

## CHAPTER III – FUNCTIONAL PLANNING CONTROLS

This Chapter addresses the functional planning controls and their applicability to development in the Odenton Town Center.

### 1.0 THE OTC DEVELOPMENT REVIEW PROCESS

*The OTC Development Review Process is described in the Article 28 of the Anne Arundel County Code.*

#### 1.1 OTC Plan Applicability

*Unless specifically exempted, the OTC Plan shall fully apply to all development, including both standard and optional methods of development. Partial or full exemptions shall apply to pre-existing uses, including renovation sites, redevelopment sites and additions, small sites, multi-staged development, and permit transitions as follows:*

#### 1.2 New Development

##### **REQUIREMENTS:**

*All new development, including both standard and optional methods, is required to follow the Concept Plan review process, unless specifically exempted by this Plan or Article 28 of the County Code.*

#### 1.3 Pre-Existing Development

##### **Intent:**

At the time of adoption of this Plan, there will be development that does not conform to the functional planning controls and design standards intended to make the OTC an attractive, vital, mixed-use, pedestrian friendly, transit-oriented center. The plan recognizes that market forces and existing partial development may tend to require unusual and difficult re-configuration and redevelopment of the site to accommodate the added uses of the Mixed Use-Optional method. Therefore, in order to protect property owners from harsh demands and promote improvement of existing developments, the following standards apply to these sites:

##### **REQUIREMENTS:**

- A. *The alteration, reconstruction, conversion or expansion of a pre-existing single-family detached dwelling is governed by the Standard Method of Development.*
- B. *The alteration, reconstruction, conversion or expansion of a pre-existing development other than a single-family detached dwelling that does not result in*

*a floor area ratio that exceeds 0.50 is governed by the Standard Method of Development.*

**C. Compliance with Plan Requirements**

*While all property owners are encouraged to improve their properties to achieve the Plan's vision, pre-existing development shall not be required to conform to the Plan requirements except under the following conditions:*

- 1. Site Improvements such as signs, ancillary structures and landscape features shall comply with all applicable requirements.*
- 2. Renovation and Redevelopments – shall be required to make partial or full improvements to the existing site and structure conditions in order to conform, to the applicable Plan requirements, upon application for a Building Permit, Concept Plan, or Significant Change of Use submitted after adoption of this Plan based on the proportional amount of disturbance to pre-existing site and structure conditions.*

*Redevelopment sites with approved phased development plans, shall be permitted to phase in renovations in existing non-residential developed properties over a reasonable time based on the limitations below to conform with Plan requirements, except for those items that would require modification to the main building or structure on the lot or property. For open space, parking, lighting, signage, landscape and streetscape, sidewalks, pathways and trails, road rights of way, stormwater/bio-retention facilities, façade standards and similar provisions, the requirements are as follows:*

- a. Full compliance – Sites that expand the existing floor area by more than 50%, shall be required to fully comply with Plan requirements.*
- b. Partial Compliance – Sites that expand the existing floor area by less than 50% shall be required to partially comply with Plan requirements. They shall not be required to modify the main building or structure on the lot or property, but shall be required to modify open space, parking, lighting, signage, landscape and streetscape, sidewalks, pathways and trails, road rights of way, storm water/bio-retention facilities, façade standards and similar provisions based on the following:*
  - (i.) All sites are required to provide a continuous pedestrian network at the perimeter of the site, and to buffer parking areas from the street, in compliance with the Plan's Functional Plans and design standards.*

(ii.) *The extent of required renovation shall be proportional to the extent of proposed disturbance of the site and building(s) and shall be consistent with the requirements set forth in the County's Stormwater Management Manual for redevelopment sites. Proportional requirements shall be as follows:*

- *Existing site modification: Disturbance to more than 20% of the site requires full compliance with plan design standards regarding site conditions, and disturbance to less than 20% of the site requires proportional compliance with plan design standards regarding site conditions.*
- *Existing building modification: Disturbance to more than 20% of an existing structure's façade requires full compliance with plan design standards regarding architecture facade conditions and disturbance to less than 20% requires a proportional compliance with architectural design standards.*

#### **1.4 Site Area Requirements**

**Intent:**

All of the zoning districts established within the OTC offer an optional method of development for mixed-use. All lot owners are encouraged to use this method of development. The Plan recognizes that a small number of pre-existing lots or parcels of land may exist that are too small, too isolated and/or physically not adaptable to create multiple uses on the site or in cooperation with other sites. Therefore, smaller lots are permitted to follow the optional method under reduced requirements.

These reduced requirements apply only to pre-existing lots that are not part of a larger ownership or a cooperative development application.

***REQUIREMENTS:***

- A. Sites of less than two acres anywhere in the OTC may follow either the Standard or Optional Method of development. No minimum number of uses is required.*
- B. Sites of at least two acres but less than 10 acres may provide any number of uses, but in the Core, such sites are entitled to a development bonus reward for providing two or more uses.*
- C. Sites of 10 acres or greater may provide any number of uses, except in the Core, where uses from three or more use categories are required, including one use from the residential category. As an alternative, if residential only is proposed in the Core, it would be permitted as a single use.*

## 1.5 Multi-Staged Developments

### **Intent:**

A balanced mix of uses shall generally be established and maintained on multi-phased mixed-use sites through each stage of construction. Timing commitments for phased development of mixed-use sites shall be established at the time of Concept Plan review and approval. Specific agreements shall be set for each site as to the staging of development of each use category.

### **REQUIREMENTS:**

*Development staging shall be limited by the following constraints:*

- A. *At the time of Concept Plan submittal, the applicant shall provide a timetable for development of the proposed uses on the site. Every effort should be made to provide a balance of uses at each stage of development; however, consideration will be given to allowing all of one use prior to other uses being constructed with suitable justification provided to the Office of Planning and Zoning.*
- B. *Approved estimates of Off-site trip generation for interim stage development shall not exceed the approved number of off-site trips approved for full build out in the concept plan.*
- C. *The mix of uses at each stage of construction shall be as approved in the Concept Plan except as follows:*
  1. *Modifications to land use staging that exceed the limits of approved staging plans by more than 10% shall require an amendment to the approved Concept Plan.*

## 1.6 Post Construction Compliance

### **Intent**

Once a building or a cluster of buildings are built, it is common that the land use mix on the site will change over time due to fluctuations in the real estate market, tenant changes and other forces. A reasonable amount of this is acceptable and even encouraged as long as the goals of this Plan are met and the required Sub-Area land-use ratios are maintained. Applicants are encouraged to design and construct buildings that, in addition to meeting the design standards and plan requirements, have the capacity for flexibility.

For instance, Live/Work units designed to be both an office and residential unit are becoming more common. These suites are designed to be rented either as an office or residential unit and often sit above a retail space, or the unit may be designed like a town house with a storefront space on the ground floor.

**REQUIREMENTS:**

*A degree of fluctuation in the site's land-use mix ratio, where applicable, shall be permitted subject to the following limitations below. Change of Use applicants will be required to meet the following standards:*

- A. Permitted Use – The use must be permitted in that Sub-Area.*
- B. Joint Use Agreements – Applicants must include any existing agreements with other OTC sites regarding shared parking or cooperative mix of uses and show that the change of use will not violate these agreements.*
- C. Land Use Ratio – Applicants must show that the use change will not cause the site's land use ratio to drop below the minimums established for that Sub-Area unless agreements are provided with other sites to justify the variation.*
- D. Parking Adequacy – Applicants must show that there is adequate parking available either on-site or nearby in leased spaces or public facilities to meet the requirements for the new use per the parking facilities plan.*
- E. Off-site Trips - Applicants must either show that the use will not cause the site to exceed the approved maximum number of off-site trips per established by the site's approved traffic analysis or must seek approval for additional off-site trips.*

**1.7 LAND USE PLANNING CONTROLS**

**1.8 Permitted Development Methods**

**Intent:**

In order to provide all OTC property owners with the choice of whether or not to build a mixed-use development, two development methods are permitted in the OTC. Either method can be applied to land parcels of any size. These are referred to as the Standard Method of Development and the Optional Method of Development and are defined as follows.

**REQUIREMENTS:**

- A. Standard Method Development - This is development that is a matter of right under zoning and other regulations. Two types of standard development are possible as follows:
  - 1. Residential - The standard method of development for a property that was zoned as a residential district prior to being rezoned to an OTC zone is**

*development that conforms to the permitted use requirements of the previously zoned Residential district and this Plan's requirements.*

- 2. Non-residential - The standard method of development for a property that was zoned as a non-residential use prior to being rezoned to an OTC zone is development at an FAR of 0.5 or less that conforms to this Plan's requirements.*
  - 3. Development that follows the Standard Method is exempt from the public review meeting required at the Concept and Final Development Plan stage.*
- B. Optional Method Development - This method allows more intense development, in return for greater discretionary approval over all elements and achievement of a better quality of design and more public amenities, than typical standard development. Optional method developments are developments that conform to the requirements of this Plan.*

*Insert Figure 30: Existing Zoning – 2000*

## 1.9 Permitted Land Uses

### **Intent:**

The intent of the following land use requirements is to manage the range, ratios and arrangements of the permitted land uses in the OTC, consistent with the Plan's land use goals and objectives.

Figure 31, Permitted Land Uses Chart, defines the uses allowable in the OTC area. This list is divided into seven columns, one for each of the OTC Sub-Areas. The uses permitted reflect the defined purpose and character of each Sub-Area.

The scope and purpose of each of the land use categories are as follows:

- A. **Residential** – Includes medium to high-density residential activities with a wide range of unit types as well as other living environments such as retirement facilities, extended stay hotels and other related uses. The list of permitted residential uses varies from zone to zone in the OTC. On mixed-use sites, residential density is defined as the portion of the site's floor area.
- B. **Retail** – Includes a wide range of retail, service and entertainment functions that will serve the daily needs of workers and residents within the OTC and the region. For certain uses in certain Sub-Areas, a maximum floor area is established to ensure a community orientation. It also includes public or commercial parking to serve these needs.
- C. **Office** – Includes general offices for business, professional, administrative, medical scientific, financial and applied research and other similar activities, as well as public or commercial parking, to serve these needs.
- D. **Light Industrial** – Includes attractive industrial research and development uses, a limited range of light manufacturing, fabrication, and flex spaces suitable for uses that meet specific performance standards regarding issues such as vibration, noise, pollution, and glare. It also includes public or commercial parking to serve these needs.
- E. **Civic / Institutional** – Includes government offices and services, private institutions and philanthropic organizations, such as museums, hospitals, libraries, community centers, houses of worship, performing art centers and theatres, and other similar activities for community use.

It is important to note, that in some Sub-Areas, individual land uses may count in more than one use category. Commercial parking, for instance counts in several categories. Also, a land use that counts in one category in one Sub-Area, will count in another category in a different Sub-Area. For instance, extended stay hotel rooms and certain types of senior centers may be counted as a residential use in some Sub-Areas.

*Insert Figure 31: Permitted Land Uses Chart  
(Page 1 of 4)*

***Insert Figure 31: Permitted Land Uses Chart  
(Page 2 of 4)***

*Insert Figure 31: Permitted Land Uses Chart  
(Page 3 of 4)*

***Insert Figure 31: Permitted Land Uses Chart  
(Page 4 of 4)***

**REQUIREMENTS:**

**A. Permitted Uses**

*OTC developments are permitted to build any single land use from any land use category that is permitted in the applicable Sub-Area in accordance with Figure 31, Permitted Land Uses Chart, unless a dominant land use category has been established for that Sub-Area or specific block. Figure 32, Mix of Uses Functional Plan, indicates the specific blocks upon which a dominant land use has been defined.*

*For those developments that elect to follow the optional development method and create a mixed-use development, the Chart in Figure 33, Land Use Mix & Ratios Chart, defines the Land Use Mix & Ratios and Figure 32 indicates the blocks to which these ratios are applied. Several standard land use mix types are used as follows:*

- 1. Town Center Residential*
- 2. Transition Residential*
- 3. Village Residential*
- 4. General Residential*
- 5. General Business*
- 6. Town Center Commercial*
- 7. Historic Town Center*
- 8. Industrial*
- 9. Transit Station Area*

**B. Number of Uses**

*Unless the defined Land Use Mix & Ratio prohibits mixed-use on a particular block, mixed use is permitted throughout the OTC.*

*Insert Figure 32: Mix of Uses Functional Plan*

*Insert Figure 33: Land Use Mix & Ratio Chart*

*Using the Concept Plan review process, multiple phase developments may be built with a single use in the initial phase with other uses in later phases (see Process and procedures for Concept Plan and staging requirements).*

**C. Mixed-use Design Choices**

*A wide range of mixed-use development is permitted in the OTC. This is intended to reflect differing site conditions and planned Sub-Area character.*

*Mixed-use requirements may be met by any of the following arrangements:*

- *Vertical mixed-use development occurring in one building; or*
- *A mixed-use site with several single use buildings that cluster larger amounts of uses together to create a critical mass, provided that the distance between each use is six hundred (600) feet or less, and the site and architectural design treatments are sufficient to ensure frequent pedestrian interaction between the uses and sharing of parking facilities.*

***Summary of Development Requirements***

*Figure 34, Summary of Development Requirements by Sub-Area, shows the development requirements by Sub-Area and block.*

*Insert Figure 34: Summary of Development Requirements by Sub-Area*

### 1.10 Permitted Building Height

**Intent:**

The intent of the OTC building height standards is to encourage the development of multi-story buildings, in order to ensure efficient and compact development on the limited land area, and to create a more uniform urban character. The ability to create taller buildings is offered as a reward for desired actions. Building heights in transition areas are limited, in order to protect adjoining residential communities.

Building height requirements are also intended to encourage staged development intensification over time. Common wall building masses and individual buildings that are designed for incremental horizontal and/or vertical expansion are encouraged.

In certain blocks a minimum height is encouraged (noted with a \* on the Plan) as follows:

- All exposed building facades that can be seen from a public street, not hidden by a common wall with other buildings, should have the appearance of at least two occupied stories.
- In buildings with varied heights, the minimum average number of floors for the building should be two and all exposed facades should appear to be two stories. Common wall building masses may be included in this calculation at the applicant's option.
- The interior space on upper floors may be left unfinished until occupancy.
- In approved multi-staged Concept Plans, buildings that do not meet the above standards may be designated and approved as an interim building to be either replaced or vertically expanded in later phases. Buildings approved for later vertical extension should be designed and built to support and accommodate the upper floors at the time of initial construction.

***REQUIREMENTS:***

***Building heights are limited by the restrictions shown in Figure 35, Height Functional Plan.***

### 1.11 Floor Area Ratio (FAR) Limitations

**Intent:**

Development intensity in the OTC is largely controlled by a combination of building height limitations and the requirements for open area, parking and storm water management. These have been adjusted to permit a moderate density when combined with the FAR. A range of maximum floor area ratio limitations has been established for the OTC on a block-by-block basis in order to control development intensity and concentrate density into the core area.

The intent of these FAR standards is to reward developments that provide multi-story buildings and mixed-use development with structured or shared parking that may be off site. This will help ensure efficient and compact development on the limited land area, and create a balanced land use mix throughout the OTC.

FAR limitations are also intended to encourage staged development intensification over time. Development intensity is reduced on blocks nearest the OTC boundaries in order to protect adjoining residential communities.

Increased development intensity is offered as a reward for desired actions through the bonus program. In the Core, no maximum floor area ratio has been set for bonus projects. This approach is consistent with the County's current town center zoning ordinance, adopted in 1995. The combined limitations of building height, open area, parking and the design standards shall dictate the intensity of development on land in this category.

This standard is intended to provide the flexibility for small site redevelopment. For example, an eight (8) story office building could be built on a one-half (0.5) acre site with its parking being provided in a public or private parking garage on another nearby parcel and the developer could contribute to the construction of a plaza down the street. This would result in a FAR of eight (8) on that one-half (0.5) acre site where previously a one-story fast food restaurant existed.

***REQUIREMENTS:***

***The FAR limitations are mapped in Figure 36, Floor Area Ratio (FAR) Functional Plan and shown in the following Table. The FAR categories apply on a block-by-block basis using the OTC Block Map previously shown in Figure 22.***

*Insert Figure 35: Height Functional Plan*

*Insert Figure 36: FAR Functional Plan*

OTC FAR Limitations by Category	A	B	C	D
Maximum FAR Standard Method Development (1)	0.5	0.5	0.5	0.5
Maximum FAR Optional Method (2)	4.0	2.0	1.0	0.5
Maximum Optional Method FAR with approved bonus additions and three land uses. (3)	NA (4)	2.0(5)	2.0	1.0

- (1) Development applications that follow the standard method of development shall be limited by the above FAR and are not eligible for Bonus FAR.
- (2) Optional Method Development applications shall be approved up to the above FAR.
- (3) Optional Method Development applications may be granted for the above increased FAR through an approved bonus application.
- (4) NA - Not applicable - no maximum FAR is defined. Density is limited by building height and other factors.
- (5) Floor area dedicated to residential dwelling units shall be excluded from the calculation of permissible FAR.

### 1.12 Dwelling Units Per Acre (DUA) Limitations

**Intent:**

In order to create a critical mass of housing in the OTC, residential is permitted in most blocks. In certain blocks it is permitted as a single use and in others as a portion of a mixed-use development as seen in the Mix of Uses Functional Plan, Figure 32. Figure 37 indicates the maximum density of residential development expressed as a number of dwelling units per acre. In areas where a mix of residential and non residential uses are proposed on one site or within one building, the recommended OTC zoning proposes that the full amount of residential development be permitted provided that the development does not exceed height and the site coverage limitations.

For comparison, the maximum permissible residential density in the Core Sub-Area is 44 DUA throughout the 1995 OTC area. In the Village Sub-Area a DUA of 15 is recommended. The current zoning of C1 permits 12 DUA, the C2 zone permits 22 DUA and the C3 zone permits 15 DUA.

***REQUIREMENTS:***

*The maximum residential density permitted in the various blocks of the OTC shall be as defined in Figure 37, DUA Functional Plan.*

*Insert Figure 37: DUA Functional Plan*

### 1.13 Building Setbacks

**Intent:**

In order to create a more urban environment, it is important to relate buildings to adjoining rights-of-way and corresponding sidewalks and streetscapes.

***REQUIREMENTS:***

*Building setbacks for the various street standards in the OTC are identified in Figure 38, Setbacks and Streetscape Standards by Street.*

*Insert Figure 38: Setbacks and Streetscape Standards by Street*

## 1.14 Development Bonuses

### **Intent:**

In the OTC, a defined increment of additional development capacity and other defined rewards may be earned by development applicants who commit to either provide, or contribute to the provision of a defined set of public benefits. This bonus program applies to both standard and optional development methods and is intended to:

1. Encourage growth in accordance with the goals of the OTC Plan.
2. Obtain desired densities and intensities of development in accordance with the OTC Plan.
3. Avoid hindering development by placing excessive burdens on the development community in the form of exactions.
4. Reward willing property owners for creating high quality projects that help achieve the OTC goals without burdening all developments with higher standards.
5. Obtain community betterment through creation of public amenities, facilities, and quality development.
6. Obtain additional real estate revenues and promote urban infill.
7. Reduce dependence on general taxes to obtain betterment.

### ***REQUIREMENTS:***

*In order to earn a development bonus reward, applicants shall accumulate points by providing for, or contributing to, the creation of a series of defined public benefits that are described as Bonus Eligible Actions. Figure 39, OTC Development Bonus Chart summarizes the actions for which bonuses may be earned. This figure also defines the range of possible rewards, and the amount and type of reward that may be earned for each action.*

*Full descriptions of the bonus eligible actions, along with the minimum conditions that must be exceeded before a bonus may be earned, are provided at the end of each of the relevant sections throughout Chapter III – Functional Planning Controls.*

*Insert Figure 39: Development Bonus Chart  
(Page 1 of 2)*

***Insert Figure 39: Development Bonus Chart  
(Page 2 of 2)***

*Applicants for either the Standard or Optional method of development may apply for a development bonus at the time of application for Concept Development Plan (CDP) or for a building permit if no CDP is required. A bonus request shall be submitted as part of the application. The applicant must request a specific FAR, height or other reward and must specify where the rewards will be applied. For example, the reward might be applied to the overall site or more buildings on the site. An applicant must submit calculations, drawings, plans, and textual documentation that show how the requirements of each requested bonus action will be met.*

*The Planning and Zoning Officer will provide forms and instructions to assist applicants in understanding and using the Bonus program.*

*The approved Concept Development Plan, or building permit, will include findings as to the reasons for granting or denying any requested Bonuses. Additionally, unless modified by the Bonus increment, all other requirements of the Odenton Town Center Plan will remain in effect.*

*All approved bonus actions must be in place at, or before, an occupancy permit will be issued for the effected site or building.*

#### **1.15 Bonus & Credit Exchange**

**Intent:**

The OTC Bonus and Credit Exchange is an optional application item for the larger and more complex Optional Method developments in the OTC. This is intended to be a planning mechanism that will help review and memorialize the public/private agreements made during development review. The resulting approved agreements will define public and private roles and phasing requirements in the funding, design, and construction of improvements to public facilities and amenities needed to support the application.

This optional application process is intended to help bring about timely improvements to public facilities and amenities in the OTC. It can be used to better coordinate the provision of contributions between various development applicants. It can enable the County to better oversee proposed improvements associated with large multi-staged developments in the OTC.

***REQUIREMENTS:***

*Applications for a bonus and credit exchange shall be made at the time of application for Concept Development Plan (CDP) or for a building permit if no CDP is required. The applicant must provide a phasing plan and a draft development agreement defining the scope and sequencing of the exchange proposed. Calculations, drawings, plans, and textual documentation that illustrate the request will also be required.*

*The Planning and Zoning Officer will provide forms and instructions to assist applicants in understanding and using the Bonus and Credit Exchange Program. The*

*approved Concept Development Plan, or building permit, will include findings as to the reasons for granting or denying any requested exchange application. Additionally, unless modified by a bonus increment, or approved minor modification, all other requirements of the Odenton Town Center Plan will remain in effect.*

*Specific OTC Bonus & Credit Exchange application requirements and the list of features that may be approved in an exchange are defined in Appendix A, Bonus & Credit Exchange Application Explanation.*

## **1.16 Open Areas**

### **Intent:**

Defined amounts of open areas are required as part of each development in the OTC. These open areas are intended to create a network of high quality, memorable spaces that work in combination with the required streetscapes and architecture in order to create an attractive urban identity for Odenton.

Consistent with the goals and objectives of this Plan, these open areas are intended to serve multiple functions. They will provide green relief, promote infiltration and evapotranspiration and protect sensitive areas. They will provide usable activity areas where residents, workers, and shoppers can gather, recreate, and socialize. In order to insure that open areas fulfill these functions, defined amounts of the required open area are required to meet different performance standards. These are as follows:

- Public Activity Space
- Residential Activity Space
- Usable Area
- Green Area

Open areas that are designed to meet multiple standards are encouraged. For instance, a public activity space may also be counted towards the green area and usable area requirement.

Because of the desired development intensity and urban character, the location of OTC open areas is more flexible than in other areas of the County. Open area may be provided on rooftops and in interior common spaces, as well as in exterior ground level areas. In order to encourage urban redevelopment of small sites, creation of a few high-quality OTC Focal Areas, and preservation of significant green areas, a portion of open space requirements may also be fulfilled by providing or contributing to the creation of off-site open areas in and around the OTC.

The intent of each of the individual required open areas is as follows:

### **1. Public activity spaces**

On development sites with non-residential uses, a portion of the required open area will be designed for public activities. These areas are intended for the shared

use of the public, site occupants and site residents, and will be designed for strolling, gathering, play, dining, cultural activity or other events. They may be in interior, exterior or rooftop locations and may include a wide range of features such as a village green, plaza or square, courtyard, pocket park, rooftop garden or terrace, atrium lobby, or food court. The required amount of public activity space is expressed as a percentage of the amount of non-residential building square footage.

**2. Residential activity spaces**

On sites with residential development, a portion of the required open area will be designed for the exclusive use of residents in individual developments. They may be in interior, exterior or rooftop locations and include a wide range of features such as usable lawns and terraces, pool areas, fitness rooms, rooftop gardens and similar spaces. The required amount of residential activity space is expressed as a percentage of the residential building square footage proposed.

**3. Usable areas**

A defined percentage of the open area on all sites must be accessible and usable. Usable areas include the areas that meet public or residential activity standards above as well as all other residual spaces that are suitable for active enjoyment by pedestrians and non-motorized vehicles and for organized or casual social activities. For instance, usable areas might include any activity spaces as well as walkways, smaller lawns, and outdoor employee lunch areas.

**4. Green areas**

A defined percentage of the required open area must meet the standards for green area in order to provide adequate relief in urban areas. The definition of green area excludes all paved areas and counts exterior planted areas of almost any kind and size that contribute to creating green relief, infiltration or evapotranspiration in the OTC. Green areas can include usable, unusable and even inaccessible areas. They can include lawns, planters, green roofs, landscaped areas, forest and sensitive preservation areas, buffers, bio-retention areas, parking lot strips and tree pits. The intent is to promote full development of OTC sites without sacrificing the goal of green relief and environmental sustainability inside the OTC.

***REQUIREMENTS:***

**A. Minimum Area Requirements**

**1. Total Open Area Requirement**

*In the OTC, developments shall provide a minimum amount of open area that is equivalent to twenty (20) percent of the gross site area.*

*Of the required 20% Open Area, a minimum shall be provided as follows:*

*a. Minimum Usable & Green Areas*

*Expressed as a percent of gross site area:*

<i>Sub-Area</i>	<i>Usable Area</i>	<i>Green Area</i>
<i>Core</i>	<i>15%</i>	<i>5%</i>
<i>Village</i>	<i>10%</i>	<i>10%</i>
<i>Transition</i>	<i>10%</i>	<i>10%</i>
<i>Industrial Area</i>	<i>5%</i>	<i>10%</i>
<i>North Odenton</i>	<i>10%</i>	<i>10%</i>
<i>East Odenton</i>	<i>10%</i>	<i>10%</i>
<i>Fort Meade Dev. Corridor</i>	<i>10%</i>	<i>10%</i>

*b. Minimum Public Activity Space*

*One (1) square foot of public activity area shall be provided for every ten (10) square feet of non-residential floor area, except that in all optional development projects, no less than one thousand (1000) square feet of public activity area shall be provided.*

*c. Minimum Residential Activity Space*

*One (1) square foot of public activity space shall be provided for every ten (10) square feet of residential floor area. See Design Standards in Chapter IV.*

**B. Location Requirements**

**1. Total Open Area**

*Up to (90) percent of the open areas in the Core may be located on rooftops or above grade, provided these spaces meet the relevant OTC Design Standards.*

**2. Usable and Green areas**

*All areas that are counted towards usable and green area requirements shall be located out of doors except for those portions of public activity spaces that are permitted in interior locations.*

**3. Public Activity Space**

*Up to thirty (30) percent of this area may be interior space and up to twenty (20) percent may be on rooftops or above grade, provided these spaces meet the OTC Design Standards.*

**4. Residential Activity Space**

*Up to fifty (50) percent of this area may be in an interior space and up to one hundred (100) percent may be on rooftops or above grade, provided these spaces meet the OTC Design Standards in Chapter IV.*

C. Design Requirements

1. *Usable Areas*

*All Usable areas shall meet the Design Standards in Chapter IV. Usable areas may include:*

- a. Public Activity Spaces that meet OTC Design standards*
- b. Residential Activity Spaces that meet OTC Design Standards*
- c. Usable residual areas that meet OTC Design Standards*
- d. Walkways, streetscape areas and trail areas*
- e. Green areas*

*Usable is defined as accessible areas that are designed to be walked upon, used and enjoyed by pedestrians and/or non-motorized vehicles. Inaccessible areas such as steep wooded slopes, high grassy berms, shrubbery beds, or small landscape islands in parking areas are not considered usable. Areas designed for use by motorized vehicles are not usable areas.*

2. *Green Areas*

*Green areas shall not contain paved impervious surfaces but shall include all other planted areas that support evapotranspiration and/or infiltration, as well as green infrastructure. These may include the following:*

- a. Planted portions of green roofs, roof gardens and terraces*
- b. Planted areas of activity spaces and usable residual spaces*
- c. Landscaped bio-retention or detention areas*
- d. All preserved forest preservation and reforestation areas, and riparian and sensitive area buffers*
- e. Landscape buffers, lawns and green islands or infiltration strips in parking lots.*
- f. Tree pits and planters*
- g. Wetlands and floodplains and small water bodies*
- h. Other areas that meet the definition above.*

3. *Public Activity Space*

*Public activity space must meet the Design Standards in Chapter IV.*

4. *Residential Activity Space*

*Rooftops, or above grade spaces, must meet the Design Standards in Chapter IV.*

1.17 **Bonus Eligible Actions**

**Intent:**

In order to help achieve the goal of directing growth to Odenton and away from the rural and sensitive areas of the County, the following bonus eligible actions have been created to reward developments that exceed minimum requirements and/or undertake other desirable actions. The development bonus rewards for these actions are described in the previous Land Use section.

***REQUIREMENTS:***

*In order to be eligible to receive a land use bonus as shown in Figure 39, applicants shall meet or exceed one or more of the following land use actions.*

***A. Public Land Dedications***

*An applicant shall dedicate land, beyond that which is required within the OTC, for public use. Dedicated land shall include developable land, land from which some or all of the development rights have been transferred or non-developable land. All proposed dedications are subject to County approval.*

***B. Growth Management Bonuses***

*Proposed preservation sites for the following bonus actions shall be approved by the County. They may be dedicated to either the County or to a County approved land conservancy organization or may be protected by a conservation easement. Bonus points shall be based on an appraisal of the land's value that follows the County's appraisal process.*

***1. Green Area Preservation – Provision of permanently protected green areas beyond that which is required. Bonus green areas may include areas that are: onsite, within the OTC, within the OTC sub-water sheds, or elsewhere in the County in areas designated as:***

- a. Recommended TDR Sending areas by the Small Area Plans,*
- b. Recommended Rural Legacy areas,*
- c. Greenway areas*
- d. County park sites*

*Protected lands should meet the following criteria:*

- Desirable undevelopable land such as sensitive areas and their buffers, streams and their riparian corridor buffers, key greenway parcels or other natural areas where public access or environmental management is needed.*
  - Developable land that is forested, in the critical area, adjacent to streams or wetlands, or that could become part of a Greenway or County park.*
- 2. Rural Area Preservation – Provision of permanently protected rural lands in those areas of the County designated as:***

- a. Recommended TDR Sending areas by the Small Area Plans,*
- b. Recommended as Rural Legacy areas.*

- 3. *Critical Area Preservation – Provision of permanently protected land anywhere in the County’s designated Critical Areas.*
  - 4. *Preservation Fund Contributions – Contribution to an approved County open space fund such as the OTC Public Amenities Fund, Rural Legacy Program, or other fund that will acquire and/or protect rural and woodlands, sensitive areas, public park land, as well as, natural green areas.*
- A. *Smart Development Bonuses*
- 1. *Redevelopment Bonus – For renovation of a site with pre-existing uses, provided that the improvement results in an intensification of the site’s development density.*
  - 2. *Desirable Uses Bonus – Provision of at least 5,000 square feet of building space for use by more desirable land use through dedication or long-term lease. Desirable land uses include, but are not limited to, public service facilities, community centers, senior centers, museums, visual or performing arts facilities, day care centers, libraries, fire stations, and police offices, as approved by the County.*
  - 3. *Desirable Use Mix Bonus – Provision of land uses from four or more of the approved land use categories, provided that a minimum of 5,000 square feet of each is provided.*
  - 4. *The provision of two or more uses in the Core on sites of at least two acres but less than 10 acres.*
  - 5. *Public Facility Contribution Bonus – Contribution of a minimum of \$75,000 to help fund the creation of a public service facility needed to support OTC development, provided the County has identified a CIP number for the project.*
  - 6. *Small Site Assemblage – Assemblage of two or more pre-existing buildable lots to create a larger contiguous optional method development site.*
  - 7. *Vertical Mixed-Use – Provision of buildings designed to be used for two or more approved land use categories. Building spaces for the uses should be designed so that the uses are independently operated from each other.*