

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 19

Bill No. 84-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

and by Ms. Hummer

By the County Council, November 6, 2023

Introduced and first read on November 6, 2023
Public Hearing set for and held on December 4, 2023
Public Hearing on AMENDED bill set for and held on December 18, 2023
Public Hearing on SECOND AMENDED bill set for and held on January 2, 2024
Public Hearing on THIRD AMENDED bill set for and held on January 16, 2024
Public Hearing on FOURTH AMENDED bill set for and held on February 5, 2024
Bill Expires February 9, 2024

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Subdivision and Development – Zoning – Boards,
2 Commissions, and Similar Bodies – Finance, Taxation, and Budget – Public Works –
3 Odenton Town Center – Odenton Town Center Master Plan
4

5 FOR the purpose of repealing the 2016 Odenton Town Center Master Plan; renaming the
6 “Odenton Growth Management Area” to the “Odenton Town Center”; establishing
7 provisions related to the Odenton Town Center Advisory Committee; adding
8 grandfathering provisions applicable to certain development applications; revising
9 certain provisions related to the testing and duration of approval of adequate public
10 facilities; establishing standards for testing for adequate public facilities in the Odenton
11 Town Center; setting forth certain criteria for mitigation in the Odenton Town Center;
12 establishing certain development requirements in the Odenton Town Center; adding
13 certain definitions; providing for the scope and applicability of certain provisions;
14 providing for certain standards for transportation improvements, trails and pedestrian
15 facilities and reservation of land for public facilities; requiring certain green areas and

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates matter added to bill by amendment.
~~Strikeover~~ indicates matter removed from bill by amendment.

1 activity spaces; creating historic preservation requirements for certain properties;
2 providing for flexibility for certain redevelopment sites; creating an incentive program
3 for certain development; adding the process for applying for and approving an incentive
4 program request; renaming the zoning districts within the Odenton Town Center;
5 creating a certain historic overlay; establishing the permitted, conditional, and special
6 exceptions uses in the Odenton Town Center zoning districts; establishing certain bulk
7 regulations; establishing conditions for certain uses; requiring a mix of uses for
8 properties of a certain size in certain districts; establishing certain vehicle and bicycle
9 parking requirements; regulating signage in the Odenton Town Center; adopting the
10 2023 Odenton Town Center Master Plan with amendments; and generally relating to
11 subdivision and development, zoning, boards, commissions, and similar bodies,
12 finance, taxation, and budget, public works, and the County's Odenton Town Center
13 Master Plan.

14
15 BY repealing: §§ 17-3-203(f); 17-3-303(e); 17-4-203(e); 17-7-801 through 17-7-806 and
16 the subtitle "Subtitle 8. Odenton Growth Management Area District"; and 18-9-101
17 through 18-9-104 and the subtitle "Subtitle 1. Odenton Growth Management Area
18 Districts"
19 Anne Arundel County Code (2005, as amended)

20
21 BY renumbering: §§ 17-3-203(g) and (h) to be 17-3-203(f) and (g), respectively; 17-3-
22 303(f) and (g) to be 17-3-303(e) and (f), respectively; 17-4-203(f) to be 17-4-203(e);
23 and 17-5-901(e) through (i) to be 17-5-901(f) through (j), respectively
24 Anne Arundel County Code (2005, as amended)

25
26 BY adding: §§ 3-6B-101 to be under the new title "Title 6B. Odenton Town Center
27 Advisory Committee"; 17-2-101(b)(18); 17-5-401(d); 17-5-901(e); 17-7-801 through
28 17-7-810 to be under the new subtitle "Subtitle 8. Odenton Town Center"; 18-2-
29 101(b)(12); and 18-9-101 through 18-9-108 to be under the new subtitle "Subtitle 1.
30 Odenton Town Center Districts"
31 Anne Arundel County Code (2005, as amended)(and as amended by Bill No. 64-23)

32
33 BY repealing and reenacting, with amendments: §§ 3-1-205(h); 3-1-207(f); 4-2-306(g); 4-
34 2-307(a)(3)(ii); 13-5-112(b); 13-7-101(11); 13-7-103(n); 13-7-104(c)(10); 17-2-
35 101(b)(2), (16), and (17); 17-3-203(f); 17-3-303(e); 17-5-201(b); 17-5-202(a); 17-5-
36 203(a); 17-5-401(a); 17-5-403(a); 17-6-113(g); 17-11-209(b)(3); 18-2-101(b)(10) and
37 (11); 18-2-105; 18-16-303(c); and 18-16-305(g)
38 Anne Arundel County Code (2005, as amended)(as amended by Bill No. 64-23)
39 (As amended by Section 3 of this Ordinance)

40
41 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
42 *That the 2016 Odenton Town Center Master Plan is hereby repealed.*

43
44 SECTION 2. *And be it further enacted,* That §§ 17-3-203(f); 17-3-303(e); 17-4-203(e);
45 17-7-801 through 17-7-806 and the subtitle "Subtitle 8. Odenton Growth Management
46 Area District"; and 18-9-101 through 18-9-104 and the subtitle "Subtitle 1. Odenton
47 Growth Management Area Districts" of the Anne Arundel County Code (2005, as
48 amended) are hereby repealed.

1 SECTION 3. *And be it further enacted*, That §§ 17-3-203(g) and (h); 17-3-303(f) and
2 (g); 17-4-203(f); and 17-5-901(e) through (i), respectively, of the Anne Arundel County
3 Code (2005, as amended) are hereby renumbered to be §§ 17-3-203(f) and (g); 17-3-303(e)
4 and (f); 17-4-203(e); and 17-5-901(f) through (j), respectively.

5
6 SECTION 4. *And be it further enacted*, That Section(s) of the Anne Arundel County
7 Code (2005, as amended) (and as amended by Bill No. 64-23) read as follows:

8
9 **ARTICLE 3. BOARDS, COMMISSIONS, AND SIMILAR BODIES**

10
11 **TITLE 1. BOARD OF APPEALS**

12
13 **3-1-205. Standards and procedures for granting or denying rezoning.**

14
15 (h) **Rezoning restrictions relating to an Odenton Town Center Zoning District.** A
16 lot located in an Odenton [[Growth Management Area]] TOWN CENTER ZONING District
17 may be rezoned only to another Odenton [[Growth Management Area]] TOWN CENTER
18 ZONING District, and a lot that is not located in [[a sub-area]] AN ODENTON TOWN CENTER
19 ZONING DISTRICT may not be administratively rezoned to an Odenton [[Growth
20 Management Area]] TOWN CENTER ZONING District.

21
22 **3-1-207. Standards for granting variance.**

23
24 (f) **Restrictions relating to the Odenton Town Center Master Plan.** A variance may
25 not be granted to the provisions of the Odenton Town Center Master Plan.

26
27 **TITLE 6B. ODENTON TOWN CENTER ADVISORY COMMITTEE**

28
29 **3-6B-101. Odenton Town Center Advisory Committee.**

30
31 (A) **Established; purpose.** THERE IS AN ODENTON TOWN CENTER ADVISORY
32 COMMITTEE. THE PURPOSE OF THE COMMITTEE SHALL BE TO ADVOCATE FOR THE VISION,
33 GOALS, POLICIES, AND STRATEGIES OF THE ODENTON TOWN CENTER MASTER PLAN.

34
35 (B) **Composition.**

36
37 (1) THE COMMITTEE CONSISTS OF NINE VOTING MEMBERS APPOINTED BY THE
38 COUNTY EXECUTIVE, INCLUDING ONE MEMBER FROM THE COUNCILMANIC DISTRICT IN
39 WHICH THE ODENTON TOWN CENTER IS LOCATED RECOMMENDED TO THE COUNTY
40 EXECUTIVE BY THE COUNTY COUNCILMEMBER FOR THE DISTRICT.

41
42 (2) THE COMPOSITION OF THE COMMITTEE SHALL INCLUDE BALANCED
43 REPRESENTATION COVERING RESIDENT, BUSINESS, AND DEVELOPER INTERESTS.

44
45 (3) NON-VOTING MEMBERS MAY BE APPOINTED AT THE DISCRETION OF THE
46 COUNTY EXECUTIVE.

1 **(C) Term of members.**

2
3 (1) VOTING MEMBERS SHALL BE APPOINTED FOR TERMS OF UP TO THREE YEARS,
4 WITH APPOINTMENTS STAGGERED. VOTING MEMBERS MAY SERVE FOR NO MORE THAN
5 THREE TERMS.

6 (2) A VOTING MEMBER MAY BE REMOVED BY THE COUNTY EXECUTIVE FOR CAUSE,
7 INCLUDING ABSENCE FROM 25% OR MORE OF THE SCHEDULED MEETINGS OF THE
8 COMMITTEE DURING ANY 12-MONTH PERIOD.

9
10 (3) VACANCIES SHALL BE FILLED FOR AN UNEXPIRED TERM IN THE MANNER OF
11 THE ORIGINAL APPOINTMENT.

12
13 **(D) Chair.** THE COUNTY EXECUTIVE SHALL APPOINT ONE VOTING MEMBER AS CHAIR.
14 THE CHAIR MAY SERVE A TWO-YEAR TERM AND MAY BE REAPPOINTED.

15
16 **(E) Meetings.**

17
18 (1) THE COMMITTEE SHALL MEET ON A REGULAR BASIS AS FREQUENTLY AS
19 REQUIRED TO PERFORM ITS DUTIES. ALL MEETINGS SHALL COMPLY WITH THE MARYLAND
20 OPEN MEETINGS ACT AND THIS CODE.

21
22 (2) THE COMMITTEE SHALL HOLD MEETINGS TO REVIEW ALL APPLICATIONS FOR
23 SKETCH PLANS OR PRELIMINARY PLANS, INCENTIVE PROGRAM APPLICATIONS, REVISIONS
24 OR UPDATES TO THE ODENTON TOWN CENTER MASTER PLAN, AND THE ODENTON TOWN
25 CENTER ANNUAL REPORT PREPARED BY THE OFFICE OF PLANNING AND ZONING.

26
27 (3) IF A DEVELOPER IS REQUIRED TO HOLD A COMMUNITY MEETING PURSUANT TO
28 §17-2-107 OF THIS CODE, THE COMMUNITY MEETING MAY BE HELD IN CONJUNCTION WITH
29 A COMMITTEE MEETING.

30
31 **(F) Quorum.** A QUORUM CONSISTS OF A MAJORITY OF THE VOTING MEMBERS. AN
32 AFFIRMATIVE VOTE OF A MAJORITY OF THOSE VOTING MEMBERS PRESENT AT ANY
33 MEETING AT WHICH THERE IS A QUORUM SHALL BE SUFFICIENT FOR ANY ACTION OF THE
34 COMMITTEE.

35
36 **(G) Development application submittals; notice.**

37
38 (1) A DEVELOPER SHALL SUBMIT ALL SKETCH PLANS, PRELIMINARY PLANS, FINAL
39 PLANS, SITE DEVELOPMENT PLANS, OR INCENTIVE PROGRAM APPLICATIONS TO THE
40 COMMITTEE.

41
42 (2) A DEVELOPER SHALL PRESENT A SKETCH PLAN, PRELIMINARY PLAN, OR AN
43 INCENTIVE PROGRAM APPLICATION AT A MEETING OF THE COMMITTEE PRIOR TO
44 SUBMITTAL TO THE OFFICE OF PLANNING AND ZONING OR AT THE NEXT MEETING
45 IMMEDIATELY FOLLOWING SUBMITTAL.

46
47 **(H) Compensation.** MEMBERS OF THE COMMITTEE SHALL RECEIVE NO
48 COMPENSATION FOR THEIR SERVICES.

49
50 **(I) Duties.**

51
52 (1) THE COMMITTEE SHALL ADOPT RULES AND REGULATIONS TO GOVERN
53 PROCEDURES FOR ITS MEETINGS.

54
55 (2) THE COMMITTEE SHALL MAKE WRITTEN ADVISORY RECOMMENDATIONS TO
56 THE OFFICE OF PLANNING AND ZONING ON:

1 (I) AN APPLICATION FOR APPROVAL OF A SKETCH PLAN, PRELIMINARY PLAN,
2 OR INCENTIVE PROGRAM APPLICATION, INDICATING WHETHER AN APPLICATION IS
3 CONSISTENT WITH THE GOALS OF THE ODENTON TOWN CENTER MASTER PLAN;

4
5 (II) ANY MODIFICATIONS, REVISIONS, OR UPDATES TO THE ODENTON TOWN
6 CENTER MASTER PLAN; AND

7
8 (III) THE ODENTON TOWN CENTER ANNUAL REPORT.
9

10 **ARTICLE 4. FINANCE, TAXATION, AND BUDGET**

11 **TITLE 2. REAL PROPERTY TAXES**

12
13
14 **4-2-306. Brownfields sites.**

15
16 (g) **Additional tax credit.** A qualified brownfields site located within the [[O-Cor Zone
17 of the Odenton Growth Management Area]] OTC-C ZONING DISTRICT shall be eligible for
18 an additional tax credit in an amount equal to an additional 20% of the remaining property
19 tax attributable to the increase in assessment of the qualified brownfields site, including
20 improvements added during the credit period, over the assessment of the qualified
21 brownfields site before a voluntary cleanup program or corrective action plan.
22

23 **4-2-307. Commercial revitalization area program.**

24
25 (a) **Definitions.** In this section, the following words have the meanings indicated:

26
27 ***

28
29 (3) “Qualified property” means a property located totally or partially within a
30 commercial revitalization area, but the term does not include:

31
32 ***

33
34 (ii) property located in a tax increment development district other than property
35 located in the Odenton Town Center [[Development District]]; or

36
37 ***

38
39 **ARTICLE 13. PUBLIC WORKS**

40
41 **TITLE 5. UTILITIES**

42
43 **13-5-112. Odenton Town Center Sanitary Subdistrict.**

44
45 (b) **Purpose.** The primary purpose of the Odenton Town Center Sanitary Subdistrict is
46 to provide a means for the County to finance one or more capital projects in order to make
47 improvements to the County’s wastewater system required to provide 9,000 equivalent
48 dwelling units of additional wastewater conveyance capacity estimated to be necessary to

1 support development of the Odenton [[Growth Management Area]] TOWN CENTER in
2 accordance with the Odenton Town Center Master Plan.

3
4 **TITLE 7. WATERSHED PROTECTION AND RESTORATION PROGRAM**

5
6 **13-7-101. Definitions.**

7
8 In this title, the following words have the meanings indicated.

9
10 ***

11
12 (11) “Nonresidential property” means real property located in a commercial,
13 industrial, maritime, mixed use, Odenton [[Growth Management Area]] TOWN CENTER,
14 Open Space, Town Center, or Small Business zoning district as shown on the Anne
15 Arundel County Digital Zoning Layer adopted in accordance with § 18-2-106 of this Code,
16 and includes real property in those zoning districts improved by an attached dwelling or a
17 detached single family dwelling. “Nonresidential property” also includes real property
18 located in a residential zoning district as shown on the Anne Arundel County Digital
19 Zoning Layer adopted in accordance with § 18-2-106 of this Code with a use other than a
20 dwelling; real property owned by not-for-profit entities such as Homeowners Associations,
21 fraternal organizations, religious groups or organizations, healthcare facilities, and other
22 real property devoted to non-governmental charitable, or institutional uses; and real
23 property located partially in a residential district and partially in any district other than a
24 residential zoning district as shown on the Anne Arundel County Digital Zoning Layer
25 adopted in accordance with § 18-2-106 of this Code.

26
27 ***

28
29 **13-7-103. Stormwater remediation fee.**

30
31 (n) **Residential properties in nonresidential zones – fee.** For a property located in a
32 Commercial, Industrial, Maritime, Mixed Use, Odenton [[Growth Management Area]]
33 TOWN CENTER, Open Space, Town Center, or Small Business Zoning District that is
34 improved solely by an attached dwelling or a detached single family dwelling, including
35 accessory structures, which is used solely as the primary residence of the property owner,
36 the stormwater remediation fee shall be the lesser of the fee for residential property, tier
37 two or the fee calculated in accordance with subsection (d).

38
39 **13-7-104. Appeals.**

40
41 (c) **Grounds for appeal.** Grounds for appeal of the stormwater remediation fee include:

42
43 ***

44
45 (10) a property located in a Commercial, Industrial, Maritime, Mixed Use, Odenton
46 [[Growth Management Area]] TOWN CENTER, Open Space, Town Center, or Small
47 Business Zoning District improved solely by an attached dwelling or detached single
48 family dwelling, including accessory structures, and is used solely as the primary residence
49 of the property owner that is not charged a stormwater remediation fee that is the lesser of

1 the fee for residential property, tier two or the fee calculated in accordance with § 13-7-
2 103(d).

3
4 **ARTICLE 17. SUBDIVISION AND DEVELOPMENT**

5
6 **TITLE 2. GENERAL PROVISIONS**

7
8 **17-2-101. Scope; applicability.**

9
10 (b) **Applicability to pending and future proceedings.** Subject to the grandfathering
11 provisions of COMAR Title 27, this article applies to all pending and future proceedings
12 and actions of any board, department, or agency empowered to decide applications under
13 this Code, except that:

14
15 ***

16
17 (2) a site plan filed on or before April 4, 2005 for development in an open space
18 district, town center district, industrial park district, maritime district, mixed use district,
19 commercial revitalization area, Odenton ~~[[Growth Management Area]]~~ TOWN CENTER,
20 Parole Town Center, or suburban community center shall be governed by the law as it
21 existed prior to May 12, 2005 for the development shown on the approved site plan;

22
23 ***

24
25 (16) an application for approval of a sketch plan or final plan for a cluster
26 development, and any building permit, grading permit, or other application associated with
27 a cluster development, filed before November 25, 2022 shall be governed by the law as it
28 existed prior to November 25, 2022; ~~[[and]]~~

29
30 (17) for a property located in the Parole Town Center, the following shall be
31 governed by Subtitle 9 of Title 7 as it existed prior to December 8, 2023:

32
33 (i) an application for approval of or revision to a sketch plan, final plan,
34 preliminary plan, site development plan, or any building or grading permits or other
35 applications associated with these plans, filed on or before December 8, 2023; and

36
37 (ii) an application for any building or grading permits not associated with a final
38 plan or site development plan filed on or before December 8, 2023~~[[.]]~~; AND

39
40 (18) FOR A PROPERTY LOCATED IN THE ODENTON TOWN CENTER, THE FOLLOWING
41 SHALL BE GOVERNED BY SUBTITLE 8 OF TITLE 7 AS IT EXISTED PRIOR TO THE EFFECTIVE
42 DATE OF BILL NO. 84-23:

43
44 (I) AN APPLICATION FOR APPROVAL OF OR REVISION TO A SKETCH PLAN, FINAL
45 PLAN, PRELIMINARY PLAN, SITE DEVELOPMENT PLAN, OR ANY BUILDING OR GRADING
46 PERMITS OR OTHER APPLICATIONS ASSOCIATED WITH THESE PLANS, FILED ON OR BEFORE
47 THE EFFECTIVE DATE OF BILL NO. 84-23; AND

1 (II) AN APPLICATION FOR ANY BUILDING OR GRADING PERMITS NOT
 2 ASSOCIATED WITH A FINAL PLAN OR SITE DEVELOPMENT PLAN FILED ON OR BEFORE THE
 3 EFFECTIVE DATE OF BILL NO. 84-23.

4
 5 **TITLE 3. SUBDIVISION**

6
 7 **17-3-203. Review; County report; developer re-submittal; notice of approval.**

8
 9 (f) **Action on the application.** At any time after the filing of an application for sketch
 10 plan approval, the Office of Planning and Zoning may deny the application for failure to
 11 comply with the provisions of this Code, [[the Odenton Town Center Master Plan,]] or
 12 other law. Otherwise, the Office shall approve the application for sketch plan approval.

13
 14 **17-3-303. Review process.**

15
 16 (e) **Action on the application.** At any time after the filing of an application for sketch
 17 plan approval, the Office of Planning and Zoning may deny the application for failure to
 18 comply with the provisions of this Code, [[the Odenton Town Center Master Plan,]] or
 19 other law. Otherwise, the Office shall approve the application for sketch plan approval.

20
 21 **TITLE 5. ADEQUATE PUBLIC FACILITIES**

22
 23 **17-5-201. Requirement to pass adequacy of public facilities tests; exemptions.**

24
 25 (b) **General requirement.** The Planning and Zoning Officer may not give final
 26 approval to a proposed record plat, recommend approval of an application for a building
 27 or grading permit in connection with a preliminary plan or site development plan, or
 28 approve a site development plan for development that does not require a permit unless the
 29 development passes the tests for adequate public facilities set forth in this title if required
 30 by the chart in this section.

31
 32 The chart uses the following key: S = subject to the test and E = exempted from the
 33 test.

34

| Development Type | Fire Suppression | Roads | Schools | Sewage Disposal | Storm Drain | Water Supply |
|--|-------------------------|----------------|----------------|------------------------|--------------------|---------------------|
| Non-Residential: | | | | | | |
| Odenton [[Growth Management Area]] TOWN CENTER: nonresidential developments other than building additions of less than 1,000 square feet and tenant improvements | S | E ¹ | E | S | S | S |
| Odenton [[Growth Management Area]] TOWN CENTER and Parole Town Center: nonresidential building additions of less | E | E | E | S | E | S |

| | | | | | | |
|--|---|----------------|---|---|---|---|
| than 1,000 square feet and tenant improvements | | | | | | |
| *** | | | | | | |
| Residential: | | | | | | |
| *** | | | | | | |
| Odenton [[Growth Management Area]] TOWN CENTER: residential developments in the [[O-Core]] OTC-C | S | E ¹ | E | S | S | S |
| *** | | | | | | |
| Odenton [[Growth Management Area]] TOWN CENTER and Parole Town Center: residential building additions of less than 1,000 square feet | E | E | E | S | E | S |
| Odenton [[Growth Management Area]] TOWN CENTER: all other residential developments | S | E ¹ | S | S | S | S |
| *** | | | | | | |

1

2 ¹ But subject to the requirements in [[the Odenton Town Center Master Plan]] SUBTITLE 8
 3 OF TITLE 7.

4

5 **17-5-202. Testing; approval.**

6

7 (a) **When tested.**

8

9 [[(1)] At the developer’s option, development may be tested for adequacy of public
 10 facilities either during review of the initial application for approval of a sketch plan or
 11 preliminary plan, or during review of the application for final plan or site development plan
 12 approval. The developer must submit sufficient data, as required by the Office of Planning
 13 and Zoning, to demonstrate adequacy of public facilities. If a developer opts to test a
 14 development for adequacy of public facilities during review of the initial application for
 15 approval of a sketch plan or preliminary plan, testing for adequacy of sewerage facilities
 16 or water supply facilities may be deferred at the developer’s option and tested during
 17 review of the application for final plan or site development plan approval.

18

19 [[(2) In the Odenton Growth Management Area, the Planning and Zoning Officer
 20 has the discretion to determine that a development may be tested for adequacy of public
 21 facilities during either sketch plan review or final plan review for subdivision plans, or
 22 during site development plan review.]]

1 **17-5-203. Duration of approval – Subdivisions other than minor subdivisions.**

2
3 (a) **Conditions to be met to retain approval.** Unless [[the Planning and Zoning
4 Officer has determined]] A DEVELOPER OPTS to postpone the test for adequacy of public
5 facilities to final plan review for a development [[in the Odenton Growth Management
6 Area]] pursuant to [[§ 17-5-202(a)(2)]] § 17-5-202(A), upon the approval of a sketch plan for
7 a subdivision other than a minor subdivision, no further approval for adequacy of public
8 facilities, other than fire suppression facilities, is required if:

9
10 ***

11
12 **17-5-401. Standards.**

13
14 (a) **Generally.** Except as provided in subsections (b), [[and]] (c), AND (D), and in § 17-
15 6-504(9), a development passes the test for adequate road facilities if in the scheduled
16 completion year of the development it creates 50 or fewer daily trips or if:

17
18 ***

19
20 **(D) Odenton Town Center.**

21
22 (1) IN THE ODENTON TOWN CENTER, A DEVELOPMENT PASSES THE TEST FOR
23 ADEQUATE ROAD FACILITIES IF IN THE SCHEDULED COMPLETION YEAR OF THE
24 DEVELOPMENT, AFTER THE OFFSET PROVIDED FOR IN PARAGRAPH (2), IT CREATES 250 OR
25 FEWER DAILY TRIPS, OR:

26
27 (I) EACH INTERSECTION INSIDE THE ODENTON TOWN CENTER, FROM ALL SITE
28 ACCESS POINTS TO AND INCLUDING THE FIRST INTERSECTION WITH AN ARTERIAL ROAD
29 AND OTHER INTERSECTIONS IDENTIFIED BY THE OFFICE OF PLANNING AND ZONING,
30 OPERATES AT A PEAK HOUR LEVEL OF SERVICE 'D' OR BETTER AT ALL INTERSECTIONS
31 OUTSIDE THE OTC-C ZONING DISTRICT, OR A PEAK HOUR LEVEL OF SERVICE 'E' OR BETTER
32 AT ALL INTERSECTIONS INSIDE THE OTC-C ZONING DISTRICT; OR

33
34 (II) THE DEVELOPER HAS AN APPROVED MITIGATION PLAN UNDER SUBTITLE 9
35 OF TITLE 5.

36
37 (2) NOTWITHSTANDING ANY PROVISION IN THIS CODE TO THE CONTRARY, IF A SITE
38 WAS PREVIOUSLY DEVELOPED, THE DEVELOPER MAY REQUEST AN OFFSET FOR THE
39 VEHICLE TRIPS GENERATED BY ANY PRIOR USES THAT ARE BEING REPLACED ON THE SITE
40 THAT EXIST OR EXISTED WITHIN ~~FIVE~~ 10 YEARS OF THE DATE OF THE DEVELOPMENT
41 APPLICATION, SUBJECT TO THE FOLLOWING:

42
43 (I) THE DEVELOPER SHALL PROVIDE SUPPORTING INFORMATION TO JUSTIFY
44 THE ASSUMPTIONS MADE REGARDING THE TRIP GENERATION OF THE PRIOR USES,
45 INCLUDING A TRAFFIC ANALYSIS THAT ILLUSTRATES THE PRIOR USES ON THE SITE, THE
46 SQUARE FOOTAGE ATTRIBUTABLE TO THE PRIOR USES, AND THE DAILY TRIPS GENERATED
47 BY THE PRIOR USES.

48
49 (II) IF THE INFORMATION AND ANALYSIS PROVIDED IN ACCORDANCE WITH
50 SUBSECTION (D)(2)(I) IS ACCEPTED BY THE OFFICE OF PLANNING AND ZONING, THE
51 NUMBER OF TRIPS ATTRIBUTED TO THE PRIOR USES SHALL BE USED TO OFFSET THE TOTAL
52 NUMBER OF DAILY TRIPS GENERATED BY THE USES PROPOSED IN THE NEW DEVELOPMENT
53 OF THE SITE.

1 (III) THE OFFSET ALLOWED BY SUBSECTION (D)(2)(II) APPLIES REGARDLESS OF
2 WHETHER ANY STRUCTURES THAT CONTAINED THE PRIOR USES ARE DEMOLISHED FROM
3 THE SITE.

4
5 **17-5-403. Impact area.**

6
7 (a) **Generally.** Except as provided in subsection (b), the impact area of a proposed
8 development includes all County roads and State roads located in the County in all
9 directions from each point of entrance to and exit from the proposed development, through
10 the intersection with the first arterial road, and along that arterial road in both directions,
11 to the second intersecting arterial road, except that the impact area for the Odenton
12 [[Growth Management Area District]] TOWN CENTER and the Parole Town Center
13 [[Growth Management Area]] does not include roads outside the [[district or center]] TOWN
14 CENTERS. If access to the proposed development is on an arterial road, that arterial road
15 shall be considered the first arterial road for purposes of identifying the impact area.

16
17 **17-5-901. Mitigation.**

18
19 (E) **Odenton Town Center.** IN THE ODENTON TOWN CENTER, MITIGATION CONSISTS
20 OF ONE OR MORE OF THE FOLLOWING AS DIRECTED BY THE OFFICE OF PLANNING AND
21 ZONING:

22
23 (1) IMPROVEMENTS TO A SUBSTANDARD INTERSECTION, CONSTRUCTION OF A
24 NEW ROAD, IMPROVEMENTS TO OTHER EXISTING ROADS, PROVISION OF SMART
25 SIGNALIZATION SYSTEMS, OR DIVERSION OF TRIPS FROM AUTOMOBILE TO OTHER MODES
26 OF TRANSPORTATION;

27
28 (2) CONTRIBUTIONS TO A COUNTY CAPITAL PROJECT, A STATE PROJECT, OR A
29 COUNTY FUND EARMARKED FOR A STATE PROJECT FOR ROAD IMPROVEMENTS AND
30 CONSTRUCTION IN THE ODENTON TOWN CENTER;

31
32 (3) A SIGNIFICANT CAPITAL IMPROVEMENT THAT WILL IMPROVE THE COUNTY'S
33 ABILITY TO PROVIDE PUBLIC TRANSPORTATION IN THE ODENTON TOWN CENTER;

34
35 (4) THE PROVISION OF OR CONTRIBUTION TO LONG-TERM SATELLITE PARKING IN
36 OR IN THE VICINITY OF THE ODENTON TOWN CENTER THAT IS SERVED BY PUBLIC
37 TRANSIT, SHUTTLE SERVICE, OR RIDE SHARING;

38
39 (5) THE PROVISION OF TRAFFIC DESIGN AND TRAFFIC DIRECTIONS USING
40 INTELLIGENT TRANSPORTATION SYSTEMS, TRANSPORTATION SYSTEM MANAGEMENT, OR
41 OTHER MEASURES TO DIRECT TRAFFIC TO ALTERNATE ROUTES THROUGH LESS
42 CONGESTED INTERSECTIONS; OR

43
44 (6) IMPROVEMENTS TO BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE.

45
46 **TITLE 6. GENERAL DEVELOPMENT PROVISIONS**

47
48 **17-6-113. Bicycle, pedestrian, and transit infrastructure.**

49
50 (g) **Applicability.** The provisions of this section shall apply to all development subject
51 to this article, including development in the Odenton [[Growth Management Area]] TOWN
52 CENTER, the Parole Town Center, and the Glen Burnie Town Center.

1 SKETCH PLAN, FINAL PLAN, A PRELIMINARY PLAN, SITE DEVELOPMENT PLAN, OR A
2 BUILDING PERMIT OR GRADING PERMIT.

3
4 **(B) When inapplicable.** THIS SUBTITLE DOES NOT APPLY TO THE FOLLOWING IN THE
5 ODENTON TOWN CENTER:

6
7 (1) A BUILDING PERMIT TO:

8
9 (I) RENOVATE OR REDEVELOP EXISTING DEVELOPED SITES AND INCREASE
10 DEVELOPED FLOOR AREA THAT EXISTED AS OF JUNE 5, 2016, BY LESS THAN 50%;

11
12 (II) CONSTRUCT AN ANCILLARY BUILDING OF LESS THAN 2,000 SQUARE FEET;
13 OR

14
15 (III) ALTER, RENOVATE, OR RECONSTRUCT ONE EXISTING DWELLING UNIT; OR

16
17 (2) A LIMIT OF DISTURBANCE OF 5,000 SQUARE FEET OR LESS.
18

19 **17-7-803. Compliance with other laws and manuals.**

20
21 **(A) Urban design and architectural requirements.** DEVELOPMENT SHALL COMPLY
22 WITH THE URBAN DESIGN AND ARCHITECTURAL REQUIREMENTS SET FORTH IN THE
23 ODENTON TOWN CENTER MASTER PLAN. ANY STRUCTURE THAT IS GREATER THAN ~~20~~
24 1,000 SQUARE FEET IN FLOOR AREA SHALL COMPLY WITH THE ARCHITECTURAL
25 REQUIREMENTS.
26

27 **(B) Landscape requirements.** DEVELOPMENT SHALL COMPLY WITH THE LANDSCAPE
28 MANUAL AND SUPPLEMENTAL LANDSCAPING REQUIREMENTS IN THE ODENTON TOWN
29 CENTER MASTER PLAN, EXCEPT THAT WHEN A SPECIFIC LANDSCAPING REQUIREMENT IN
30 THE ODENTON TOWN CENTER MASTER PLAN DIFFERS FROM THE LANDSCAPE MANUAL,
31 THE LANDSCAPING REQUIREMENT IN THE ODENTON TOWN CENTER MASTER PLAN SHALL
32 APPLY.
33

34 **(C) Design requirements.** DEVELOPMENT SHALL COMPLY WITH THE DPW DESIGN
35 MANUAL.
36

37 **(D) Historic preservation design requirements.** DEVELOPMENT SHALL COMPLY
38 WITH THE HISTORIC PRESERVATION DESIGN REQUIREMENTS IN THE ODENTON TOWN
39 CENTER MASTER PLAN.
40

41 **(E) Conflicts.**

42
43 (1) IF ANY PROVISION OF THIS SUBTITLE CONFLICTS WITH A PROVISION OF THE
44 ODENTON TOWN CENTER MASTER PLAN, THE STRICTER PROVISION APPLIES.
45

46 ~~(2) IF ANY PROVISION OF THIS SUBTITLE OR THE ODENTON TOWN CENTER MASTER~~
47 ~~PLAN CONFLICTS WITH ANOTHER PROVISION OF THIS CODE OR ANY COUNTY MANUALS,~~
48 ~~THE PROVISION OF THIS SUBTITLE OR THE ODENTON TOWN CENTER MASTER PLAN~~
49 ~~APPLIES.~~
50

51 (2) EXCEPT AS PROVIDED IN THIS SUBTITLE OR THE ODENTON TOWN CENTER
52 MASTER PLAN, THIS SUBTITLE OR THE ODENTON TOWN CENTER MASTER PLAN
53 SUPERSEDES ANY OTHER PROVISION OF THIS CODE OR ANY COUNTY MANUALS TO THE
54 EXTENT OF ANY CONFLICT.

1 **17-7-804. Transportation.**

2
3 **(A) Pre-submittal meeting; planned roads.**

4
5 (1) A PRE-SUBMITTAL MEETING FOR A DEVELOPMENT ADJACENT TO OR FRONTING
6 ON ROADS IDENTIFIED AS PLANNED IN THE ODENTON TOWN CENTER MASTER PLAN SHALL
7 BE SCHEDULED WITH THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING
8 AND ZONING TO DETERMINE THE EXTENT OF REQUIRED ROAD IMPROVEMENTS.

9
10 (2) AFTER THE PRE-SUBMITTAL MEETING, THE PLANNING AND ZONING OFFICER
11 MAY REQUIRE THE DEVELOPER TO DESIGN, CONSTRUCT, AND DEDICATE ROADS
12 IDENTIFIED AS PLANNED IN THE ODENTON TOWN CENTER MASTER PLAN AS A CONDITION
13 OF APPROVAL OF A DEVELOPMENT APPLICATION.

14
15 **(B) Reservation of land.** LAND IN A PROPOSED DEVELOPMENT APPLICATION SHALL
16 BE RESERVED AS FUTURE RIGHTS-OF-WAY FOR TRANSPORTATION INFRASTRUCTURE OR
17 OTHER PUBLIC FACILITIES NOT RELATED TO THE DEVELOPMENT IF A COUNTY OR STATE
18 PROJECT HAS BEEN FUNDED FOR DESIGN IN THE COUNTY'S CURRENT APPROVED CAPITAL
19 BUDGET AND PROGRAM OR THE CURRENT STATE CONSOLIDATED TRANSPORTATION
20 PROGRAM, AND AT LEAST 60% OF THE PROJECT IS DESIGNED.

21
22 **(C) Public roads; dedications.** IF A PROPOSED DEVELOPMENT BORDERS A COUNTY
23 ROAD THAT DOES NOT COMPLY WITH THE DPW DESIGN MANUAL, THE DEVELOPER SHALL
24 IMPROVE TO THE CENTER OF THE COUNTY ROAD TO COMPLY WITH THE DPW DESIGN
25 MANUAL AND DEDICATE AND DEED IN FEE SIMPLE SUFFICIENT PROPERTY TO THE
26 COUNTY TO INCLUDE ALL REQUIRED IMPROVEMENTS. IF A DEVELOPER IS REQUIRED BY
27 THIS CODE TO IMPROVE A COUNTY ROAD AND THE DEVELOPER CANNOT ACQUIRE THE
28 NECESSARY PROPERTY AFTER EXHAUSTING ALL REASONABLE EFFORTS TO THE
29 SATISFACTION OF THE COUNTY, THE COUNTY MAY ACQUIRE THE PROPERTY AT THE
30 DEVELOPER'S EXPENSE PRIOR TO APPROVAL OF THE GRADING PERMIT.

31
32 ~~(C)~~ **(D) Phased development.** A PHASED DEVELOPMENT SHALL INCLUDE
33 ESTABLISHMENT OF A CONTINUOUS ROAD FRONTAGE PEDESTRIAN NETWORK AS PART OF
34 THE FIRST PHASE OF IMPROVEMENTS. INTERNAL CONNECTIONS TO BUILDINGS SHOULD
35 BE PROVIDED AS BUILDINGS ARE CONSTRUCTED. PHASED DEVELOPMENT MAY INCLUDE
36 AN INTERIM STANDARD FOR STREETScape DESIGN INITIALLY AND CONSTRUCTION OF
37 FINAL STREETScape TREATMENTS PROPORTIONAL TO THE SITE CONSTRUCTION OF EACH
38 PHASE.

39
40 ~~(D)~~ **(E) Site access and circulation.**

41
42 (1) ALL CIRCULATION PATTERNS SHALL BE DESIGNED TO MINIMIZE CURB CUTS
43 ONTO ARTERIAL AND COLLECTOR ROADS. ADJOINING PROPERTIES MAY BE REQUIRED TO
44 SHARE OR COORDINATE CURB CUTS, SERVICE ALLEYS, FRONTAGE ROADS, AND OTHER
45 FEATURES TO ACHIEVE THIS STANDARD.

46
47 (2) SITE ENTRANCES OR NEW ROADS SHALL BE LOCATED TO ALIGN WITH EXISTING
48 INTERSECTIONS AND EXISTING OR PLANNED MEDIAN OPENINGS TO THE MAXIMUM
49 EXTENT PRACTICABLE.

50
51 (3) NEW ROADS OTHER THAN ALLEYS SHALL BE DESIGNED TO PROVIDE A
52 CONNECTION BETWEEN SUBDIVISIONS OF SIMILAR ZONING AND USE UNLESS THE OFFICE
53 OF PLANNING AND ZONING DETERMINES THAT THE INTERCONNECTION WILL RESULT IN
54 UNNECESSARY IMPACT TO THE ENVIRONMENT OR ADJACENT RESIDENTIALLY ZONED
55 AND DEVELOPED PROPERTIES.

1 (4) DRIVE-THROUGH ESTABLISHMENTS, INCLUDING CAR WASHES AND
2 RESTAURANTS, SHALL PROVIDE ADEQUATE STACKING CAPACITY THAT DOES NOT
3 IMPEDE VEHICLE CIRCULATION THROUGH THE SITE OR RESULT IN VEHICLES STACKING
4 INTO THE ROAD. A DEVELOPER SHALL PROVIDE DOCUMENTATION INDICATING PEAK
5 TIMES AND HOW TRAFFIC WILL BE MITIGATED.
6

7 **17-7-805. Trail connections and construction.**
8

9 (A) **Planned trails.** IF A PLANNED COUNTY OR REGIONAL TRAIL OR A PLANNED
10 EXTENSION OF AN EXISTING TRAIL ABUTS A DEVELOPMENT, A DEVELOPER SHALL
11 PROVIDE FOR ONSITE AND OFFSITE CONNECTIONS TO CONSTRUCT THE PLANNED TRAIL,
12 UNLESS THE OFFICE OF PLANNING AND ZONING DETERMINES THAT THE CONNECTION
13 WILL RESULT IN UNNECESSARY IMPACT TO THE ENVIRONMENT.
14

15 (B) **Existing trails.** IF AN EXISTING COUNTY OR REGIONAL TRAIL ABUTS A
16 DEVELOPMENT, THE DEVELOPER SHALL CONSTRUCT A PAVED CONNECTION TO THE
17 TRAIL FROM THE DEVELOPMENT, UNLESS THE OFFICE OF PLANNING AND ZONING
18 DETERMINES THAT THE CONNECTION WILL RESULT IN UNNECESSARY IMPACT TO THE
19 ENVIRONMENT.
20

21 (C) **Dedication.** A DEVELOPER SHALL PROVIDE THE NECESSARY RIGHT-OF-WAY
22 DEDICATIONS OR PUBLIC PEDESTRIAN EASEMENTS TO ACCOMMODATE THE
23 IMPROVEMENTS REQUIRED BY THIS SECTION.
24

25 **17-7-806. Green area.**
26

27 A MINIMUM OF 10% OF THE GROSS AREA OF THE SITE SHALL BE PROVIDED AS GREEN
28 AREA.
29

30 **17-7-807. Activity space.**
31

32 (A) **Exemptions.** DEVELOPMENT IS EXEMPT FROM §§ 17-6-110(A)(6) AND 17-6-111.
33

34 (B) **Requirements.** FOR NON-RESIDENTIAL AND RESIDENTIAL USES, EXCLUDING
35 SINGLE-FAMILY DETACHED DWELLINGS, AT LEAST ONE SQUARE FOOT OF ACTIVITY
36 SPACE PER EVERY 10 SQUARE FEET OF FLOOR AREA SHALL BE PROVIDED. ACTIVITY SPACE
37 MAY BE APPORTIONED BETWEEN PUBLIC ACTIVITY SPACE AND PRIVATE ACTIVITY SPACE,
38 EXCEPT THAT IN THE OTC-C AND OTC-T ZONING DISTRICTS AT LEAST 50% OF THE TOTAL
39 ACTIVITY SPACE SHALL BE PUBLIC ACTIVITY SPACE.
40

41 (C) **Accessibility.** PUBLIC ACTIVITY SPACE SHALL BE ACCESSIBLE FROM A PUBLIC
42 ROAD.
43

44 (D) **Community amenities.** EACH PUBLIC ACTIVITY SPACE IN THE OTC-C AND OTC-T
45 ZONING DISTRICTS SHALL INCLUDE AT LEAST ONE COMMUNITY AMENITY. THE
46 COMMUNITY AMENITY SHALL BE PROVIDED TO FILL IN ANY GAPS AS INDICATED IN THE
47 COMMUNITY AMENITY MAP PUBLISHED BY THE OFFICE OF PLANNING AND ZONING.
48

49 (E) **Adjacent property agreements.** UPON APPROVAL OF THE PLANNING AND ZONING
50 OFFICER ADJACENT PROPERTY OWNERS MAY, BY AGREEMENT OR JOINT EASEMENT,
51 COOPERATIVELY PROVIDE PUBLIC ACTIVITY SPACE THAT IN TOTAL MEETS OR EXCEEDS
52 THE REQUIREMENTS OF THIS SUBTITLE.

1 **17-7-808. Historic preservation.**

2
3 (A) **Application.** EXCEPT AS PROVIDED IN SUBSECTION (B), DEVELOPMENT IN THE
4 OTC-H ZONING DISTRICT, INCLUDING SINGLE-FAMILY DETACHED DWELLING
5 RENOVATIONS AND REDEVELOPMENT, SHALL COMPLY WITH THE HISTORIC
6 PRESERVATION DESIGN REQUIREMENTS IN THE ODENTON TOWN CENTER MASTER PLAN,
7 REGARDLESS OF THE INCREASE IN FLOOR AREA ON THE SITE.

8
9 (B) **Exemptions.** PROPERTIES IDENTIFIED IN THE ODENTON TOWN CENTER MASTER
10 PLAN AS BEING EXEMPT FROM HISTORIC PRESERVATION REQUIREMENTS ARE EXEMPT
11 FROM THIS SECTION.

12
13 (C) **Contributing historic structures; inside OTC-H zoning district.** CONTRIBUTING
14 HISTORIC STRUCTURES IDENTIFIED IN THE ODENTON TOWN CENTER MASTER PLAN
15 WITHIN THE OTC-H ZONING DISTRICT SHALL BE RETAINED.

16
17 (D) **Contributing historic structures; outside OTC-H zoning district.**
18 CONTRIBUTING HISTORIC STRUCTURES IDENTIFIED IN THE ODENTON TOWN CENTER
19 MASTER PLAN LOCATED OUTSIDE OF THE OTC-H ZONING DISTRICT SHALL BE RETAINED
20 AND ARE SUBJECT TO THE SAME REQUIREMENTS AS CONTRIBUTING HISTORIC
21 STRUCTURES WITHIN THE OTC-H ZONING DISTRICT, EXCEPT THAT RELOCATION MAY BE
22 PERMITTED IF THERE IS NO OTHER VIABLE ALTERNATIVE FOR PRESERVATION, AS
23 APPROVED BY THE OFFICE OF PLANNING AND ZONING. IF A CONTRIBUTING HISTORIC
24 STRUCTURE IS APPROVED FOR RELOCATION, IT SHALL BE SITED ON PROPERTY IN THE OTC-
25 H ZONING DISTRICT.

26
27 (E) **Alterations or other changes to contributing historic structures.** EXTERIOR
28 CHANGES, ALTERATIONS, ADDITIONS, OR RECONSTRUCTION OF CONTRIBUTING HISTORIC
29 STRUCTURES SHALL COMPLY WITH THE HISTORIC PRESERVATION DESIGN
30 REQUIREMENTS IN THE ODENTON TOWN CENTER MASTER PLAN. THE HISTORIC
31 PRESERVATION DESIGN STANDARDS APPLY ONLY TO BUILDING EXTERIORS, UNLESS THE
32 PROPERTY IS ENCUMBERED BY, OR IS REQUIRED TO BE ENCUMBERED BY, A
33 PRESERVATION EASEMENT PURSUANT TO §§ 17-6-501 OR 17-6-502.

34
35 (F) **New development in historic district.** NEW DEVELOPMENT IN THE OTC-H ZONING
36 DISTRICT SHALL COMPLY WITH THE HISTORIC PRESERVATION DESIGN REQUIREMENTS IN
37 THE ODENTON TOWN CENTER MASTER PLAN.

38
39 **17-7-809. Redevelopment sites.**

40
41 FLEXIBILITY TO DESIGN STANDARDS FOR PARKING, FRONTAGE, FAÇADES, MINIMUM
42 BUILDING HEIGHT, BUILDING ENTRANCES AND BUILDING SETBACKS MAY BE GRANTED
43 BY THE PLANNING AND ZONING OFFICER IN CASES WHERE REDEVELOPMENT OF CERTAIN
44 SITES INVOLVES ENVIRONMENTAL REMEDIATION OR OTHER CONSTRAINTS, OR REQUIRES
45 SPECIAL PLANNING AND DESIGN CONSIDERATIONS.

46
47 **17-7-810. Incentive program.**

48
49 (A) **Creation and purpose.** FOR DEVELOPMENT THAT PROVIDES A PUBLIC BENEFIT
50 THAT ACHIEVES A MIXTURE OF DESIRABLE LAND USES, QUALITY DESIGN, AND PUBLIC
51 AMENITIES THAT CREATE THE SENSE OF A UNIFIED COMMUNITY AND AN ENHANCED
52 QUALITY OF LIFE IN THE ODENTON TOWN CENTER, THERE IS AN INCENTIVE PROGRAM TO
53 ALLOW FOR ADDITIONAL DEVELOPMENT CAPACITY OR OTHER RELIEF FROM THE
54 REQUIREMENTS OF THIS ARTICLE OTHER THAN THOSE CONTAINED IN TITLE 5, ARTICLE 18
55 OF THIS CODE, THE ODENTON TOWN CENTER MASTER PLAN, THE LANDSCAPE MANUAL,
56 OR THE DPW DESIGN MANUAL.

1 **(B) Application.** BEFORE SUBMITTING AN INCENTIVE PROGRAM APPLICATION, A
2 DEVELOPER MAY REQUEST TO MEET WITH THE OFFICE OF PLANNING AND ZONING TO
3 REVIEW THE PROPOSED PUBLIC BENEFITS AND INCENTIVES. IF REQUESTED, A PRE-
4 APPLICATION MEETING SHALL BE SCHEDULED. AN INCENTIVE PROGRAM APPLICATION
5 MAY BE MADE BY A PROPERTY OWNER OR DEVELOPER AND SHALL INCLUDE A
6 DESCRIPTION OF THE PROPOSED PUBLIC BENEFITS AND THE SPECIFIC INCENTIVES
7 REQUESTED, A SITE PLAN WITH CALCULATIONS, DRAWINGS, AND DOCUMENTATION TO
8 DEMONSTRATE HOW EACH PUBLIC BENEFIT AND EACH REQUESTED INCENTIVE WILL BE
9 MET.

10
11 **(C) Evaluation of application.** THE OFFICE OF PLANNING AND ZONING SHALL
12 EVALUATE THE APPLICATION BASED ON THE FOLLOWING CRITERIA:

13
14 (1) CONSISTENCY WITH THE ODENTON TOWN CENTER MASTER PLAN, REGION
15 PLAN, GENERAL DEVELOPMENT PLAN, OTHER ADOPTED PLANS AND STUDIES BY COUNTY
16 OR STATE AGENCIES, AND CURRENT COUNTY CAPITAL PROGRAM;

17 (2) PUBLIC ACCESS TO USES AND AMENITIES;

18 (3) COMMUNITY BENEFIT;

19 (4) COMPATIBILITY AND QUALITY OF DESIGN;

20 (5) PEDESTRIAN AND VEHICULAR ACCESS AND CIRCULATION;

21 (6) ENVIRONMENTAL ENHANCEMENT AND MITIGATION; AND

22 (7) WHETHER THE PROPOSED PUBLIC BENEFITS ARE COMPARABLE IN SCOPE AND
23 COST TO THE INCENTIVE REQUESTED.

24
25
26 **(D) Public benefits.** PUBLIC BENEFITS MAY INCLUDE SITE DESIGN, ARCHITECTURAL
27 FEATURES, STREETScape IMPROVEMENTS, COMMUNITY AMENITIES, ENVIRONMENTAL
28 RESTORATION PROJECTS, OR OTHER ELEMENTS THAT EXCEED THE REQUIREMENTS SET
29 FORTH IN THIS CODE OR THE ODENTON TOWN CENTER MASTER PLAN. SUGGESTED
30 PROFFERS ARE SET FORTH IN THE APPENDIX OF THE ODENTON TOWN CENTER MASTER
31 PLAN. A DEVELOPER MAY PROPOSE OTHER INNOVATIVE PUBLIC BENEFITS OR
32 COMMUNITY AMENITIES NOT LISTED IN THE ODENTON TOWN CENTER MASTER PLAN
33 THAT ASSIST IN ACHIEVING THE VISION OF THE ODENTON TOWN CENTER MASTER PLAN.
34
35
36
37
38
39

40 **(E) Granting of application.** AFTER REVIEWING AN APPLICATION AND CONSIDERING
41 THE CRITERIA IN SUBSECTION (C), THE PLANNING AND ZONING OFFICER MAY GRANT
42 VARIOUS INCENTIVES TO A DEVELOPER BASED ON THE PROPOSED PUBLIC BENEFIT,
43 INCLUDING:

44 (1) INCREASED RESIDENTIAL DENSITY;

45 (2) RELIEF FROM ANY REQUIREMENTS OF THIS ARTICLE, OTHER THAN THOSE
46 CONTAINED IN TITLE 5, ARTICLE 18 OF THIS CODE, THE ODENTON TOWN CENTER MASTER
47 PLAN, THE LANDSCAPE MANUAL, OR THE DPW DESIGN MANUAL;

48 (3) ADDITIONAL BUILDING HEIGHT; AND

49 (4) REDUCTION IN GREEN AREA REQUIREMENTS.
50
51
52
53

TITLE 11. FEES AND SECURITY

17-11-209. Use of funds.

(b) Use.

(3) Priority consideration for the use of funds collected from development impact fees shall be given to the expansion of facilities in the Odenton [[Growth Management Area District]] TOWN CENTER, the Parole Town Center, and the Glen Burnie Town Center Enhancement Area designated by the Office.

ARTICLE 18. ZONING

TITLE 2. GENERAL PROVISIONS

18-2-101. Scope; applicability.

(b) Applicability to pending and future proceedings. Subject to the grandfathering provisions of COMAR Title 27, this article applies to all pending and future proceedings and actions of any board, department, or agency empowered to decide applications under this Code, except that:

(10) the following shall be governed by the law as it existed prior to August 1, 2020:

(i) an application for a grading permit, building permit, or zoning certificate of use filed on or before February 18, 2020 for a group home that would be deemed an “assisted living facility I, community based”, an “assisted living facility II, community based,” a “group home I,” or a “group home II” under Bill No. 16-20;

(ii) an application for a grading permit, building permit, or zoning certificate of use filed on or before February 18, 2020 for an existing use with a group home license issued by the State; and

(iii) an application for a grading permit, building permit, or zoning certificate of use filed on or before February 18, 2020 for a group home or a rooming house; [[and]]

(11) the following shall be governed by the location of critical area boundaries in existence prior to October 8, 2021:

(i) an application for development, provided any permits associated with the development are issued on or before December 1, 2021; and

(ii) an application for a variance or a special exception, provided the application is filed on or before October 8, 2021 and any permits associated with the application are issued on or before December 1, 2021. A variance or special except grandfathered under this subsection may not be extended by variance[[.]]; AND

(12) FOR A PROPERTY LOCATED IN THE ODENTON TOWN CENTER, ANY APPLICATION LISTED IN ~~§ 17-2-101(17)~~ § 17-2-101(18) OF THIS CODE OR ANY APPLICATION UNDER THIS ARTICLE FILED ON OR BEFORE THE EFFECTIVE DATE OF BILL NO. 84-23 SHALL BE GOVERNED BY SUBTITLE 1 OF TITLE 9 AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. 84-23.

18-2-105. Zoning districts created.

The following zoning districts are created:

| Category | District |
|------------------------|--|
| *** | |
| Other Zoning Districts | Odenton [[Growth Management Area]] TOWN CENTER Districts: [[O-COR Core O-HIS Historic O-TRA Transition O-IND Industrial O-EOD East Odenton O-NOD North Odenton]] OTC-C ODENTON TOWN CENTER CORE OTC-T ODENTON TOWN CENTER TRANSITION OTC-I ODENTON TOWN CENTER INDUSTRIAL OTC-E ODENTON TOWN CENTER EAST ODENTON VILLAGE MIX OTC-FM ODENTON TOWN CENTER FORT MEADE BUSINESS MIX OTC-H ODENTON TOWN CENTER HISTORIC OS-Open Space TC-Town Center SB-Small Business |

TITLE 9. OTHER ZONING DISTRICTS

SUBTITLE 1. ODENTON TOWN CENTER DISTRICTS

18-9-101. Scope.

THIS SUBTITLE APPLIES TO THE ODENTON TOWN CENTER.

18-9-102. Historic Village Mix Block.

WITHIN THE OTC-H ZONING DISTRICT, THERE SHALL BE AN OVERLAY ENTITLED THE HISTORIC VILLAGE MIX BLOCK, AS DEPICTED IN THE ODENTON TOWN CENTER MASTER PLAN.

18-9-103. Uses.

(A) **Existing uses.** ANY USE LAWFULLY IN EXISTENCE IN THE ODENTON TOWN CENTER PRIOR TO THE EFFECTIVE DATE OF BILL NO. 84-23 THAT BECAME PROHIBITED AS OF THE EFFECTIVE DATE OF BILL NO. 84-23, MAY CONTINUE, PROVIDED THE USE DOES NOT CEASE OPERATION FOR 12 CONSECUTIVE MONTHS. ANY CHANGE, EXPANSION, OR ALTERATION OF THE USE ON OR AFTER THE EFFECTIVE DATE OF BILL NO. 84-23 SHALL COMPLY WITH

1 SUBTITLE 8 OF TITLE 7 OF ARTICLE 17 OF THIS CODE AND SUBTITLE 1 OF TITLE 9 OF THIS
 2 ARTICLE, OR TITLE 15 OF THIS ARTICLE.

3
 4
 5
 6
 7
 8
 9

(B) **Use chart.** THE PERMITTED, CONDITIONAL, AND SPECIAL EXCEPTION USES ALLOWED IN EACH OF THE ODENTON TOWN CENTER DISTRICTS AND HISTORIC VILLAGE MIX BLOCK ARE LISTED IN THIS SECTION USING THE FOLLOWING KEY: P = PERMITTED USE; C = CONDITIONAL USE; SE = SPECIAL EXCEPTION USE. A BLANK MEANS THE USE IS NOT ALLOWED IN THE DISTRICT OR THE HISTORIC VILLAGE MIX BLOCK.

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|-------|-------|-------|--------|-------|----------------------------|
| RESIDENTIAL | | | | | | | |
| ASSISTED LIVING FACILITIES | C | C | | C | C | | |
| ASSISTED LIVING FACILITIES I, COMMUNITY-BASED | P | P | | P | P | | P |
| ASSISTED LIVING FACILITIES II, COMMUNITY-BASED | C | C | | C | C | | C |
| DWELLING UNITS, ACCESSORY | P | P | P | P | P | P | P |
| DWELLING UNITS, ADULT INDEPENDENT | P | P | P | P | P | P | P |
| DWELLINGS, DUPLEX AND SEMI-DETACHED | P | P | P | P | P | P | P |
| DWELLINGS, MULTIFAMILY | P | P | P | P | P | | |
| DWELLINGS, SINGLE-FAMILY DETACHED | | P | P | P | P | P | P |
| DWELLINGS, TOWNHOUSE | P | P | P | P | P | | P |
| GROUP HOMES I | P | P | P | P | P | P | P |
| GROUP HOMES II | C | C | C | C | C | C | C |
| HOME OCCUPATIONS | C | C | C | C | C | C | C |
| HOUSING FOR THE ELDERLY OF MODERATE MEANS | C | C | C | C | C | | C |
| NURSING HOMES | C | C | | C | C | | |
| ROOMING HOUSES | P | P | P | P | P | | P |
| WORKFORCE HOUSING | C | C | C | C | C | C | C |
| RETAIL AND SERVICE | | | | | | | |
| ADULT DAY CARE CENTERS | P | P | P | P | P | | P |
| ALCOHOLIC BEVERAGE USES AS ACCESSORY TO OTHER USES | C | C | C | C | C | | C |
| ARCADES | P | P | P | P | P | | |
| ARTISANS AND CRAFT WORK | P | P | P | P | P | | P |
| AUTOMOBILE AND TRUCK DETAILING SHOPS | | P | P | P | P | | |
| AUTOMOBILE AND TRUCK PARTS, SUPPLY STORES, AND TIRE STORES | | P | P | P | P | | |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|---|-------|-------|-------|-------|--------|-------|----------------------------|
| AUTOMOBILE AND TRUCK RENTAL ESTABLISHMENTS | | P | P | P | P | | |
| AUTOMOBILE GASOLINE STATIONS | | C | C | C | C | | |
| AUTOMOBILE REPAIR FACILITIES AND PAINTING FACILITIES | | P | P | P | P | | |
| AUTOMOBILE SERVICE FACILITIES PROVIDING OIL CHANGE, LUBRICATION, AND RELATED SERVICES | | P | P | P | P | | |
| AUTOMOBILE TOWING FACILITIES IN CONJUNCTION WITH AUTOMOBILE GASOLINE SERVICE STATIONS | | SE | SE | SE | SE | | |
| BAKERY OR DONUT SHOPS | P | P | P | P | P | | P |
| BANKS | P | P | P | P | P | | P |
| BANQUET HALLS | P | P | P | P | P | | |
| BARBERSHOPS | P | P | P | P | P | | P |
| BED AND BREAKFAST HOMES | | | | | | C | C |
| BED AND BREAKFAST INNS | | | | | | SE | SE |
| BICYCLE, MOTOR SCOOTER, AND MOPED SALES AND SERVICE | P | P | P | P | P | | P |
| BILLIARD AND POOL HALLS | P | P | P | P | P | | |
| BOWLING ALLEYS | P | P | P | P | P | | |
| BUSINESS COMPLEXES | P | P | P | P | P | | <u>P</u> |
| BUSINESS COMPLEXES WITH AUXILIARY USE | C | C | C | C | C | | <u>C</u> |
| CARNIVALS, CIRCUSES, AND FAIRS, TEMPORARY | P | P | P | P | P | | |
| CARPET AND VINYL FLOORING STORES | P | P | P | P | P | | |
| CARWASHES | | P | P | P | P | | |
| CARWASHES ACCESSORY TO AUTOMOBILE GASOLINE STATIONS | | P | P | P | P | | |
| CATERING ESTABLISHMENTS | P | P | P | P | P | | P |
| CHILD CARE CENTERS | P | P | P | P | P | | P |
| COMMERCIAL PARKING LOTS OR GARAGES | P | P | P | P | P | | P |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|---|-------|-------|-------|-------|--------|-------|----------------------------|
| COMMERCIAL RECREATIONAL FACILITIES, INCLUDING MINIATURE GOLF, DRIVING RANGES, TENNIS, RACQUET, AND HANDBALL BARN OR COURTS, ARTIFICIAL SKI SLOPES, INDOOR SOCCER; BOWLING ALLEYS, BMX BIKE, SKATEBOARD OR ROLLERBLADE PARKS, ELECTRIC GO-CARTING, AND SKATING RINKS | P | P | P | P | P | | P |
| COMPUTER GOODS, SALES AND SERVICES | P | P | P | P | P | | P |
| CONVENIENCE STORES, GIFT SHOPS, AND NEWSSTANDS | P | P | P | P | P | | P |
| COUNTRY CLUBS, PRIVATE CLUBS, AND SERVICE ORGANIZATIONS OR INSTITUTIONS | P | P | P | P | P | | P |
| COUNTRY CLUBS, PRIVATE CLUBS, SERVICE ORGANIZATIONS, AND NONPROFIT CHARITABLE OR PHILANTHROPIC ORGANIZATIONS OR INSTITUTIONS IN EXISTENCE ON OR BEFORE DECEMBER 31, 2015 | | | | | | P | |
| CULTURAL CENTERS AND EXHIBITS | P | P | P | P | P | P | P |
| DELICATESSENS AND SNACK BARS | P | P | P | P | P | | P |
| DEPARTMENT STORES | P | P | P | P | P | | P |
| DOG DAY CARE FACILITIES | | P | P | P | P | | |
| DOG GROOMING PARLORS | | P | P | P | P | | |
| DRY CLEANING OPERATIONS AND LAUNDRY ESTABLISHMENTS, INCLUDING PICKUP STATIONS, PACKAGE PLANTS, AND COIN-OPERATED FACILITIES | | | P | P | P | | |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|---|-------|-------|-------|-------|--------|-------|----------------------------|
| DRY CLEANING OPERATIONS AND LAUNDRY ESTABLISHMENTS, INCLUDING PICKUP STATIONS, PACKAGE PLANTS, AND COIN-OPERATED FACILITIES, LIMITED TO ESTABLISHMENTS WITH LESS THAN 4,000 SQUARE FEET OF FLOOR AREA | P | P | | | | | |
| ENTERTAINMENT COMPLEXES, INCLUDING MULTI-SCREEN COMPLEXES | P | P | P | P | P | | |
| FUNERAL ESTABLISHMENTS | P | P | P | P | P | | P |
| FURNITURE, APPLIANCE, AND CARPET STORES AND SHOWROOMS | P | P | P | P | P | | |
| GREENHOUSES AND GARDEN CENTERS | P | P | P | P | P | | P |
| GROCERY STORES | P | P | P | P | P | | P |
| HAIR, COSMETIC FACIAL HAIR, AND NAIL SALONS | P | P | P | P | P | | P |
| HARDWARE STORES | P | P | P | P | P | | P |
| HEALTH CLUBS, SPAS, GYMNASIUMS | P | P | P | P | P | | |
| HELIPORTS | | SE | SE | SE | SE | | |
| HOME CENTERS AND BUILDING SUPPLY STORES | P | P | P | P | P | | P |
| HOSPITALS | P | P | P | P | P | | P |
| HOTELS, MOTELS, AND HOSTELS | P | P | P | P | P | | |
| INTERIOR DECORATING ESTABLISHMENTS | P | P | P | P | P | | P |
| JANITORIAL SUPPLY STORES | P | P | P | P | P | | P |
| KENNELS, COMMERCIAL | | C | P | C | C | | |
| LICENSED DISPENSARY OF CANNABIS, AS DEFINED IN STATE LAW AND REGULATIONS | SE | SE | SE | SE | SE | | SE |
| LICENSED GROWER OF CANNABIS, AS DEFINED IN STATE LAW AND REGULATIONS, INDOOR CULTIVATION ONLY | | C | C | C | C | | |
| LICENSED PROCESSOR OF CANNABIS, AS DEFINED IN STATE LAW AND REGULATIONS | | C | C | C | C | | |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|----------|-------|-------|--------|-------|----------------------------|
| LINEN SUPPLY ESTABLISHMENTS | P | P | P | P | P | | |
| LOCKSMITHS | P | P | P | P | P | | P |
| MAILING AND SHIPPING SERVICES | P | P | P | P | P | | |
| MEAT, SEAFOOD, AND POULTRY MARKETS | P | P | P | P | P | | |
| MOTORCYCLE REPAIR FACILITIES | | P | P | P | P | | |
| MOVING OR STORAGE ESTABLISHMENTS | | <u>C</u> | P | P | P | | |
| NIGHTCLUBS AND COMEDY CLUBS | P | P | P | P | P | | |
| OUTSIDE STORAGE, ACCESSORY TO PERMITTED USES, LOCATED IN A SIDE OR REAR YARD, LIMITED TO 50% OF THE ALLOWED LOT COVERAGE | | P | | P | P | | |
| PACKAGE GOODS STORES | C | C | C | C | C | | C |
| PARKING LOTS OR GARAGES | P | P | P | P | P | | |
| PARKS, PRIVATE | P | P | P | P | P | P | P |
| PERSONAL FITNESS STUDIOS | P | P | P | P | P | | |
| PHARMACIES | P | P | P | P | P | | P |
| PICTURE-FRAMING ESTABLISHMENTS | P | P | P | P | P | | P |
| PRODUCE MARKETS | P | P | P | P | P | P | P |
| RELIGIOUS FACILITIES | P | P | P | P | P | P | P |
| RESTAURANTS | P | P | P | P | P | | P |
| RESTAURANTS, TAVERNS, RETAIL SALES, AND CONSUMER SERVICES IN A MULTIFAMILY DWELLING | P | P | P | P | P | | |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|-------|-------|-------|--------|-------|----------------------------|
| RETAIL SPECIALTY STORES OR SHOPS FOR RETAIL SALES OF ANTIQUES, ART SUPPLIES, BOOKS, CANDIES, CARDS, CLOCKS, CLOTHING, CONSIGNMENTS, ELECTRONICS, FABRICS, FLOWERS, GIFTS, HOBBIES, HOUSEWARES, ICE CREAM PARLORS, JEWELRY, LUGGAGE, MUSICAL INSTRUMENTS, NEWS PUBLICATIONS, OFFICE SUPPLIES, OPTICAL GOODS, PETS, PHOTOGRAPHIC SUPPLIES, SEWING MACHINES, SHOES AND SHOE REPAIR, SPORTING GOODS, STAMPS AND COINS, STATIONARY, TOBACCO, TOYS, VIDEO TAPES, WALLPAPERS AND PAINTS, WINDOW COVERINGS, AND WORKS OF ART | P | P | P | P | P | | P |
| ROADSIDE STANDS CONSISTING OF TEMPORARY SEASONAL STRUCTURES FOR SELLING PRODUCE AND OTHER AGRICULTURAL GOODS | P | P | P | P | P | P | P |
| ROADSIDE VENDORS | P | P | P | P | P | | P |
| SCHOOLS, PUBLIC CHARTER, AND SCHOOLS, PRIVATE: ACADEMIC, ARTS, BUSINESS, TECHNICAL OR TRADE | P | P | P | P | P | | P |
| SELF-SERVICE STORAGE FACILITIES | C | C | P | P | P | | |
| SHOWROOMS AND SALES OF SPECIALTY BUILDING PRODUCTS | P | P | P | P | P | | P |
| SMALL ENGINE REPAIR IF ALL WORK IS PERFORMED INSIDE A BUILDING WITHOUT OUTSIDE STORAGE | | P | P | P | P | | |
| SWIMMING POOLS, COMMUNITY AND SEMI-PUBLIC | P | P | P | P | P | | P |
| TAILOR SHOPS | P | P | P | P | P | | P |
| TANNING SALONS | P | P | P | P | P | | P |
| TATTOO PARLORS AND BODY-PIERCING SALONS | P | P | P | P | P | | P |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|----------|-------|-------|--------|-------|----------------------------|
| TAVERNS | P | P | P | P | P | | P |
| TAXICAB STANDS AND SERVICES | P | P | P | P | P | | |
| TELEVISION STUDIOS, RADIO BROADCASTING STATIONS, AND RECORDING STUDIOS, EXCLUDING FREESTANDING TOWERS | P | P | P | P | P | | |
| THEATERS, LIVE PERFORMANCE | P | P | P | P | P | | |
| THEATERS, MOVIE | P | P | P | P | P | | |
| TRADE EXPOSITIONS | P | P | P | P | P | | |
| TRAVEL AGENCIES | P | P | P | P | P | | P |
| UPHOLSTERING SHOPS AND SAILMAKING SHOPS | P | P | P | P | P | | P |
| VARIETY STORES | P | P | P | P | P | | P |
| VETERINARY CLINICS, IF OVER-NIGHT STAYS ARE LIMITED TO THOSE NECESSARY FOR MEDICAL TREATMENT, WITHOUT OUTSIDE RUNS OR PENS | P | P | P | P | P | | P |
| VOLUNTEER FIRE STATIONS | P | P | P | P | P | | |
| OFFICE | | | | | | | |
| OFFICE, PROFESSIONAL AND GENERAL | P | P | P | P | P | | P |
| OFFICE, PROFESSIONAL AND GENERAL IN EXISTENCE ON OR BEFORE DECEMBER 31, 2015 | | | | | | P | |
| STATE-LICENSED MEDICAL CLINICS | C | C | C | C | C | | C |
| TELECOMMUTING CENTERS | P | P | P | P | P | | P |
| LIGHT INDUSTRIAL | | | | | | | |
| BAKERIES, WHOLESALE | | | P | | | | |
| BREWERY, CRAFT | P | P | P | P | P | | P |
| BUILDING MATERIAL STORAGE, INCLUDING SALES AND YARDS | | | P | | | | |
| <u>BUILDING MATERIAL STORAGE AND SALES, NOT INCLUDING YARDS</u> | | <u>C</u> | | | | | |
| CABINETRY AND SPECIAL LUMBER MILL WORKING AND SALES | | <u>C</u> | P | | | | |
| COFFEE ROASTERS | P | P | P | P | P | | P |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|---|-------|----------|-------|-------|--------|-------|----------------------------|
| CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS | | | P | | | | |
| <u>CONTRACTOR AND CONSTRUCTION SHOPS, NOT INCLUDING YARDS</u> | | <u>C</u> | | | | | |
| DATA STORAGE CENTERS | | | P | | | | |
| EQUIPMENT SALES, REPAIR, AND STORAGE, COMMERCIAL | | <u>P</u> | P | | | | |
| FOOD PRODUCT MANUFACTURING | | | P | | | | |
| LABORATORIES, RESEARCH AND DEVELOPMENT OR TESTING | | <u>C</u> | P | | | | |
| MANUFACTURING AND PROCESSING, GENERAL, INCLUDING ASSEMBLY OF COMPONENT PARTS, CREATION OF PRODUCTS, AND BLENDING OF MATERIALS | | <u>C</u> | P | | | | |
| OUTSIDE STORAGE AS A PRINCIPAL USE | | | P | | | | |
| PRINTING AND PUBLISHING ESTABLISHMENTS | | <u>C</u> | P | | | | |
| RENTAL ESTABLISHMENTS | | <u>C</u> | P | | | | |
| RETAIL DISPLAY ROOMS FOR SALES AT INDUSTRIAL ESTABLISHMENTS | | <u>P</u> | P | | | | |
| SHIPPING OR CARGO CONTAINERS, TRAILERS, TRUCK COMPARTMENTS OR SIMILAR PORTABLE STORAGE CONTAINERS FOR ONSITE STORAGE | | | P | | | | |
| WHOLESALE TRADE, WAREHOUSING, AND STORAGE ESTABLISHMENTS | | <u>C</u> | P | | | | |
| CIVIC/INSTITUTIONAL | | | | | | | |
| CIVIC FACILITIES, COMMUNITY CENTERS, LIBRARIES, MUSEUMS, PARKS, AND SIMILAR NONCOMMERCIAL USES | P | P | P | P | P | | P |
| OTHER | | | | | | | |
| BUS TERMINALS | P | P | P | P | P | P | P |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|-------|-------|-------|--------|-------|----------------------------|
| COMMERCIAL TELECOMMUNICATION FACILITIES FOR TESTING PURPOSES OR EMERGENCY SERVICES FOR A PERIOD NOT EXCEEDING 30 DAYS IF THE FACILITY IS A MONOPOLE NOT EXCEEDING 100 FEET IN HEIGHT AND LOCATED AT LEAST 300 FEET FROM ANY DWELLING | P | P | P | P | P | P | P |
| COMMERCIAL TELECOMMUNICATION FACILITIES PERMANENTLY LOCATED ON THE GROUND | C | C | C | C | C | C | C |
| COMMERCIAL TELECOMMUNICATION FACILITIES THAT ARE ANTENNAS ATTACHED TO A STRUCTURE IF THE ANTENNA DOES NOT EXCEED 15 FEET IN HEIGHT ABOVE THE STRUCTURE, DOES NOT PROJECT MORE THAN TWO FEET BEYOND THE FACADE, DOES NOT SUPPORT LIGHTS OR SIGNS UNLESS REQUIRED FOR SAFETY REASONS, AND ACCESSORY STRUCTURES MEET THE REQUIREMENTS OF § 18-10-117(7) | P | P | P | P | P | P | P |
| CONSTRUCTION OR SALES TRAILERS, TEMPORARY, IN AN APPROVED DEVELOPMENT ACTIVELY UNDER CONSTRUCTION | P | P | P | P | P | P | P |
| PUBLIC UTILITY, ESSENTIAL SERVICES | P | P | P | P | P | P | P |
| PUBLIC UTILITY USES | SE | SE | SE | SE | SE | SE | SE |
| SMALL WIND ENERGY SYSTEMS OR METEOROLOGICAL TOWERS ON A LOT LESS THAN THREE ACRES | SE | SE | SE | SE | SE | | SE |
| SMALL WIND ENERGY SYSTEMS OR METEOROLOGICAL TOWERS ON A LOT OF AT LEAST THREE ACRES | C | C | C | C | C | | C |
| SOLAR ENERGY GENERATING FACILITY-ACCESSORY | P | P | P | P | P | C | C |
| SOLAR ENERGY GENERATING FACILITY-CANOPIES OVER PARKING LOTS OR GARAGES | P | P | P | P | P | | |

| USES | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|-------|-------|-------|-------|--------|-------|----------------------------|
| SOLAR ENERGY GENERATING FACILITY-COMMUNITY, ROOFTOP-MOUNTED ONLY | C | C | C | C | C | | |
| STAGING AREAS FOR COUNTY CAPITAL PROJECTS | P | P | P | P | P | | |
| TRANSPORTATION, MULTIMODAL STATIONS | P | | | | | | |

1 **18-9-104. Bulk regulations.**

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6

(A) **Generally.** EXCEPT AS PROVIDED OTHERWISE IN THIS ARTICLE, THE FOLLOWING BULK REGULATIONS ARE APPLICABLE IN THE ODENTON TOWN CENTER. A BLANK MEANS THERE IS NO APPLICABLE BULK REGULATION.

| BULK REGULATIONS | OTC-C | OTC-T | OTC-I | OTC-E | OTC-FM | OTC-H | HISTORIC VILLAGE MIX BLOCK |
|--|---------------------------------------|-------|-------|-------|--------|-------|----------------------------|
| MAXIMUM FLOOR AREA RATIO, EXCLUDING STRUCTURED PARKING | 4 | 2 | 1 | 1 | 1 | | 1 |
| MAXIMUM DENSITY (DWELLING UNITS PER ACRE) | | | | | | 3 | |
| MINIMUM HEIGHT FOR PROPERTIES LESS THAN TWO ACRES FOR PRINCIPAL STRUCTURE (FEET) | 25 | 25 | | | | | |
| MAXIMUM HEIGHT FOR PRINCIPAL STRUCTURE (FEET) | 100 | 100 | 50 | 50 | 50 | 35 | 45 |
| MAXIMUM HEIGHT FOR ACCESSORY STRUCTURE, OR THE HEIGHT OF THE PRINCIPAL STRUCTURE, WHICHEVER IS LESS (FEET) | 100 | 100 | 50 | 50 | 50 | 25 | 45 |
| FRONT SETBACK (MINIMUM-MAXIMUM) (FEET) | 0-20; OR 0-45 FOR MINOR AND PRINCIPAL | 0-45 | 0-50 | 0-45 | 0-45 | 30-45 | 0-45 |

| | | | | | | | |
|---|-------------------|--|--|--|--|--------|--|
| | ARTERIAL ROADS | | | | | | |
| SIDE SETBACK (FEET) | | | | | | 7 | |
| SETBACK FROM MARYLAND ROUTE 32 (MINIMUM-MAXIMUM) (FEET) | 35-45 | | | | | | |
| MINIMUM CORNER SIDE SETBACK (FEET) | | | | | | 15 | |
| MINIMUM FRONT SETBACK FOR ACCESSORY STRUCTURE (FEET) | | | | | | 50 | |
| MINIMUM LOT SIZE (SQUARE FEET) | | | | | | 14,000 | |
| MAXIMUM LOT COVERAGE BY STRUCTURES (PERCENTAGE OF GROSS AREA) | | | | | | 20% | |
| MINIMUM LOT WIDTH (FEET) | | | | | | 70 | |

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(B) **Height calculation.** WHEN DETERMINING THE HEIGHT OF A PRINCIPAL STRUCTURE, TOWERS, SPIRES, CHIMNEYS, AND OTHER SIMILAR UNINHABITED FEATURES MAY EXTEND BEYOND THE HEIGHT OF THE ROOF OF THE PRINCIPAL STRUCTURE AND DO NOT COUNT TOWARD THE MAXIMUM HEIGHT.

(C) **Setbacks.** FRONT SETBACKS ARE CALCULATED FROM THE PROPERTY LINE IN THE LOCATION AS IT WILL EXIST AFTER ANY REQUIRED DEDICATION OF RIGHT-OF-WAY.

(D) **Other approvals.** THE PLANNING AND ZONING OFFICER MAY APPROVE A BULK REGULATION OTHER THAN ONE SET FORTH IN THIS SECTION IN ACCORDANCE WITH § 17-7-810 OF THIS CODE.

(E) **Noise mitigation; Maryland Route 32.** FOR RESIDENTIAL DEVELOPMENT OR NONRESIDENTIAL DEVELOPMENT WITH ACTIVITY SPACES ADJACENT TO MARYLAND ROUTE 32, THE DEVELOPER SHALL:

(1) CONDUCT A NOISE STUDY USING FEDERAL HIGHWAY ADMINISTRATION PREDICTION METHODS TO IDENTIFY THE NOISE MITIGATION MEASURES THAT ARE NECESSARY TO REDUCE HIGHWAY TRAFFIC SOUND LEVEL:

(I) TO BE AT OR BELOW 66 DBA IN RESIDENTIAL ACTIVITY SPACES AND AT OR BELOW 45 DBA IN INDOOR RESIDENTIALLY OCCUPIED BUILDING SPACES; OR

(II) WHERE POSSIBLE, TO BE AT OR BELOW 66 DBA IN NONRESIDENTIAL ACTIVITY SPACES; AND

(2) SUBJECT TO THE RESULTS OF THE NOISE STUDY, IF NOISE MITIGATION IS REQUIRED:

(I) INCLUDE ANY REQUIRED INDOOR NOISE MITIGATION MEASURES ON THE BUILDING ARCHITECTURAL PLANS; AND

1 (II) PROVIDE OUTDOOR NOISE MITIGATION MEASURES TO MEET THE NOISE
2 LEVELS SET FORTH IN ITEM (1) IN AN ACTIVITY SPACE MAINTAINED BY A HOMEOWNERS
3 ASSOCIATION, COMMUNITY ASSOCIATION, OR COUNCIL OF CONDOMINIUM UNIT OWNERS
4 AND NOTED ON THE FINAL PLAN OR THE FINAL RECORD PLAT TO BE RECORDED IN THE
5 LAND RECORDS; OR IN THE ABSENCE OF AN ACTIVITY SPACE, PROVIDE A NOISE
6 MITIGATION MAINTENANCE EASEMENT THAT SHALL BE NOTED ON THE FINAL PLAN OR
7 THE FINAL RECORD PLAT TO BE RECORDED IN THE LAND RECORDS.

8
9 **18-9-105. Conditional uses.**

10
11 THE FOLLOWING REQUIREMENTS SHALL APPLY TO THE CONDITIONAL USES IN THIS
12 SECTION IN LIEU OF ANY REQUIREMENTS IN TITLE 10:

13
14 (1) HOUSING FOR ELDERLY OF MODERATE MEANS SHALL:

15 (I) CONSIST OF RENTAL DWELLING UNITS ONLY;

16
17 (II) COMPLY WITH THE CONDITIONS SET FORTH IN § 18-10-138(8); AND

18
19 (III) BE ENCUMBERED BY A RECORDED COVENANT, ENFORCEABLE BY THE
20 COUNTY OR ITS DESIGNEE, THAT SHALL COMPLY WITH THE CONDITIONS SET FORTH IN §
21 18-10-138(1)(I) THROUGH (III).
22

23
24 (2) WORKFORCE HOUSING CONSISTING OF DWELLING UNITS OF ANY TYPE OR
25 MIXTURE SHALL:

26
27 (I) BE ENCUMBERED BY A RECORDED COVENANT ENFORCEABLE BY THE
28 COUNTY OR ITS DESIGNEE THAT SHALL COMPLY WITH THE CONDITIONS SET FORTH IN §
29 18-10-170(2)(I) THROUGH (V);

30
31 (II) COMPLY WITH THE CONDITIONS SET FORTH IN § 18-10-170(8); AND

32
33 (III) HAVE HOME PRICES SET AT RATES CERTIFIED BY THE COUNTY OR ITS
34 DESIGNEE TO BE AFFORDABLE TO A HOUSEHOLD WITH AN INCOME THAT DOES NOT
35 EXCEED 80% OF THE MEDIAN INCOME ADJUSTED FOR HOUSEHOLD SIZE FOR THE
36 BALTIMORE PRIMARY METROPOLITAN STATISTICAL AREA, AS DEFINED AND PUBLISHED
37 ANNUALLY BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
38 DEVELOPMENT.

39
40 (3) AN ASSISTED LIVING FACILITY SHALL COMPLY WITH THE FOLLOWING
41 REQUIREMENTS:

42 (I) THE MINIMUM SETBACK FROM ALL PROPERTY LINES SHALL BE 35 FEET;

43
44 (II) AN ASSISTED LIVING FACILITY MAY BE OPERATED IN CONJUNCTION WITH
45 A NURSING HOME OR ADULT INDEPENDENT DWELLING UNITS OR BOTH, WHETHER OR NOT
46 OWNED BY THE SAME ENTITY;

47
48 (III) A NURSING HOME OR ADULT INDEPENDENT DWELLING UNITS MAY BE
49 LOCATED ON THE SAME LOT AS THE ASSISTED LIVING FACILITY OR ON ONE OR MORE
50 ABUTTING LOTS, AND, IF LOCATED ON ONE OR MORE ABUTTING LOTS, ITEM (I). DOES NOT
51 APPLY TO THE LOT LINES SHARED BY SUCH ABUTTING LOTS;

52
53 (IV) COMPREHENSIVE CARE UNITS MAY BE PROVIDED; AND
54

1 (V) ACTIVITY SPACES SHALL BE LOCATED IN A MANNER TO SHIELD
2 SURROUNDING RESIDENTIAL PROPERTY FROM THE EFFECTS OF NOISE, HAZARDS, OR
3 OTHER OFFENSIVE CONDITIONS.

4
5 (4) A BED AND BREAKFAST HOME SHALL COMPLY WITH THE FOLLOWING
6 REQUIREMENTS:

7
8 (I) THE HOME SHALL BE LOCATED IN AN OWNER-OCCUPIED SINGLE-FAMILY
9 DETACHED DWELLING ON A LOT OF AT LEAST 11,000 SQUARE FEET;

10
11 (II) THE HOME MAY CONTAIN NO MORE THAN FIVE GUEST ROOMS FOR THE
12 LODGING OF GUESTS FOR NO MORE THAN 14 CONSECUTIVE DAYS. THE OWNER SHALL
13 MAINTAIN A RESERVATION LOG OF THE ARRIVAL AND DEPARTURE DATES OF ALL GUESTS
14 FOR INSPECTION BY THE OFFICE OF PLANNING AND ZONING; AND

15
16 (III) GUEST ROOMS MAY NOT CONTAIN ANY COOKING FACILITIES, AND FOOD
17 SERVICE SHALL BE PROVIDED ONLY FOR GUESTS IN A GROUP DINING AREA OF THE HOME.

18
19 (5) FOR A BUSINESS COMPLEX WITH AUXILIARY USES, THE AUXILIARY USES MAY
20 NOT OCCUPY MORE THAN 50% OF THE FLOOR AREA OF THE BUSINESS COMPLEX.

21
22 (6) A NURSING HOME SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:

23
24 (I) THE MINIMUM SETBACK FROM ALL PROPERTY LINES SHALL BE 35 FEET;

25
26 (II) A NURSING HOME MAY BE OPERATED IN CONJUNCTION WITH AN ASSISTED
27 LIVING FACILITY OR ADULT INDEPENDENT DWELLING UNITS OR BOTH, WHETHER OR NOT
28 OWNED BY THE SAME ENTITY;

29
30 (III) AN ASSISTED LIVING FACILITY OR ADULT INDEPENDENT DWELLING UNITS
31 MAY BE LOCATED ON THE SAME LOT AS THE NURSING HOME OR ON ONE OR MORE
32 ABUTTING LOTS, AND, IF LOCATED ON ONE OR MORE ABUTTING LOTS, ITEM (I) DOES NOT
33 APPLY TO THE LOT LINES SHARED BY SUCH ABUTTING LOTS;

34
35 (IV) EACH ACCESS DRIVE SHALL BE LOCATED AT LEAST 40 FEET FROM ANY
36 RESIDENTIALLY ZONED PROPERTY; AND

37
38 (V) ACTIVITY SPACE SHALL BE LOCATED IN A MANNER TO SHIELD
39 SURROUNDING RESIDENTIAL PROPERTY FROM THE EFFECTS OF NOISE, HAZARDS, OR
40 OTHER OFFENSIVE CONDITIONS.

41
42 (7) SELF-SERVICE STORAGE FACILITIES SHALL BE LOCATED WITHIN AN ENCLOSED
43 STRUCTURE WITH NO EXTERNAL ACCESS TO INDIVIDUAL STORAGE UNITS, AND ON-SITE
44 LOADING AND UNLOADING FACILITIES SHALL BE LOCATED AT THE REAR OF A BUILDING.
45 EXISTING SELF-STORAGE FACILITIES ARE NOT REQUIRED TO LOCATE LOADING AREAS TO
46 THE REAR OF THE SITE.

47
48 (8) SOLAR ENERGY GENERATING FACILITY – ACCESSORY SHALL COMPLY WITH
49 THE FOLLOWING REQUIREMENTS:

50
51 (I) THE FACILITY MAY NOT BE MOUNTED ON THE ROOFTOP OF A
52 CONTRIBUTING HISTORIC STRUCTURE LISTED ON OR ELIGIBLE FOR THE NATIONAL
53 REGISTER OF HISTORIC PLACES, UNLESS APPROVED BY THE CULTURAL RESOURCES
54 SECTION OF THE OFFICE OF PLANNING AND ZONING. IF APPROVED, THE FACILITY SHALL
55 BE MOUNTED ON A SECONDARY FAÇADE TO SHIELD THE FACILITY FROM VIEW, THE
56 FACILITY SHALL HAVE MINIMAL IMPACT TO HISTORIC MATERIALS, AND THE FACILITY
57 SHALL BE CAPABLE OF BEING REMOVED WITHOUT IMPACT TO THE STRUCTURE; AND

1 (II) THE FACILITY MAY NOT BE LOCATED ON OR WITHIN THE VIEWSHED OF A
2 PROPERTY LISTED ON OR ELIGIBLE FOR THE NATIONAL REGISTER OF HISTORIC PLACES.

3
4 (9) MOVING OR STORAGE ESTABLISHMENTS AND ANY LIGHT INDUSTRIAL USES
5 ALLOWED UNDER § 18-9-103(B) SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:

6
7 (I) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST TWO ACRES;

8
9 (II) THE FACILITY SHALL HAVE A MINIMUM FRONTAGE OF AT LEAST 200 FEET
10 ON A PUBLIC ROAD; AND

11
12 (III) OUTSIDE STORAGE OF MATERIALS OR PRODUCTS IS PROHIBITED.
13

14 **18-9-106. Mix of uses.**

15
16 A DEVELOPMENT WITH A GROSS AREA OF FIVE ACRES OR MORE IN THE OTC-C ZONING
17 DISTRICT SHALL CONTAIN A MIX OF ANY ALLOWED RESIDENTIAL, COMMERCIAL, LIGHT
18 INDUSTRIAL, AND CIVIC OR INSTITUTIONAL USES AS SET FORTH IN THIS ARTICLE. THE MIX
19 OF USES MAY BE IN A SINGLE BUILDING OR THROUGHOUT THE PROPERTY AND ARE
20 EXEMPT FROM OTHER MIX OF USE REQUIREMENTS IN THIS CODE.
21

22 **18-9-107. Parking.**

23
24 **(A) Parking requirements.**

25
26 (1) EXCEPT AS PROVIDED IN THIS SECTION, THE NUMBER OF REQUIRED PARKING
27 SPACES SHALL BE IN ACCORDANCE WITH SUBTITLE 1 OF TITLE 3.

28
29 (2) A DEVELOPER MAY REQUEST REDUCED PARKING REQUIREMENTS OR A JOINT
30 USE PARKING ARRANGEMENT IN ACCORDANCE WITH § 18-3-105.

31
32 (3) PARKING REQUIRED FOR A NEW USE SHALL BE AVAILABLE EITHER ON-SITE OR
33 NEAR A SITE IN LEASED SPACES OR PUBLIC FACILITIES.

34
35 (4) WHEN FEASIBLE, ADJOINING PROPERTY OWNERS IN THE OTC-C ZONING
36 DISTRICT SHALL CREATE SHARED PARKING LOTS. CONNECTIONS BETWEEN PARKING
37 LOTS MAY BE REQUIRED TO MINIMIZE CURB CUTS ONTO A ROAD.

38
39 ~~(B) Structured parking requirements. EXCEPT FOR A LIMITED NUMBER OF SHORT-~~
40 ~~TERM SPACES OR HANDICAPPED PARKING SPACES, PARKING FOR MULTIFAMILY~~
41 ~~DWELLINGS WITH 200 DWELLING UNITS OR MORE SHALL BE IN A GARAGE STRUCTURE,~~
42 ~~UNLESS OTHERWISE AUTHORIZED UNDER § 17-7-810 OF THIS CODE. THE SHORTEST~~
43 ~~DIMENSION OF THE PARKING STRUCTURE SHOULD BE ORIENTED ALONG A ROAD~~
44 ~~FRONTAGE.~~

45
46 ~~(C)~~ **(B) Surface parking.**

47
48 (1) SURFACE PARKING AREAS SHALL BE PLACED TO THE REAR, BETWEEN, OR TO
49 THE SIDE OF BUILDINGS.

50
51 (2) A SINGLE, DOUBLE-LOADED ROW OF PARKING BETWEEN THE BUILDING AND
52 THE ROADWAY IS PERMITTED IN THE OTC-T, OTC-I, OTC-E, AND OTC-FM ZONING DISTRICTS
53 AND SHALL BE SCREENED FROM THE ROADWAY USING LANDSCAPING, LOW WALLS, OR
54 OTHER MEANS APPROVED BY THE OFFICE OF PLANNING AND ZONING.

1 ~~(D)~~ **(C) Bicycle parking.**

2
3 (1) ONE BICYCLE PARKING SPACE FOR EVERY 20 VEHICLE PARKING SPACES SHALL
4 BE PROVIDED.

5
6 (2) BICYCLE PARKING SHALL BE IN A VISIBLE AND PROMINENT LOCATION THAT IS
7 WELL-LIT, PHYSICALLY PROTECTED FROM AUTOMOBILE PARKING TO PREVENT VEHICLES
8 FROM INTRUDING INTO THE BICYCLE PARKING AREA, AND FOR MULTIFAMILY
9 DWELLINGS SHALL BE COVERED OR PROTECTED FROM THE WEATHER.

10
11 (3) A MINIMUM RADIUS OF FIVE FEET CLEAR OF OBSTRUCTIONS OR STRUCTURES
12 AROUND BICYCLE PARKING SHALL BE PROVIDED.

13
14 ~~(E)~~ **(D) Electric vehicle charging station.** FOR MULTIFAMILY DWELLINGS AND MIXED
15 USE DEVELOPMENT, AN ELECTRIC VEHICLE CHARGING STATION SHALL BE REQUIRED AT
16 A RATE OF ONE ELECTRIC VEHICLE CHARGING STATION FOR EVERY 50 VEHICLE PARKING
17 SPACES REQUIRED. FOR A BUSINESS COMPLEX WITH THREE OR MORE USES, AN ELECTRIC
18 VEHICLE CHARGING STATION SHALL BE REQUIRED AT A RATE OF ONE ELECTRIC VEHICLE
19 CHARGING STATION FOR EVERY 75 VEHICLE PARKING SPACES REQUIRED. ELECTRIC
20 VEHICLE CHARGING STATION SPACES SHALL COUNT TOWARDS THE TOTAL NUMBER OF
21 PARKING SPACES.

22
23 **18-9-108. Signage.**

24
25 **(A) Definitions.** IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
26 INDICATED.

27
28 (1) “HANGING OR BLADE SIGN” MEANS A SIGN THAT PROJECTS FROM THE SIDE OF
29 A BUILDING.

30
31 (2) “MONUMENT SIGN” MEANS A GROUND-LEVEL FREESTANDING SIGN.

32
33 (3) “ON-SITE DIRECTIONAL SIGN” MEANS A SIGN THAT DIRECTS VEHICULAR
34 TRAFFIC TO A USE OR AREA WITHIN A PROPERTY.

35
36 **(B) Generally.** SIGNAGE SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION
37 AND SUBTITLE 3 OF TITLE 3. IN CASES OF CONFLICT, THIS SECTION SHALL APPLY.

38
39 **(C) On-site directional signs.** ON-SITE DIRECTIONAL SIGNS MAY NOT EXCEED FOUR
40 SQUARE FEET IN AREA FOR EACH SIGN FACE OR A HEIGHT OF THREE FEET ABOVE GRADE
41 LEVEL.

42
43 **(D) Facade signs.** THE FOLLOWING FACADE SIGNS SHALL COMPLY WITH THE
44 CONDITIONS SET FORTH.

45
46 (1) WALL SIGNS:

47
48 (I) SHALL BE MOUNTED FLUSH TO A BUILDING FACADE OR AFFIXED ALONG A
49 CHANNEL OR OTHER MOUNTING MECHANISM, AND MAY NOT PROTRUDE MORE THAN SIX
50 INCHES FROM A BUILDING;

51
52 (II) MAY TAKE THE FORM OF PANELS OR INDIVIDUAL LETTERS; AND

53
54 (III) SHALL BE LOCATED WITHIN AN AREA ABOVE THE GROUND FLOOR DOOR
55 AND WINDOW LEVEL, AND BELOW THE SECOND FLOOR WINDOW SILL LEVEL.

56
57 (2) AWNING AND CANOPY SIGNS:

1 (I) SHALL HAVE LETTER SIZES OF NO MORE THAN EIGHT INCHES TALL IN THE
2 ~~OTC-C AND OTC-H ZONING DISTRICTS~~ DISTRICT, OR NO MORE THAN 12 INCHES TALL IN
3 ALL OTHER ODENTON TOWN CENTER ZONING DISTRICTS;

4
5 (II) SHALL HAVE NO MORE THAN 50% OF THE VALANCE AREAS AS PART OF A
6 SIGN AREA; AND

7
8 (III) SHALL BE COMPATIBLE WITH AND COMPLEMENTARY TO THE COLOR AND
9 MATERIAL OF THE BUILDING TO WHICH IT IS ATTACHED.

10
11 (3) HANGING OR BLADE SIGNS:

12 (I) MAY NOT EXCEED 10 SQUARE FEET;

13
14 (II) SHALL BE HUNG PERPENDICULAR TO, AND MAY NOT PROJECT MORE THAN
15 FOUR FEET FROM, THE FACADE OF A BUILDING; AND

16
17 (III) SHALL HAVE NO LESS THAN 7.5 FEET CLEARANCE ABOVE GRADE; ~~AND~~

18
19 (IV) ~~MAY NOT BE LOCATED WITHIN 25 FEET FROM OTHER HANGING OR BLADE~~
20 ~~SIGNS OR PROJECTING SIGNS TO MINIMIZE VISUAL CLUTTER.~~

21
22
23 (E) **Additional signs.** IN ADDITION TO ANY OTHER SIGNS ALLOWED BY THIS CODE, ONE
24 SIGN NOT EXCEEDING A TOTAL AREA OF 400 SQUARE FEET IS PERMITTED ON A PROPERTY
25 WITH A THEATER ESTABLISHMENT.

26
27 (F) **Freestanding signs.** FREESTANDING SIGNS SHALL COMPLY WITH THE FOLLOWING:

28
29 (1) THE TOTAL SIGN AREA MAY NOT EXCEED THE LESSER OF ONE SQUARE FOOT
30 FOR EACH ONE FOOT OF THE ROAD FRONTAGE OR BOUNDARY LINE OF A SITE WHERE THE
31 SIGN WILL BE FACING, OR 200 SQUARE FEET.

32
33 (2) EXPOSED SUPPORTS OR WIRES ARE NOT PERMITTED IN THE OTC-C ZONING
34 DISTRICT.

35
36 (3) EXCEPT AS PROVIDED IN SUBSECTION (I), MONUMENT SIGNS:

37
38 (I) SHALL SIT FLUSH TO THE GROUND WITH A BASE THAT IS AS WIDE AS, OR
39 WIDER THAN, THE SIGN FACE;

40
41 (II) MAY NOT EXCEED A HEIGHT OF 20 FEET FROM GRADE LEVEL, OR 24 FEET
42 FROM GRADE LEVEL ALONG ARTERIAL ROADS;

43
44 (III) SHALL DISPLAY THE STREET ADDRESS WHEN A DEVELOPMENT DOES NOT
45 DIRECTLY ABUT A ROAD OR THE RANGE OF ADDRESSES FOR EACH USE IN A MULTI-USE
46 DEVELOPMENT;

47
48 (IV) SHALL HAVE A MAXIMUM OF 50 SQUARE FEET OF SIGN AREA PER SIDE AND
49 SHALL HAVE NO MORE THAN TWO SIGN FACES SEPARATED BY NO MORE THAN A 30-
50 DEGREE ANGLE;

51
52 (V) SHALL BE LIMITED TO ONE SIGN FOR EACH 500 FEET, OR FRACTION OF 500
53 FEET, OF ROAD FRONTAGE WITH CUSTOMER ENTRANCES; AND

54
55 (VI) SHALL BE VISIBLE FROM ABUTTING ROADS.

1 **(G) Pedestrian directory signs.**

2
3 (1) ONE FREESTANDING PEDESTRIAN DIRECTORY SIGN IS PERMITTED FOR EACH 250
4 FEET OF ROAD FRONTAGE FACING THE PRIMARY BUILDING FAÇADE. IN ADDITION, ONE
5 FREESTANDING PEDESTRIAN DIRECTORY SIGN IS PERMITTED FOR EACH 500 FEET OF ROAD
6 FRONTAGE FACING OTHER BUILDING FACADES FEATURING A CUSTOMER ENTRANCE. IN
7 ADDITION TO A FREESTANDING SIGN, A PEDESTRIAN DIRECTORY SIGN MAY BE A WALL
8 SIGN.

9
10 (2) PEDESTRIAN DIRECTORY SIGNS:

11
12 (I) SHALL BE LOCATED AT PEDESTRIAN NETWORK INTERSECTIONS;

13
14 (II) SHALL INCORPORATE A DIRECTORY OF AREA BUSINESSES AND A MAP OR
15 OTHER GRAPHIC MEANS OF DIRECTION;

16
17 (III) MAY NOT EXCEED SEVEN FEET FROM GRADE LEVEL; AND

18
19 (IV) SHALL HAVE A MAXIMUM OF 30 SQUARE FEET OF SIGN AREA FOR THE
20 FRONT AND THE BACK, INDIVIDUALLY.

21
22 **(H) Temporary signs.** IN ADDITION TO THE TEMPORARY SIGNS ALLOWED BY § 18-3-
23 306, ADDITIONAL TEMPORARY SIGNS COMPLYING WITH THE FOLLOWING MAY BE POSTED
24 DURING BUSINESS HOURS ONLY:

25
26 (1) A TEMPORARY SIGN WITH A POLE BASE MAY NOT EXCEED A HEIGHT OF FOUR
27 FEET FROM GROUND LEVEL OR A SIGN AREA OF NINE SQUARE FEET.

28
29 (2) A SANDWICH SIGN MAY NOT EXCEED A HEIGHT OF THREE FEET FROM GROUND
30 LEVEL OR A MAXIMUM WIDTH OF TWO FEET.

31
32 (3) A TEMPORARY SIGN SHALL BE LOCATED ON PRIVATE PROPERTY OR WITHIN THE
33 PUBLIC SIDEWALK IF IT DOES NOT INTERFERE WITH VEHICULAR ACCESS, PEDESTRIAN
34 MOVEMENT, OR WHEELCHAIR ACCESS TO, THROUGH, AND AROUND THE SITE.

35
36 **(I) Residential developments.** SIGNS IN A RESIDENTIAL DEVELOPMENT SHALL
37 COMPLY WITH THE FOLLOWING:

38
39 (1) A MULTI-FAMILY RESIDENTIAL DEVELOPMENT OR SUBDIVISION WITH UP TO 100
40 DWELLING UNITS MAY HAVE A ONE MONUMENT OR WALL SIGN NOT EXCEEDING 48
41 SQUARE FEET IN AREA.

42
43 (2) A MULTI-FAMILY RESIDENTIAL DEVELOPMENT OR SUBDIVISION WITH MORE
44 THAN 100 DWELLING UNITS MAY HAVE TWO MONUMENT OR WALL SIGNS. IF ONE SIGN IS
45 USED, IT MAY NOT EXCEED 128 SQUARE FEET IN AREA. IF TWO SIGNS ARE USED, EACH SIGN
46 MAY NOT EXCEED 64 SQUARE FEET IN AREA.

47
48 **(J) Prohibited signs.** THE FOLLOWING SIGN TYPES ARE PROHIBITED:

49 (1) INFLATABLE;

50 (2) PYLON AND POLE;

51 (3) VEHICLE MOUNTED SIGNS;

52 (4) ELECTRONIC MESSAGE BOARDS OR BACK-LIT SIGNS ON PROPERTIES LOCATED
53
54
55
56 IN THE OTC-H ZONING DISTRICT;
57

1 (5) ANIMATED SIGNS; AND

2

3 (6) TWIRLERS, PROPELLERS, AND WIND-ACTIVATED DEVICES, INCLUDING
4 FEATHER BANNERS.

5

6

TITLE 16. ADMINISTRATIVE HEARINGS

7

8

18-16-303. Rezoning.

9

10 (c) **Restrictions.** A lot located in an Odenton [[Growth Management Area]] TOWN
11 CENTER ZONING District may be rezoned only to another Odenton [[Growth Management
12 Area]] TOWN CENTER ZONING District, and a lot that is not located in [[a sub-area]] THE
13 ODENTON TOWN CENTER may not be [[administratively]] rezoned to an Odenton [[Growth
14 Management Area]] TOWN CENTER ZONING District. A lot not designated as a mixed use
15 development area in the General Development Plan or a small area plan may not be
16 administratively rezoned to a mixed use district.

17

18

18-16-305. Variances.

19

20 (g) **Odenton Town Center.** A variance may not be granted to the provisions of the
21 Odenton Town Center Master Plan.

22

23 SECTION 5. And be it further enacted, That the “Odenton Town Center Master Plan”,
24 dated October 2023, is hereby amended as follows:

25

26 1. On page 29 of the Plan, strike in its entirety Map 6. Proposed Zoning and
27 substitute the map attached hereto as Exhibit A.

28

(Amendment No. 10)

29

30 2. On page 96 of the Plan, after the definition of the term “COMMERCIAL
31 DISTRICT MANAGEMENT AUTHORITY” insert:

32

33 “COMMERCIAL REVITALIZATION AREA: Commercial Revitalization Overlay
34 Districts are established in Article 18 of the County Code and include the Ft. Meade
35 Business Mix zoning district along MD 175 adjacent to the Seven Oaks community. The
36 County provides tax credits and other financial incentives for revitalization and
37 improvement of eligible properties within these districts as well as flexibility with certain
38 development requirements to facilitate redevelopment.”

39

40 3. On page 98 of the Plan, after the definition of the term “MULTIMODAL
41 TRANSPORTATION” insert:

42

43 “OPPORTUNITY ZONES: Locations, identified by the federal government, eligible for
44 a program that offers a tax incentive to encourage investors to re-invest their unrealized
45 capital gains into Opportunity Funds that are dedicated to investing into low-income or
46 under-served urban and rural communities nationwide.”

1 4. On page 98 of the Plan, after the definition of the term “PLAN2040” insert:

2
3 “**PRIORITY FUNDING AREAS:** Maryland communities and places, designated by the
4 Smart Growth Priority Funding Areas Act of 1997, where State resources will be focused.”

5
6 5. On page 99 of the Plan, after the definition of the term “SPECIAL
7 COMMUNITY BENEFIT DISTRICT” insert:

8
9 “**STATE DESIGNATED TOD AREA:** The State’s TOD Designation program supports
10 the creation and implementation of transit-oriented development through public-private
11 partnerships. The benefits associated with a TOD Designation may include technical
12 assistance, priority consideration for capital funding, financing tools, and eligibility for
13 other State financing programs. The Odenton TOD Designation was approved in 2015 and
14 includes properties in the OTC located within a one-half mile radius of the MARC Station.
15 More information may be obtained from the MD Department of Transportation.

16
17 **SUSTAINABLE COMMUNITIES:** Sustainable Communities are geographic areas
18 targeted for growth and revitalization and are approved by the Maryland Smart Growth
19 Subcabinet. Projects within these areas are eligible and receive priority consideration for a
20 variety of State revitalization resources through such programs as Community Legacy,
21 Neighborhood BusinessWorks, Sustainable Communities Tax Credit, Job Creation Tax
22 Credit, and others. The Odenton-Severn Sustainable Community was approved in 2014
23 and includes the Odenton Town Center as well as the communities of Seven Oaks, Meade
24 Village, Spring Meadows and Stillmeadows. More information may be obtained from the
25 MD Department of Housing and Community Development, Division of Neighborhood
26 Revitalization.”

27
28 6. On page 99 of the Plan, after the definition of the term “TARGETED
29 DEVELOPMENT, REDEVELOPMENT AND REVITALIZATION DEVELOPMENT
30 POLICY AREA” insert:

31
32 “**TAX INCREMENT DEVELOPMENT DISTRICT:** The entire Odenton Town Center
33 was established as a Tax Increment Development District in 2014. This will allow a portion
34 of the tax revenues in the district to be deposited into a special tax increment fund which
35 can be used to fund development and revitalization projects as well as land acquisition,
36 public facilities, and a variety of other projects within the district.”

37
38 7. On page 99 of the Plan, in the definition of the term “TRANSIT-ORIENTED
39 DEVELOPMENT POLICY AREA” in the first line before the colon insert “(Plan2040)”;
40 in the fifth line after “underlying” insert “Plan2040 Development”; and in the sixth line
41 after “is” insert “intended to be”.

42 (Amendment No. 12)

43
44 8. On page 28 of the Plan, under the heading “Future Zoning Considerations”, in
45 the second paragraph, in the second and third lines, strike “, which now includes the
46 southern sections of the Transition Zoning District (OTC-T).

47
48 9. On page 29 of the Plan, strike in its entirety Map 6. Proposed Zoning and
49 substitute the map attached hereto as Exhibit B.

(Amendment No. 13)

1
2
3 10. On page 26 of the Plan, under the heading “OTC-T (TRANSITION)”, in the
4 third line after “Core” insert “, with some light industrial uses along Odenton Road west
5 of Town Center Boulevard where there has been a pattern of such uses.

6
7 (Amendment No. 14)

8
9 11. On page 3 of the Plan, under the heading “Anne Arundel County Council”,
10 strike “Peter Smith” and “Allison M. Pickard” and substitute “Allison M. Pickard” and
11 “Julie Hummer”, respectively; strike “Julie Hummer”, and after “Lisa D.B. Rodvien” insert
12 “Peter Smith”.

13
14 12. On page 30 of the Plan, under the heading “Bicycle and Pedestrian Network”,
15 in the second paragraph, strike “Map 8” and substitute “Map 7”.

16
17 13. On page 30 of the Plan, under the heading “Public Transportation Network”, in
18 the first paragraph, strike “Map 9” and substitute “Map 8”.

19
20 14. On page 30 of the Plan, under the heading “Road Network”, in the first
21 paragraph, strike “Map 10” and substitute “Map 9”.

22
23 15. On page 39 of the Plan, under the heading “III. Planning for Healthy
24 Communities”, in the first paragraph, strike “Map 12” and substitute “Map 11”.

25
26 16. On page 46 of the Plan, under the heading “Challenges to a Healthy
27 Community”, in the first bullet point, strike “Map 13” and substitute “Map 12”.

28
29 17. On page 46 of the Plan, under the heading “Opportunities for a Healthy
30 Community”, in the first bullet point, strike “Map 14” and substitute “Map 13”.

31
32 18. On page 48 of the Plan, under the heading “IV. Planning for a Healthy
33 Economy”, in the third bullet point, strike “Map 15” and substitute “Map 14”.

34
35 19. On page 51 of the Plan, on “Map 15. Special Economic Development
36 Designations (2023)”, in the legend, before “TOD” insert “State”.

37
38 20. On page 52 of the Plan, under the heading “Opportunities for a Healthy
39 Community”, in the fourth bullet point, strike “Map 16” and substitute “Map 15”.

40
41 (Amendment No. 15)

42
43 SECTION ~~5~~ 6. *And be it further enacted*, That the “Odenton Town Center Master
44 Plan”, dated October 2023, as amended by this Ordinance, is hereby adopted.

1 SECTION ~~6~~. 7. *And be it further enacted*, That a certified copy of the Odenton Town
2 Center Master Plan, dated October 2023, as amended by this Ordinance, shall be
3 permanently kept on file in the Office of the Administrative Officer to the County Council
4 and in the Office of Planning and Zoning.

5
6 SECTION ~~7~~. 8. *And be it further enacted*, That all references in this Ordinance to “the
7 effective date of Bill No. 84-23”, or words to that that effect, shall, upon codification, be
8 replaced with the actual date on which this Ordinance takes effect under Section 307 of the
9 County Charter as certified by the Administrative Officer to the County Council.

10
11 SECTION ~~8~~. 9. *And be it further enacted*, That this Ordinance shall take effect 45 days
12 from the date it becomes law.

AMENDMENTS ADOPTED: December 4 and 18, 2023 and January 2 and 16, 2024

READ AND PASSED this 5th day of February, 2024

By Order:



Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 7th day of February, 2024



Laura Corby
Administrative Officer

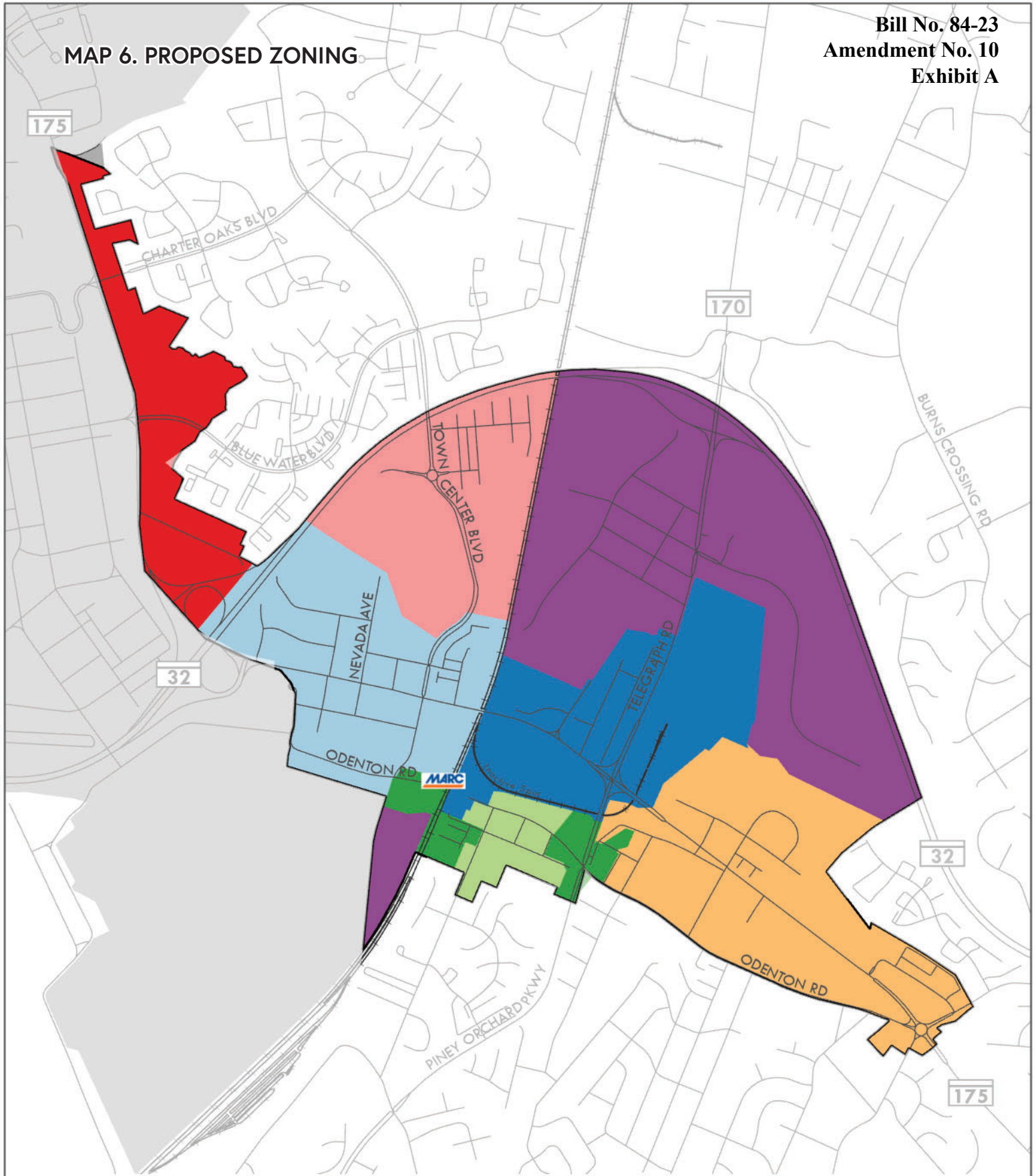
APPROVED AND ENACTED this 13th day of February, 2024



Steuart Pittman
County Executive

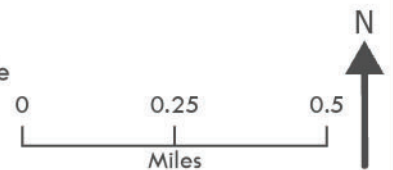
EFFECTIVE DATE: March 29, 2024

MAP 6. PROPOSED ZONING

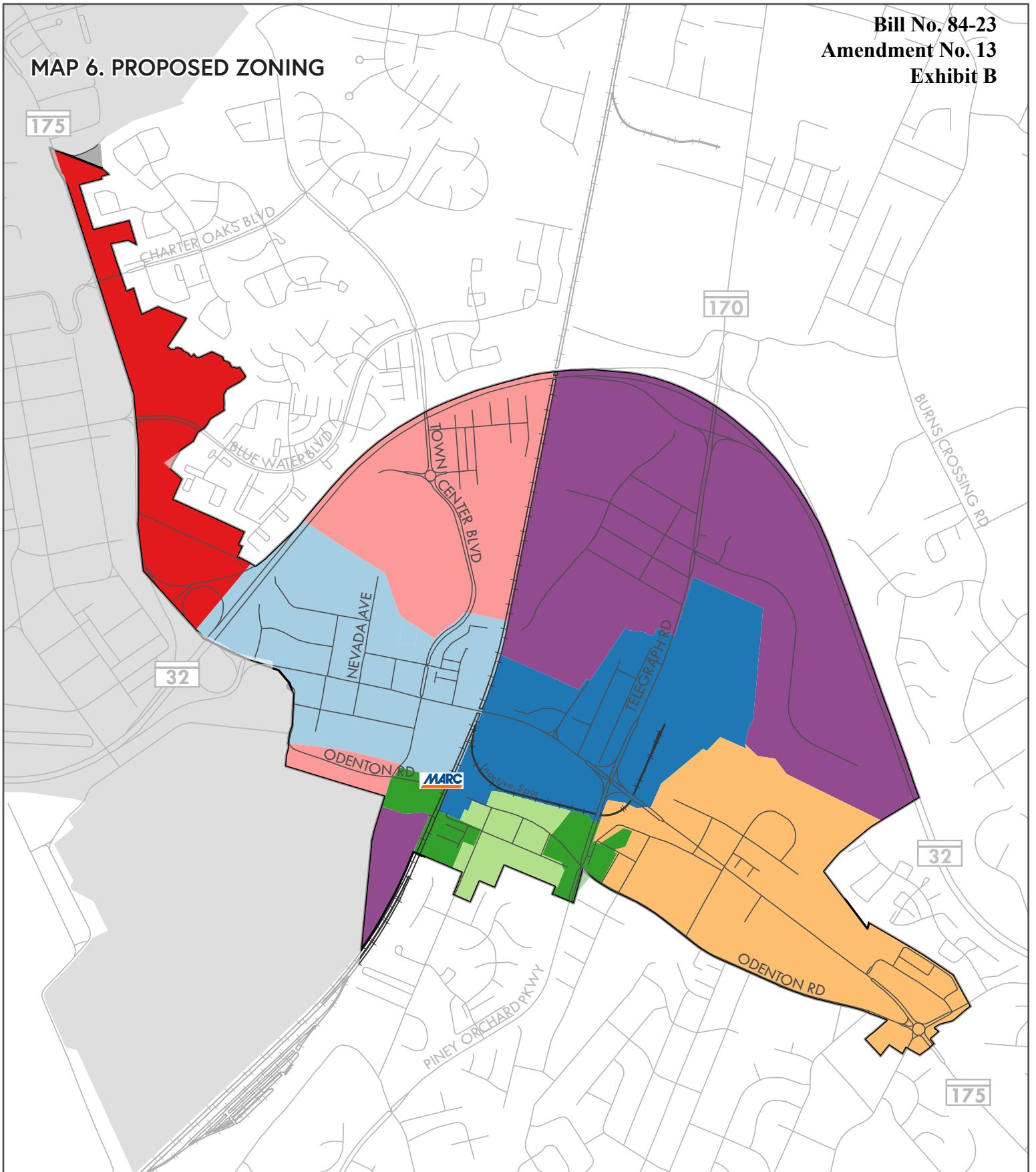


Zoning Districts

- | | | |
|--------------------------|----------------------|----------------------|
| East Core | Historic | Transition |
| East Odenton Village Mix | Historic Village Mix | West Core |
| Ft. Meade Business Mix | Industrial | Fort George G. Meade |

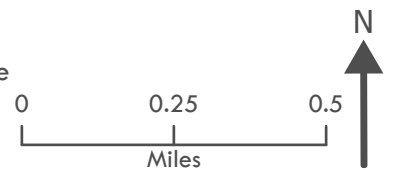


MAP 6. PROPOSED ZONING



Zoning Districts

- | | | |
|--------------------------|----------------------|----------------------|
| East Core | Historic | Transition |
| East Odenton Village Mix | Historic Village Mix | West Core |
| Ft. Meade Business Mix | Industrial | Fort George G. Meade |



I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 84-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is written in a cursive, flowing style.

Laura Corby
Administrative Officer