

**ARTICLE 1300****REQUIREMENTS FOR TOWNHOUSES**

1300.01 Minimum Requirements and Standards *(Amended 07-25-23)*

1300.02 Design and Construction Requirements *(Amended 03-2022)*

1300.03 Parking

1300.04 Other *(Amended 07-25-23)*

**1300.00 REQUIREMENTS FOR TOWNHOUSES****1300.01 MINIMUM REQUIREMENTS AND STANDARDS** *(Amended 07-25-23)*

- I. A townhouse subdivision shall apply to those townhouse developments in which it is proposed to partition the land into individual lots to be placed on record in the County Clerk's office and where the minimum lot sizes are to be less than those required under *Table II Minimum Design Standards General Provisions Residential Subdivisions* in these regulations.
- II. The requirements and standards of this Article are minimal and are not intended to discourage the use of higher standards by subdividers who wish to achieve more desirable results. The Planning Commission may specify additional requirements where, owing to unique or unusual characteristics, the purposes of this Ordinance can be better served.
- III. The provisions of this Article are in addition to the requirements for conventional major subdivisions, except where the same subject is covered. In said cases, this Article will apply.
- IV. A townhouse subdivision shall include at least three (3) dwelling units and not more than ten (10) per structure.
- V. Townhouse developments shall be permitted only where approved community water and sewer systems are available or are programmed for construction.
- VI. In addition to the requirements and standards of this Article, the development must meet all the requirements and standards set forth in *Appendix E Major Subdivision Development 'Preliminary' Plat Checklist* in these regulations.

*It is the applicant's responsibility to obtain all applicable permits and plan approvals from all authorities having jurisdiction in the State of West Virginia (i.e., Department of Environmental Protection, West Virginia Department of Highways, Putnam County Health Department, Putnam Public Service District, West Virginia American Water, etc.). It is also the responsibility of the stated West Virginia entities to enforce their own agency regulations and violations. (Amended 07-25-23)*

**1300.02 DESIGN AND CONSTRUCTION REQUIREMENTS****I. Roads and Rights-of-Way**

1. Townhouse development roads shall have a minimum forty (40) foot wide right-of-way with a minimum twenty-four (24) foot road pavement width. All roads shall be constructed in accordance *Table I Minimum Design Standards for Roads* in these regulations except for pavement width.
2. Sidewalks shall be a minimum of five (5) feet wide and located at the curb and in front of all dwelling units. All other areas shall have a sidewalk on at least one side of the road. All sidewalks shall be connected and have clearly defined road crossings. If the sidewalk in front of a townhouse connects with an existing sidewalk, the width of the sidewalk shall be the same as the existing sidewalk. However, at no time shall it be less than the minimum

required width. All sidewalks shall be unobstructed by permanent structures to allow for pedestrian traffic.

3. Sidewalks shall not be included in the individual lots. Road rights-of-way shall be located a minimum of one (1) foot behind the sidewalk or a minimum of three (3) feet from the back of curb in areas where sidewalks are not required.
4. A minimum five (5) foot public easement between all buildings shall be required.

**II. Lots and Setbacks**

1. Minimum lot area for a townhouse development shall be equal to 3,500 square feet per unit with a maximum of eight (8) dwelling units per acre. There is no minimum lot area requirement for an individual townhouse lot. If the property is located in a zoned area of Putnam County, refer to the *Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County, West Virginia* for development standards.

***\*Lot Averaging:*** *The allocation of lot sizes in a residential subdivision based on the average lot size as defined below. The average lot size must equal or exceed 3,500 square feet. To determine the average lot size, the following formula shall be used:*

*(Total square footage of the development) MINUS (Total square footage of the roads, common areas and other areas not available for residential development) DIVIDED BY (Total number of residential lots available for development) EQUALS (Average Lot Size). (Amended 03-2022)*

2. The minimum building setbacks for townhouses shall be as follows:

Front	-	20'
Side	-	5'
Rear	-	20'
Side for end unit buildings over 30'	-	15'

When the front setbacks of the dwellings located on both sides of a lot exceed the minimum front setback as prescribed in this ordinance, the new townhouse shall set back at least the same distance as one of the said dwellings. In the event there is only one adjacent lot with an existing dwelling, and that dwelling exceeds the minimum front setback, the new townhouse shall set back at least the average of the existing dwelling setback and the required setback. Where there are two adjacent dwellings, only one of which exceeds the minimum front setback, the minimum setback requirement of this ordinance shall apply to the new townhouse.

3. Minimum structure separation shall be twenty (20) feet for structures under thirty (30) feet high and thirty (30) feet for structures over thirty (30) feet in height.

**1300.03 PARKING**

- I. Number of parking spaces shall be two (2) per dwelling unit and one (1) additional space per five (5) units for overflow off-street parking.
- II. Garage spaces may account for up to 50% of the required parking.
- III. Minimum area of parking spaces shall be 10' x 18'.

**1300.04 OTHER** *(Amended 07-25-23)*

- I. Fire hydrant spacing shall not exceed five hundred (500) feet.

- II. All utilities shall be underground.
- III. Buffer screening shall be provided between common areas and adjoining properties with single family detached residences that effectively protects property value from detrimental visibility, noise, and/or glare. The landscaping plan shall be provided as part of the major subdivision plat requirements.
- IV. All areas containing outdoor lighting (except public street lighting and outdoor activity facilities) shall limit light spillage onto adjacent residential property. The applicant shall submit a lighting plan by an engineer showing a 0.2 FC at the adjacent property line. Compliance shall be achieved by utilizing fixture shielding, directional control designed into fixtures, fixture location, height, or aim, or a combination of these or other factors. Upon installation of the lighting, the applicant shall provide an as-built lighting plan by a professional registered engineer, certifying a 0.2 FC at the adjacent property line.
- V. The Planning Commission may grant waivers or variances where necessary to fulfill the intent of this article after preparing finding of facts that demonstrates that such waivers or variances are not detrimental to the development or surrounding area and achieves a more desirable result.
- VI. The declaration of restrictive covenants shall prevent changes to the development that would violate this article, and the declaration shall address the uniqueness of a townhouse development. The declaration of restrictive covenants shall also address all the required elements listed in *Appendix E Major Subdivision Development 'Preliminary' Plat Checklist* in these regulations. (Amended 07-25-23)
- VII. The layout of the common areas shall be designed to allow the residents to benefit, use and enjoy the open areas.
- VIII. The definition for a townhouse is a structure that contains three (3) or more units (that share a common wall) and each unit is platted to allow for individual sale.
- IX. The high density allowance of these townhouse standards may require capacity analysis of existing public facilities and improvements to determine if they have the capacity to meet the additional demand created by the proposed townhouse development.

