

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2014 Legislative Session
Legislative Day #

BILL NO. 2014-03

Introduced by: Charles County Commissioners

TRANSITIONAL PROVISIONS FOR THE WALDORF ACTIVITY CENTER ZONES

Date introduced: 04 / 22 / 2014

Public Hearing: 05 / 20 / 2014 @ 6:30 p.m.

Commissioners Action: 06 / 10 / 2014

Commissioner Votes: CQK: Y, RC: Y, KR: Y, DD: Y, BR: Y

Pass/Fail: Pass

Effective Date: 07 / 25 / 2014

Remarks:

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2014 Legislative Session

Bill No. 2014-03

Chapter No. 297

Introduced by Charles County Planning Division

Date of Introduction _____

BILL

AN ACT concerning

TRANSITIONAL PROVISIONS FOR THE WALDORF ACTIVITY CENTER ZONES

FOR the purpose of

Amending the Charles County Zoning Ordinance in order to provide transitional provisions for the Waldorf Central (WC) and Acton Urban Center (AUC) zones.

BY repealing and adding with amendments:

Chapter 297 – ZONING ORDINANCE

Article VI, §297-97, Activity Center Zones.

Code of Charles County, Maryland

(2013 Edition)

Chapter 297 – ZONING ORDINANCE

Article VI, § 297-97, Figure VI-8, Thresholds and Applicability of Standards.

Code of Charles County, Maryland

(2013 Edition)

Chapter 297 – ZONING ORDINANCE

Article VI, § 297-97, Figure VI-9, Schedule of Zone Regulations for Activity Center Zones.

Code of Charles County, Maryland

(2013 Edition)

Chapter 297 – ZONING ORDINANCE

Article VI, § 297-97, Figure X-1, Road Corridor Bufferyard and Building Setback Requirements (Bufferyard by type and setback in feet).

Code of Charles County, Maryland

(2013 Edition)

SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

Chapter 297. ZONING ORDINANCE

Article VI: Base Zone Regulations

Section 297-97. Activity Center Zones.

A. Objectives.

- (1) The Activity Center Zones are established to promote and require forms of development that create cohesive communities through the integration of residential, retail, business, office and civic uses into a network of streets, pedestrian ways and open space. Activity center zones are intended to achieve the following objectives:
 - (a) Range of uses. Permit residential, office, retail, commercial service and institutional uses. Restrict highway-oriented commercial uses.
 - (b) Range of housing. Permit a range of housing types, including mixed-use buildings, attached, and multifamily dwellings.
 - (c) Street network. Create a grid street network that provides multiple means of getting to destinations.
 - (d) Streetscape character. Create attractive streetscapes with a lively, pedestrian- oriented character.
 - (e) Modes of transportation. Provide pedestrian, bicycle and transit linkages.
 - (f) Open space. Provide parks, plazas and greenways as community gathering spaces and natural areas.

- (g) Building form. Promote building forms that respect and improve the integrity of streets, open spaces and other public areas.
- (h) Visual harmony. Promote harmony in the visual relationships and transitions between buildings.
- (i) Transition to other districts. Provide transitions or buffers so that new development is compatible with or protective of surrounding residential uses.
- (J) TRANSITION TIME PERIOD FOR PROJECT DESIGN. PROVIDE FOR A TRANSITIONAL PERIOD WHERE NEW DEVELOPMENT IS NOT SUBJECT TO ALL OF THE DESIGN STANDARDS IN THIS CODE AS REDEVELOPMENT TRANSITIONS TO THE OVERALL COMMUNITY VISION FOR THE AREA.
- (K) TRANSITIONAL TIME PERIOD FOR PROJECT USES. PROVIDE THAT EXISTING USES MAY CONTINUE AND EXPAND ON-SITE DURING THE TRANSITIONAL PERIOD.
- (L) REQUIRE USES ON VACANT OR ADJACENT PROPERTIES, OR FOR TOTAL VOLUNTARY DEMOLITION AND REDEVELOPMENT, TO COMPLY WITH PERMITTED USE REQUIREMENTS.

- (2) Waldorf Central Zone (WC). This zone provides for moderate - to high-density development in the pattern of the downtown core of a traditional town, with a mix and intensity of uses supportive of rail transit. Development is to be consistent with the Downtown Waldorf Vision Plan and Design Guidelines adopted by the County Commissioners.
- (3) Acton Urban Center Zone (AUC). This zone provides for high density, urban-scaled development with a mix and intensity of uses supportive of rail transit. Development is to be consistent with the Downtown Waldorf Vision Plan and Design Guidelines adopted by the County Commissioners.

B. Uses Permitted.

- (1) Permitted uses shall be in conformance with the Table of Permissible Uses (Figure IV-2).

- (2) The following additional requirements apply to the permitted uses of land within the Waldorf Central and Acton Urban Center zones:
- (a) Mixed use buildings are encouraged.
 - (b) Buildings abutting an arterial highway (U.S. 301 and MD Business Route 5) or a Waldorf Urban Major Collector, as identified in the Downtown Waldorf Vision Plan and Design Guidelines, shall be developed for mixed use or non-residential use. No solely residential buildings are permitted in these locations.
 - (c) Residential uses in mixed use buildings shall be above the ground floor.
 - (d) The retail component of mixed use buildings shall be primarily on the ground floor of the building and oriented towards a public street.
 - (E) PROJECTS MAY BE SUBDIVIDED AND/OR PHASED AS STAND ALONE PROJECTS AS DESIRED PROVIDED THAT EACH PHASE MEETS THE CODE REQUIREMENTS. PHASING WILL PERMIT A SINGLE PARCEL TO BE DEVELOPED IN STAGES IN COMPLIANCE WITH THE DESIGN REQUIREMENTS OF THIS ORDINANCE. A CONCEPTUAL PHASING PLAN SHALL BE INCLUDED AS A PART OF THE SITE DEVELOPMENT REVIEW PROCESS.
 - (F) THE TRANSITIONAL USE PERIOD SHALL BEGIN FROM THE ADOPTION DATE OF THIS ORDINANCE AMENDMENT (INSERT DATE HERE) AND ENDING TWO (2) YEARS FROM WHEN SEWER CAPACITY IS AVAILABLE TO SERVICE THE PROPERTY. EXISTING USES MAY REMAIN AS PERMITTED AND EXPAND ONLY ON-SITE, INCLUDING:
 - (1) CONSTRUCTION SERVICES AND SUPPLIES
 - (2) RETAIL SALES
 - (3) WHOLESALE RELATED BUSINESSES
 - (4) MOTOR VEHICLE RELATED SALES AND SERVICES

C. Density - WC and AUC Zones.

The following requirements apply in the Waldorf Central and Acton Urban Center Zones:

- (1) Attached residences (Townhouse and Multiplex) shall be built at a minimum density of 12 dwelling units per acre and a maximum density of 36 dwelling units per acre.
- (2) Garden apartment, mid-rise and high-rise dwellings in residential-only buildings shall be subject to a minimum density of 15 dwelling units per acre. There is no minimum density for apartments within mixed-use buildings.
- (3) There are no maximum density requirements for apartments. The floor area ratio and building height requirements in the Schedule of Zone Regulations determine the allowed scale and intensity of apartment and mixed use development.
- (4) Transferable Development Rights (TDRs) are required at the following rates:
 - (a) No TDRs are required for the first 12 dwelling units per acre.
 - (b) For attached residences, one TDR is required per dwelling unit in excess of 12 units per acre.
 - (c) For garden apartment, mid-rise or high-rise residences in residential-only buildings, one TDR is required per two dwelling units or fraction thereof in excess of 12 units per acre.
 - (d) In mixed-use buildings, one TDR is required per three dwelling units or fraction thereof in excess of 12 units per acre.

D. Building and Lot Requirements.

- (1) General. The layout and design of lots, structures and other improvements shall contribute to the following goals:
 - (a) Primary building facades shall be oriented toward the street and public realm.
 - (b) Public and private space shall be clearly defined as public with open views and surveillance, or as private and protected.
 - (c) Service areas and mechanical equipment shall be located away from the street.

- (d) Off-street parking areas shall be located away from the streets and shared by multiple owners/uses whenever possible.
- (2) The requirements in the Schedule of Zone Regulations, Figure VI-9, shall apply subject to other requirements of this Chapter. TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).
- (3) The following requirements apply in addition to the height requirements established in the Schedule of Zone Regulations:
 - (a) Maximum floor-to-ceiling height for the ground floor: 16 feet.
 - (b) Maximum floor-to-ceiling height for each story above the ground story: 12 feet.
 - (c) An upper story required to satisfy minimum story requirements shall have at least 70 percent of the floor area of the story below.
 - (d) Transition in building height: Where a lot in an Activity Center Zone is within 40 feet of a single-family detached home outside the Activity Center Zones, the maximum top plate height for any structure on the lot shall not exceed 36 feet.
- (4) The following requirements apply in addition to the required front setbacks established in the Schedule of Zone Regulations:
 - (a) Front building façades shall be located between the required minimum and maximum front setbacks.
 - (b) Porches, steps and covered entries shall not project more than eight feet from the building façade. They may be extended into the minimum front setback area but shall not extend into the public street right-of-way.
 - (c) Awnings and canopies may extend into a public street right-of-way, up to five feet beyond the minimum front setback. They shall maintain a minimum clearance height of eight feet above the ground.
 - (d) Storefront display window may extend into a public street right-of-way, up to two feet beyond the minimum front setback.
- (5) Minimum building façade along street frontage:

- (a) For ALL lots with street frontage of 100 feet or less, the building façade must occupy at least 75 percent of the street frontage.
- (b) For lots with street frontage of 100 to 200 feet, the building façade must occupy at least 80 percent of the street frontage.
- (c) For lots with street frontage of 200 feet or greater, the building façade shall occupy at least 85 percent of the street frontage.
- (D) TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).

E. General Architectural Requirements.

- (1) Intent. Buildings in the Activity Center Zones shall use high-quality materials and pedestrian-scaled detailing to enhance the visual appeal of development.
- (2) Exterior Facades.
 - (a) Façades greater than 40 feet in length shall be articulated with discernible architectural elements, such as windows, recessed entrances and windows, display windows, arcades, balconies, plane projections and recesses, and other architectural details.
 - (b) All façades visible to the public (from a street, public or private open space, or parking area located interior to a block) shall provide quality architectural materials and detailing. Blank building walls/façades are not permitted.
 - (c) Buildings on corner lots shall be architecturally treated as having frontage on all façades along a street.
 - (d) The streetscape and front building façade shall be the primary focus of the development.
- (3) Mechanical Equipment. Mechanical equipment (such as air compressors, pumps, transformers, meters, boxes, and HVAC units) shall be visually screened from public streets and public open spaces. Screening methods may include locating equipment upon a roof behind a parapet wall or to the rear of the building, fencing, or appropriate landscaping.

- (4) Design Guidelines. Within the Waldorf Central and the Acton Urban Center zones:
 - (a) Buildings shall conform to the architectural guidelines of the Downtown Waldorf Vision Plan and Design Guidelines.
 - (b) Trademark buildings with franchise architecture shall conform in full to the Design Guidelines. Departures for the purpose of conforming to corporate design and architectural standards are not permitted.

F. Road Classification and Layout.

- (1) Intent. All development proposals shall TO THE EXTENT FEASIBLE contribute towards the creation of an interconnected grid street network.
- (2) Standards. Roads shall conform to the Waldorf Urban Road Standards of the Downtown Waldorf Vision Plan and the Charles County Roads Ordinance.
- (3) Subdivisions and site plans in the Waldorf Central Zone and Acton Urban Center Zone shall conform to the following provisions.
 - (a) Dedication and construction of new roads and widening of existing roads within and abutting a subdivision shall implement the road network shown in the Downtown Waldorf Vision Plan and Design Guidelines.
 - (b) The Planning Commission may approve a subdivision plan that does not fully implement the road recommendations of Downtown Waldorf Vision Plan and Design Guidelines if the size and configuration of the property makes implementation through the subdivision process infeasible.
 - ~~(e)~~ If the Planning Commission or Planning Director determines that full construction of proposed roads is not necessary at the time of subdivision, rights-of-ways for proposed roads shall be dedicated OR RESERVED TO THE EXTENT REASONABLY FEASIBLE as provided in Section 278-83 of the Subdivision Regulations.
 - (d) Site DEVELOPMENT [p] Plans. If the property shown on a proposed site plan contains or abuts a road shown on the Downtown Waldorf Vision Plan and Design Guidelines, to the extent possible improvements shall be located to reserve the full road right-of-way for future road construction.

- (4) Alleys. The construction of alleys is encouraged to provide access routes to parking and service areas located behind buildings that front the street.

G. Streetscape Requirements.

- (1) Intent. Development shall contribute to creation of a walkable community through the following design standards:
 - (a) Provide a comprehensive, continuous system of sidewalks and paths to enhance connections and pedestrian safety.
 - (b) Orient buildings to the street and utilize every opportunity to create open, inviting storefronts, outdoor café seating, and interesting visual accents such as public art.
 - (c) Provide streetscape amenities and street furniture to encourage pedestrian activity.
 - (d) Enhance safety and visual appearance through the provision of street trees and planting strips located between streets and sidewalks (whenever possible) to provide shade and buffer pedestrians from traffic.
- (2) Installation/Bonding of Streetscape Improvements.
 - (a) Streetscape elements (including but not limited to sidewalks, streetlights, street trees, street furniture, bicycle racks, landscaping and planters, decorative paving, sculpture/artwork, and bus shelters) shall be required for development approved through a site DEVELOPMENT plan or subdivision plan. See 297-[96]97(N), Figure VI-8, for thresholds and applicability of streetscape requirements.
 - (b) All streetscape improvements shown on an approved subdivision plan or site DEVELOPMENT plan shall be BUILT OR bonded PRIOR TO RECORDATION OF PLATS OR ISSUANCE OF INFRASTRUCTURE AND BUILDING PERMITS.
 - (c) Proposed streetscape elements shall be indicated on plan submittals and shall include information on location, spacing, quantity, construction details, and method of illumination.

- (3) Streetscape Design Consistency. The design of streetscape elements shall be consistent within a development project and throughout each zone. Streetscape elements shall be consistent with the Downtown Waldorf Design Guidelines.
- (4) Use of Front Setback Area. For nonresidential or mixed-use buildings, the front setback area between the street right-of-way and the building façade shall be used for sidewalks, landscaping, public seating areas or other pedestrian-oriented features that enhance and contribute to the streetscape.
- (5) Constrained Sites. Where existing conditions make the streetscape elements difficult to implement, development shall make every effort to meet these streetscape standards in full.
 - (a) If required streetscape elements cannot be provided within the street right-of-way due to right-of-way constraints, the elements shall be provided partially on the development site between the building façade and the right-of-way.
 - (b) If provision of all streetscape elements is not possible due to right-of-way constraints and the location of existing buildings or infrastructure, the priorities for streetscape improvements shall be: (i) sidewalks, (ii) streetlights, (iii) street trees (if sufficient room is not available for the survival of street trees, seasonal displays in above-ground planter boxes should be substituted) and (iv) landscape strips.
 - (c) The final determination of required streetscape elements on constrained sites shall be determined by the Planning Director.
- (6) Sidewalks.
 - (a) For development activity requiring a subdivision plan or site plan, sidewalks shall be installed along streets within and abutting the development site where appropriate, based upon the road standards established by the Downtown Waldorf Vision Plan, Section 5.3 and Figures 4 through 8.
 - (b) Sidewalks shall also be provided to connect building entrances and parking areas with the sidewalks along the streets.

- (c) Sidewalks may be located partially within the street right-of-way and partially within the front setback area of the abutting property.
 - (d) Where sufficient right-of-way is available, sidewalks shall be separated from streets by landscape strips to allow for street trees and to buffer pedestrians from street traffic.
 - (e) The width and design of sidewalks and planting strips shall be guided by the Downtown Waldorf Vision Plan and Sections 4.1 and 4.3 of the Downtown Waldorf Design Guidelines AND REVIEWED AS PART OF THE SITE DEVELOPMENT PLAN REVIEW PROCESS.
- (7) Street Trees. Street trees shall be provided along all streets at the time of development.
- (a) Spacing: At least one large shade tree shall be planted per 40 linear foot of frontage along all public streets and major private streets. Street trees may be spaced between 35 and 45 feet apart on center.
 - (b) Planting Standards. Street trees shall be planted using either underground planters with minimum dimensions of 6 feet by 8 feet and structural soil amendments or the planting site shall be prepared with a minimum of 120 cubic feet of rootable soil with structural soil amendments.
- (8) Streetlights. Pedestrian-scaled, County-approved street lighting fixtures shall be installed on both sides of all streets at no more than 60 foot intervals measured parallel to the street. The developer is responsible for the installation of streetlights only on the side of the street being developed.
- (9) Other Streetscape Elements. All types of streetscape furniture (including but not limited to benches, bike racks, movable seating, game tables, trash receptacles, and public mailboxes) may be considered TO BE PLACED in public spaces and along streets with mixed-use, commercial or office development. Streets limited to residential uses should have more limited street furniture such as trash receptacles and benches.
- (10) Curb bump-outs and bus turn-outs may be incorporated into streetscape design to provide physical separations, to mitigate the visual impact of on-street parking

areas and to serve as additional tree planting areas or locations for streetscape amenities.

H. Signage.

- (1) Intent. Site and building signs should complement the architectural composition and design of the building and the surrounding environment. Durable, attractive, and well-maintained signs attract potential customers, provide directional orientation, and contribute to the look and feel of the community.
- (2) Signs shall be constructed of high-quality materials such as brick, cut stone, stainless steel, or other similar materials.
- (3) The requirements of Article XIX, Signs, shall apply within the Activity Center Zones, with the following additional requirements.
 - (a) Freestanding, pole-mounted commercial signs are not permitted.
 - (b) Signs located above or projecting from the roofline or parapet wall are not permitted.
 - (c) Illuminated signs shall be lit externally. External lighting fixtures used to illuminate signage shall provide full cut-off fixtures to reduce sky glow and glare.
 - (d) Common sign plans shall be provided for all new non-residential and mixed-use buildings.

I. Lighting.

- (1) Intent. Lighting should be a cohesive element of architectural and environmental design to strengthen the appearance and functionality of structures and their surroundings while providing adequate safety and visibility. Light fixtures should be constructed of attractive, high-quality materials, be incorporated into the design of the project, direct glare away from adjoining properties and public rights-of-way, and reduce light pollution.
- (2) The requirements of § 297-306, "Lighting Standards," apply. In addition, the following requirements are applicable.

- (a) Comprehensive lighting plans shall be provided with site plan submittals for new institutional, office, mixed-use and retail/commercial buildings. These lighting plans shall be accompanied by plans, sketches, or photographs indicating the design, size, methods of lighting fixture attachment and shielding.
- (b) Illumination shall be provided for main entrances, parking lots, service entrances, alleys, pathways, open space, and plazas.

J. Landscaping, Buffering, and Screening Standards.

- (1) Intent. Attractive landscaping provides a wealth of benefits for a community, including adding beauty, stabilizing soil, cooling the environment, filtering pollutants, providing buffers between uses and increasing property values. Trees, flowering plants, shrubs, and high-quality walls and fencing should be used on lots and within street rights-of-ways to create a pleasant and comfortable environment and to screen unattractive uses, parking areas, and mechanical equipment.
- (2) Public Spaces and On-Site Open Space. Public spaces and on-site open space shall be planted with shade trees, evergreen shrubs, and other appropriate landscaping to provide shade, increase air quality, and treat stormwater, as well as to add interest, visual appeal, and year round greenery and color. Other devices, such as trellises, covered walkways, pavilions, and gazebos are also encouraged in public spaces.
- (3) The bufferyard requirements established in Articles XXII and XXIII do not apply between land uses or along roads within the Activity Center Zones. Bufferyard requirements apply along the boundaries of the Activity Center Zones as required between zoning districts and along principal arterial highways.

K. Parking and Circulation.

- (1) Intent. Parking areas are a necessary accessory use but should not dominate the streetscape, obscure building frontages, or overwhelm the visual environment. The parking requirements in this section reduce on-site parking requirements while encouraging shared parking facilities to ensure that sufficient parking is available to support a mix of land uses. Shared parking areas reduce paved areas

and provide increased opportunities for landscaping, buildings, and open space, contributing to the quality of the visual environment.

- (2) The requirements of Article XX, Parking Facilities, apply except as modified in this section. TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).
- (3) Required Number of Parking Spaces.
 - (a) Minimum Requirements:
 - i. At least two parking spaces shall be provided per dwelling unit for townhouse or multiplex units.
 - ii. For all other land uses, the minimum number of off-street surface parking spaces shall be equal to 50 percent of the minimum number of required off-street parking spaces required by Article XX, Figure XX-1.
 - (b) Maximum Requirement: The maximum number of off-street surface parking spaces permitted for each land use type shall be equal to:
 - i. 100 percent of the minimum number of required off-street parking spaces required by Figure XX-1 for residential land uses; and
 - ii. 80 percent of the minimum required off-street parking spaces required by Figure XX-1 for all other land uses.
 - iii. If shared parking is used or structured parking is provided, this maximum number may be increased.
 - iv. TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).
- (4) Required parking may be provided in the following locations:
 - (a) On-site;
 - (b) Off-site under the provisions for satellite parking in §297-341; or,
 - (c) On-street. For parking parallel to the curb, twenty-two feet of linear frontage on a street where parking is allowed shall be counted as one parking space. On-street parking spaces must be on the same side of the street as the use being served by the spaces.

- (5) Shared parking is permitted as provided in §297-341(B). The maximum number of parking spaces required above does not apply to shared parking.
- (6) Location of Parking Areas.
 - (a) Parking shall be located to the side or rear of buildings and, whenever possible, in shared parking areas.
 - (b) Structured parking may be integrated within a mixed use, non-residential or multifamily structure. Whenever possible, locate retail or commercial uses on the first floor street facade.
 - (c) Freestanding parking structures are permitted. These shall be located on the interior of the block or at the rear of the property, and shall be accessed from a side street, alley, or entrance drive-aisle. Freestanding parking structures located adjacent to a public street right-of-way other than an alley shall be set back a minimum of 10 feet from the right-of-way.
 - (d) Parking pads and garages for townhouse and multiplex dwellings shall be accessed from the rear of the dwelling. Garages may be a separate accessory structure or within the principal structure.

(7) Perimeter Landscaping for Parking Areas.

The perimeter landscaping requirements of §297-358 shall not apply within the Activity Center Zones. The following requirements apply instead.

- (a) [Generally, parking areas will be screened from streets by buildings.] Where parking areas are located to the side of a building, or along an alley, a landscape area with a minimum width of 6 feet shall be provided between the street right-of-way and the parking area.
- (b) Screening within the landscape area shall be provided by an evergreen hedge with or without an ornamental fence or wall. The maximum height of evergreen hedges and solid walls shall be 36 inches.
- (c) Additional landscape materials within the landscape area may consist of shade trees, low shrubs and ground cover. A minimum of one shade tree shall be provided per 35 linear feet of parking lot frontage on a public street, excluding driveway openings.

- (d) Walls and hedges shall provide openings for pedestrians when the wall is adjacent to open space, a pedestrian path, public plaza, or other pedestrian-oriented space.
- (8) Loading and service areas shall not be visible from streets. They shall be screened with landscape plantings and/or a 6-foot high opaque wood fence or masonry wall.
- (9) Parking, loading, and service area screening walls and fences shall be made of high quality materials such as brick, stone, finished decorative concrete, wrought iron, and wood.
- (10) Bicycle Parking Requirements.
 - (a) Bicycle parking shall be provided at appropriate locations to encourage bicycle use.
 - (b) On-site bicycle parking spaces shall be provided for the following uses: multifamily residential; parks and plazas; office and commercial uses; recreational or cultural uses; and institutional uses.
 - (c) Bicycle parking areas shall be convenient to the entrances of buildings and shall not obstruct sidewalks or walkways.
- (11) Drive-In and Drive-Through Windows. Drive-in or drive-through windows shall not be permitted for any new use except banks. Drive-through windows for banks shall be located to the rear of the lot and shall not front the street.

L. Open Space.

- (1) Intent. Subdivision plans and site plans within the Activity Center Zones shall provide open space in accordance with the requirements in the Schedule of Zone Regulations. The open space shall contribute to the creation of a comprehensive system of parks, pathways and open space; provide pocket parks, greens, plazas and other public amenities; and provide for protection of sensitive environmental features.
- (2) Open space required by the Schedule of Zone Regulations may be provided on-site, by creating a common open space lot for dedication to the county or a

property owners association, by providing common open space off-site within the same activity center, or by payment of a fee-in-lieu as provided below.

- (3) For subdivision plans within the Activity Center Zones, dedication of open space may be used to meet the requirements for community open space given in Chapter 278, Subdivision Regulations, §278-60 and 61.
- (4) Fee in Lieu of Establishment of Open Space.
 - (a) The Planning Director may approve payment of a fee in lieu of the required open space based on findings that the purpose and intent of the Activity Center District would be met better through contribution to funding for common open space rather than through the establishment of the required open space on the particular site.
 - (b) The fee shall be as established in a fee schedule approved by the County Commissioners.
 - (c) The County shall use the fees to purchase land within the same Activity Center Zone for parks, greenways, pedestrian pathways or stormwater management.
- (5) If a proposed development in the Waldorf Central Zone or Acton Urban Center Zone is on a site for which the Downtown Waldorf Vision Plan and Design Guidelines show proposed greenways, parks, pathways and other community open space areas:
 - (a) Subdivision proposals shall reserve these areas to the extent possible as provided in §278-83.
 - (b) Site plans shall be designed to locate improvements away from proposed open space areas to the extent possible. Reserved areas may be used as on-site common space.
- (6) Common open space areas may be used for regional stormwater management.

M. Reservation. If the property shown on a proposed site plan contains or abuts a public infrastructure improvement (including but not limited to transit facilities and stormwater facilities) shown on the Downtown Waldorf Vision Plan and Design Guidelines, to the extent possible other improvements shall be located to reserve the full right-of-way for future construction of said public infrastructure improvement.

N. Administration.

- (1) A site DEVELOPMENT plan shall be required for all development within the Activity Center Zones.
- (2) Site DEVELOPMENT plans shall be reviewed for compliance with the requirements of this District as well as the Design Guidelines adopted by the County Commissioners for the specific area.
- (3) Limits of Applicability.

The Activity Center Zones will be applied to areas with existing residences, businesses and industries. The Activity Center Zones are intended to allow existing uses to continue, while the goals of the zones are gradually realized through infill, redevelopment and major expansion. Figure VI-8 establishes thresholds at which the requirements of this Section shall be applied to proposed development in the WC and AUC Zones. Any request for expansion or extension of a nonconforming use shall first comply with the provisions and processes established in Article XXVIII (Nonconforming Uses) of this Chapter. THESE EXPANSION OR EXTENSION OF NON-CONFORMING USE THRESHOLDS SHALL NOT APPLY DURING THE TRANSITIONAL PERIOD.

O. TRANSITIONAL DESIGN PROVISIONS

- (1) THE FOLLOWING TRANSITIONAL DESIGN PROVISIONS APPLY WITHIN THE WC AND AUC ZONES DURING THE TRANSITIONAL TIME PERIOD:
 - (A) FOR NEW PRINCIPAL STRUCTURES, THE BUILDING FAÇADE MUST OCCUPY AT LEAST 50% PERCENT OF THE STREET FRONTAGE.
 - (B) NO FRONTAGE REQUIREMENT SHALL APPLY FOR ADDITIONS TO EXISTING BUILDINGS.
 - (C) THE MINIMUM BUILDING HEIGHT REQUIRED BY FIGURE VI-9, SCHEDULE OF ZONE REGULATIONS SHALL NOT APPLY TO NEW BUILDINGS OR BUILDING ADDITIONS WITHIN THE

ACTON URBAN CENTER (AUC) ZONE. THE WALDORF CENTRAL ZONE (WC) SHALL REQUIRE A MINIMUM OF TWO STORIES FOR NEW DEVELOPMENT.

- (D) A MINIMUM FLOOR AREA RATIO SHALL NOT APPLY TO CONSTRUCTION OF ADDITIONS OR NEW PRINCIPAL STRUCTURES.
- (E) THE MINIMUM 15% OPEN SPACE REQUIREMENT FOR NON-RESIDENTIAL DEVELOPMENT SHALL NOT APPLY.
- (F) THE MAXIMUM PARKING IS SET AT 100% OF THE REQUIRED PARKING FOR THE PROPOSED USE, BUT 80% OF THE REQUIRED PARKING CAN BE PROVIDED WITH ADDITIONAL ON-STREET OR OFF-SITE PARKING ALLOCATED FOR THE PROPOSED USE.

Chapter 297. ZONING ORDINANCE

Article VI: Base Zone Regulations

Figure VI-8. Thresholds and Applicability of Standards is included as an attachment to this Chapter.

Chapter 297. ZONING ORDINANCE

Article VI: Base Zone Regulations

Figure VI-9. Schedule of Zone Regulations for Activity Center Zones is included as an attachment to this Chapter.

Chapter 297. ZONING ORDINANCE

Article VI: Base Zone Regulations

Figure X-1. Road Corridor Bufferyard and Building Setback Requirements (Bufferyard by type and setback in feet) is included as an attachment to this Chapter.

SECTION 2. BE IT FURTHER ENACTED, that Figure V1-8, Thresholds and Applicability of Standards, Figure V1-9, Schedule of Zone Regulations for Activity Center Zones, and Figure X1, Road Corridor Bufferyard and Building Setback Requirements (Bufferyard by type and setback

in feet).

attached hereto are made apart hereof.

SECTION 3. BE IT FURTHER ENACTED, that this act shall take effect forty-five (45) calendar days after it becomes law.

ADOPTED this 10th day of June, 2014.

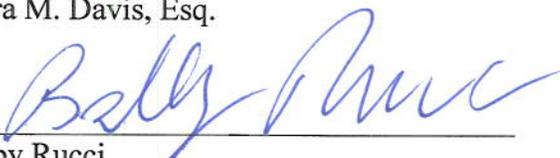
COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND


Candice Quinn Kelly, President

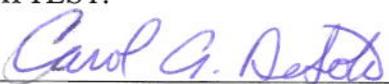

Reuben B. Collins, II, Esq., Vice President


Ken Robinson


Debra M. Davis, Esq.


Bobby Rucci

ATTEST:


Carol A. Desoto, Acting Clerk to the Commissioners

**Figure VI-8
Thresholds and Applicability of Standards**

Type of Development	Applicable Requirements								
THIS TABLE IS NOT APPLICABLE DURING THE TRANSITIONAL PERIOD	Building & Lot Standards	Architectural	Road Classification and Layout	Streetscape	Signs	Lighting	Landscape	Parking	Open Space
1. New Principal Building	✓	✓	✓	✓	✓	✓	✓	✓	✓
2. Additions to Single-Family Detached Dwellings									
3. Additions to Non-Residential or Multi-Family Building – Less than 20% of existing GFA or 1,000 square feet GFA, whichever is less - Apply standards to new construction and areas affected by new site improvements		✓	✓		✓	✓	✓		
4. Additions to Non-Residential or Multi-Family Building –20% or greater, but not more than 100% of existing GFA or 1,000 square feet GFA, whichever is less - Apply standards to new construction and areas affected by new site improvements	✓	✓	✓		✓	✓	✓	✓	✓
5. Additions to Non-Residential or MF Building – Increase in existing GFA by more than 100% - Apply standards to entire site to the extent possible	✓	✓	✓	✓	✓	✓	✓	✓	✓
6. New Parking Areas that add 1-10 spaces			✓			✓	✓		
7. New Parking Areas – 11+ spaces			✓			✓	✓	✓	✓

GFA = Gross Floor Area

Figure VI-9
Schedule of Zone Regulations: Activity Center Zones
Charles County, Maryland

Uses: Waldorf Central (WC) Zone	Minimum Lot Criteria				Front Setback Requirements			Minimum Yard Requirements (Feet)			SEE TRANSITIONAL PROVISIONS IN §297-96.C.			
	Area (Sq. Ft.)	Width (Feet)	Depth (Feet)	Frontage (Feet)	Minimum	Maximum	Side	Rear	Min. and Max. Height (Stories)	Min. and Max. Floor Area Ratio (FAR)	Maximum Lot Coverage	Minimum Open Space		
Townhouse 3.02.200		18	50	18	6	15	0	0	2-3		70%	20%		
Multiplex 3.02.300	10,000	18	50		6	15	0	0	2-3		70%	20%		
Garden Apartment 3.03.100	10,000	50	80	50	0	12	0	0	2-3	0.5-1.6	90%	20%		
Mid-Rise 3.03.200	10,000	50	80	50	0	12	0	0	4-5	0.5-1.6	90%	15%		
Commercial Apartment 3.03.400	10,000	50	80	50	0	12	0	0	2-5	0.5-1.6	90%	15%		
Inst./Utility/Recreation 4.00.000	10,000	50	80	50	0	12	0	0	2-5	0.5-1.6	90%	15%		
Service Commercial 5.00.000	10,000	50	80	50	0	12	0	0	2-5	0.5-1.6	90%	15%		
Commercial 6.00.000	10,000	50	80	50	0	12	0	0	2-5	0.5-1.6	90%	15%		

Uses: Acton Urban Center (AUC) Zone	Minimum Lot Criteria					Front Setback Requirements			Minimum Yard Requirements (Feet)			Min. and Max. Height (Stories)	Min. and Max. Floor Area Ratio (FAR)	Maximum Lot Coverage	Minimum Open Space
	Area (Sq. Ft.)	Width (Feet)	Depth (Feet)	Frontage (Feet)	Minimum	Maximum	Side	Rear	Minimum	Maximum	Open Space				
Townhouse 3.02.200		18	50	18	6	15	0	0	2-4			70%	20%		
Multiplex 3.02.300	10,000	18	50		6	15	0	0	2-4			70%	20%		
Garden Apartment 3.03.100	10,000	50	80	50	0	12	0	0	2-3		0.7-0.5-2.0 ¹	90%	20%		
Mid-Rise 3.03.200	10,000	50	80	50	0	12	0	0	4-5		0.7-0.5-2.0 ¹	90%	15%		
High-Rise 3.03.300	20,000	100	200	100	0	12			6-10		0.7-0.5-2.0 ¹	90%	15%		
Commercial Apartment 3.03.400	10,000	50	80	50	0	12	0	0	3-10		0.7-0.5-2.0 ¹	90%	15%		
Inst./Utility/Recreation 4.00.000	10,000	50	80	50	0	12	0	0	3-10		0.7-0.5-2.0 ¹	90%	15%		
Service Commercial 5.00.000	10,000	50	80	50	0	12	0	0	3-10		0.7-0.5-2.0 ¹	90%	15%		
Commercial 6.00.000	10,000	50	80	50	0	12	0	0	3-10		0.7-0.5-2.0 ¹	90%	15%		

NOTES:

¹ Maximum FAR may be increased under the following circumstances:

- a. An FAR up to 2.5 shall be permitted for buildings within ¼ mile of an existing or planned light rail station.
- b. An FAR up to 6.0 shall be permitted within the AUC Zone, provided that structured parking shall be required if the FAR exceeds 2.5, and a traffic study and trip management plan are submitted demonstrating that the available road, pedestrian and transit facilities are adequate to handle projected trips.

**Figure X-1
Road Corridor Bufferyard and Building Setback Requirements
(Bufferyard by type and setback in feet)**

Road Classification	AC RC RR	RV	RM RL	RH	RO CN	CC	CB	CV	BP	IG	IH	PM H PR D	PEP	MX	CR R CE R	CM R	WC AUC
Principal arterial	D 100	B 50	D 75	C 50	C 50	C 40	B 30	B 30	C 100	B 100	E 125	D 125	C 100	D 75	D 40	C 50	B 30
Parkway			D 50	C 50	B 40	B 40	B 25	B 40	C 75	B 75	E 75	C 75	C 75	C 50	B 40	C 50	
Other arterial	C 75	B 50	D 50	B 40	B 50	C 40	B 25	B 30	C 75	B 75	E 80	C 100	C 75	D 60	C 20	B 50	
Collector	B 50	A 40	C 40	B 40	A 30	A 30	A 25	A 30	B 50	A 50	B 50	B 75	B 50	C 40	B 25	B 40	

NOTES:

1. 'A' through 'E' designates type of Buffer required as illustrated in Article XVII, Part II.
2. Numbers given are the building setback requirements in feet.
3. Single-family residential lots and minor subdivision will be exempt from the buffer requirements above.
4. Setbacks may be reduced to 30 feet if located in Community Mixed Use Areas, Business Corridor Mixed Use Areas, Opportunity Mixed Use Areas or Employment Areas as defined by adopted Sub-Area Plans.

Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law.
[Brackets] indicate language deleted from existing law.