such as adjusting lane width, restriping, streetscape, landscaping and parallel parking.
3. 1st Avenue to 100' north of 2nd Avenue – restructured on-street parking, design of streetscape elements and amenities, street trees, sidewalk resurfacing and streetscape fixtures such as benches and planters.
4. 100' north of 2nd Avenue to Lancaster Circle – design includes streetscape, landscaping and parking upgrades, including reverse angle parking on the East side. As with the previous section typical details for Street trees sidewalk resurfacing and streetscape fixtures will be designed.
5. Lancaster Circle – design for redevelopment of the circle and adjacent property will be deferred until area context changes and funding becomes available.
6. Lancaster Circle to 6th Avenue – design will include a new Boulevard section with planted median, green infrastructure elements and reverse angle parking. The 5th Avenue intersection design will be coordinated with West Virginia DOT.
7. 6th Avenue to 12th Avenue – designs will include a Boulevard construction by adding an eastern lane with a broad planted median, sidewalks, green storm water treatment and on street parking.



Artist Rendering of Neighborhood Boulevard

8. 12th Avenue to the southern boundary of Fairfax crossing – designs will include a completely new Boulevard construction with the planted median, green storm water treatment and on-street parking. A full 100 foot cross section is assumed through this section.

Corridor Segment Map





A BLUEPRINT FOR
THE NEXT CENTURY

RANSOM RENEWED

WATCH YOUR MAIL.
WE'RE TAKING ANOTHER STEP FORWARD.

Exhibit 12



WATCH YOUR MAIL.

We're nearing the final stages of the rezoning effort we began together last year. (Catch up on the process and learn more at **www.ransonrenewed.com**.)

As part of that, the City of Ranson will soon be sending property owners official, certified mail notices of the proposed rezoning. The notices, which are mandated by law, require no action, are for informational purposes only, and can also be viewed at the website above.

Remember, current uses of your property will be "grandfathered" in when the new ordinance goes into effect.





February 21, 2012

THE NEXT STEP IN OUR COMMUNITY REZONING:

PUBLIC HEARING, MARCH 5 AND MARCH 26 AT RANSON CITY HALL, 7:00 P.M.

Dear Property Owner:

This is an official notice, required by state and municipal law, of Ranson's intention to update the City's half-century-old zoning. You are receiving this notice because your property will be affected by the proposed rezoning.

For those of you who joined many of your neighbors in our collaborative workshops in 2011, the information below will be familiar. We are simply taking the next step in what we determined together to be best ways to guide future growth in Ranson. You can follow the process that got us to this point on the project website: www.ransonrenewed.com.

For those of you new to this discussion, here's what you need to know about the rezoning: First of all, this notice doesn't require you to do anything. It's just a legally mandated notification of a rezoning process in the works. When the new zoning is in place, it will make it easier for you to predict what will be happening around you over time. And it will simplify processes for additions, alterations and the sale of your property. Because so many aspects of the old zoning ordinance were out of date, many property owners found they had to apply for variances whenever they wished to make those kinds of changes. Please keep in mind that all existing uses of your property will still be allowed under the new zoning as long as you don't make significant changes or abandon your property for one year. In every case, you will have more options, and in some cases, greater entitlements than you currently have under the current ordinance.

As a result of the collaborative efforts of the City, citizens and their consulting teams, we believe we've achieved these goals with the new zoning proposal:

1. We've aligned zone categories with the look and feel of particular Ranson neighborhoods and districts. That will help us grow in ways that reflect the character of our community instead of having to conform to one-size-fits-all rules. Hopefully, this will provide more flexibility for land owners and will encourage economic development.
2. Whereas some areas within City limits had inconsistent zoning designations under the old ordinance, we've assigned zoning categories to all parcels that are consistent and predictable. Areas that are currently undeveloped are assigned zoning categories that reflect community aspirations, investment trends, environmental concerns and other considerations. That assures a level of predictability for current and future property owners and business investors.
3. All the new zoning boundaries reflect existing land uses. For instance, historic residential properties on Mildred were considered non-conforming under the old zoning but are now permitted under the new zoning categories.

Attached you will find an existing zoning map for Old Town and the City of Ranson as well as the proposed zoning map. You can use the maps to locate your property. Then, refer to the table to learn how new zoning categories might affect your options when you substantially alter or expand your homes or businesses. Again, this notice requires nothing of you. But you're invited to learn more and to participate in a couple of public hearings before the City of Ranson Planning Commission on March 5, 2012 and again on March 26, 2012. Both hearings will be held at the Ranson City Hall, 312 S. Mildred St. at 7:00 p.m. The City Council is also scheduled to hold two public hearings on April 3, 2012 at 2:00 p.m. and 7:00 p.m. at Ranson City Hall. You may download the new ordinance from <http://www.ransonrenewed.com>. The document is under Resources/Ranson Zoning Amendment Draft. A hard copy is available for inspection during normal business hours at Ranson City Hall.

If you have any questions, comments or objections concerning this rezoning, please forward your comments in writing to City of Ranson City Manager, 312 South Mildred Street, Ranson, West Virginia 25438 prior to March 26, 2012. Your comments will be made part of the written record. Thank you for your time and attention.

Sincerely,

A handwritten signature in blue ink that reads "A. David Hamill".

A. David Hamill
Mayor

Exhibit 13

The Journal Print Ad Proof

ADNo: 457384 Customer Number: L04578
Customer Name: Company: CITY OF RANSON
Address: 312 S MILDRED STREET
City/St/Zip: RANSON ,WV 25438
Phone: (304) 264-1927 Solicitor: SP
Category: 70 Class: 110 Rate: LE-0 Start: 3-12-2012 Stop: 3-19-2012
Lines: 85 Inches: 8.88 Words: 299

Credit Card: Expire:
Order Number:
Cost: 93.18 Extra Charges: .00 Adjustments: .00
Payments: .00 Discount: .00
Balance: 93.18

**LEGAL NOTICE
PUBLIC HEARING
NOTICE
CITY OF RANSON**

In accordance with W. Va. Code Sect. 8A-7-1 et seq. and Sect. 8A-3-1 et seq., the Ranson Planning Commission will hold public hearings on March 5, 2012, and March 26, 2012, at 7:00 p.m. at Ranson City Hall, 312 S. Mildred Street, Ranson, WV. The purpose of the public hearing is to accept public comments on the following: (1) 2012 Ranson Comprehensive Plan; (2) the repeal and reenactment of Chapter 19 of the Ranson Municipal Code âRanson Zoning Ordinanceâ with amendments to ensure compliance with the 2012 Comprehensive Plan; (3) enactment of Chapter 19A the âRanson SmartCodeâ zoning ordinance; and, (4) adoption the official zoning map of the City of Ranson.â Upon recommendation and approval of the documents by the Ranson Planning Commission, City Council is scheduled to hold two additional public hearings and first reading of an ordinance approving the documents on April 3, 2012, 2:00 p.m. and 7:00 p.m. at Ranson City Hall. Final reading before the Ranson City Council is scheduled for April 17, 2012. Copies of the 2012 Comprehensive Plan, proposed amendments to Chapter 19; the Ranson SmartCode; proposed zoning map; and current zoning map are available for inspection during office hours 9:00 - 5:00 at City Hall or on the City's website at www.ransonrenewed.com under the âresourcesâ tab. All persons are invited to attend and make comments about the proposed

Exhibit 14

ordinances. If you cannot attend but wish to comment, you may write to the following address prior to March 26, 2012: City of Ranson, Attn: Zoning Comments, 312 S. Mildred Street, Ranson, WV 25438. Written comments received prior to March 26, 2012 will be provided to the Planning Commission and inserted into the official record.
Ray A. Braithwaite,
Recorder
Chris Gaskins, Planning
Commission Secretary
2:22 (21)

The Journal Print Ad Proof

ADNo: 457382 Customer Number: L04578
Customer Name: Company: CITY OF RANSON
Address: 312 S MILDRED STREET
City/St/Zip: RANSON ,WV 25438
Phone: (304) 264-1927 Solicitor: SP
Category: 70 Class: 110 Rate: LE-0 Start: 2-22-2012 Stop: 2-22-2012
Lines: 85 Inches: 8.88 Words: 299

Credit Card: Expire:
Order Number:
Cost: 53.22 Extra Charges: .00 Adjustments: .00
Payments: .00 Discount: .00
Balance: 53.22

**LEGAL NOTICE
PUBLIC HEARING
NOTICE
CITY OF RANSON**

In accordance with W. Va. Code Sect. 8A-7-1 et seq. and Sect. 8A-3-1 et seq., the Ranson Planning Commission will hold public hearings on March 5, 2012, and March 26, 2012, at 7:00 p.m. at Ranson City Hall, 312 S. Mildred Street, Ranson, WV. The purpose of the public hearing is to accept public comments on the following: (1) 2012 Ranson Comprehensive Plan; (2) the repeal and reenactment of Chapter 19 of the Ranson Municipal Code ãRanson Zoning Ordinanceã with amendments to ensure compliance with the 2012 Comprehensive Plan; (3) enactment of Chapter 19A the ãRanson SmartCodeã zoning ordinance; and, (4) adoption the official zoning map of the City of Ranson.ã Upon recommendation and approval of the documents by the Ranson Planning Commission, City Council is scheduled to hold two additional public hearings and first reading of an ordinance approving the documents on April 3, 2012, 2:00 p.m. and 7:00 p.m. at Ranson City Hall. Final reading before the Ranson City Council is scheduled for April 17, 2012. Copies of the 2012 Comprehensive Plan, proposed amendments to Chapter 19; the Ranson SmartCode; proposed zoning map; and current zoning map are available for inspection during office hours 9:00 - 5:00 at City Hall or on the City's website at www.ransonrenewed.com under the ãresourcesã tab. All persons are invited to attend and make comments about the proposed

ordinances. If you cannot attend but wish to comment, you may write to the following address prior to March 26, 2012: City of Ranson, Attn: Zoning Comments, 312 S. Mildred Street, Ranson, WV 25438. Written comments received prior to March 26, 2012 will be provided to the Planning Commission and inserted into the official record.
Ray A. Braithwaite,
Recorder
Chris Gaskins, Planning
Commission Secretary
2:22 (21)