

**Odenton Town Center
Draft Code Revisions**

ARTICLE 17. SUBDIVISION AND DEVELOPMENT

TITLE 2. GENERAL PROVISIONS

17-2-101. 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:

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

(15) an application for sketch plan approval, final plan approval, preliminary plan approval, or approval of a building or grading permit associated with a BRAC Mixed Use Development plan that was filed before December 15, 2022 shall be governed by the law as it existed prior to June 27, 2022;~~[[and]]~~

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

(17) FOR A PROPERTY LOCATED IN THE ODENTON TOWN CENTER, AN APPLICATION FOR APPROVAL OF A SKETCH PLAN, FINAL PLAN, A PRELIMINARY PLAN, SITE DEVELOPMENT PLAN, OR A BUILDING OR GRADING PERMIT FILED BEFORE THE EFFECTIVE DATE OF BILL NO. __-23, SHALL BE GOVERNED BY SUBTITLE __ OF TITLE __ AS THEY EXISTED PRIOR TO THE EFFECTIVE DATE OF BILL NO. __-23, EXCEPT THAT AN APPLICANT MAY MAKE AN ELECTION, IN WRITING AND FILED WITH THE PLANNING AND ZONING OFFICER NO LATER THAN JANUARY 31, 2024, TO BE GOVERNED BY THE LAW AS IT EXISTS AFTER THE EFFECTIVE DATE OF BILL NO. __-23.

TITLE 3. SUBDIVISION

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

~~[[f) Odenton Growth Management Area. In the Odenton Growth Management Area, development is subject to the review timeline set forth in the Odenton Town Center Master Plan.]]~~

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

17-3-303. Review process.

[[e] **Odenton Growth Management Area.** In the Odenton Growth Management Area, development is subject to the review timeline set forth in the Odenton Town Center Master Plan.]]

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

TITLE 4. SITE DEVELOPMENT

17-4-202. Site development plan.

(c) **Attachments.** A site development plan shall be accompanied by all information required by the Office of Planning and Zoning and the Health Department, including to the extent applicable:

(13) information that demonstrates compliance with the Glen Burnie Town Center Plan, [[the Odenton Town Center Master Plan,]] or any other applicable plan or law;

17-4-203. Review process.

[[e] **Odenton Growth Management Area.** In the Odenton Growth Management Area, development is subject to the review timeline set forth in the Odenton Town Center Master Plan.]]

[[f]] (E) **Recommendation and approval.** At any time after the filing of a site development plan associated with an application for a building or grading permit, the Office of Planning and Zoning may recommend to the Department of Inspections and Permits that the application be denied for failure to comply with the provisions of this Code, [[the Odenton Town Center Master Plan,]] or other law, or failure to provide confirmation satisfactory to the Office of Planning and Zoning that any relocation assistance required to be paid to mobile home park residents has been fully paid. Otherwise, the Office shall recommend approval. No appeal may be taken from a

recommendation made under this subsection. Approval of the permit by the Department of Inspections and Permits constitutes approval of the site development plan.

TITLE 5. ADEQUATE PUBLIC FACILITIES

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

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

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

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 Growth Management Area: nonresidential building additions of less than 1,000 square feet and tenant improvements	E	E	E	S	E	S

Residential						

Odenton [[Growth Management Area]] TOWN CENTER: residential developments in the [[O-Core]] OTC-WC OR OTC-EC	S	E ¹	E	S	S	S

Odenton [[Growth Management Area]] TOWN CENTER and Parole Town Center Growth Management Area: 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 But subject to the requirements in [[the Odenton Town Center Master Plan]] SUBTITLE 8 OF TITLE 7.

17-5-202. Testing; approval.

(a) When tested.

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

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

17-5-401. Standards.

(D) Odenton Town Center.

(1) IN THE ODENTON TOWN CENTER, A DEVELOPMENT PASSES THE TEST FOR ADEQUATE ROAD FACILITIES IF IN THE SCHEDULED COMPLETION YEAR OF THE DEVELOPMENT, THE DEVELOPMENT CREATES 250 OR FEWER DAILY TRIPS OR IF EACH INTERSECTION INSIDE THE ODENTON TOWN CENTER, FROM ALL SITE ACCESS POINTS TO AND INCLUDING THE FIRST ARTERIAL INTERSECTION AND OTHER INTERSECTIONS IDENTIFIED BY THE OFFICE OF PLANNING AND ZONING, OPERATE AT A LEVEL OF SERVICE THAT MEETS OR EXCEEDS:

(I) LEVEL OF SERVICE D AT ALL INTERSECTIONS WITHIN THE ODENTON TOWN CENTER THAT ARE OUTSIDE THE OTC-WC AND OTC-EC ZONING DISTRICTS; AND

(II) LEVEL OF SERVICE E AT ALL INTERSECTIONS IN THE OTC-WC AND OTC-EC ZONING DISTRICTS.

(2) NOTWITHSTANDING ANY PROVISION HEREIN TO THE CONTRARY, IF A SITE CAN BE RENOVATED OR REDEVELOPED, THE OWNER SHALL BE ENTITLED TO AN OFFSET FOR THE VEHICLE TRIPS GENERATED BY THE PRE-EXISTING USES, THAT EXISTED WITHIN THREE YEARS, ON THE SITE. IF THE PROPERTY IS VACANT AT THE TIME OF STUDY, AND THE PRIOR USE EXISTED WITHIN THREE YEARS OF THE TRAFFIC IMPACT STUDY SUBMISSION, THE APPLICANT MUST PROVIDE SUPPORTING INFORMATION TO JUSTIFY ASSUMPTIONS MADE REGARDING THE TRIP GENERATION OF THE PREVIOUS USE. THE OWNER SHALL SUBMIT A TRAFFIC ANALYSIS TO THE OFFICE OF PLANNING AND ZONING THAT ILLUSTRATES THE PRE-EXISTING USES ON THE SITE, THE SQUARE FOOTAGE ATTRIBUTABLE TO SUCH USES, AND THE TRIPS GENERATED BY SUCH USES. IF THE ANALYSIS IS ACCEPTED, THE NUMBER OF TRIPS ATTRIBUTED TO THE PRE-EXISTING USES MAY BE USED TO OFFSET THE TOTAL NET NEW OFF-SITE TRIPS GENERATED DURING EACH REQUIRED PEAK HOUR PERIOD BY THE USES PROPOSED IN THE RENOVATION OR REDEVELOPMENT OF THE SITE FOR THE PURPOSES OF COMPLYING WITH THE STANDARDS REGARDING ADEQUATE PUBLIC FACILITIES FOR ROADS. THE OFFSET MAY NOT BE FORFEITED EVEN IF ONE OR MORE OF THE STRUCTURES THAT CONTAINED THE PRE-EXISTING USES IS DEMOLISHED OR OTHERWISE REMOVED FROM THE SITE.

(3) **Change of use.** APPLICANTS MUST EITHER SHOW THAT A CHANGE OF USE WILL NOT CAUSE THE SITE TO EXCEED THE APPROVED MAXIMUM NUMBER OF OFF-SITE TRIPS ESTABLISHED BY THE SITE'S APPROVED TRAFFIC ANALYSIS OR MUST SEEK APPROVAL FOR ADDITIONAL OFF-SITE TRIPS.

17-5-901. Mitigation.

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

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

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

(3) IMPROVEMENT OF THE COUNTY'S ABILITY TO PROVIDE PUBLIC TRANSPORTATION IN THE ODENTON TOWN CENTER;

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

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

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

TITLE 7. DEVELOPMENT REQUIREMENTS FOR PARTICULAR TYPES OF DEVELOPMENT

SUBTITLE 8. ODENTON TOWN CENTER

17-7-801. Definitions.

IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) “ACTIVITY SPACE” MEANS AN AREA DESIGNED FOR STROLLING, GATHERING, PLAYING, CULTURAL ACTIVITY, COMMUNITY ACTIVITY, OR OTHER SOCIAL EVENT, AND MAY INCLUDE FEATURES SUCH AS A VILLAGE GREEN, PLAZA OR SQUARE, COURTYARD, POCKET PARK, ROOFTOP GARDEN, USABLE LAWN OR TERRACE, POOL AREA, PLAYGROUND, BALLFIELD, AND OTHER SIMILAR SPACES. THEY MAY BE PUBLIC OR PRIVATE.

(I) “ACTIVITY SPACE, PRIVATE” MEANS AN AREA DESIGNED FOR THE EXCLUSIVE USE OF RESIDENTS IN INDIVIDUAL DEVELOPMENTS OR DEFINED CUSTOMERS OR CLIENTS IN A COMMERCIAL OR OFFICE SETTING.

(II) “ACTIVITY SPACE, PUBLIC” MEANS AN AREA THAT IS DESIGNED FOR PUBLIC ACTIVITIES ON DEVELOPMENT SITES WITH NON-RESIDENTIAL USES. THESE AREAS ARE INTENDED FOR THE SHARED USE OF THE PUBLIC, SITE OCCUPANTS, AND SITE RESIDENTS.

(II) “ACTIVITY SPACE” DOES NOT MEAN REQUIRED PUBLIC SIDEWALKS AND PEDESTRIAN OR BICYCLE FACILITIES, UNLESS DESIGNED AS INTEGRATED COMPONENTS OF AN ON-SITE OR ADJACENT ACTIVITY SPACE.

(2) “COMMUNITY AMENITY” MEANS A FEATURE IN A PUBLIC ACTIVITY SPACE THAT IMPROVES THE COMMUNITY’S AESTHETIC, CHARACTER, OR QUALITY OF LIFE. EXAMPLES OF COMMUNITY AMENITIES INCLUDE PUBLIC ART, MONUMENTS, DECORATIVE FOUNTAINS, MULTI-MODAL TRANSPORTATION AMENITIES (INCLUDING TRANSIT FACILITIES, BIKESHARE,, PICNIC TABLES AND BENCHES, PARKS OR OTHER RECREATIONAL FACILITIES (SUCH AS DOG PARKS, SPLASH PADS, TOT LOTS, AND TRAILS), AND EDUCATIONAL OR DIRECTIONAL KIOSKS. ADDITIONAL COMMUNITY AMENITIES CAN BE FOUND IN THE “SUGGESTED PROFFERS” SECTION OF THE ODENTON TOWN CENTER MASTER PLAN.

(3) “GREEN AREA” MEANS PERVIOUS AREAS INCLUDING LAWNS, PLANTERS, GREEN ROOFS, LANDSCAPED AREAS, FOREST AND SENSITIVE PRESERVATION AREAS, BUFFERS, NONSTRUCTURAL STORMWATER MANAGEMENT FACILITY AREAS, PLANTED PARKING LOT STRIPS AND ISLANDS, FLOODPLAINS, STREAMS, WETLANDS, TREE PITS, EXTERIOR PLANTED AREAS THAT CONTRIBUTE TO CREATING GREEN RELIEF, INFILTRATION OR EVAPOTRANSPIRATION; AND OTHER SIMILAR AREAS REGARDLESS OF USABILITY OR ACCESSIBILITY.

(4) “MAJOR RENOVATION” MEANS THE RENOVATION OF A BUILDING IN WHICH, AT THE TIME OF THE PROJECT, IT IS ANTICIPATED THAT THE SCOPE OF THE RENOVATION WILL BE 10,000 SQUARE FEET OR GREATER.

(5) “MASSING” MEANS THE VOLUME OF A BUILDING COMBINED WITH THE OVERALL COMPOSITION OF THE FAÇADE.

(6) "ODENTON TOWN CENTER" MEANS THE AREA ESTABLISHED BY THE ODENTON TOWN CENTER MASTER PLAN, WHICH WAS FORMERLY TITLED AS THE ODENTON GROWTH MANAGEMENT AREA.

(7) "RHYTHM" MEANS THE SPACING BETWEEN AND REPETITION OF BUILDINGS AND BUILDING ELEMENTS SUCH AS WINDOWS, DOORS, AND PORCHES ON A STREETScape.

(8) "SCALE" MEANS THE MEASURE OF THE RELATIVE SIZE OF A BUILDING OR BUILDING COMPONENT IN RELATION TO A KNOWN UNIT OF MEASURE AND THE VISUAL RELATIONSHIP BETWEEN A NEW BUILDING WHEN VIEWED IN CONTEXT OF EXISTING BUILDINGS AND LANDSCAPE FEATURES IN THE IMMEDIATE NEIGHBORHOOD.

(9) "SITE" MEANS ANY LOT OR PARCEL OF LAND, OR COMBINATION OF LOTS OR PARCELS OF LAND, THAT ARE CONTIGUOUS AND BEING DEVELOPED AS PART OF A COMMON SUBDIVISION OR SITE DEVELOPMENT PLAN.

17-7-802. Scope; applicability.

(A) **When applicable.** EXCEPT AS PROVIDED IN SUBSECTION (B), THIS SUBTITLE APPLIES IN THE ODENTON TOWN CENTER TO A SITE DEVELOPMENT, SUBDIVISION, GRADING PERMIT, OR BUILDING PERMIT APPLICATION.

(B) **When inapplicable.** THIS SUBTITLE DOES NOT APPLY TO THE FOLLOWING:

(1) PROJECTS THAT WILL RENOVATE OR REDEVELOP EXISTING DEVELOPED SITES AND INCREASE DEVELOPED FLOOR AREA THAT EXISTED AS OF JUNE 5, 2016, BY LESS THAN 50%.

(2) PROJECTS THAT ADD AN ANCILLARY BUILDING OF LESS THAN 2,000 SQUARE FEET.

(3) PROJECTS UNRELATED TO BUILDINGS WITH A LIMIT OF DISTURBANCE OF 5,000 SQUARE FEET OR LESS.

(4) RENOVATIONS, ALTERATIONS, ADDITIONS, AND RECONSTRUCTION OF ONE EXISTING DWELLING UNIT.

17-7-803. Compliance, conflicts with other laws and regulations.

(A) **Conflicts.**

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

(2) IF ANY PROVISION OF THIS SUBTITLE OR THE ODENTON TOWN CENTER MASTER PLAN CONFLICTS WITH ANOTHER PROVISION OF THIS CODE OR ANY COUNTY MANUALS, THE STRICTER PROVISION OF THIS SUBTITLE OR THE ODENTON TOWN CENTER MASTER PLAN APPLIES.

(B) **Urban design and architectural requirements.** DEVELOPMENT SHALL COMPLY WITH THE URBAN DESIGN AND ARCHITECTURAL REQUIREMENTS SET FORTH IN THE ODENTON TOWN CENTER MASTER PLAN.

(C) **Landscape requirements.** DEVELOPMENT SHALL COMPLY WITH THE LANDSCAPE MANUAL AND SUPPLEMENTAL REQUIREMENTS IN THE ODENTON TOWN CENTER MASTER PLAN, EXCEPT THAT WHEN A SPECIFIC LANDSCAPING REQUIREMENT IN THE ODENTON TOWN CENTER MASTER PLAN SUPERCEDES THE LANDSCAPE MANUAL, THE LANDSCAPING REQUIREMENT IN THE ODENTON TOWN CENTER MASTER PLAN SHALL APPLY.

(D) **Design requirements.** DEVELOPMENT SHALL COMPLY WITH THE DPW DESIGN MANUAL.

(E) **Historic preservation design requirements.** DEVELOPMENT SHALL COMPLY WITH THE HISTORIC PRESERVATION DESIGN REQUIREMENTS SET FORTH IN THE ODENTON TOWN CENTER MASTER PLAN.

17-7-804. Transportation.

(A) APPLICANTS PROPOSING DEVELOPMENTS ADJACENT TO OR THAT FRONT ON ROADS IDENTIFIED AS PLANNED IN THE ODENTON TOWN CENTER MASTER PLAN SHALL SCHEDULE A PRE-SUBMITTAL MEETING WITH THE COUNTY'S OFFICE OF TRANSPORTATION, DEPARTMENT OF PUBLIC WORKS, AND OFFICE OF PLANNING AND ZONING TO DETERMINE THE EXTENT OF REQUIRED IMPROVEMENTS.

(B) LAND IN A PROPOSED DEVELOPMENT APPLICATION SHALL BE RESERVED AS FUTURE RIGHTS-OF-WAY FOR TRANSPORTATION INFRASTRUCTURE OR OTHER PUBLIC FACILITIES IF THERE IS AN APPROPRIATION OF AT LEAST 30% OF THE CONSTRUCTION COST FOR THE FACILITIES OR IMPROVEMENTS IN THE COUNTY'S CURRENT APPROVED CAPITAL BUDGET, WITH THE REMAINDER PROGRAMMED FOR CONSTRUCTION IN THE COUNTY'S CURRENT ADOPTED CAPITAL IMPROVEMENT PROGRAM OR THE CURRENT STATE CONSOLIDATED TRANSPORTATION PROGRAM.

(C) MULTI-PHASED DEVELOPMENTS ARE REQUIRED TO ESTABLISH A CONTINUOUS ROAD FRONTAGE PEDESTRIAN NETWORK AS PART OF PHASE ONE IMPROVEMENTS. INTERNAL CONNECTIONS TO BUILDINGS SHOULD BE PROVIDED AS BUILDINGS ARE CONSTRUCTED. SUCH PHASED PROJECTS MAY USE AN INTERIM STANDARD FOR STREETScape DESIGN INITIALLY AND CONSTRUCTION OF FINAL STREETScape TREATMENTS PROPORTIONAL TO THE SITE CONSTRUCTION OF EACH PHASE.

(D) ALL INTERSECTION IMPROVEMENTS SHALL ACCOMMODATE PEDESTRIANS AND BICYCLES WITH IMPROVEMENTS INCLUDING MARKED CROSSINGS, SIGNAL TIMING, AND OTHER DESIGN PROTECTIONS SUCH AS PEDESTRIAN REFUGES OR WALKWAY BUMP-OUTS ON WIDER STREETS AND APPROPRIATE SIGNAGE AND PAVEMENT MARKINGS, SUBJECT TO THE DEPARTMENT OF PUBLIC WORKS, TRAFFIC ENGINEERING AND MARYLAND STATE HIGHWAY ADMINISTRATION.

(E) WHERE ACCESS TO AND FROM STATE-MAINTAINED ROADWAYS IS INVOLVED, COMMENTS AND CONCERNS PROVIDED BY THE MARYLAND STATE HIGHWAY ADMINISTRATION SHALL GOVERN THE REQUIREMENTS FOR THIS SECTION. LEFT-HAND TURNING MOVEMENTS THAT CROSS OPPOSING LANES SHOULD ONLY BE CONSIDERED IF STUDIES CAN ADEQUATELY DEMONSTRATE THAT FULL ACCESS CAN BE ACHIEVED WITHOUT COMPROMISING SAFETY OF THE MOTORISTS AND PEDESTRIANS OR BRINGING

CAPACITY OF THE ROADWAY BELOW AN ACCEPTABLE LEVEL OF SERVICE. MEDIAN CUTS IN EXISTING AND PLANNED MEDIANS SHOULD BE LIMITED TO THOSE NEEDED FOR SAFETY, ACCESS, AND MID-BLOCK U-TURNS, WHERE APPROVED, TO INCREASE MULTI-MODAL CAPACITY. CURB CUTS FOR RIGHT-IN, RIGHT-OUT MOVEMENTS SHOULD BE LIMITED. DEVELOPMENTS ALONG THESE CORRIDORS SHALL BE REQUIRED TO PROVIDE SHARED ALLEYS, DRIVE LANES, FRONTAGE ROADS AND PARKING CONNECTIONS THAT WILL DIRECT MOVEMENTS TO SIGNALIZED INTERSECTIONS, AND TO COORDINATE THESE IMPROVEMENTS WITH ADJOINING PROPERTIES, WHERE POSSIBLE.

(F) DEVELOPMENTS SHALL ADD A SHELTER IF THE PROJECT IS LOCATED AT A DESIGNATED TRANSIT STOP WITHOUT A SHELTER.

17-7-805. Site access and circulation.

(A) ALL CIRCULATION PATTERNS MUST BE DESIGNED TO MINIMIZE CURB CUTS ONTO ARTERIAL AND COLLECTOR STREETS. ADJOINING PROPERTIES MAY BE REQUIRED TO SHARE OR COORDINATE CURB CUTS, SERVICE ALLEYS, FRONTAGE ROADS, AND OTHER FEATURES TO ACHIEVE THIS STANDARD.

(B) DEVELOPMENTS SHALL LOCATE SITE ENTRANCES OR NEW ROADS TO ALIGN WITH EXISTING INTERSECTIONS AND EXISTING OR PLANNED MEDIAN OPENINGS TO THE MAXIMUM EXTENT PRACTICABLE.

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

(D) DRIVE-THROUGH ESTABLISHMENTS, INCLUDING CAR WASHES AND RESTAURANTS, SHALL PROVIDE ADEQUATE STACKING CAPACITY THAT DOES NOT IMPEDE VEHICLE CIRCULATION THROUGH THE SITE OR RESULT IN VEHICLES STACKING INTO THE STREET. APPLICANTS SHALL PROVIDE DOCUMENTATION INDICATING PEAK TIMES AND HOW TRAFFIC WILL BE MITIGATED.

17-7-806. On-site pedestrian system.

(A) AN ALTERNATIVE TO A STREET SIDEWALK OR SURFACE PEDESTRIAN CROSSING MAY BE APPROVED IF DETERMINED BY THE COUNTY OR STATE THAT A SIDEWALK OR CROSSING IS UNFEASIBLE DUE TO ONE OR MORE OF THE FOLLOWING CONSTRAINTS:

- (1) POSTED SPEED LIMITS OF 45 MILES PER HOUR OR GREATER;
- (2) THE CROSSING DISTANCE IS GREATER THAN 60 FEET;
- (3) NATURAL FEATURE, SUCH AS AN ENVIRONMENTAL CONSTRAINT; OR

(4) AN ESTABLISHED PATTERN OF EXISTING BUILDINGS THAT MAKES A PEDESTRIAN-ORIENTED STREET FRONT UNFEASIBLE.

(B) SUCH AN ALTERNATIVE TO THE STREET SIDEWALK MUST, IN THE FORM OF AN EASEMENT OR RIGHT OF WAY, BE AS DIRECT OF A ROUTE AS POSSIBLE BETWEEN THE TWO POINTS AND INCLUDE A HIKER/BIKER TRAIL, A CONNECTING WALKWAY INTERNAL TO THE SITE, OR OTHER DIRECTLY CONNECTING OUTDOOR SPACES SUCH AS PLAZAS, COURTYARDS, SQUARES, OR GARDENS. AN ALTERNATIVE ROUTE MUST EFFECTIVELY

PROHIBIT PEDESTRIANS FROM CROSSING THE STREET BY USE OF BARRIERS OR OTHER MEANS. THESE MEANS MUST SPAN AT LEAST THE DISTANCE OF THE CONSTRAINTS IDENTIFIED IN SUBSECTION (A).

(C) THE PEDESTRIAN SYSTEM IN THE OTC-WC AND OTC-EC ZONING DISTRICTS SHALL TAKE PRECEDENCE OVER VEHICULAR TRAFFIC WHENEVER CONFLICTS OR CROSSINGS ARISE. THIS MEANS THAT CLEAR PEDESTRIAN CROSSINGS SHALL BE PROVIDED, AND VEHICULAR TRAFFIC SHALL BE MADE TO SLOW FOR PEDESTRIANS THROUGH SIGNAGE, RAISED CROSSINGS AT INTERSECTIONS AND DRIVEWAYS, RUMBLE STRIPS OR OTHER MEANS AS APPROVED BY THE COUNTY OR STATE HIGHWAY ADMINISTRATION DEPENDING ON OWNERSHIP OF THE ROADWAY OR INTERSECTION.

(D) ON-SITE PEDESTRIAN WALKWAYS MUST BE A MINIMUM OF FIVE FEET WIDE, UNOBSTRUCTED, AND CONSTRUCTED OF CONCRETE OR OTHER SIMILAR SURFACE MATERIAL.

(E) ON-SITE PEDESTRIAN WALKWAYS MUST CONNECT WITH THOSE PLANNED OR EXISTING ON ADJACENT PROPERTIES, ESPECIALLY BETWEEN AREAS SUCH AS HOUSING AND SHOPPING AS WELL AS WHERE DIRT PATHS INDICATE EXTENSIVE PEDESTRIAN TRAFFIC.

(F) PEDESTRIAN WALKS FROM STREETS TO PARKING GARAGES SHALL INCORPORATE LANDSCAPING AND/OR OTHER MEANS OF MAKING AN ATTRACTIVE PEDESTRIAN CONNECTION.

(G) WALKWAYS THROUGH PARKING LOTS SHALL BE PROVIDED AND SEPARATED FROM VEHICULAR CIRCULATION. WHEN A PEDESTRIAN WALKWAY MUST CROSS A VEHICULAR WAY, DISTINCT MARKINGS SUCH AS STRIPING OR PAVING CHANGES SHALL BE USED TO DEFINE THE WALKWAY.

(H) SIDEWALKS SHALL BE SET DIRECTLY AGAINST THE CURB UNLESS A PLANTING STRIP IS CALLED FOR IN THE DPW DESIGN MANUAL, IN WHICH CASE THE PLANTING STRIP SHALL BE ADJACENT TO THE CURB.

(I) LIGHT FIXTURES, BOLLARDS, PLANTER WALLS, OR OTHER DESIGN ELEMENTS SHALL BE USED TO DEFINE PEDESTRIAN WALKWAYS.

17-7-807. Trail connections and construction.

(A) ON- OR OFF-SITE IMPROVEMENTS TO CONSTRUCT PLANNED TRAILS IN THE ODENTON TOWN CENTER MASTER PLAN MUST BE PROVIDED.

(B) IF A COUNTY OR REGIONAL TRAIL EXISTS AND ABUTS THE SUBJECT PROPERTY, THE APPLICANT SHALL CONSTRUCT A PAVED CONNECTION TO THE TRAIL.

(C) DEVELOPMENT APPLICANTS ARE REQUIRED TO PROVIDE THE NECESSARY RIGHT-OF-WAY DEDICATION OR PUBLIC PEDESTRIAN EASEMENTS SHALL BE PROVIDED TO ACCOMMODATE THESE IMPROVEMENTS.

17-7-808. Green area.

A MINIMUM OF 10% OF THE GROSS SITE AREA MUST BE PROVIDED AS GREEN AREA.

17-7-809. Public and private activity space.

(A) DEVELOPMENT IS EXEMPT FROM §§ 17-6-110(A)(6) AND 17-6-111.

(B) MINIMUM ACTIVITY SPACE REQUIRED IS ONE SQUARE FOOT FOR EVERY 10 SQUARE FEET OF FLOOR AREA. ACTIVITY SPACE MAY BE APPORTIONED BETWEEN PUBLIC ACTIVITY SPACE AND PRIVATE ACTIVITY SPACE, UNLESS WHERE SPECIFIED.

(C) PUBLIC ACTIVITY SPACE SHALL BE ACCESSIBLE FROM THE STREET.

(D) DRIVEWAYS, PARKING SPACES, PASSENGER DROP-OFFS, LOADING AREAS, OR TRASH COLLECTION FACILITIES LARGER THAN 45 GALLONS SHALL BE NOT INCLUDED IN THE CALCULATION OF A PUBLIC OR PRIVATE ACTIVITY SPACE.

(E) EACH PUBLIC ACTIVITY SPACE IN THE OTC-WC, OTC-EC, AND OTC-T ZONING DISTRICTS SHALL INCORPORATE AT LEAST ONE COMMUNITY AMENITY (§ 17-7-813) THAT ENHANCES THE SPACE.

(F) ADJACENT PROPERTY OWNERS MAY COOPERATIVELY PROVIDE PUBLIC ACTIVITY SPACE THAT IN TOTAL MEETS OR EXCEEDS THE REQUIREMENTS, BY APPROVAL OF THE OFFICE OF PLANNING AND ZONING. THIS COOPERATION MUST BE IN THE FORM OF A LEGAL AGREEMENT, A PARTNERSHIP, OR AN EASEMENT.

(G) WHEN FEASIBLE, DEVELOPMENT PROJECTS THAT ARE CONTIGUOUS SHOULD COORDINATE THEIR PUBLIC ACTIVITY SPACES AND GREEN AREA TO CREATE MORE MEANINGFUL AND FUNCTIONAL PUBLIC ACTIVITY SPACES.

17-7-810. Community amenity.

(A) A COMMUNITY AMENITY MAP IS PUBLISHED AND KEPT BY THE OFFICE OF PLANNING AND ZONING. IT IS UPDATED AS NEW DEVELOPMENTS ARE CONSTRUCTED.

(B) APPLICANTS ARE ENCOURAGED TO CONSULT THE COMMUNITY AMENITY MAP TO IDENTIFY COMMUNITY AMENITY GAPS.

17-7-811. Accessory structures.

(A) ALL ON-SITE STORAGE STRUCTURES THAT ARE GREATER THAN 120 SQUARE FEET IN FLOOR AREA SHALL MEET THE BASIC DESIGN REQUIREMENTS FOR BUILDINGS.

(B) EXCEPT IN THE OTC-I, THE USE OF SHIPPING CONTAINERS, TRAILER BOXES, OR UNLICENSED TRUCKS FOR ONSITE STORAGE IS PROHIBITED.

17-7-812. Historic preservation.

(A) _____. FOR PROPERTIES IN THE OTC-H AND OTC-HM ZONING DISTRICT, RENOVATIONS AND REDEVELOPMENT PROJECTS INCLUDING THOSE FOR SINGLE-FAMILY DWELLINGS, SHALL COMPLY WITH THE HISTORIC PRESERVATION DESIGN REQUIREMENTS IN THE ODENTON TOWN CENTER MASTER PLAN REGARDLESS OF THE INCREASE IN FLOOR AREA ON THE SITE. PROPERTIES LOCATED IN THE HATCHED AREA OF EXHIBIT 1 OF BILL __-23 [FOR PURPOSES OF THE PRELIMINARY PUBLIC REVIEW, SEE MAP AT THE END OF THIS DOCUMENT] ARE EXEMPT FROM § 17-7-812, BUT MUST FOLLOW THE REQUIREMENTS IN THIS SUBTITLE.

(B) _____. ALL CONTRIBUTING STRUCTURES WITHIN THE OTC-H AND OTC-HM ZONING DISTRICT AS DESIGNATED IN THE ODENTON TOWN CENTER MASTER PLAN THAT

CONTRIBUTE TO THE GENERAL AND ARCHITECTURAL HISTORY OF ODENTON SHALL BE RETAINED.

(C) _____. CONTRIBUTING HISTORIC BUILDINGS IN THE ODENTON TOWN CENTER THAT ARE LOCATED OUTSIDE OF THE OTC-H AND OTC-HM ZONING DISTRICTS MUST BE RETAINED AND ARE SUBJECT TO THE SAME REQUIREMENTS AS CONTRIBUTING HISTORIC BUILDINGS WITHIN THE OTC-H AND OTC-HM ZONING DISTRICTS. RELOCATING THESE BUILDINGS WILL ONLY BE PERMITTED AS A LAST RESORT IF THERE IS NO OTHER VIABLE ALTERNATIVE FOR THEIR PRESERVATION, AND APPROVED BY THE OFFICE OF PLANNING AND ZONING CULTURAL RESOURCES SECTION. IF RELOCATED, THEY SHALL BE APPROPRIATELY SITED ON PUBLIC OR PRIVATE LAND WITHIN THE OTC-H AND OTC-HM ZONING DISTRICTS.

(D) _____. IN ORDER TO PRESERVE THE HISTORIC CHARACTER OF ALL EXISTING CONTRIBUTING BUILDINGS, EXTERIOR CHANGES, ALTERATIONS, ADDITIONS, OR RECONSTRUCTION OF CONTRIBUTING HISTORIC BUILDINGS SHALL COMPLY WITH THE DESIGN STANDARDS 17-7-812. THE DESIGN STANDARDS APPLY ONLY TO BUILDING EXTERIORS, UNLESS ENCUMBERED BY A PRESERVATION EASEMENT.

17-7-813. Redevelopment sites.

FLEXIBILITY TO DESIGN STANDARDS FOR PARKING, FRONTAGE, FAÇADES, MINIMUM BUILDING HEIGHT, BUILDING ENTRANCES AND BUILDING SETBACKS MAY BE GRANTED BY THE PLANNING AND ZONING OFFICER IN CASES WHERE REDEVELOPMENT OF CERTAIN SITES INVOLVES ENVIRONMENTAL REMEDIATION OR OTHER CONSTRAINTS, OR REQUIRES SPECIAL PLANNING AND DESIGN CONSIDERATIONS TO MEET THE REQUIREMENTS OF A DESIRED USER.

17-7-814. Incentive program.

(A) **Creation and purpose.** FOR DEVELOPMENT THAT PROVIDES A PUBLIC BENEFIT THAT ACHIEVES A MIXTURE OF DESIRABLE LAND USES, QUALITY DESIGN, AND PUBLIC AMENITIES THAT CREATE THE SENSE OF A UNIFIED COMMUNITY AND AN ENHANCED QUALITY OF LIFE IN THE PAROLE TOWN CENTER, THERE IS AN INCENTIVE PROGRAM TO ALLOW FOR ADDITIONAL DEVELOPMENT CAPACITY OR OTHER RELIEF FROM THE REQUIREMENTS OF THIS ARTICLE OTHER THAN THOSE CONTAINED IN TITLES 5 OR 8, ARTICLE 18 OF THIS CODE OTHER THAN THOSE CONTAINED IN TITLE 13, THE ODENTON TOWN CENTER MASTER PLAN, THE LANDSCAPE MANUAL, OR THE DPW DESIGN MANUAL.

(B) **Application.** AN INCENTIVE PROGRAM APPLICATION MAY BE MADE BY A PROPERTY OWNER OR DEVELOPER AND SHALL INCLUDE A DESCRIPTION OF THE PROPOSED PUBLIC BENEFITS AND THE SPECIFIC INCENTIVES REQUESTED, A SITE PLAN WITH CALCULATIONS, DRAWINGS, AND DOCUMENTATION TO DEMONSTRATE HOW EACH PUBLIC BENEFIT AND EACH REQUESTED INCENTIVE WILL BE MET.

(C) Evaluation of Applications.

THE OFFICE OF PLANNING AND ZONING SHALL EVALUATE THE APPLICATION BASED ON THE FOLLOWING CRITERIA:

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

(2) PUBLIC ACCESS TO USES AND AMENITIES;

- (3) COMMUNITY BENEFIT;
- (4) COMPATIBILITY AND QUALITY OF DESIGN;
- (5) PEDESTRIAN AND VEHICULAR ACCESS AND CIRCULATION; AND
- (6) ENVIRONMENTAL ENHANCEMENT AND MITIGATION.

(E) **Proffers.** THE APPLICANT MAY REVIEW § 17-7-801(2) COMMUNITY AMENITY OR THE “SUGGESTED PROFFERS” LIST IN THE APPENDIX OF THE ODENTON TOWN CENTER MASTER PLAN FOR ITEMS TO BE CONSIDERED AS PROFFERS. THE EXAMPLES PROVIDED ARE NOT AN EXHAUSTIVE LIST AND THE APPLICANT MAY PROPOSE ITEMS NOT IDENTIFIED ON THOSE LISTS.

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

- (1) INCREASED RESIDENTIAL DENSITY;
- (2) RELIEF FROM ANY REQUIREMENTS OF THIS TITLE, ARTICLE 17 OTHER THAN THOSE CONTAINED IN TITLES 5 AND 8, ARTICLE 18 OF THIS CODE OTHER THAN THOSE CONTAINED IN TITLE 13, THE ODENTON TOWN CENTER PLAN, THE LANDSCAPE MANUAL, OR THE DPW DESIGN MANUAL;
- (3) ADDITIONAL BUILDING HEIGHT;
- (4) REDUCTION IN OPEN AREA REQUIREMENTS.

17-7-815. Odenton Town Center Advisory Committee.

(A) _____. THE ODENTON TOWN CENTER SHALL HAVE AN ADVISORY COMMITTEE APPOINTED BY THE COUNTY EXECUTIVE, AS SET FORTH IN THE ODENTON TOWN CENTER MASTER PLAN.

(B) _____. THE FOLLOWING PROVISIONS APPLY TO THE ODENTON TOWN CENTER ADVISORY COMMITTEE:

(1) THE COMMITTEE WILL BE COMPOSED OF NINE VOTING VOLUNTEER MEMBERS WHO ARE APPOINTED BY THE COUNTY EXECUTIVE. THE COMMITTEE WILL INCLUDE ONE INDIVIDUAL FROM EACH COUNCILMANIC DISTRICT INCLUDED IN THE ODENTON TOWN CENTER, WHO IS RECOMMENDED TO THE COUNTY EXECUTIVE BY THE COUNTY COUNCILMEMBER FROM THE COUNCILMANIC DISTRICT.

(2) VOTING MEMBERS WILL BE APPOINTED FOR TERMS OF UP TO THREE YEARS, WITH APPOINTMENTS STAGGERED. COMMITTEE MEMBERS MAY SERVE FOR NO MORE THAN THREE TERMS. VACANCIES SHALL BE FILLED FOR AN UNEXPIRED TERM IN THE MANNER OF ORIGINAL APPOINTMENT.

(3) THE COMPOSITION OF THE COMMITTEE SHALL INCLUDE BALANCED REPRESENTATION COVERING RESIDENTS, BUSINESSES, AND DEVELOPER INTERESTS.

(4) A CHAIR WILL BE APPOINTED BY THE COUNTY EXECUTIVE FROM AMONG THE NINE VOTING COMMITTEE MEMBERS. THE CHAIRPERSON WILL SERVE FOR A TWO-YEAR

TERM AND MAY BE REAPPOINTED BY THE COUNTY EXECUTIVE FOR MORE THAN ONE TERM.

(5) THE COMMITTEE WILL MEET ON A REGULAR BASIS AS NECESSARY TO FULFILL ITS DUTIES. COMMITTEE MEETINGS WILL BE OPEN TO THE PUBLIC AND WILL BE ADVERTISED IN THE COUNTY'S PUBLIC MEETINGS CALENDAR. ADMINISTRATIVE SUPPORT WILL BE PROVIDED BY THE OFFICE OF PLANNING AND ZONING STAFF.

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

(7) EX OFFICIO MEMBERS MAY BE APPOINTED AT THE DISCRETION OF THE COUNTY EXECUTIVE.

(C) Duties.

(1) THE COMMITTEE WILL ADVOCATE FOR AND IMPLEMENT THE VISION AND GOALS, POLICIES, AND STRATEGIES OF THE MASTER PLAN AS NECESSARY.

(2) THE COMMITTEE WILL REVIEW AND COMMENT ON APPLICATIONS FOR SKETCH PLANS, PRELIMINARY PLANS, INCENTIVE PROGRAM REQUESTS, AND MODIFICATIONS TO ONLY THE MASTER PLAN AS PART OF THE DEVELOPMENT REVIEW PROCESS. THE COMMITTEE WILL BE RESPONSIBLE FOR PROVIDING WRITTEN COMMENTS TO THE OFFICE OF PLANNING AND ZONING REGARDING THE CONSISTENCY OF THE PROPOSED DEVELOPMENT PLANS WITH THE GOALS OF THE ODENTON TOWN CENTER MASTER PLAN, AS WELL AS ANY SPECIFIC RECOMMENDATIONS OR CONCERNS RELATED TO THE DEVELOPMENT PLANS. ALL COMMENTS OF THE COMMITTEE ARE ADVISORY ONLY.

(3) THE COMMITTEE WILL REVIEW AND COMMENT ON THE ODENTON TOWN CENTER ANNUAL REPORT AS PREPARED BY THE OFFICE OF PLANNING AND ZONING. THE COMMITTEE WILL MAKE A RECOMMENDATION TO APPROVE A PRELIMINARY DRAFT OF THE ANNUAL REPORT BY VOTE; BUT FINAL EDITS ARE AT THE DISCRETION OF THE OFFICE OF PLANNING AND ZONING.

(4) THE COMMITTEE SHALL RECEIVE A COPY OF SKETCH PLAN, PRELIMINARY PLAN, FINAL PLAN, SITE DEVELOPMENT PLAN, MODIFICATION, AND INCENTIVE PROGRAM DETERMINATION LETTERS FOR PROJECTS WITHIN THE ODENTON TOWN CENTER FROM THE OFFICE OF PLANNING AND ZONING.

(D) _____. FOR DEVELOPMENT PROJECTS WITHIN THE ODENTON TOWN CENTER:

(1) ALL PRELIMINARY PLAN, SKETCH, MODIFICATIONS, AND INCENTIVE PROGRAM APPLICATIONS WHERE THE LIMIT OF DISTURBANCE IS WITHIN THE ODENTON TOWN CENTER MUST BE PRESENTED TO THE ODENTON TOWN CENTER ADVISORY COMMITTEE.

(2) IF THE PROJECT IS REQUIRED TO HOLD A COMMUNITY MEETING PER §17-2-107, THE MEETING CAN BE HELD IN CONJUNCTION WITH AN ODENTON TOWN CENTER ADVISORY COMMITTEE MEETING.

(3) THE COMMITTEE MAY REQUEST THE APPLICANT RE-PRESENT THE PROJECT AT THE TIME OF THE FINAL OR SITE DEVELOPMENT SUBMITTAL.

TITLE 11. FEES AND SECURITY

17-11-102. Fee reduction.

(C) **OdentonTown Center.** THE FOLLOWING FEES FOR REDEVELOPMENT IN THE ODENTON TOWN CENTER UNDER SUBTITLE 3 OF TITLE 7 SHALL BE REDUCED BY 50% FOR:

- (1) AN APPLICATION FOR SKETCH PLAN APPROVAL;
- (2) AN APPLICATION FOR FINAL PLAN APPROVAL;
- (3) AN APPLICATION FOR PRELIMINARY PLAN APPROVAL;
- (4) AN APPLICATION FOR SITE DEVELOPMENT PLAN APPROVAL;
- (5) AN APPLICATION FOR A GRADING PERMIT; AND
- (6) AN APPLICATION FOR A BUILDING PERMIT.

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 Districts]]~~ TOWN CENTER, ~~[[and]]~~ THE Parole ~~[[Growth Management Area Districts]]~~ TOWN CENTER, and ~~[[in]]~~ the Glen Burnie Town Center Enhancement Area designated by the Office.

Exhibit 1: Properties exempt from § 17-7-812. Historic preservation

