

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2010 Legislative Session**

Bill No. CB-1-2010

Chapter No. _____

Proposed and Presented by Council Member Dean

Introduced by Council Members Dean and Harrison

Co-Sponsors _____

Date of Introduction February 2, 2010

ZONING BILL

1 AN ORDINANCE concerning

2 The Urban Centers and Corridor Nodes Development and Zoning Code of Prince George's
3 County

4 For the purpose of establishing a new Subtitle to the County Code that specifies development
5 review and approval procedures and design regulations to control and ensure future transit-
6 oriented, pedestrian-friendly, mixed-use development in selected Centers and Corridor Nodes
7 within Prince George's County, Maryland.

8 BY adding:

9 Sections 27A-101 through 27A-805,
10 Urban Centers and Corridor Nodes Development and Zoning Code of
11 Prince George's County,
12 being also
13 SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES
14 DEVELOPMENT AND ZONING CODE.
15 The Prince George's County Code
16 (2007 Edition, 2009 Supplement).

17 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
18 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
19 District in Prince George's County, Maryland, that Sections 27A-101 through 27A-805 of the
20 Urban Centers and Corridor Nodes Development and Zoning Code of Prince George's County,

1 being also Subtitle 27A of the Prince George's County Code, be and the same are hereby added:

2 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES DEVELOPMENT AND**
3 **ZONING CODE.**

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15 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

16 **PART 1. GENERAL PROVISIONS.**

17 **Sec. 27A-101. Title.**

18 This Subtitle shall be known as the Urban Centers and Corridor Nodes Development and
19 Zoning Code of Prince George’s County, Maryland.

20 **Sec. 27A-102. Code Applicability.**

21 Application of this Subtitle is permitted only in Prince George’s County Centers or Cor-
22 ridor Nodes as designated by the General Plan and designated, defined, or amended by a
23 subsequent master plan or sector plan.

24 **Sec. 27A-103. Intent.**

25 (a) The Prince George’s County General Plan identifies Centers and Corridor Nodes in the
26 County as existing or possible future priorities for concentrations of medium-to high-intensity,
27 mixed-use, pedestrian-and transit-oriented development.

28 (b) As the General Plan indicates, the creation of transit-and pedestrian-oriented
29 development is dependent on three factors: density, diversity of uses, and design. This Subtitle
30 places greatest emphasis on the third element (design, or physical form) because it is of greatest
31 importance when creating the places that attract residents, visitors, jobs, and economic vitality.

1 Density and uses can be expected to change over time as the Urban Centers and Corridor Nodes
 2 grow and mature.

3 (c) This Subtitle is intended to provide a mechanism for implementing the following spe-
 4 cific goals for the Centers and Corridor Nodes, using both public and private sector investment:

5 (1) Capitalize on public investment in the existing transportation system.

6 (2) Promote compact, mixed-use development at moderate to high densities.

7 (3) Ensure transit-supportive and transit-serviceable development.

8 (4) Require pedestrian-oriented and transit-oriented design.

9 (5) Ensure compatibility with surrounding neighborhoods.

10 (6) Preserve, protect, and restore Regulated Environmental Features in a natural state to
 11 the fullest extent possible.

12 (7) Incorporate best practices of Crime Prevention Through Environmental Design
 13 (CPTED) in the design and development of Urban Centers and Corridor Nodes.

14 (8) Preserve and protect historic and archeological resources.

15 (9) The principles of design, density, and diversity shall be applied and demonstrated in
 16 each Urban Neighborhood in order to fully capitalize on public and private transportation
 17 investments and minimize vehicular travel within the Urban Centers and Corridor Nodes, the
 18 County, and the surrounding region.

19 (10) Foster a sense of community and destination for each Urban Center and Corridor
 20 Node to establish unique places within Prince George's County where people will wish to gather,
 21 live, work, and play.

22 (11) Ensure equitable access to parks and recreation amenities for all residents.

23 (12) Create a setting for economic growth and development in a sustainable mixed-use
 24 pattern of diverse Urban Neighborhoods.

25 (13) Promote and encourage environmentally sensitive urban design incorporating best
 26 practices in all new development, and encourage certification in the Leadership through Energy
 27 and Environmental Design (LEED®) program or equivalent.

28 (14) Minimize adverse impacts such as undue noise, air and water pollution, vibrations,
 29 odor, dust and particulates, trash, debris, and stormwater run-off, particularly with respect to
 30 adjoining residential communities.

31 (d) A series of vibrant, varied Urban Centers and Corridor Nodes shall integrate

1 residential, employment, and commercial uses as well as providing for adequate recreational op-
2 portunities within each Urban Neighborhood.

3 **Sec. 27A-104. Severability.**

4 Should any provision of this Subtitle be decided by the courts to be unconstitutional or
5 invalid, that decision shall not affect the validity of this Subtitle other than the part decided to be
6 unconstitutional or invalid.

7 **Sec. 27A-105. Conflicting Ordinances.**

8 (a) Whenever any provision of this Subtitle imposes a greater requirement or a higher
9 standard than is required in any State or Federal statute or other County ordinance or regulation,
10 the provisions of this Subtitle shall govern unless preempted by State or Federal law.

11 (b) Whenever any provision of a State or Federal statute or other County ordinance or
12 regulation imposes a greater requirement or a higher standard than required by this Subtitle, the
13 provision of the State or Federal statute or other County ordinance or regulation shall govern.

14 (c) It is not the intent of this Subtitle to interfere with or annul any easements, covenants,
15 or other agreements between parties; provided that where this Subtitle imposes a greater
16 restriction upon the use and dimensions of buildings, structures, or land, or requires larger open
17 spaces than are imposed or required by other ordinances, regulations, or permits, or by
18 easements, covenants, or agreements, the provisions of this Subtitle shall govern, except where
19 expressly qualified in it.

20 **Sec. 27A-106. Definitions.**

21 The following definitions are to be used in addition to those found in Section 27-107.01(a).
22 Where there is an apparent conflict, the definition in this Section shall prevail. Terms in this
23 Subtitle are defined as follows:

- 24 (1) **Abutting:** Touching and sharing a common point or line.
- 25 (2) **Accessory Unit:** A building that is not the primary structure on a lot, and which shall
26 include an Accessory Use.
- 27 (3) **Accessory Use:** A use subordinate to, customarily incidental to, and ordinarily found
28 in association with, a Principal Use, which it serves. An Accessory Use does not change the
29 character of the principal "Use."
- 30 (4) **Adjacent:** Nearby, but not necessarily abutting.
- 31 (5) **Adult Entertainment:** This use consists of Adult Entertainment premises and adult

1 bookstores as defined by Section 5-2601 of the Prince George's County Code.

2 (6) **Alley/Alley Access Easement:** The public right-of-way or easement for vehicles and
3 pedestrians within a Block that provides access to the rear of buildings, vehicle parking (e.g.,
4 garages), utility meters, and recycling and garbage bins.

5 (7) **Agriculture:** The use of land for farming, dairying, pasturage, apiaries, horticulture,
6 floriculture, and animal husbandry, which may include Accessory Uses for processing, treating,
7 selling, or storing agricultural products produced on a farm (on the premises). The term
8 "Agriculture" shall not include the commercial feeding of garbage or offal to animals, the
9 slaughtering of livestock for marketing, or the disposal of sludge except for fertilization of crops,
10 horticultural products, or floricultural products in connection with an active agricultural
11 operation or home gardening.

12 (8) **Attic Story:** A habitable space within a building situated within the structure of a
13 pitched roof and above the uppermost regular Story.

14 (9) **Awning:** A cantilevered, projected or suspended cover over the sidewalk portion of the
15 Street-Space. Also a roof-like covering, usually of canvas or metal, and often adjustable, placed
16 over the sidewalk, windows, or doors to provide protection from sun and rain.

17 (10) **Balcony:** An exterior platform attached to the upper floors of the building Façade
18 (forward of the Build-to Line).

19 (11) **Bay or Bay Window:** Generally, a U-shaped enclosure extending the interior space of
20 the building outward of the exterior building wall/Build-to Line (along its Street-Space side).

21 (12) **Block:** An increment of land comprised of lots, Alleys, and tracts circumscribed and
22 not traversed by Streets (pedestrian pathways exempted). Blocks shall be measured at the
23 frontage lot lines (in most cases this is the Build-to Line).

24 (13) **Block Corner:** The outside corner of a Block at the intersection of any two Streets.
25 Inside corners, where the resulting angle formed by the Block face is less than 180 degrees
26 (concave) are not considered Block Corners for the purposes of this Subtitle.

27 (14) **Buildable Area:** The area of the lot that building(s) may occupy, which includes the
28 area of the lot behind the Build-to Line as designated by the Building Envelope Standard. The
29 Buildable Area sets the limits of the building footprint now and in the future—any additions
30 shall be within the specified Buildable Area.

31 (15) **Building Corner:** The outside corner of a building where the primary building mass is

1 within an angle less than 180 degrees. Inside corners, where the exterior space of the building
 2 mass forms an angle of more than 180 degrees are not considered Building Corners for the
 3 purposes of this Subtitle.

4 (16) **Building Envelope Standards (BES):** The part of this Subtitle that establishes basic
 5 parameters regulating building form, including the envelope (in three dimensions), placement,
 6 and certain permitted/required building elements, such as Storefronts, balconies, and Street
 7 Walls. The Building Envelope Standards establish both the boundaries within which things may
 8 be done and specific things that must be done. The applicable BES for a site is determined by its
 9 Street Frontage as per the Regulating Plan. This produces a coherent Street-Space and allows the
 10 building greater latitude behind its Street Façade.

11 (17) **Building Face:** See Façade.

12 (18) **Build-to Line (BTL):** A line or plane indicated on the Regulating Plan, defining the
 13 Street Frontage which extends vertically and generally parallel to the Street, at which the
 14 building shall be placed. The Façade shall be located on the Build-to Line-this is a requirement,
 15 not a permissive minimum. The minimum length and height of frontage that is required at the
 16 Build-to Line is shown on the appropriate Building Envelope Standard.

17 (19) **Center, Community:** The smallest of the designated Urban Centers. Its businesses are
 18 intended to be predominantly smaller scale businesses that complement and serve the
 19 surrounding neighborhoods. As described in the General Plan, these centers are concentrations of
 20 activities, services, and land uses that serve the immediate community near these centers. This
 21 may include mixed-use and higher intensity redevelopment in some communities. These centers
 22 should also be served by mass transit, including heavy rail, light rail, or bus service.

23 (20) **Center, Metropolitan:** A large-scale mixed-use area comprised of multiple Urban
 24 Neighborhoods. As described in the General Plan, these centers have a high concentration of
 25 land uses and economic activities that attract employers, workers, and customers from other parts
 26 of the metropolitan Washington area. High-density residential development may also be located
 27 in these centers, which are a primary target for employment in the county and can effectively be
 28 served by mass transit such as heavy rail, light rail, and bus service.

29 (21) **Center, Regional:** A moderately-scaled mixed-use area comprised of one or more
 30 Urban Neighborhoods. As described in the General Plan, these centers are locations for
 31 regionally marketed commercial and retail centers, office, and employment areas. Educational

1 and recreational complexes that primarily serve Prince George's County and high-density
 2 residential development may also be possible. These centers should be served by mass transit,
 3 including heavy rail, light rail, or bus service.

4 (22) **Check Cashing Business:** An establishment which accepts or cashes, for
 5 compensation, a payment instrument regardless of the date of the payment instrument. This use
 6 does not include activities undertaken by: (i) any bank, trust company, savings bank, savings and
 7 loan association, or credit union chartered under the laws of this state, another state, or the
 8 United States as long as that institution has a branch that accepts deposits in this state; or (ii) any
 9 subsidiary or affiliate of an institution described in part (i) above (generally those exempt under
 10 Section 12-103 of the Maryland Financial Institutions Code Annotated (as amended from time to
 11 time)). Additionally, this use does not include check cashing services (i) for which a fee of up to
 12 1.5% of the face amount of the payment instrument is charged per payment instrument, and are
 13 incidental to the retail sales of goods or services by the person that is providing the check
 14 cashing services; (ii) in which a customer presents a payment instrument for the exact amount of
 15 a purchase; (iii) involving foreign currency exchange services or the cashing of a payment
 16 instrument drawn on a financial institution other than a federal, state, or other state financial
 17 institution.

18 (23) **Civic:** Places of public assembly that provide ongoing life, safety, educational,
 19 recreational, and cultural services to the general public, as well as meeting areas for religious
 20 practice.

21 (24) **Civic Green or Square:** A public open space designated on the Regulating Plan. The
 22 term square is generally used to describe spaces that have more paved surface area. The term
 23 Civic Green is generally used to describe a formally configured small public lawn or park that is
 24 primarily unpaved. Civic Greens or Squares do not include active recreation structures such as
 25 ball fields and courts. See the urban space standards for the specific controls on Squares or Civic
 26 Greens.

27 (25) **Civic Use Buildings:** Those buildings that house strictly civic uses located on sites
 28 designated on the Regulating Plan. The design of Civic Use Buildings should be harmonious to
 29 the overall design and character of the Urban Center District.

30 (26) **Clear Walkway:** An area within the sidewalk that must allow public passage and
 31 remain clear of obstructions. The Clear Walkway width is designated in the Street type

1 specifications.

2 (27) **Club or Lodge; Membership Club:** An establishment providing facilities for
3 entertainment or recreation for only bona fide members and guests, not operated for profit,
4 excluding adult entertainment.

5 (28) **Commission:** Unless otherwise specified, the Maryland-National Capital Park and
6 Planning Commission.

7 (29) **Common Access Easement:** A shared easement for vehicles and pedestrians within a
8 Block that provides access to the rear of buildings or to vehicle parking (e.g., garages).

9 (30) **Common Lot Lines:** Lot lines shared by Abutting private lots.

10 (31) **Comparative Pedestrian Crossing:** The measured distance, shown on the Street type
11 specifications, that a pedestrian would be within an automobile travel lane while crossing a
12 Street. A crossing time is calculated based on a pedestrian speed of 3.7 feet per second (a
13 generally accepted average). This distance/time is calculated in order to provide a relative gauge
14 of the pedestrian crossing comfort level.

15 (32) **Corner Lot:** A lot in which one side lot line abuts a Street. Special building placement,
16 fencing and landscape requirements may apply.

17 (33) **Corridor Node:** A concentrated urban mixed-use location along a specified corridor,
18 to be developed in a mixed-use, pedestrian-oriented form. As described in the General Plan,
19 these areas contain a higher intensity of residential and nonresidential land uses than Corridors
20 and other areas within a General Plan Tier. The development at these nodes should be planned as
21 transit-oriented development.

22 (34) **Day Care:** A use providing care, protection, and supervision of children or adults on a
23 regular basis away from their primary residence. Refer to Section 27-107.01 of the Zoning
24 Ordinance for additional detail on specific Day Care uses.

25 (35) **Days:** Where used in this Subtitle without a qualifier (such as “business” Days), the
26 term shall mean calendar Days.

27 (36) **Dooryard:** The area within the Street-Space between the Façade of the building
28 (generally the Build-to Line) and the Clear Walkway area of the sidewalk. Stoops, balconies, and
29 for appropriate commerce uses, temporary displays, café seating and other Encroachments as
30 specified by the Planning Director or Designee may be placed within the Dooryard area. The
31 Dooryard area is designated in the Street type specifications.

1 (37) **Dormers:** Roofed ancillary structures with windows providing light and air to
 2 habitable space within the roof. Dormers are permitted and do not constitute a Story (for height
 3 measurement purposes).

4 (38) **Employment Reserve:** An Employment Reserve is a designated portion of a
 5 regulating plan intended for employment development only, unless other portions of the
 6 regulating plan have been built out with adequate employment to meet projections for the Urban
 7 Center or Corridor Node. See Section 27A-304(b). , Minimum Employment Threshold.

8 (39) **Encroachment:** An element of a building or structure that extends into a setback or
 9 yard area. Also includes an element that extends beyond the private property over an Abutting
 10 right-of-way.

11 (40) **English Basement:** A habitable floor level below the Ground Story that is both
 12 partially above and below grade and has windows and an entry with direct Street space access.
 13 The ceiling of an English Basement is typically at least three (3) feet above grade.

14 (41) **Equivalent or Better:** A building material or construction technique that has been
 15 determined to be clearly equal or superior (in appearance, durability, etc.) than those expressly
 16 permitted herein.

17 (42) **Façade (Building Face):** The building elevation facing the Street-Space or Build-to
 18 Line.

19 (43) **Fenestration:** Openings in the building wall, including windows and doors, allowing
 20 light and views between interior and exterior. Fenestration is measured as glass area (excluding
 21 mullions and similar window frame elements with a dimension greater than one inch) for
 22 conditioned space and as open area for parking structures or other un-conditioned, enclosed
 23 space.

24 (44) **Front Porch:** The ground floor platform attached to the front or Build-to Line side of
 25 the main building. A Front Porch may have a single ground floor platform or two platforms
 26 stacked at the ground and second Story levels.

27 (45) **Front Yard:** An open space required by certain Building Envelope Standards
 28 extending across the entire width of the lot between the Façade and the sidewalk. Where double
 29 frontage or Corner Lots exist, any required Front Yard shall be provided on both Streets. This
 30 area is contiguous with the Street, and includes any Front Porch.

31 (46) **Front Yard Fence:** The fence or wall located along and surrounding the Front Yard.

1 (47) **Functional Overlay:** A Functional Overlay consists of maps, technical studies, and
 2 other data as required by the Planning Director or Designee. They provide an inventory of
 3 existing resources, establish functional transportation and environmental networks, and are used
 4 to identify how each property contributes to the overall working of the Urban Center District.

5 (48) **Garden Wall:** A masonry wall defining a property line or delineating a private area. A
 6 Garden Wall may satisfy a BES Front Yard Fence requirement.

7 (49) **Ground Story:** The first habitable level of a building at or above grade. The next Story
 8 above the Ground Story is the second floor.

9 (50) **Group Living:**

10 (A) A "Dwelling Unit" or "Foster Home," operated by a responsible individual or
 11 organization, which has a program designed to provide a supportive living arrangement for five
 12 (5) or more individuals (unrelated to the operator by blood, adoption, or marriage) who are
 13 members of a service population that, because of age or emotional, mental, physical, familial, or
 14 social conditions, needs supervision.

15 (B) This term includes facilities for developmentally disabled persons, drug
 16 dependent persons, alcoholic persons, juveniles, or persons whose welfare and adjustment within
 17 the community are dependent on support from the community.

18 (C) The term does not include:

19 (i) A "Foster Home" where there are four (4) or less persons unrelated by blood,
 20 adoption, or marriage to their foster parents;

21 (ii) A "Foster Home" where there are not more than six (6) foster children who
 22 are unrelated to their foster parents, but are related by blood or marriage to each other;

23 (iii) A "Hospital" or "Nursing or Care Home";

24 (iv) A "Congregate Living Facility"; or

25 (v) An "Adult Day Care Center."

26 (D) A "Group Residential Facility" for the "mentally handicapped" for up to eight (8)
 27 residents shall be considered a "One-family Detached Dwelling."

28 (E) When a "Group Residential Facility" is limited to serving a "mentally
 29 handicapped" population, this term shall include any individual with a primary disability as a
 30 result of mental retardation, mental illness, or mental disorder which impairs the person's

1 cognitive ability to live independently (excluding addictive disorders resulting from substance
2 abuse).

3 (51) **Heavy Industrial:** Firms involved in research and development activities without light
4 fabrication and assembly operations; limited industrial and manufacturing activities. The uses
5 emphasize industrial businesses and sale of heavier equipment. Factory production and industrial
6 yards are located here. Sales to the general public are limited.

7 (52) **Household Living:** Residential occupancy of a dwelling by a household on a monthly
8 or longer basis in structures with self-contained dwelling units, including kitchens. Refer to
9 Section 27-107.01 of the Zoning Ordinance for additional detail on specific Household Living
10 uses.

11 (53) **Illustrative Plan:** The purpose is to illustrate the likely built results of the Regulating
12 Plan by showing buildings on each lot and preliminary designs for Streets or Civic Spaces in
13 compliance with this Subtitle and the proposed Regulating Plan. Where possible, renderings,
14 models, or other visual material supporting the likely built results shall be included.

15 (54) **Indoor Recreation:** Generally commercial uses, varying in size, providing daily or
16 regularly scheduled recreation-oriented activities in an indoor setting.

17 (55) **Light Industrial:** Manufacturing, assembly, repair, or servicing of industrial, business,
18 or consumer machinery, equipment, products, or by-products mainly by providing centralized
19 services for separate retail outlets. Contractors and building maintenance services and similar
20 uses perform services off-site. Few customers, especially the general public, come to the facility.

21 (56) **Light Manufacturing:** A facility conducting light manufacturing operations within a
22 fully-enclosed building.

23 (57) **Liquor Store:** Any business selling general alcoholic beverages, also known as sale of
24 distilled spirits or hard liquor, for off-premises consumption. A Liquor Store does not include a
25 business selling only beer and/or wine for off-premises consumption.

26 (58) **Medical:** Uses providing medical or surgical care to patients, either on an outpatient
27 basis or an inpatient basis which may include overnight health care.

28 (59) **Minimum Employment Threshold:** A threshold established in order to provide for or
29 reserve space for a significant employment base in each Urban Center District as recommended
30 by the General Plan. The threshold is expressed as a net lot area or demonstrated gross floor area
31 of employment uses.

1 (61) **Natural Resource Inventory (NRI):** A plan map and supporting documentation that
2 provides all required information regarding the existing physical and environmental conditions
3 on a site that is approved by the Planning Director or designee as described in the document the
4 Environmental Technical Manual as approved and amended by the Planning Board from time to
5 time.

6 (62) **Net Lot Area:** The total contiguous area included within the lot lines of a lot
7 excluding:

8 (A) Alleys, Streets, and other public ways: and

9 (B) Land Lying within a One Hundred (100) year Floodplain or other environmentally
10 regulated area.

11 (63) **Nonconforming Use:** The use of any building, structure, or land which is not in
12 conformance with a requirement of the district in which it is located (as it specifically applies to
13 the use), provided that the requirement was adopted after the use was lawfully established. The
14 term shall include any building, structure, or land used in connection with a Nonconforming Use,
15 regardless of whether the building, structure, or land conforms to the physical requirements of
16 the zone in which it is located.

17 (64) **Office:** A place where the primary use is conducting the affairs of a business,
18 profession, service, nonprofit organization, or government, including administration, record
19 keeping, clerical work, and similar business functions. An "Office" shall not involve
20 manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or
21 storage of materials, goods, or products; or the sale or delivery of any materials, goods, or
22 products which are physically located on the premises. Office supplies used in the "Office" may
23 be stored as an Accessory Use.

24 (65) **Outdoor Recreation:** Generally commercial uses, varying in size, providing daily or
25 regularly scheduled recreation-oriented activities. Such activities may take place wholly outdoors
26 or within a number of outdoor structures.

27 (66) **Overnight Lodging:** Accommodations arranged for short term stays of less than thirty
28 (30) Days for rent or lease.

29 (67) **Parking Setback Line:** A line or plane indicated on the Regulating Plan which
30 extends vertically and is generally parallel to the Build-to Line. All parking shall be set-back
31 behind this line, except where it is below grade. The Parking Setback Line is located a minimum

1 distance from the Build-to Line and parking may be placed anywhere within the lot behind this
2 line, except where otherwise specified in this Subtitle.

3 (68) **Passenger Terminal:** Public or commercial facilities for the takeoff and landing of
4 helicopters, and facilities for bus, taxi, or limousine pick-up or drop-off of passengers. This
5 category does not include vehicle service or storage facilities.

6 (69) **Pawnshop and Pawn Dealer:** As defined in Section 5-233 of the Prince George's
7 County Code.

8 (70) **Pedestrian Pathway:** An interconnecting paved way providing pedestrian and bicycle
9 passage through Blocks running from a Street-Space to another Street-Space, an Alley or an
10 interior Block parking area. The area within a pedestrian pathway shall be a public access
11 easement or public right-of-way.

12 (71) **Personal Service:** Facilities involved in providing personal services or repair services
13 to the general public, including, but not limited to, barber, nail care, dry cleaner, shoe repair, or
14 watch repair.

15 (72) **Principal Use:** The main or primary use for which the property or building was
16 specifically designed.

17 (73) **Privacy Fence:** An opaque fence made of wood or masonry (not chain link or any
18 other type of rolled fence) along Alleys and Common Lot Lines. See the Building Envelope
19 Standards for height specifications.

20 (74) **Private Open Area:** The area within the Buildable Area and behind the Parking
21 Setback Line, accessible only to occupants of the particular building or site, and (primarily) open
22 to the sky. Additional specifications for the open area may be included in each Building
23 Envelope Standard. Private Open Area shall not be built upon, parked or driven upon (except for
24 emergency access).

25 (75) **Public Utility:** A privately owned facility which provides the public with electricity,
26 natural gas, water or sewer services (as part of a community system), or wire-transmitted
27 telecommunications service; or any privately-owned railroad facility.

28 (76) **Regulated Environmental Features:** Regulated stream, nontidal wetlands, and their
29 associated buffers.

30 (77) **Regulating Plan:** The implementing plans for the development of Urban Centers and
31 Corridor Nodes under this Subtitle. Regulating Plans allocate the Building Envelope Standards,

1 public spaces, and Street types within each Urban Neighborhood or center and provide specific
 2 information for the disposition of each building site, and are the approved plan for the
 3 implementation of the County's General Plan within designated Centers or Corridor Nodes. The
 4 Regulating Plan also shows how each site relates to adjacent Street-Spaces, the overall Urban
 5 Neighborhood, and the surrounding neighborhoods.

6 (78) **Research and Development:** A facility focused primarily on the research and
 7 development of new products and on scientific investigation.

8 (79) **Resource Extraction:** Characterized by uses that extract minerals and other solids and
 9 liquids from land.

10 (80) **Restaurant/Bar:** Establishments that prepare and sell food or drink for consumption
 11 on-or off-premise, which may be developed freestanding, or attached to or within a group of
 12 buildings, which may include carryout, outdoor eating, and live entertainment, excluding Adult
 13 Entertainment uses.

14 (81) **Retail Sales:** The sale of commodities or goods, usually in small quantities, directly to
 15 ultimate consumers. The term shall not include a "Pawnshop" as defined in Section 27-
 16 107.01(a).

17 (82) **Self-Service Storage:** Facilities providing separate storage areas for personal or
 18 business use designed to allow private access by the tenant for storing or removing personal
 19 property.

20 (83) **Stoop:** An entry platform on the Build-to Line frontage of a building. Stoops may be
 21 roofed, but they shall not be enclosed. (See the individual Building Envelope Standards for
 22 specifications).

23 (84) **Story (Story Height):** That space within a building and above grade that is situated
 24 between one floor level and the floor level next above, or if there is no floor above, the ceiling or
 25 roof above. Story Height parameters are as specified by the appropriate Building Envelope
 26 Standard.

27 (85) **Street:** A "Street" is a public or dedicated right-of-way at least twenty four (24) feet in
 28 width; or a private road, right-of-way, or easement along which development is authorized
 29 pursuant to Subtitle 24; or a proposed "Street" right-of-way or widening shown on the applicable
 30 General Plan, Functional Master Plan, Master Plan, or Sector Plan, or in the current Capital
 31 Improvement Program or Maryland State Consolidated Transportation Program; or on a Record

1 Plat. Streets shall be designated on the Regulating Plan, and are intended to be open to public use
 2 regardless of ownership.”

3 (86) **Street Frontage:** That portion of the lot or building that is coincident with the Build-to
 4 Line as required by this Subtitle.

5 (87) **Street Light:** A luminaire installed along the Street Tree Alignment Line, unless
 6 otherwise designated on the Regulating Plan. Lighting standards for Street-Spaces and Alleys
 7 should be developed to meet the minimum standards of the *Illumination Engineering Society of*
 8 *North America (IESNA)*, with the design criteria giving equal weight to the lighting of the
 9 pedestrian areas and the automobile areas.

10 (88) **Street-Space:** All space between fronting Build-to Lines (Streets, squares, plazas,
 11 pedestrian pathways, Civic Greens, sidewalks, parks)—including any transit service operator
 12 passenger platform—but not garage entries or Alleys.

13 (89) **Street Tree:** A tree required per this Subtitle that is of a proven hardy and drought
 14 tolerant species and large enough to form a canopy with sufficient clear trunk to allow traffic to
 15 pass under unimpeded.

16 (90) **Street Tree Alignment Line:** A line along which Street Trees are to be planted and
 17 Street Lights and other such infrastructure are to be placed. The Street Tree Alignment Line falls
 18 within the Tree Lawn area identified in the Street type specifications as “A”. It is parallel with
 19 the Street right of way. The Street Tree Alignment Line for center medians is their centerline.

20 (91) **Street Wall:** A masonry wall which assists in the definition of the Street-Space in the
 21 absence of a building. See the Building Envelope Standards for height and gate specifications.

22 (92) **Tree Lawn:** A continuous strip of soil area—typically covered with grass, other
 23 vegetation, bridging pavement, or sometimes porous pavers—located between the back of curb
 24 and the sidewalk, and used for planting Street Trees and configured to foster healthy Street Tree
 25 root systems.

26 (93) **Urban Centers and Corridors:** Those areas designated as centers and corridors in the
 27 Prince George’s County General Plan for development as mixed-use, pedestrian-and transit-
 28 oriented districts of moderate to high density and intensity. Urban Centers are comprised of one
 29 or more Urban Neighborhoods. Corridor development is targeted to specified Corridor Nodes
 30 where mixed-use and transit-oriented development is most appropriate.

31 (94) **Urban Center District:** Refers to the area encompassed by an Urban Center or

1 Corridor Node designation. This term may be used interchangeably with “Urban Center Zone.”

2 (95) **Urban Neighborhood:** A defined area of buildings around a framework of
 3 interconnected Blocks, Streets, Squares or Civic Greens within a designated Urban Center. They
 4 are mixed-use neighborhoods of 20 to 100 acres bounded and physically defined by large scale
 5 Streets or Regulated Environmental Features. Smaller Urban Neighborhoods may exist due to
 6 environmental constraints.

7 (96) **Vehicle Sales:** Direct sales, rental, or leasing of passenger vehicles, light and medium
 8 trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.
 9 Refer to Section 27-107.01 of the Zoning Ordinance for additional detail on specific Vehicle
 10 Sales uses.

11 (97) **Vehicle Service:** Repair and service to passenger vehicles, light and medium trucks,
 12 and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Refer
 13 to Section 27-107.01 of the Zoning Ordinance for additional detail on specific Vehicle Service
 14 uses.

15 (98) **Warehouse and Distribution:** Facilities involved in the storage or movement of goods
 16 for themselves or other firms. Goods are generally delivered to other firms or the final consumer
 17 with little on-site sales activity to customers.

18 (99) **Waste-Related Service:** Characterized by uses receiving solid or liquid wastes from
 19 others or transfer wastes to another location. Also includes uses that collect sanitary wastes or
 20 that manufacture or produce goods or energy from the composting of organic material.

21 (100) **Water-Oriented:** Uses that require direct access to navigable waters.

22 (101) **Where Clearly Visible from the Street-Space:** Many requirements of this Subtitle
 23 apply only where the subject is “clearly visible from the Street-Space.” Common or party walls
 24 are by definition not clearly visible from the Street-Space. This does not exempt vehicle parking
 25 lots or parking structures from any Building Envelope Standards requirements.

26 (102) **Wholesale Trade:** The sale of commodities or goods to distributors or retail outlets for
 27 resale to ultimate consumers. These uses emphasize on-site sales or order-taking and often
 28 include display areas. Businesses may or may not be open to the general public, but sales to the
 29 general public are not permitted. Products may be picked up on-site or delivered to the customer.

30 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

31 **PART 2. ADMINISTRATION.**

1 **Sec. 27A-201. Determination of Code Applicability**

2 (a) This Subtitle is only applicable if the property is located within a Center or Corridor
3 Node as defined and designated by the General Plan, applicable Master Plan, or Sector Plan.

4 (b) If Urban Center zoning and the accompanying Regulating Plan have not been approved,
5 the provisions of Part 3. Regulating Plans and Functional Overlays shall be utilized to determine
6 the requisite steps necessary to develop under this Subtitle.

7 (c) If Urban Center zoning and the accompanying Regulating Plan have been approved, the
8 Regulating Plan and the provisions in Part 4. Building Envelope Standards, Part 5. Urban Space
9 Standards, Part 6. Architectural Standards, Part 7. Parking and Loading Standards, and Part 8.
10 Building Function shall be utilized to determine the requisite steps necessary to obtain Permit
11 Site Plan approval and develop under this Subtitle.

12 **Sec. 27A-202. Order of Approval.**

13 (a) The following order of approvals shall be observed in the application of this Subtitle:

14 (1) Approval of a Regulating Plan/Zoning of the subject properties;

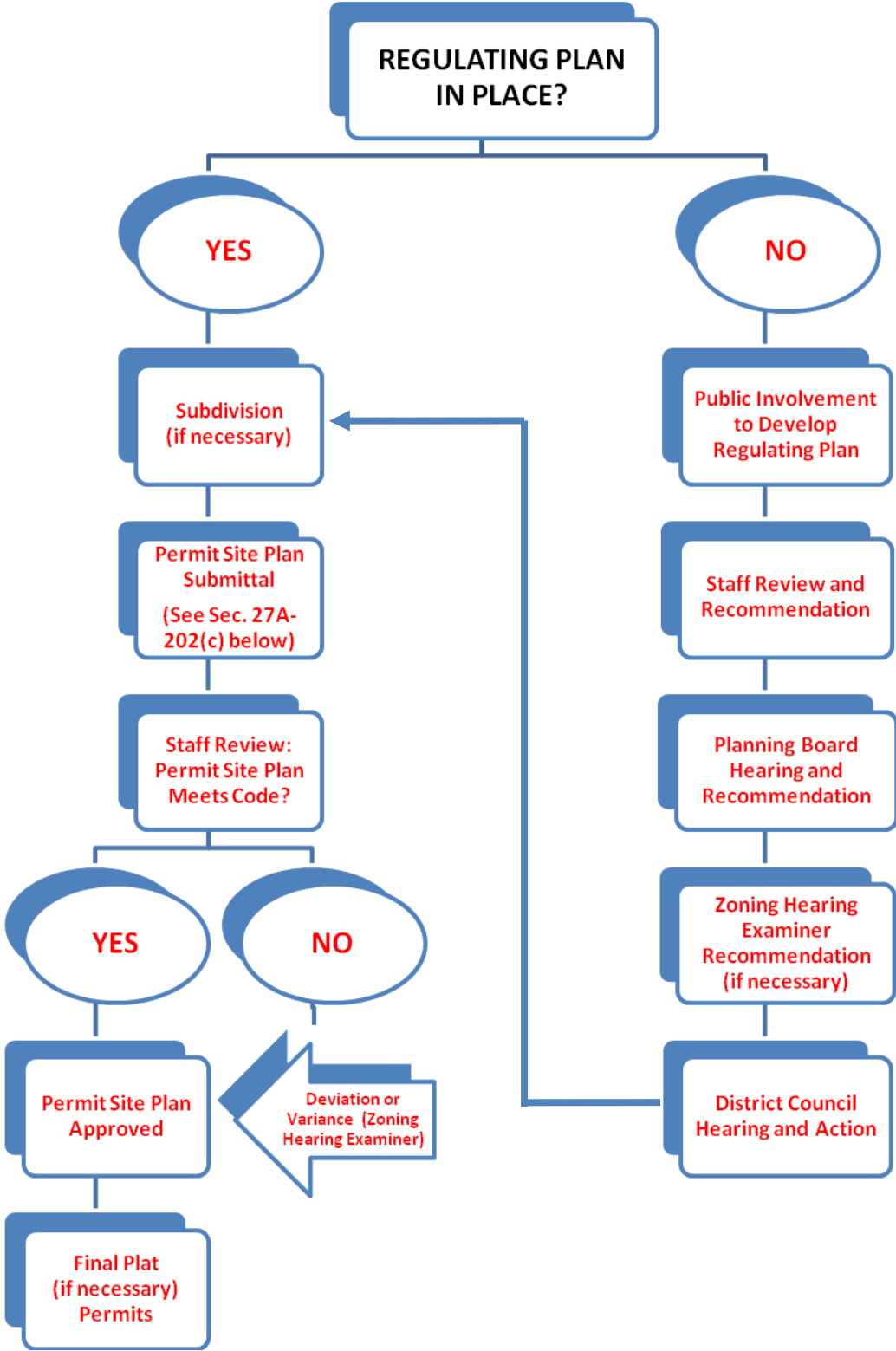
15 (2) Preliminary Plan of Subdivision;

16 (3) Permit Site Plan;

17 (4) Final Plat of Subdivision (a final plat of subdivision may be approved prior to a
18 Permit Site Plan if the Planning Director or Designee determines that the Permit Site Plan
19 approval will not affect final plat approval.)

20 (5) Grading, building, use and occupancy permits.

21 (b) The following flowchart illustrates the order of approvals for the Urban Centers and
22 Corridor Nodes Development and Zoning Code.



Sec. 27A-203. Summary of Approval Authority.

The following table summarizes the review authority under this Subtitle and applicable sections of Subtitles 24 and 27.

| | <u>Planning Director or Designee</u> | <u>Planning Board</u> | <u>Zoning Hearing Examiner</u> | <u>District Council</u> | <u>Circuit Court</u> | <u>Cross-Reference</u> |
|---|--------------------------------------|-------------------------|--------------------------------|-------------------------|----------------------|--|
| <u>Sectional Map Amendment (Regulating Plan)</u> | <u>Review/Recommend</u> | <u>Review/Recommend</u> | | <u>Hearing/Decision</u> | <u>Appeal</u> | <u>Subtitle 27, Part 3, Division 4. Sectional Map Amendment (SMA); Sec. 27A-210</u> |
| <u>Zoning Map Amendment (Regulating Plan)</u> | <u>Review/Recommend</u> | | <u>Hearing/Recommend</u> | <u>Hearing/Decision</u> | <u>Appeal</u> | <u>Subtitle 27, Part 3, Division 2, Subdivision 4. M-X-T and M-X-C Zones; Sec. 27A-211</u> |
| <u>Subdivision</u> | <u>Review/Recommend</u> | <u>Decision</u> | | | <u>Appeal</u> | <u>Subtitle 24</u> |
| <u>Permit Site Plan Approval</u> | <u>Decision</u> | <u>Appeal</u> | | <u>Call-up/Review</u> | <u>Appeal</u> | <u>Sec. 27A-213</u> |
| <u>Deviations (concurrent with Permit Site Plan)</u> | <u>Review/Recommend</u> | | <u>Hearing/Decision</u> | <u>Call-up/Review</u> | <u>Appeal</u> | <u>Sec. 27A-214</u> |
| <u>Variances (concurrent with Permit Site Plan)</u> | <u>Review/Recommend</u> | | <u>Hearing/Decision</u> | <u>Call-up/Review</u> | <u>Appeal</u> | <u>Sec. 27A-214</u> |

Sec. 27A-204. Planning Director Authority.

(a) **Authority.**

The Planning Director is responsible for day-to-day administration and enforcement of this Subtitle and is specifically authorized to approve applications for Permit Site Plan review.

(b) **Delegation of Authority.**

The Planning Director may designate any Maryland-National Capital Park and Planning Commission staff member to represent the Planning Director in any function assigned by this Subtitle. The Planning Director remains responsible for any final action.

Sec. 27A-205. General Administration.

(a) Application for Permit Site Plan review under the procedures of this Subtitle shall not be permitted until a Regulating Plan is in place.

1 (b) No grading, building, or use and occupancy permit may be issued until a Permit Site
 2 Plan has been approved in accordance with this Section.

3 (c) An applicant may submit a Permit Site Plan for Infrastructure in order to proceed with
 4 limited site improvements. These improvements must include infrastructure which is essential to
 5 the future development of the site, including streets, utilities, or stormwater management
 6 facilities. Only those regulations, submittal requirements, and site design regulations which are
 7 applicable shall be considered. The Planning Director or Designee may also consider the
 8 proposal in light of future requirements, such that the plan cannot propose any improvements
 9 which would hinder the achievements of the purposes of this Subtitle.

10 (d) Properties placed in an Urban Center District may not be rezoned through a Zoning
 11 Map Amendment to a conventional zone, Comprehensive Design Zone, or mixed-use zone.
 12 Notwithstanding the above, properties may be placed in a different Urban Center District through
 13 the procedures specified in this Subtitle in Section 27A-211. Properties placed in an Urban
 14 Center District may be rezoned without restriction through a Sectional Map Amendment.

15 (e) Where a Zoning or Sectional Map Amendment is proposed for an area that includes the
 16 entirety of an approved Regulating Plan, the map amendment, if approved, shall overwrite the
 17 existing Regulating Plan.

18 (f) Zoning or Sectional Map Amendments shall not be permitted for an area that includes
 19 part, but not all, of the area affected by an approved Regulating Plan unless the map amendment
 20 incorporates the entirety of one or more Urban Neighborhoods.

21 **Sec. 27A-206. Urban Center Districts.**

22 **(a) Metropolitan Urban Center District (UC-1).**

23 (1) The Metropolitan Urban Center District (UC-1) is intended for a large-scale
 24 mixed-use area, comprised of multiple Urban Neighborhoods. These centers are to be the most
 25 intense and least auto-dependent areas in Prince George's County, and are best described as a
 26 "downtown" district in ultimate built character. Because of the access to regional fixed-guideway
 27 transit systems and the scale of these centers, they are to be primary targets for employment,
 28 major educational complexes, and high-intensity commercial uses in the County.

29 (2) The UC-1 District shall be configured as two or more Urban Neighborhoods and
 30 shall be a minimum of eighty (80) adjacent acres in size.

31 (3) Notwithstanding Section 27A-206(a)(2), the UC-1 District may be configured as a

1 single Urban Neighborhood with a minimum of twenty (20) adjacent acres in size when used in
 2 conjunction with other UC Districts to implement the goals, policies, and strategies of the
 3 applicable Master Plan or Sector Plan and the Regulating Plan for that Urban Center or Corridor
 4 Node.

5 (b) **Regional Urban Center District (UC-2).**

6 (1) The Regional Urban Center District (UC-2) is intended for a moderately-scaled
 7 mixed-use area, comprised of two or more Urban Neighborhoods in a town center setting.
 8 Regionally marketed commercial and retail centers, office and employment areas, and
 9 recreational complexes primarily serving Prince George’s County are appropriate uses. High-
 10 density residential development should also be included.

11 (2) The UC-2 District shall be configured as two or more Urban Neighborhoods and
 12 shall be a minimum of sixty (60) adjacent acres in size.

13 (3) Notwithstanding Section 27A-206(b)(2), the UC-2 District may be configured as
 14 a single Urban Neighborhood with a minimum of twenty (20) adjacent acres in size when used in
 15 conjunction with other UC Districts to implement the goals, policies, and strategies of the
 16 applicable Master Plan or Sector Plan and the Regulating Plan for that Urban Center or Corridor
 17 Node.

18 (c) **Community Urban Center District (UC-3).**

19 (1) The Community Urban Center District (UC-3) is intended for the least intensive
 20 of the Urban Centers, typically developed as a “neighborhood main–Street” with an adjacent
 21 Urban Neighborhood. Businesses are predominantly smaller in scale to complement and serve
 22 the surrounding neighborhoods.

23 (2) The UC-3 District shall be configured as one or more Urban Neighborhoods and
 24 shall be a minimum of twenty (20) adjacent acres in size.

25 (3) A UC-3 District may be a complete Urban Neighborhood, but shall generally
 26 provide the mixed-use components that complement the existing adjacent neighborhood.
 27 Development should consist of higher intensity residential and non-residential mixed uses at
 28 appropriate locations along key transportation routes.

29 (4) The UC-3 District may be used in conjunction with other UC Districts to
 30 implement the goals, policies, and strategies of the applicable Master Plan or Sector Plan and the
 31 Regulating Plan for that Urban Center or Corridor Node.

1 **(d) Urban Corridor Node (UC-4).**

2 (1) The Urban Corridor Node District (UC-4) is intended for a concentrated urban
 3 mixed-use node, to be developed in a pedestrian-oriented form of a limited, walkable size, rather
 4 than as a continuous corridor. Compatibility with existing adjacent neighborhoods is essential.
 5 To meet these objectives, Urban Neighborhoods within the UC-4 Zone may be smaller than
 6 otherwise permitted within the other UC Districts.

7 (2) Notwithstanding Section 27A-207(b) below, the UC-4 District shall be a
 8 minimum of five (5) adjacent acres in size and shall not exceed forty (40) adjacent acres in total
 9 size.

10 (3) A UC-4 District may be a complete Urban Neighborhood, but shall generally
 11 provide the mixed-use components that complement the existing adjacent neighborhood.
 12 Development should consist of higher intensity residential and non-residential mixed uses at
 13 appropriate locations along key transportation routes.

14 (4) The UC-4 District may be used in conjunction with other UC Districts to
 15 implement the goals, policies, and strategies of the applicable Master Plan or Sector Plan and the
 16 Regulating Plan for that Urban Center or Corridor Node.

17 **Sec. 27A-207. Urban Neighborhoods.**

18 (a) An Urban Neighborhood is the basic building block for all UC Districts.

19 (b) An Urban Neighborhood shall consist of a minimum of twenty (20) adjacent acres and
 20 a maximum of one hundred (100) adjacent acres. Notwithstanding this requirement, Urban
 21 Neighborhoods within the UC-4 District may be a minimum of five (5) acres in size if, in the
 22 approval of the Regulating Plan, the District Council finds that the Urban Neighborhood:

23 (1) Conforms with the requirements of this Subtitle; and

24 (2) Meets the goals, objectives, policies, and strategies of the General Plan and the
 25 applicable master plan or sector plan.

26 (c) An Urban Neighborhood is made up of an interconnected network of Streets and
 27 Blocks, with an allocation of Building Envelope Standards and public spaces.

28 (d) An Urban Neighborhood is typically bounded and physically defined by major Streets
 29 (as specified in Section 27A-503), roadways, and parks or other Regulated Environmental
 30 Features. Streets within the Urban Neighborhood shall be a neighborhood Street (as specified in
 31 Section 27A-503), except as provided for in Section 27A-305.

1 (e) Streets which are proposed for County maintenance under Subtitle 23 shall be designed
 2 to the applicable standards contained in the Prince George’s County Department of Public Works
 3 and Transportation *Specifications and Standards for Design of Roadways and Bridges*
 4 (hereinafter referred to as “County roadway standards”). Improvements to roadways in the State
 5 highway system shall be designed to the applicable standards of the Maryland Department of
 6 Transportation (hereinafter referred to as “MDOT standards”).

7 (f) Urban Neighborhoods that cannot meet the minimum area criteria due to the presence
 8 of existing Regulated Environmental Features may be permitted within a UC District; however,
 9 every reasonable Street/pedestrian network connection shall be made to an adjacent, complete
 10 Urban Neighborhood. Not more than one incomplete Urban Neighborhood is permitted per every
 11 three full Urban Neighborhoods within a UC District.

12 (g) Where an existing neighborhood is being ‘retro-fitted’ into an UC District, the District
 13 Council may consider how the new portions of the Regulating Plan, in concert with the
 14 incorporated existing development, satisfy the definition and standards for an Urban
 15 Neighborhood. Standards for retrofitting an existing neighborhood are addressed in Section 27A-
 16 305.

17 **Sec. 27A-208. Relationship of Urban Center Districts.**

18 (a) For the purposes of this Subtitle, the order of intensity of the Urban Center Districts
 19 ranges from the most intense to the least intense as follows: UC-1, UC-2, UC-3, and UC-4.

20 (b) UC Districts may only be used in an area designated by the General Plan or subsequent
 21 master plan or sector plan as a Center or Corridor Node. These areas should be prioritized to
 22 maximize public investment by applying the UC Districts to those Centers or Corridor Nodes
 23 that are most important to the future character of Prince George’s County.

24 (c) Urban Center Districts may be combined within an Urban Center or Corridor Node as
 25 specified in Subsection (d) below to implement the goals, policies, and strategies of the
 26 applicable master plan or sector plan and the Regulating Plan for that Urban Center or Corridor
 27 Node. When UC Districts are combined, each district shall be a minimum of one Urban
 28 Neighborhood in size in accordance with the regulations of this Part.

29 (d) Regulating Plans produced through either the Sectional Map Amendment or the Zoning
 30 Map Amendment processes shall be limited to the following UC Districts. However, the
 31 designation of a Center or Corridor Node may be revised through the master plan process:

| <u>General Plan Designation</u> | <u>Permitted Urban Center Districts</u> |
|---------------------------------|---|
| <u>Metropolitan Center</u> | <u>UC-1, UC-2, UC-3, and UC-4</u> |
| <u>Regional Center</u> | <u>UC-2, UC-3, and UC-4</u> |
| <u>Community Center</u> | <u>UC-3 and UC-4</u> |
| <u>Corridor Node</u> | <u>UC-4</u> |

1 **Sec. 27A-209. General Design Principles of Urban Centers and Corridor Nodes.**

2 (a) Building Façades should be aligned and close to the Street. Buildings form the space of
3 the Street.

4 (b) The Street is a coherent space, with consistent building forms on both sides. Buildings
5 facing across the Street-Space contribute to a clear public space and Street-Space identity.

6 (c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit,
7 and auto facilities are essential elements of the Urban Centers and Corridor Nodes.

8 (d) Consideration of the natural environment is paramount in the Urban Centers and
9 Corridor Nodes. All new development should be designed in accordance with best practices of
10 environmentally-sensitive site design and sustainability. Development within the Urban Centers
11 and Corridor Nodes shall demonstrate consideration of the natural environment through several
12 means, including the environmental infrastructure Functional Overlay, Regulating Plan, and
13 Permit Site Plan application.

14 (e) Regulated Environmental Features shall be preserved, protected, and restored to a
15 natural state to the fullest extent possible.

16 (f) Buildings oversee the Street-Space with active fronts. This overview of the Street-
17 Space contributes to safe and vital public spaces.

18 (g) In an urban environment, property lines are generally physically defined by buildings,
19 walls or fences. Land should be clearly public or private—in public view and under surveillance
20 or private and protected from view.

21 (h) Buildings are designed for neighborhoods, towns, and cities. Rather than being simply
22 pushed closer together, buildings should be designed for the urban situation within towns and
23 cities. Views are directed to the Street-Space and interior gardens or court-yards to highlight
24 these key amenities for the community and reinforce visual surveillance and sense of communal
25 ownership of these spaces.

26 (i) Vehicle storage and parking (excluding on-Street parking), garbage and recycling

1 storage, and mechanical equipment are kept away from the Street-Space.

2 **Sec. 27A-210. Sectional Map Amendments.**

3 **(a) Purpose and Intent.**

4 The purpose and intent of these Sectional Map Amendment (SMA) procedures are for the
 5 comprehensive rezoning of property to an Urban Center District and the approval of a Regulating
 6 Plan for an eligible area. It is expected that most Sectional Map Amendments to place property
 7 into an Urban Center District will occur concurrently with the production of a master plan or
 8 sector plan, in accordance with the procedures of Section 27-225.01.05 of the Zoning Ordinance,
 9 or will shortly follow approval of a master plan or sector plan with the express purpose of
 10 implementing the land use recommendations of that plan.

11 **(b) Procedures.**

12 **(1) Authorization and Initiation.**

13 (A) A Sectional Map Amendment placing property into an Urban Center District
 14 and approving a Regulating Plan shall be initiated by a resolution of the District Council
 15 authorizing the Planning Board to prepare a proposed Amendment. The District Council may
 16 initiate a Sectional Map Amendment for an eligible area at any time, but is not required to make
 17 such an initiation on any particular schedule.

18 (B) The Planning Board may be authorized in writing by the District Council to
 19 prepare a Sectional Map Amendment concurrently with an Area Master Plan or Sector Plan. The
 20 date of initiation of the Sectional Map Amendment shall be the date of the initiation of the Area
 21 Master Plan or Sector Plan by the Planning Board with the written concurrence of the District
 22 Council. Procedures for concurrent preparation of Area Master Plans or Sector Plans and
 23 Sectional Map Amendments shall be consistent with Section 27-225.01.05.

24 (C) The resolution shall designate the area involved, and shall direct the Planning
 25 Board to prepare a proposed Regulating Plan, Urban Center District designations, and Functional
 26 Overlays as required by the provisions of this Subtitle. Sectional Map Amendments for the
 27 Urban Center Districts shall be composed of at least one Urban Neighborhood as specified in this
 28 Part.

29 (D) A proposed Public Participation Program shall be approved concurrently with a
 30 resolution to prepare a Regulating Plan and place property into an Urban Center District. This
 31 Public Participation Program should address how the development of any proposed Regulating

1 Plan will be handled.

2 (E) If a Sectional Map Amendment is authorized for an area where an existing
3 Regulating Plan exists, the District Council shall specifically state in its authorization if the
4 Sectional Map Amendment will remove, amend, or replace the existing Urban Center District(s)
5 and Regulating Plan.

6 (F) The resolution and any descriptive data shall be available for public inspection
7 at the office of the Clerk of Council.

8 (G) The resolution shall be advertised in the County newspapers of record for at
9 least two (2) successive weeks after its adoption.

10 **(2) Planning Board Procedures.**

11 (A) After receiving authorization to prepare a Sectional Map Amendment, the
12 Planning Board shall prepare a proposed Zoning Map (and text) in keeping with the purpose,
13 intent, and requirements of the Sectional Map Amendment process and the approved Public
14 Participation Process.

15 (B) Publication, advertising, and notice shall be in the form and methods approved
16 by the District Council in the approval of a Public Participation Process. When a Sectional Map
17 Amendment is prepared concurrently with an Area Master Plan or Sector Plan, the regulations
18 regarding publication, advertising, and notice shall be consistent with the regulations specified in
19 Section 27-225.01.05.

20 **(C) Action and Transmittal.**

21 (i) The Planning Board shall take action to transmit the proposed Sectional
22 Map Amendment (with or without amendments) by resolution adopted at a regularly scheduled
23 public meeting.

24 (ii) Within ninety (90) Days after the public hearing, the Planning Board shall
25 transmit the proposed Sectional Map Amendment to the District Council and to each
26 municipality and civic association located either within the area of the proposed Sectional Map
27 Amendment or within one-half (1/2) mile of that area. These municipalities and civic
28 associations shall be advised to refer their comments on the proposed Sectional Map Amendment
29 to the District Council within ninety (90) Days or receipt of the proposed Sectional Map
30 Amendment.

31 (iii) Transmitted with the resolution shall be the proposed Zoning Map (and

1 text), the proposed Regulating Plan, proposed Functional Overlays, and a statement justifying the
2 proposal.

3 (iv) Prior to transmittal, the District Council may (by resolution) extend the
4 date of transmittal.

5 **(3) Planning Board/Department of Environmental Resources procedures.**

6 **(A) Pending building permit applications.**

7 (i) The Clerk of the Council shall notify the Director of the Department of
8 Environmental Resources and the Planning Board of the approval of an Area Master Plan that
9 includes a Zoning Proposal that was prepared pursuant to the provisions of this Part, or the
10 Director of the Department of Environmental Resources upon the transmittal of a proposed
11 Sectional Map Amendment from the Planning Board to the District Council pursuant to the
12 provisions of this Part or Section 27-225.01.05. The Planning Board or its authorized
13 representative shall postpone recommendations for building permit applications, and the
14 Department of Environmental Resources shall postpone the issuance of building permits, for
15 land within the area of the proposed Sectional Map Amendment, when the lot or parcel of land
16 on which construction is proposed is in a Commercial or Industrial Zone, was proposed by the
17 Planning Board for a less intense zone in which the proposed use is not permitted, is
18 undeveloped, and has been in the same zone for more than ten (10) years. Building permit
19 applications shall not be processed or issued until after final action by the District Council on the
20 Sectional Map Amendment. This Subsection shall not apply to a lot or parcel of land for which a
21 grading permit has been issued by Prince George's County, sediment and erosion control devices
22 have been installed by the permittee, and site grading activities have been initiated by the
23 permittee.

24 (ii) After final action on a Sectional Map Amendment by the District Council,
25 all applications shall be processed in accordance with the procedures and requirements that
26 normally apply to building permit applications.

27 **(B) Expiration of building permits.**

28 (i) The Clerk of the Council shall notify the Director of the Department of
29 Environmental Resources and the Planning Board of the approval of a Sectional Map
30 Amendment pursuant to this Section.

1 (ii) Following notification of the approval of a Sectional Map Amendment,
 2 the Planning Board or its authorized representative shall identify building permits for lots or
 3 parcels within the area of the approved Sectional Map Amendment that were rezoned to a less
 4 intense zone in which the proposed use is not permitted, and advise the Building Official
 5 accordingly.

6 (iii) If a determination is made that completion of construction is not being
 7 diligently pursued, as witnessed by the lack of a completed building foundation pursuant to a
 8 validly issued permit, the Building Official shall notify the permit holder that the building permit
 9 has expired by its own terms.

10 (4) **District Council procedures.**

11 (A) **Pending Zoning Map Amendment applications.**

12 (i) After Planning Board transmittal of a proposed Sectional Map
 13 Amendment to the District Council, or upon adoption of a preliminary plan under Section 27-
 14 645(c) (by optional Planning Board procedures under Section 27-225.01 or Section 27-
 15 225.01.05), the Zoning Hearing Examiner shall postpone accepting or processing pending
 16 Zoning Map Amendment applications within the area of the proposed Sectional Map
 17 Amendment until after final Sectional Map Amendment action by the District Council, and
 18 applications pending before the District Council in the Sectional Map Amendment area shall be
 19 remanded to and held by the Examiner. Zoning applications for Basic Plan amendments which
 20 do not increase densities under an approved Basic Plan are not subject to this subparagraph.

21 (ii) A Comprehensive Design Zone application for which the Planning
 22 Board has made a recommendation may be included by the District Council in a Sectional Map
 23 Amendment, even if the Zoning Hearing Examiner has not held a public hearing. The Council
 24 may include in the Sectional Map Amendment record evidence submitted for the Comprehensive
 25 Design Zone application.

26 (iii) The District Council's approval of a zoning application in the Sectional
 27 Map Amendment shall constitute final action on the application.

28 (iv) If the District Council disapproves a Sectional Map Amendment, the
 29 Zoning Hearing Examiner shall forthwith resume the processing of all postponed and remanded
 30 applications.

1 (v) No new Zoning Map Amendment application may be filed on the same
 2 land until two (2) years have elapsed after final action (including appellate review) on a previous
 3 application. After two (2) applications on the same land have been acted upon, a period of four
 4 (4) years must elapse before another application for the same land may be filed. No land shall be
 5 the subject of two (2) applications for Zoning Map Amendment at the same time.

6 (B) **Public hearing.**

7 (i) **Public hearing requirement.**

8 (aa) The District Council shall hold a public hearing on each
 9 proposed Sectional Map Amendment and proposed Regulating Plan.

10 (bb) If the Sectional Map Amendment is proposed pursuant to Section
 11 27-225.01.05 or Part 13 of Subtitle 27, the hearing shall be a joint public hearing before the
 12 District Council and Planning Board in accordance with Section 27-644(b).

13 (cc) The Council's public hearing shall be held within ninety (90)
 14 Days of receipt of the Planning Board resolution on the proposed Sectional Map Amendment;
 15 within four (4) months of initiation of a Sectional Map Amendment pursuant to Section 27-
 16 225.01; or as provided in Part 13 of Subtitle 27.

17 (ii) **Notice of hearing.**

18 (aa) The public hearing shall be advertised in the County newspapers
 19 of record at least thirty (30) Days before the scheduled hearing date. The notice shall describe the
 20 general boundaries and size of the area involved in the Sectional Map Amendment, the subject of
 21 the Sectional Map Amendment, and the date, time, and place of the hearing.

22 (bb) A continued hearing shall be advertised in the County
 23 newspapers of record at least fifteen (15) calendar Days in advance, unless the date is announced
 24 at the time the hearing is continued.

25 (cc) If the Sectional Map Amendment is not concurrent with the
 26 preparation of a master plan or sector plan pursuant to Section 27-225.01.05 or Part 13 of
 27 Subtitle 27, public notice shall follow the procedures specified in Section 27-225.01(e) of the
 28 Zoning Ordinance. Additionally, the District Council shall notify every municipality located
 29 within one (1) mile of the applicant's property and all civic association registered with the
 30 Commission for the area which includes the property. This informational mailing shall follow the
 31 procedures set forth by Section 27-125.01 of the County Code.

1 (iii) **Hearing testimony.**

2 (aa) Any interested party, including representatives of the Planning
 3 Board and other public agencies, may present testimony at the public hearing. All testimony shall
 4 be transcribed.

5 (bb) The hearing record shall remain open at least fifteen (15) Days
 6 after the hearing.

7 (C) **Amendments prior to final action.**

8 (i) The District Council may propose changes, revisions, or amendments to
 9 the map, text, Regulating Plan, or Functional Overlays of a Sectional Map Amendment
 10 transmitted by the Planning Board, at any time prior to final action.

11 (ii) For purposes of this Section, an "amendment" or "amendments" to a
 12 transmitted Sectional Map Amendment are changes or revisions to the map, text, Regulating
 13 Plan, or Functional Overlays which did not receive substantial staff and Planning Board review
 14 prior to the transmittal. A change or revision constitutes an amendment to the transmitted
 15 Sectional Map Amendment and is subject to all hearing requirements in this Section, unless it
 16 satisfies the criteria below.

17 (iii) A change or revision does not constitute an amendment to the
 18 transmitted Sectional Map Amendment and Regulating Plan if:

19 (aa) At any time before close of the Sectional Map Amendment
 20 record after the initial public hearing, it was proposed in a published Sectional Map Amendment
 21 or Regulating Plan (from staff or Planning Board) or requested by memorandum or testimony
 22 (oral or written) from the property owner or other party in Sectional Map Amendment
 23 proceedings, including without limitation a member of either the Planning Department staff, the
 24 Planning Board, or the District Council;

25 (bb) It was reviewed and commented on in writing by staff, before
 26 Sectional Map Amendment and Regulating Plan transmittal; and

27 (cc) It was reviewed by the Planning Board and then approved or
 28 disapproved in the Planning Board resolution transmitting the Sectional Map Amendment and
 29 Regulating Plan to the District Council.

30 (dd) If amendments are proposed, then the District Council shall hold
 31 an additional public hearing, prior to approval of the Sectional Map Amendment and Regulating

1 Plan. The hearing shall be advertised in the County newspapers of record at least fifteen (15)
 2 calendar Days prior to the scheduled hearing, giving notice of the date, time, and location.

3 Amendments proposed only to retain the existing zoning of property may be approved by the
 4 Council without holding an additional public hearing.

5 (ee) Written notice shall be sent by first class mail to all owners of
 6 land for which an amendment to the Sectional Map Amendment and Regulating Plan has been
 7 proposed by the District Council (or Planning Board, if prepared according to Section 27-
 8 225.01.05). The notice shall inform the property owner of the zoning change proposed for their
 9 property and the date, time, and place of the hearing on the amendment. No notice is required if
 10 no public hearing will be held. This mailing is for informational purposes only, and failure of the
 11 Planning Board to send, or the property owner to receive, the notice shall not invalidate any part
 12 of the Sectional Map Amendment.

13 (ff) A notice that amendments to the Sectional Map Amendment and
 14 Regulating Plan have been proposed shall be sent to all property owners in accordance with the
 15 requirements and procedures of Section 27-225(e)(2). No notice is required if no public hearing
 16 will be held.

17 (gg) All of the District Council's proposed amendments shall be
 18 referred to the Planning Board for the Board's written comments. The comments, if any, shall be
 19 submitted to the Council prior to the Council's action on the amendments.

20 (D) **Record evidence.**

21 (i) The testimony received at the hearing shall be transcribed and made a
 22 part of the Sectional Map Amendment record. Exhibits introduced at any time prior to the close
 23 of the record shall be identified sequentially and maintained as part of the record.

24 (ii) At the close of each public hearing, the Chairman shall announce a date
 25 by which evidence will be accepted by the Clerk of the Council for inclusion in the Sectional
 26 Map Amendment record. After that date, the Council may include additional evidence in the
 27 record upon motion and majority vote of the Council Members present at a meeting or work
 28 session on the proposed Sectional Map Amendment and Regulating Plan. If new evidence is
 29 presented orally at a meeting or work session, it shall not be considered a part of the Sectional
 30 Map Amendment record unless submitted for the record in written form within the time specified
 31 by the Council.

1 (E) **Voting requirements.**

2 (1) After the public hearing, the District Council (in full Council session or
3 committee work session) shall review and act upon the Regulating Plan and each change in
4 zoning classification recommended by the Planning Board. Votes may include more than one
5 property or group of properties. Any Council modification of the Planning Board submission
6 shall be included as an amendment under Subsection (C), above. Except as otherwise required by
7 this Subsection, the vote to adopt each change in zoning classification shall require a majority
8 vote of those present and voting when acting in Council committee work session, and a majority
9 vote of the full Council when acting in a business or legislative session of the full District
10 Council.

11 (2) If a proposed rezoning of a parcel of land conflicts with the recommendation
12 of a municipality (within whose boundaries the land is located), a separate vote on rezoning that
13 land shall be taken. The rezoning of the land may occur only upon the affirmative vote of
14 two-thirds (2/3) of members of the full Council. If the Council fails to obtain this two-thirds (2/3)
15 majority vote, the property may be rezoned to any alternate zoning category recommended by
16 the municipality (in writing), provided that:

17 (A) The zoning category is consistent with the adopted and approved
18 Master Plan; or

19 (B) The zoning category is the same as the one existing on the property
20 prior to the Sectional Map Amendment.

21 (F) **Approval and Findings.**

22 (i) The District Council may (after the public hearing) approve the
23 proposed Sectional Map Amendment and Regulating Plan with or without amendments. The
24 approval shall be by Ordinance or Resolution.

25 (ii) In its approval of the proposed Sectional Map Amendment and
26 Regulating Plan, the District Council shall find that:

27 (aa) The subject area has been identified as a Center or Corridor Node
28 in the General Plan, as modified by an applicable approved master plan or sector plan;

29 (bb) The Regulating Plan conforms to the requirements of Part 3 of this
30 Subtitle;

31 (cc) The proposed Sectional Map Amendment and Regulating Plan are

1 consistent with the goals, policies, and strategies of the General Plan and Functional Master
 2 Plans; and

3 (dd) The proposed Sectional Map Amendment and Regulating Plan are
 4 consistent with the goals, policies, and strategies of the applicable master plan or sector plan.

5 (iii) The District Council shall take final action at any time within sixty (60)
 6 Days after the final hearing on the Sectional Map Amendment and Regulating Plan. Final action
 7 shall take place not later than seven (7) months from the time the Sectional Map Amendment and
 8 Regulating Plan are received from the Planning Board or from the date of the initiation of a
 9 Sectional Map Amendment processed under the optional Planning Board procedures in Section
 10 27-225.01. If no final action is taken within this period, the Sectional Map Amendment shall be
 11 deemed disapproved. If the Sectional Map Amendment is processed under the optional Planning
 12 Board procedures in Section 27-225.01.05, the District Council shall take final action on the
 13 proposed Sectional Map Amendment in accordance with Section 27-646.

14 (iv) The approval of a Sectional Map Amendment shall repeal and readopt
 15 with amendments that portion of the Zoning Map encompassed by the Amendment. Where a
 16 Sectional Map Amendment has been approved for an area that had a pre-existing Regulating
 17 Plan in place prior to initiation, the District Council shall specifically state the removal,
 18 amendment, or replacement of the pre-existing Regulating Plan in its approval.

19 **(G) Notice of approval.**

20 (i) Notice of the approval of a Sectional Map Amendment shall be
 21 immediately published by the Clerk of the Council in the County newspapers of record. The
 22 Ordinance or Resolution of approval shall be made available for public inspection in the Clerk's
 23 Office.

24 (ii) Notice of the District Council's final action shall also be sent to all
 25 property owners in accordance with the requirements and procedures of Section 27-225(e) (2)
 26 and (3).

27 **(H) Resubmittal and reconsideration.**

28 (i) Where a Sectional Map Amendment including a Regulating Plan is
 29 found by a court of competent jurisdiction to be invalid because of procedural defects in the
 30 advertising, processing, or approval, the District Council may (on its own motion) reconsider the
 31 Sectional Map Amendment. The Council may then reapprove the Sectional Map Amendment

1 (including amendments) in accordance with the procedures which apply to the original approval
 2 (except the hearing notice requirements).

3 (ii) Prior to reapproval, the Council shall hold a public hearing on the
 4 matter.

5 (iii) The public hearing shall be advertised in the County newspapers of
 6 record once a week for at least two (2) consecutive weeks prior to the hearing date. The notice
 7 shall contain the date, time, place, and purpose of the hearing.

8 (iv) Upon resubmission, the records of the previous hearings on the
 9 Sectional Map Amendment and accompanying Regulating Plan(s) shall be incorporated into the
 10 record of the new hearing.

11 (I) **Revising the Sectional Map Amendment.**

12 After approval of a Sectional Map Amendment, the District Council, upon a
 13 finding of fraud or mistake, may revise the action in accordance with the procedures of Section
 14 27-288.

15 **Sec. 27A-211. Zoning Map Amendments.**

16 (a) **Applicability.**

17 If a Regulating Plan has not been adopted for the property in question, approval of a
 18 Regulating Plan in accordance with the following procedures shall be required. A Zoning Map
 19 Amendment shall be initiated by an applicant's request to place eligible property into an Urban
 20 Center District. If the applicable Master Plan, Sector Plan, or other comprehensive plan contains
 21 text that would preclude the zoning of the property to an Urban Center District, then the property
 22 shall not be eligible for the Zoning Map Amendment process.

23 (b) **Procedure.**

24 (1) An application for rezoning and approval of a Regulating Plan shall be filed with the
 25 Planning Director or Designee by the owner (or authorized representative) of the property.

26 (2) The process includes five steps.

27 (A) Pre-Application Conference and Planning Director Certification of a public
 28 involvement process.

29 (B) The public involvement process to develop a proposed Regulating Plan,
 30 including the active collaboration of citizens, stakeholders, agency staff, the Department of Parks
 31 and Recreation, and the applicant.

1 (C) Formal application.

2 (D) Zoning Hearing Examiner hearing.

3 (E) Final Action by the District Council.

4 (3) The minimum area for a Regulating Plan shall consist of one Urban Neighborhood,
5 as defined in Section 27A-207. Notwithstanding acreage criteria specified in Section 27A-207,
6 the minimum land area that may be considered for a Zoning Map Amendment under the
7 provisions of this Subtitle shall be twenty (20) acres.

8 (4) An application may be filed by one or more owners of land acting jointly. Where
9 more than one owner of land is included in one application, the properties shall be Abutting.

10 (c) **Pre-Application Conference.**

11 (1) Prior to submitting a formal application for a Zoning Map Amendment, an applicant
12 shall schedule a pre-application conference with the Planning Director or Designee to discuss
13 the requirements of this Subtitle.

14 (2) Prior to the pre-application conference, a letter shall be filed with the Planning
15 Director or Designee that identifies the applicant, the subject parcels, states how the subject
16 parcels meet the definition of an Urban Neighborhood, and demonstrates that the subject parcels
17 are located within a designated Center or Corridor Node as specified in Section 27A-102. The
18 letter shall identify generally the type of development that is anticipated.

19 (3) During the pre-application conference, the Planning Director or Designee shall
20 inform the applicant of requirements of this Subtitle as they apply to the proposed project. Any
21 discussion held is not binding on either the applicant, the County, or the Commission. At a
22 minimum, the applicant shall submit the following:

23 (A) The name, address, and telephone number of the applicant, and an indication
24 of the applicant’s status as the contract purchaser, agent, or owner.

25 (B) An accurate plat of the property prepared, signed, and sealed by a registered
26 engineer or land surveyor. The plat shall include all existing easements that impact the subject
27 property, the total area of the property (in either acres or square feet), and the property's lot and
28 Block numbers, subdivision name, plat book and page number, if any; or a description of its
29 acreage, with reference to liber and folio numbers;

30 C) A draft public involvement process, which shall demonstrate a collaborative
31 process involving the active participation of civic associations, affected municipalities, property

1 owners, public agencies, technical staff, and other stakeholders as appropriate.

2 (D) An approved Natural Resources Inventory (NRI) as created at the time of the
3 environmental functional overlay.

4 (E) A Statement of Justification in support of the request. The statement shall
5 include the legal basis by which the requested amendment can be approved with sufficient detail
6 establishing compliance with this article, including how the application will meet the findings
7 specified in Sec. 27A-211(j)(4).

8 (F) Any fees as established by Section 27-125.02(c) for mixed-use and
9 comprehensive design zones for review of the pre-application materials.

10 (4) The Planning Director or Designee shall, within thirty (30) Days of the pre-
11 application conference, certify, certify with conditions, or deny the proposed public involvement
12 process. The applicant shall meet with staff and provide revisions and further information as
13 necessary. Failure to take action within thirty (30) Days constitutes denial of the application.

14 (5) Decisions may be appealed to the Planning Board.

15 (d) **Public Involvement Process.**

16 (1) Prior to acceptance of a formal application for a Zoning Map Amendment, the
17 applicant shall conduct a public involvement process.

18 (2) Prior to engaging the public, the applicant shall receive certification of a public
19 involvement process by the Planning Director or Designee.

20 (3) The purpose of the public involvement process is to analyze the site and
21 surrounding land, to implement the existing master plan for the property, or if necessary, to
22 generate a conceptual plan for development of the property, to create a proposed Regulating Plan
23 for the site.

24 (4) The public involvement process shall consist of a collaborative process involving
25 the active participation of civic associations, affected municipalities, property owners, public
26 agencies, technical staff, and other stakeholders as appropriate. The preferred method to engage
27 stakeholders and to develop a proposed Regulating Plan is through a charrette process in
28 accordance with best practices advocated by the National Charrette Institute. Alternate methods,
29 such as stakeholder workshops, technical advisory committees, or other techniques may be
30 considered if the applicant can satisfactorily demonstrate how the involvement of citizens and
31 other stakeholders will be solicited and taken into consideration into the development of the

1 proposed Regulating Plan.

2 (5) The applicant shall provide notice of, and an invitation to participate in, the
3 proposed public involvement process. At a minimum, this notice shall include:

4 (A) Notification of all adjoining property owners, including owners whose
5 properties lie directly across a street, alley, or stream.

6 (B) Notification of every municipality located within one (1) mile of the
7 applicant's property and to all civic association registered with the Commission for the area
8 which includes the property and to any groups that have been requested by any member of the
9 District Council. This informational mailing shall follow the procedures set forth by Section 27-
10 125.01 of the County Code.

11 (C) Dates for the public charrette or series of workshops for discussion and
12 development of the proposed Regulating Plan.

13 (D) A schedule that includes the dates of the public involvement process in
14 relation to the anticipated date of filing the final application.

15 (E) A method of designating additional participants in the public
16 involvement process beyond those required to be notified and invited to participate as specified
17 above.

18 (F) Publication in the County newspapers of record prior to the first
19 public meeting.

20 (G) Any additional requirements imposed by the Planning Director or
21 designee.

22 **(e) Formal Application.**

23 (1) A formal application for a Zoning Map Amendment to an Urban Center District
24 shall be filed with the Planning Director or Designee by the owner (or authorized
25 representative) of the property.

26 (2) The following information shall be included with the formal application:

27 (A) Submission form as established by the Planning Director or Designee, to
28 include the following information:

29 (i) The name, address, and telephone number of the applicant, and an
30 indication of the applicant's status as contract purchaser, agent, or owner;

31 (ii) The existing and requested zoning classifications of the property;

1 (iii) The Street address of the property; name of any municipality the
2 property is in; name and number of the Election District the property is in;

3 (iv) The total area of the property (in either acres or square feet);

4 (v) The property's lot and Block numbers, subdivision name, and plat
5 book and page number, if any; or a description of the acreage, with reference to liber and folio
6 numbers;

7 (vi) The name, address, and signature of each owner of record of the
8 property. Applications for property owned by a corporation must be signed by an officer
9 empowered to act for the corporation;

10 (vii) The name, address, and telephone number of the correspondent.

11 (3) Along with the formal application, the applicant shall submit the following:

12 (A) Four (4) copies of an accurate plat, prepared, signed, and sealed by a
13 registered engineer or land surveyor. The plat shall show:

14 (i) The present configuration of the property, including bearings and
15 distances (in feet);

16 (ii) The names of owners of record, or subdivision lot and block
17 numbers, of adjoining properties;

18 (iii) The name, location, distance to the center line, and right-of-way
19 width of all abutting streets. If the property is not located at the intersection of two (2) streets, the
20 distance to, and the name of, the nearest intersecting street shall be indicated;

21 (iv) The (subdivision) lot and block number of the subject property (if
22 any);

23 (v) A north arrow and scale (no smaller than one (1) inch equals four
24 hundred (400) feet);

25 (vi) The total area of the property (in either square feet or acres);

26 (vii) The location of all existing buildings on the property; and

27 (viii) The subject property outlined in red.

28 (B) Ten (10) copies of the complete certified public involvement process.

29 (C) Ten (10) copies of a statement of compliance with the Public Involvement
30 Process.

31 (D) Any fees established by the Planning Director or Designee for review of

1 the final application.

2 (E) An Illustrative Plan drawn at a scale appropriate for review and with the
3 same extent as the proposed Regulating Plan.

4 (F) A project report that includes the following:

5 (i) Public involvement-a summary list of issues, list of all participants and
6 invitees, detailed examples of how citizen and stakeholder input informed the proposed
7 Regulating Plan, and any additional public comments on the Illustrative Plan and Regulating
8 Plan.

9 (ii) Where a proposed plan has been modified based on the public
10 involvement process, a description of the changes made and justification of the changes.

11 (iii) Tabulation of acreages, number of proposed residential units,
12 proposed square footage of non-residential development and public spaces, and proposed number
13 of parking and loading areas.

14 (iv) Illustrations of the proposed project.

15 (v) Any further information as requested by the Planning Director or
16 Designee.

17 (4) Amendment of Applications.

18 Requests to amend an application shall be in writing and signed by the owner(s) of
19 record. The request may be submitted only by the applicant (or his authorized representative).

20 The amendment of applications shall be subject to the following:

21 (A) Amendments concerning an error, omission of fact, or other factual
22 change not mentioned below in this Subsection shall be permitted at any time.

23 (B) Amendments which change the configuration of the property shall be
24 accompanied by a new (revised) justification statement. The amendment shall also be the subject
25 of a new (revised) technical staff report or a statement by the technical staff that a new (revised)
26 report is unnecessary. Amendments which change the configuration of the property shall be
27 made before the application is transmitted to the Council. If the area is increased, the appropriate
28 additional filing fee shall be paid.

29 (C) Any application may be withdrawn. All requests for withdrawal shall be
30 in writing and signed by the applicant. The request may be submitted only by the applicant (or
31 his authorized representative).

1 (D) No new Zoning Map Amendment application may be filed on the same
 2 land until two (2) years have elapsed after final action (including appellate review) on a previous
 3 application. After two (2) applications on the same land have been acted upon, a period of four
 4 (4) years must elapse before another application for the same land may be filed. No land shall be
 5 the subject of two (2) applications for Zoning Map Amendment at the same time.

6 **(f) Technical Staff Report.**

7 (1) In connection with each accepted formal application, a report by the technical
 8 staff shall be submitted to the Zoning Hearing Examiner for review. The report shall contain the
 9 following:

10 (A) The staff's recommendation;

11 (B) A delineation of the approximate area of the Urban Neighborhood(s), which
 12 shall be shown on either a Zoning Map, aerial photograph, or sketch map;

13 (C) A description of land use and zoning in the neighborhood, including the
 14 proposed Regulating Plan; and

15 (D) In cases where the staff recommends an Urban Center District different than
 16 that requested, an analysis of the alternative zone recommended.

17 (2) The technical staff report shall be sent to all persons of record, and all other
 18 persons who request (in writing) a copy of the report. A copy of the report shall be included in
 19 the record.

20 (3) The technical staff report shall be made available at least thirty (30) Days prior to
 21 the scheduled public hearing.

22 (4) The technical staff report shall be filed with the Zoning Hearing Examiner not
 23 later than thirty (30) Days prior to the scheduled hearing(s).

24 **(g) Zoning Hearing Examiner.**

25 (1) Hearing date established.

26 The Zoning Hearing Examiner shall establish the date of an evidentiary hearing,
 27 to occur within sixty (60) Days after receiving the technical staff report.

28 (2) Request to delay hearing.

29 The People's Zoning Counsel or any person of record may request the
 30 continuance of a hearing under this Section. The Zoning Hearing Examiner shall grant a
 31 continuance if a required technical staff report has not been filed at least thirty (30) Days before

1 the scheduled hearing. If a continuance is granted for this reason, the Zoning Hearing Examiner
 2 may not hear the case until at least thirty (30) Days after the technical staff report has been filed.

3 (3) Notification.

4 The Zoning Hearing Examiner shall notify (in writing) all persons of record of the
 5 hearing date, and the applicant shall post the properties subject to the proposed Zoning Map
 6 Amendment with a durable sign at least thirty (30) Days prior to the scheduled hearing date. The
 7 sign shall be provided by the Zoning Hearing Examiner and posted in accordance with Section
 8 27-125.03 (a).

9 (4) Hearing procedures.

10 The Zoning Hearing Examiner hearing shall be held in accordance with Part 3,
 11 Division 1, Subdivision 2, of Subtitle 27. The Zoning Hearing Examiner shall file a written
 12 decision with the Council after the close of the hearing record.

13 (h) District Council hearing (oral argument) procedures.

14 Whenever the District Council conducts a public hearing (including an oral argument),
 15 it shall do so in accordance with Part 3, Division 1, Subdivision 3 of Subtitle 27.

16 (i) Zoning Map Amendment approval, required findings, and amendments.

17 (1) The District Council may approve, approve with amendments, or deny the
 18 application.

19 (2) The District Council shall make its decision finally disposing the application
 20 within sixty (60) calendar Days after it first considers the matter. If the District Council fails to
 21 render a final decision in accordance with this time limit, the application shall be considered to
 22 have been denied.

23 (3) Notice of the District Council's decision shall be sent to all property owners in
 24 accordance with the requirements and procedures of Section 27-225(e) (2) and (3).

25 (4) The District Council shall only place land in an Urban Center District if the
 26 following criteria and findings are met:

27 (A) The property has been identified as a Center or Corridor Node in the
 28 General Plan, as modified by an applicable approved master plan or sector plan;

29 (B) The Regulating Plan conforms to the requirements of this Subtitle;

30 (C) The application is consistent with the goals, policies, and strategies of the
 31 General Plan and Functional Master Plans; and

1 (D) The application is consistent with the goals, policies, and strategies of the
2 applicable master plan or sector plan.

3 (5) Prior to approving a Zoning Map Amendment, the District Council may make
4 amendments to the Regulating Plan which it finds are necessary to either:

5 (A) Protect surrounding properties from adverse effects which might accrue
6 from the Zoning Map Amendment; or

7 (B) Further enhance the coordinated, harmonious, and systematic development
8 of the Regulating Plan.

9 (6) In no case shall the amendments waive or lessen the requirements of or prohibit
10 uses allowed in the approved zone.

11 (7) Amendments imposed by the District Council shall become a permanent part of
12 the Regulating Plan and shall be binding for as long as the Regulating Plan remains in effect on
13 the property.

14 (8) When considering an amendment, the District Council may continue its hearing
15 on the action for the purpose of gathering staff or expert response to the proposed amendment.

16 (9) If amendments are imposed, the applicant shall have ninety (90) Days from the
17 date of approval to accept or reject the Regulating Plan as amended. The applicant shall advise
18 the District Council of a rejection in writing. Rejection shall void the Zoning Map Amendment
19 and revert the property back to its prior zoning classification. Failure to advise the District
20 Council will constitute acceptance. If the applicant accepts the conditions, the District Council
21 shall enter an order acknowledging the acceptance and approving the Zoning Map Amendment,
22 at which time the amendment shall be final.

23 (j) **Effect of Zoning Approval.**

24 After approval of the Regulating Plan by the District Council, the applicant is allowed
25 to submit an application for subdivision, if necessary, in accordance with Subtitle 24, or Permit
26 Site Plan approval in accordance with Section 27A-213.

27 (k) **Modifications to an Approved Regulating Plan.**

28 Proposed modifications to an approved Regulating Plan shall be submitted and pro-
29 cessed as a new application in accordance with the provisions of this Section.

30 **Sec. 27A-212. Subdivision.**

31 Where subdivision of land is required prior to development, approval of the subdivision by

1 the Planning Board shall occur in accordance with Subtitle 24, Subdivision, prior to acceptance
 2 of a Permit Site Plan.

3 **Sec. 27A-213. Permit Site Plan.**

4 (a) **Applicability.**

5 The following are exemptions from Permit Site Plan review. Properties and
 6 development exempt from Permit Site Plan review shall be subject to the height, siting, Build-to
 7 Line, and use regulations determined at the time of approval of the Regulating Plan.

8 (1) **Legally Existing Development.**

9 All buildings, structures, and uses which were lawful or could be certified as a
 10 legal Nonconforming Use on the date of adoption of Subtitle 27A, are exempt from the standards
 11 and from Permit Site Plan review, and are not considered nonconforming.

12 (2) **Legally Existing Parking and Loading.**

13 All legally existing parking and loading spaces in the areas determined to be
 14 subject to Subtitle 27A which were lawful and not nonconforming on the date of adoption of this
 15 Subtitle are exempt from the standards and Permit Site Plan review, need not be reduced, and are
 16 not considered nonconforming.

17 (3) **Single-Family Residential Dwellings.**

18 Building, grading, or use and occupancy permits pertaining to an existing single-
 19 family dwelling are exempt from the standards and Permit Site Plan review, if the residential use
 20 continues.

21 (4) **Nonresidential and Residential Development, Excepting Single-Family**
 22 **Residential Dwellings.**

23 An addition to an existing nonresidential structure or residential structure
 24 (excepting single-family residential dwellings) which was lawful on the date of adoption of
 25 Subtitle 27A is exempt from the standards and Permit Site Plan review, if the addition does not
 26 increase the gross floor area (GFA) by more than ten percent (10%) or five thousand (5,000)
 27 square feet, whichever is less, and the proposed addition does not encroach beyond the Build-to
 28 Line or exceed the height limitations of this Subtitle.

29 (5) **Parking Facilities.**

30 Resurfacing, restriping, or adding landscaping to existing parking facilities are
 31 exempt from the standards and Permit Site Plan review, if the facilities were lawful on the date

1 of adoption of Subtitle 27A.

2 (6) **Nonconforming Buildings, Structures and Uses.**

3 (A) Restoration or reconstruction of a nonconforming building or structure, or a
4 certified Nonconforming Use is exempt from the standards and from Permit Site Plan review, if
5 it meets the requirements of Section 27-243(a)(1) of the Zoning Ordinance.

6 (B) Except for improvements listed in Section 27A-213 (a)(7), a property owner
7 may not expand a certified Nonconforming Use more than ten percent (10%) or five thousand
8 (5,000) square feet, whichever is less, unless a Permit Site Plan is approved with findings that the
9 expansion is compatible with adjacent uses and meets the purposes and goals of the zone.

10 (7) **General.**

11 The following are exempt from the standards and Permit Site Plan review if the
12 existing or proposed use is permitted:

13 (A) Permits for alteration or rehabilitation, with no increase of the existing gross
14 floor area;

15 (B) Canopies;

16 (C) Fences and walls;

17 (D) Decks;

18 (E) Ordinary maintenance; and

19 (F) Changes in occupancy, ownership, or use.

20 (8) **Signs**

21 (A) Signs for development that do not otherwise require a Permit Site Plan will
22 be reviewed in the permit review process for compliance with the signage standards of this
23 Subtitle.

24 (B) Refacing of an existing sign is exempt from the standards.

25 (b) **Authority.**

26 (1) The Planning Director or Designee is authorized to approve a Permit Site Plan in
27 accordance with the applicable provisions of this Section if the Permit Site Plan does not require
28 a variance or deviation.

29 (2) The Zoning Hearing Examiner is authorized to approve a Permit Site Plan in
30 accordance with the applicable provisions of this Section if the Permit Site Plan requires a
31 deviation or variance. Refer to Section 27A-214 for additional detail on deviations and variances.

1 **(c) Pre-Application Conference.**

2 (1) Prior to submitting a formal application for Permit Site Plan review, an applicant
 3 shall schedule a pre-application conference with the Planning Director or Designee to discuss the
 4 requirements of this Subtitle. Notice will be provided to interested agencies, municipalities and
 5 parties of record.

6 (2) A request for a pre-application conference shall be accompanied by preliminary
 7 project plans and designs.

8 (3) The Planning Director or Designee shall inform the applicant of requirements as
 9 they apply to the proposed project, discuss the need for a variance or deviation, discuss issues of
 10 concern that may arise during formal application review, suggest possible modifications to the
 11 proposed application, and identify any technical studies that may be necessary for the review
 12 process when a formal application is submitted.

13 (4) Any discussion held is not binding on the applicant, the County, or the
 14 Commission.

15 **(d) Application Requirements.**

16 (1) A Permit Site Plan shall be submitted to the Planning Director or Designee by the
 17 owner of the property or his authorized representative.

18 (2) Permit Site Plans shall be prepared by a licensed engineer, architect, or landscape
 19 architect.

20 (3) At least thirty (30) but no more than ninety (90) days before the Planning Director
 21 or Designee accepts an application, the applicant shall send an informational mailing to all
 22 adjoining property owners, including owners whose properties lie directly across a street, alley,
 23 or stream and to parties of record. At the same time and in the same manner, the applicant shall
 24 send an informational mailing to every municipality located within one (1) mile of the
 25 applicant's property and to all civic associations registered with the Commission for the area
 26 which includes the property. This informational mailing shall follow the procedures set forth by
 27 Section 27-125.01 of the County Code.

28 (4) Upon filing the Permit Site Plan, the applicant shall pay to the Planning Director
 29 or Designee a fee to help defray the costs related to processing the Permit Site Plan. The scale of
 30 fees shall be determined by the Planning Board, except that the filing fee for a daycare center for
 31 children shall not exceed the Special Exception filing as set forth in Section 27-297(b) (1.1). A

1 fee may be reduced by the Planning Director or Designee if he or she finds that payment of the
2 full amount will cause an undue hardship upon the applicant.

3 (5) If more than one (1) drawing is used, all drawings shall be at the same scale,
4 where feasible.

5 (6) Whenever possible, a LEED® scorecard (as developed by the U.S. Green
6 Building Council and used as a reporting mechanism for compliance with Leadership through
7 Energy and Environmental Design standards) should be submitted to illustrate how the proposed
8 development addresses issues of sustainability. Applicants are strongly encouraged to pursue
9 LEED® certification.

10 (7) Applications for Permit Site Plan review shall include the following:

11 (A) Location map, north arrow, and scale;

12 (B) Boundaries of the property, using bearings and distances (in feet); proposed
13 lot lines and dimensions including bearings and distances (in feet); and either the subdivision lot
14 and Block, or liber and folio numbers;

15 (C) Locations and types of major improvements that are within fifty (50) feet of
16 the subject property, and all zoning categories and land uses on adjacent properties;

17 (D) Street names, right-of-way, and pavement widths of existing Streets and
18 interchanges within and adjacent to the site;

19 (E) A proposed Type 2 Tree Conservation Plan or Standard Letter of Exemption
20 in conformance with Division 2 of Subtitle 25, and related studies as needed;

21 (F) An approved Natural Resources Inventory (NRI). The NRI prepared as part
22 of the environmental Functional Overlay may be used if the base information has not changed
23 significantly since it was approved; otherwise, the NRI shall be updated prior to acceptance of
24 the Permit Site Plan application to ensure the NRI reflects current conditions.

25 (G) An approved stormwater management concept plan;

26 (H) Proposed tree canopy coverage;

27 (I) Proposed grading, using one (1) or two (2) foot contour intervals, and any
28 spot elevations that are necessary to describe high and low points, steps, retaining wall heights,
29 and swales;

30 (J) Any additional environmental analyses as determined by staff during the
31 pre-application conference as necessary to fully evaluate the environmental impacts of the

1 proposed development;

2 (K) Proposed system of internal Streets including any proposed deviations from
 3 the approved Regulating Plan, and right-of-way widths;

4 (L) The Building Envelope Standards designations for all Street Frontages;

5 (M) Proposed location, dimensions, and the height in stories and feet of all
 6 proposed buildings and structures, including dimensions of proposed front, side, and rear yards,
 7 sidewalks, paved areas, parking lots (including striping), walls, fences, entrance features,
 8 gateway signs, and designation of waste collection storage areas and the use of all buildings,
 9 structures, and land;

10 (N) A landscape plan prepared in accordance with the provisions of the
 11 Landscape Manual and this Subtitle showing the exact location and description of all plants and
 12 other landscaping materials, including size (at time of planting), spacing, botanical and common
 13 names (including description of any plants that are not typical of the species), and planting
 14 method;

15 (O) Proposed location of contiguous Private Open Area and the amount
 16 expressed as a percentage of the Buildable Area;

17 (P) Proposed location of recreation facilities, proposed dedication of park land,
 18 and proposed dedications of land for other public purposes;

19 (Q) Proposed location of loading and service areas;

20 (R) Proposed location and height of Street or Garden Walls;

21 (S) Any proposed right-of-way dedications, and all existing and proposed
 22 easements;

23 (T) Any proposed Encroachments into the right-of-way;

24 (U) Proposed Façade elevations (in color) of all structures with details of
 25 windows, entrances, Storefront treatment, floor heights, awnings, balconies, porches, and stoops;

26 (V) A proposed site lighting plan;

27 (W) A proposed signage plan;

28 (X) Management documents and legal agreements that address public and
 29 private issues such as acquisition of property for public use, public use of privately owned
 30 Streets, disposition of community property and private rights-of-way, and creation of an entity
 31 that will hold and maintain private property and public amenities such as Streetscapes located

1 outside the public rights-of-way.

2 (Y) A statement of how the applicant shall provide required parking, including
 3 any calculation of shared parking and any transportation demand management measures (if
 4 proposed); and

5 (Z) Color-coded plan drawings that reflect the existing and proposed location of
 6 all public utilities serving the subject development; and

7 (AA) Any other plans or data that may be necessary in order to judge compliance
 8 with the requirements this Subtitle.

9 (8) Upon acceptance of a completed application by the Planning Director or
 10 Designee, the applicant shall immediately post the property with a durable sign provided by the
 11 Planning Director or Designee in accordance with Section 27-125.03 (a). The sign shall indicate
 12 that interested parties may submit comments on the Permit Site Plan to the Planning Director or
 13 Designee.

14 **(e) Planning Director or Designee Action.**

15 (1) Upon acceptance of a completed application, the Planning Director or Designee
 16 shall review the Permit Site Plan for consistency with the requirements of this Subtitle.

17 (2) The Planning Director or Designee shall forward the application to appropriate
 18 county, state, regional, and municipal departments and agencies for review and recommendation.

19 (3) Upon completion of the staff and agency review, the applicant may choose to
 20 meet with the Planning Director or Designee to discuss changes to the Permit Site Plan.

21 (4) Within seventy (70) calendar Days after the application has been accepted, the
 22 Planning Director or Designee shall approve or disapprove the application. The applicant may
 23 waive the 70-Day limit in writing if additional time is needed. Otherwise, where no action is
 24 taken within seventy (70) calendar Days of acceptance, the application shall be deemed
 25 approved.

26 (5) Notice of the Planning Director or Designee's final decision shall be sent to the
 27 applicant, adjoining property owners, including owners whose properties lie directly across a
 28 street, alley, or stream, parties of record, every municipality located within one (1) mile of the
 29 subject property, and to all civic associations registered with the Commission for the area which
 30 includes the property.

31 **(f) Approval Criteria.**

1 The Planning Director or Designee shall only approve the Permit Site Plan if it
 2 conforms with the following:

3 (A) The approved Regulating Plan for the subject property;

4 (B) This Subtitle, including the provisions of Section 27A-103;

5 (C) The General Plan and applicable Master Plan or Sector Plan; and

6 (D) Other applicable portions of the County Code.

7 (g) **Deviations.**

8 As part of a Permit Site Plan, the Zoning Hearing Examiner is authorized to approve
 9 deviations to certain provisions of this Subtitle. Permitted deviations and criteria for approval are
 10 as specified in Section 27A-214.

11 (h) **Modifications to Approved Permit Site Plans.**

12 The Planning Director or Designee has the authority to reopen and grant
 13 modifications to approved Permit Site Plans to address and mitigate unintended adverse impacts
 14 such as noise, odor, vibration, dust, trash, air and water pollution, and stormwater run-off.
 15 Modifications to approved Permit Site Plans shall only be granted in accordance with the
 16 procedures and standards that governed its original approval.

17 (i) **Effect of Permit Site Plan Approval.**

18 Approval of a Permit Site Plan allows for the issuance of grading, building, and use
 19 and occupancy permits. Grading, building, and use and occupancy permits shall be issued only in
 20 accordance with the approved Permit Site Plan, and all development and uses shall be as shown
 21 on the plan. Any departure from the plan shall be cause for revocation of a building permit or a
 22 use and occupancy permit. Enforcement of Permit Site Plans shall be in accordance with Part 3,
 23 Division 8 of Subtitle 27. A Permit Site Plan may be amended in accordance with the procedures
 24 of approval.

25 (j) **Appeal of Planning Director Decision.**

26 (1) The Planning Director or Designee's decision on a Permit Site Plan may be
 27 appealed to the Planning Board upon petition by any person of record. The petition shall specify
 28 the error of interpretation of the Regulating Plan or the standards of this Subtitle as applied to the
 29 Permit Site Plan which is claimed to have been committed by the Planning Director or Designee
 30 and shall also specify those portions of the record relied upon to support the error alleged. The

1 petition shall be filed with the Planning Board within fifteen (15) Days after the date of the
 2 notice of the Planning Director or Designee's decision.

3 (2) Within forty-five (45) calendar Days from the last day of the appeal period, the
 4 Planning Board shall conduct a public hearing to review the Permit Site Plan, including all
 5 written evidence and materials submitted for consideration by the Planning Director or Designee.

6 (3) Within thirty (30) calendar Days of the close of the Planning Board hearing, the
 7 Planning Board shall dismiss the appeal, affirm, reverse, or modify the Planning Director or
 8 Designee's action.

9 (4) The Planning Board shall give its decision in writing, stating the reasons for its
 10 action. Copies of the decision shall be sent to the all persons of record, and the Clerk of the
 11 Council.

12 (k) **District Council Review of the Decision.**

13 (1) The District Council may vote to review the Planning Director or Designee's
 14 decision or the Planning Board's decision on its own motion within thirty (30) calendar Days
 15 after the date of the notice of decision.

16 (2) The Clerk of the Council shall notify the Planning Director or Designee or the
 17 Planning Board of the review decision. Within seven (7) calendar Days after receiving this
 18 notice, the Planning Director or Designee or the Planning Board shall transmit to the District
 19 Council a copy of the Permit Site Plan, all written evidence and materials submitted for
 20 consideration by the Planning Board, and a transcript of the public hearing on the Permit Site
 21 Plan, if any.

22 (3) The District Council shall schedule a public hearing on the review to be held
 23 within thirty (30) calendar Days of the decision to review a Permit Site Plan decision.

24 (4) The Clerk of the Council shall notify parties of record of the review decision not
 25 later than fourteen (14) Days prior to any public hearing on the review.

26 (5) Within fourteen (14) calendar Days after the close of the District Council's
 27 Hearing, or at the next District Council hearing date (if later), the Council shall affirm, reverse,
 28 or modify the decision of the Planning Director or Designee or the Planning Board. Where the
 29 Council approves a Permit Site Plan, it shall make the same findings which are required to be
 30 made by the Planning Director or Designee or the Planning Board. If the Council fails to act

1 within the specified time, the Planning Director or Designee's or the Planning Board's decision
 2 is automatically approved.

3 (6) The District Council shall state the reasons for its action in writing. Copies of the
 4 decision shall be sent to all persons of record and the Planning Board.

5 (7) The months of August and December shall not be included in calculating the
 6 timeframes specified for the District Council review of the Planning Director or Designee or
 7 Planning Board decision.

8 **Sec. 27A-214. Deviations, Variances, and the Zoning Hearing Examiner.**

9 Any request for relief from a required standard shall be reviewed as either as deviation or a
 10 variance by the Zoning Hearing Examiner, as stated below.

11 **(a) Deviations.**

12 (1) **Authority.**

13 Deviations may be granted where approval of the deviation will better fulfill the
 14 intent of this Subtitle, the approved Regulating Plan, and the goals, objectives, policies, and
 15 strategies of the applicable master plan or sector plan. Only the Zoning Hearing Examiner may
 16 approve Permit Site Plans that include deviations and grant deviations as specified in this
 17 Section.

18 (A) Applicants for a Permit Site Plan that requires a deviation shall submit a written
 19 request to the Zoning Hearing Examiner.

20 (B) The Planning Director or Designee shall determine the contents of the
 21 application form, in consultation with the Zoning Hearing Examiner.

22 (C) A single application may be filed for more than one (1) deviation request on the
 23 subject property.

24 (D) Upon acceptance of a completed application, the Zoning Hearing Examiner
 25 shall review the Permit Site Plan and deviation application for consistency with the requirements
 26 of this Subtitle.

27 (E) The Zoning Hearing Examiner shall forward the application to appropriate
 28 County, state, regional, and municipal departments and agencies for review and comment.

29 (F) A technical staff report shall be prepared and submitted to the Zoning Hearing
 30 Examiner and parties of record not later than two (2) weeks prior to a public hearing on the
 31 application.

1 (G) Within one hundred and twenty (120) calendar Days after the application has
 2 been accepted, the Zoning Hearing Examiner shall hold a public hearing in accordance with the
 3 provisions of Section 27-129. Within forty-five (45) Days after the public hearing, the Zoning
 4 Hearing Examiner shall approve or disapprove the application. The applicant may waive the 120-
 5 Day limit for public hearings in writing if additional time is needed. Otherwise, where no action
 6 is taken within one hundred and sixty five (165) calendar Days of acceptance, the application
 7 shall be deemed approved.

8 (2) **Permitted Deviations.**

9 (A) The Zoning Hearing Examiner shall review deviation requests in light of the
 10 intent of the applicable requirements. The Zoning Hearing Examiner is authorized to approve an
 11 administrative deviation for the following standards:

12 (i) The minimum and maximum Story Heights may be increased or decreased
 13 by up to ten percent for each individual story, with a cumulative limit of five percent for the total
 14 increase or decrease in the building height requirement.

15 (ii) The height of a Street Wall may be increased or decreased by up to ten
 16 percent.

17 (iii) The height of the Ground Story finished floor elevation above grade may
 18 be increased or decreased by up to ten percent from the range specified in the Building Envelope
 19 Standards.

20 (iv) The floor area of a mezzanine may be increased by up to ten percent.

21 (v) The building Façade along any build-to line may be modified by an
 22 additional six (6) inches from the 18-inch modification permitted by right, up to a total
 23 modification of the Build-to Line of twenty-four (24) inches.

24 (vi) The length of the required Façade frontage to be built along any Build-to
 25 Line may be increased or reduced by up to five percent of the required length for any individual
 26 building.

27 (vii) The minimum and maximum percentages of the area of required Façade
 28 fenestration may be reduced or increased by up to ten percent.

29 (viii) The minimum and maximum distance of a projection of the Façade for
 30 shop fronts and building awnings may be decreased or increased by up to ten percent.

31 (ix) The maximum distance of the spacing between Doors or entries may be

1 increased by up to ten percent.

2 (x) The percentage of area required on each Façade for primary and accent
3 materials may be increased or decreased by up to ten percent.

4 (xi) Acceptable equivalent or better materials may be used as primary or accent
5 materials if the applicant is able to clearly demonstrate that the proposed material is clearly equal
6 or superior to the materials required.

7 (xii) The dimensions of windows and window panes may be increased or
8 decreased by up to ten percent.

9 (xiii) The width, depth, or angle of shop front entries may be increased or
10 decreased by up to ten percent of the overall dimensions required.

11 (xiv) The number of parking spaces may be varied up to ten percent of the
12 required number of parking spaces.

13 (B) Any request for relief from a required standard other than those listed above, or
14 a deviation beyond the authority of the Zoning Hearing Examiner, shall be reviewed as a
15 variance in accordance with Section 27A-214(b).

16 **(3) Public Notification**

17 The applicant shall notify parties of record of the acceptance of any Permit Site Plan
18 application that requests any deviation(s) from the standards in the approved Regulating Plan.
19 The applicant shall also send an informational mailing to all adjoining property owners,
20 including owners whose properties lie directly across a street, alley, or stream. At the same time
21 and in the same manner, the applicant shall send an informational mailing to every municipality
22 located within one (1) mile of the applicant's property and to all civic associations registered
23 with the Commission for the area which includes the property. This informational mailing shall
24 follow the procedures set forth by Section 27-125.01 of the County Code.

25 **(4) Criteria for Granting a Deviation in Conjunction with a Permit Site Plan.**

26 (A) A deviation and Permit Site Plan may only be granted when the Zoning
27 Hearing Examiner finds that:

28 (i) The deviation is permitted under Section 27A-214(a) (2) above and is of
29 an architectural or aesthetic nature;

30 (ii) Granting the deviation and approving the Permit Site Plan will continue to
31 fulfill the intent of this Subtitle and the approved Regulating Plan;

1 (iii) The deviation does not otherwise violate requirements for use or density;

2 (iv) The deviation supports the intent of the General Plan and applicable
3 master plan or sector plan; and

4 (v) For deviations involving the replacement of materials, the applicant
5 demonstrates that the proposed material is clearly equal or superior to the materials otherwise
6 required by this Subtitle.

7 (B) When a deviation cannot be granted by the Zoning Hearing Examiner, the
8 applicant may choose to:

9 (i) Modify the Permit Site Plan and resubmit for Planning Director or
10 Designee review in accordance with the regulations of this Subtitle;

11 (ii) Submit the Permit Site Plan to the Zoning Hearing Examiner as a variance
12 in accordance with the regulations of this Subtitle; or

13 (iii) Seek approval of a new Regulating Plan.

14 **(b) Variances**

15 **1. Authority.**

16 The Zoning Hearing Examiner may approve variances from the strict application
17 of this Subtitle in conjunction with its approval of a Permit Site Plan or subsequent site plan
18 amendment. Only the Zoning Hearing Examiner may approve Permit Site Plans that include
19 variances and grant variances as specified in this Section.

20 (A) Applicants for a Permit Site Plan that requires a variance shall submit a written
21 request to the Zoning Hearing Examiner.

22 (B) The Planning Director or Designee shall determine the contents of the
23 application form, in consultation with the Zoning Hearing Examiner.

24 (C) A single application may be filed for more than one (1) variance request on the
25 subject property.

26 (D) Upon acceptance of a completed application, the Zoning Hearing Examiner
27 shall review the Permit Site Plan and variance application for consistency with the requirements
28 of this Subtitle.

29 (E) The Zoning Hearing Examiner shall forward the application to appropriate
30 County, state, regional, and municipal departments and agencies for review and comment.

1 (F) A technical staff report shall be prepared and submitted to the Zoning Hearing
 2 Examiner and parties of record not later than two (2) weeks prior to a public hearing on the
 3 application.

4 (G) Within one hundred and twenty (120) calendar Days after the application has
 5 been accepted, the Zoning Hearing Examiner shall hold a public hearing in accordance with the
 6 provisions of Section 27-129. Within forty-five (45) Days after the public hearing, the Zoning
 7 Hearing Examiner shall approve or disapprove the application. The applicant may waive the 120-
 8 Day limit for public hearings in writing if additional time is needed. Otherwise, where no action
 9 is taken within one hundred and twenty (120) calendar Days of acceptance, the application shall
 10 be deemed approved.

11 (2) **Public Notification**

12 The applicant shall notify parties of record of the acceptance of any Permit Site
 13 Plan application that requests any variance(s) from the standards in the approved Regulating
 14 Plan. The applicant shall also send an informational mailing to all adjoining property owners,
 15 including owners whose properties lie directly across a street, alley, or stream. At the same time
 16 and in the same manner, the applicant shall send an informational mailing to every municipality
 17 located within one (1) mile of the applicant’s property and to all civic associations registered
 18 with the Commission for the area which includes the property. This informational mailing shall
 19 follow the procedures set forth by Section 27-125.01 of the County Code.

20 (3) **Criteria for granting variances in Conjunction with a Permit Site Plan.**

21 (A) A variance and Permit Site Plan may only be granted when the Zoning Hearing
 22 Examiner finds that:

23 (i) A specific parcel of land has exceptional narrowness, shallowness, or
 24 shape, exceptional topographic conditions, or other extraordinary situations or conditions;

25 (ii) The strict application of this Subtitle will result in peculiar and unusual
 26 practical difficulties to, or exceptional or undue hardship upon, the owner of the property;

27 (iii) The variance will not substantially impair the intent, purpose, or integrity
 28 of the approved Regulating Plan; and

29 (iv) The variance will not substantially impair the intent, purpose, or integrity
 30 of the General Plan, master plan, or sector plan.

31 (B) When a variance cannot be granted by the Zoning Hearing Examiner, the

1 applicant may choose to:

2 (i) Modify the Permit Site Plan and resubmit for Planning Director or
3 Designee review in accordance with the regulations of this Subtitle; or

4 (ii) Seek approval of a new Regulating Plan.

5 **(c) District Council Review of the Zoning Hearing Examiner’s Decision.**

6 (A) The District Council may vote to review the Zoning Hearing Examiner’s
7 decision on its own motion within thirty (30) calendar Days after the date of the notice.

8 (B) The Clerk of the Council shall notify the Zoning Hearing Examiner of the
9 review decision. Within seven (7) calendar Days after receiving this notice, the Zoning Hearing
10 Examiner shall transmit to the District Council a copy of the Permit Site Plan, all written
11 evidence and materials submitted for consideration by the Planning Board, and a transcript of the
12 public hearing on the Permit Site Plan, if any.

13 (C) The District Council shall schedule a public hearing on the review to be held
14 within thirty (30) calendar days of the decision to review a Permit Site Plan decision.

15 (D) The Clerk of the Council shall notify parties of record of the review decision not
16 later than fourteen (14) calendar Days prior to any public hearing on the review.

17 (E) Within fourteen (14) calendar Days after the close of the District Council’s
18 hearing, or at the next District Council hearing date, the Council shall affirm, reverse, or modify
19 the decision of the Zoning Hearing Examiner. Where the Council approves a Permit Site Plan, it
20 shall make the same findings which are required to be made by the Zoning Hearing Examiner. If
21 the Council fails to act within the specified time, the Zoning Hearing Examiner’s decision is
22 automatically approved.

23 (F) The District Council shall state the reasons for its action in writing. Copies of
24 the decision shall be sent to all persons of record, the Planning Board, and the Zoning Hearing
25 Examiner.

26 (G) The months of August and December shall not be included in calculating the
27 timeframes specified for the District Council review of the Zoning Hearing Examiner’s decision.

28 **Sec. 27A-215. Timetable for Urban Centers and Corridor Nodes Development and Zoning**
29 **Code Review.**

30 (a) In order to ensure the suitability of this Subtitle as an implementation and zoning
31 technique to effectively guide the future development of Urban Centers and Corridor Nodes, the

1 District Council shall establish a timetable for the evaluation of the regulations of this Subtitle.

2 (b) The District Council shall initiate a comprehensive review of this Subtitle by June 30,
 3 2013 to determine if revisions are necessary to better achieve its goals and intent for
 4 development in designated Centers and Corridor Nodes.

5 (c) If the comprehensive review finds that revisions to this Subtitle are necessary, the
 6 District Council shall establish a task force consisting of M-NCPPC’s Planning Department staff,
 7 and the Department of Parks and Recreation staff, County, state, and regional agencies, and other
 8 parties as appropriate to address the issues that have been identified by amending this Subtitle.

9 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

10 **PART 3. REGULATING PLANS AND FUNCTIONAL OVERLAYS**

11 **Sec. 27A-301. Rules for Regulating Plans.**

12 **(a) Purpose and Intent.**

13 (1) A Regulating Plan is the controlling document and principal tool for imple-
 14 menting this Subtitle.

15 (2) Functional Overlays for elements such as environmental infrastructure, the
 16 transportation network, public facilities, and historic resources are essential to the development
 17 of a Regulating Plan. No Regulating Plan may be created or approved without due consideration
 18 of these Functional Overlays.

19 (3) The Regulating Plan makes the development standards place-specific, by allocat-
 20 ing the Building Envelope Standards (BES) within each center and mapping the public spaces. A
 21 Regulating Plan identifies: the boundaries for the center or Urban Neighborhood; new and
 22 existing Streets; the Build-to Line and Parking Setback Line, the Street Tree Alignment line,
 23 Regulated Environmental Features, and the Street-type designation throughout the plan area.

24 (4) A Regulating Plan may identify specific characteristics assigned to a lot or
 25 building site and may identify additional regulations (and opportunities) for lots in specific
 26 locations, as well as exceptions to the Building Envelope Standards or other standards of this
 27 Subtitle.

28 (5) A Regulating Plan, submitted and approved in accordance with Part 2.
 29 Administration, shall be prepared for each Urban Neighborhood. It is generally the product of the
 30 master planning or sector planning process, but may also result from a Zoning Map Amendment.

31 (6) The Urban Neighborhood, except as otherwise noted, is the minimum increment

1 for a Regulating Plan.

2 (7) Abutting Regulating Plans shall be compatible with one another. For the purposes
 3 of this paragraph, compatible shall mean that the proposed Regulating Plan is consistent with
 4 regard to the application of Building Envelope Standards (see Section 27A-304(A)(3)), and that
 5 to the extent feasible, Streets from the proposed Regulating Plan connect to those in any existing
 6 abutting Regulating Plan.

7 **Sec. 27A-302. Functional Overlays.**

8 **(a) Purpose and Intent.**

9 Functional Overlays serve several purposes in this Subtitle.

10 (1) They provide an inventory of existing resources that may be impacted by
 11 development in a UC District, and help identify site and lot issues pertinent to the review of
 12 development.

13 (2) They coordinate district-wide resources, facilities, or functions for the purpose of
 14 minimizing surplus infrastructure, sharing resources, ensuring coordinated provision of public
 15 utilities, and integrating impacts of development and use.

16 (3) They establish functional transportation networks that inventory existing and
 17 proposed Rights-of-Way and ensure an Urban Center or Corridor Node is adequately served by
 18 transit, is accessible and pedestrian-friendly, facilitates bicycle use, preserves the character of
 19 existing residential communities, and minimizes dependence on single-occupancy automobiles,
 20 fostering the necessary balance of transportation and land use to allow the UC Districts to
 21 develop and function.

22 (4) They identify the contribution of each property and facility to the overall working
 23 of the district.

24 (5) They identify the existing Regulated Environmental Features and seek to ensure
 25 that the proposed Regulating Plan avoids and minimizes impacts to these features to the fullest
 26 extent possible.

27 (6) They identify the preferred locations for park and recreation facilities, ensure that
 28 all residents of an Urban Center or Corridor Node will have equitable access to a variety of
 29 indoor and outdoor facilities, and provide a basis for determination of acquisition, development,
 30 operation, and maintenance of public and private parks and recreational facilities.

31 **(b) Preparation and Relationship to Regulating Plans.**

1 (1) Functional Overlays consist of maps, technical studies, and other data as required
 2 by the Planning Director or Designee, and shall be submitted with proposed Regulating Plans.

3 (2) Functional Overlays shall be prepared prior to the development and approval of a
 4 Regulating Plan. The existing conditions inventories and functional relationships established by
 5 these overlays are essential to the development of a Regulating Plan, and the implementation of
 6 the Urban Centers and Corridor Nodes Development and Zoning Code.

7 (3) Functional Overlays shall be prepared as directed by the Planning Director or
 8 Designee during the pre-application conference (in the case of a Zoning Map Amendment), or
 9 during the preparation of a Sectional Map Amendment, and shall be certified by the Planning
 10 Director or Designee prior to review of a proposed Regulating Plan.

11 **(c) Functional Overlay Areas.**

12 Functional Overlays shall include but not be limited to:

13 (1) An environmental overlay reflecting the locations of Regulated Environmental
 14 Features as determined in an approved Natural Resources Inventory (NRI) prepared in
 15 conformance with the Environmental Technical Manual. This information shall be used in the
 16 rest of the development process under this Subtitle to identify Regulated Environmental Features
 17 in both the Regulating Plan and in individual Permit Site Plan applications.

18 (2) A transportation network overlay that will show how networked elements will be
 19 accommodated on a given Street in a given Block, and how each Block is served. This overlay
 20 shall provide the functional basis for the designation of Street types and typical sections, as well
 21 as the design of lane widths, intersection radii, crosswalks, traffic calming measures, sidewalks,
 22 trails, transit stops, and other geometric design features. Each Block shall have frontage on at
 23 least one Street which will be designed for the transportation uses (such as truck access for
 24 loading) needed by the uses within that Block. The routing of truck and transit vehicles from
 25 adjacent areas, as well as expected traffic volumes, within the area of the proposed UC District
 26 must be considered in the preparation of the transportation overlay. The transportation overlay
 27 will also show how the transportation network connects within the Regulating Plan and to the
 28 external functional network elements at the outer edge, where the UC District connects to the rest
 29 of the County. Development of the transportation overlay should be coordinated with
 30 transportation agencies to the extent feasible. At a minimum, the transportation network overlay
 31 includes:

1 (A) The location and width of all existing and proposed public and private
 2 rights-of-way;

3 (B) The use and relationship of each right-of-way for pedestrians, bicycles,
 4 transit buses, light-rail, delivery trucks, motorized personal vehicle, and automobile traffic;

5 (C) Countywide master plan roadways (if any), transit lines, trails, and
 6 bikeways;

7 (D) Location of existing and proposed utilities, including water, sewer,
 8 electric, gas, and cable, and any other information deemed necessary to ensure public utilities
 9 have sufficient space within the subject property, or if proposed within the right-of-way,
 10 appropriate documents shall be submitted indicating that all parties are in agreement;

11 (E) Existing and proposed transportation facilities including traffic controls,
 12 on-Street parking, lighting, Streetscape, and signage;

13 (F) Potential transit upgrades;

14 (G) Pedestrian and bicycle enhancements;

15 (H) Costs of implementation and the ability to utilize County, state, and other
 16 funding programs to implement the transportation network;

17 (I) The ability of proposed actions to meet the transportation goals of the
 18 General Plan and applicable master plan or sector plan; and

19 (J) The location, access routes, and relationship of any isolated commercial or
 20 industrial property to existing single-family residential properties, with emphasis on prohibiting
 21 commercial and service traffic (including delivery trucks) from accessing property through
 22 residential neighborhoods whenever possible.

23 (3) A historical and archaeological resources overlay (to be documented by a
 24 qualified professional according to Maryland Historical Trust standards) that shows:

25 (A) The location of all historic and archeological resources in the UC District,
 26 including buildings, sites, structures, and objects;

27 (B) An inventory identifying archeological resources; and

28 (C) Methods of protection, protected areas, and existing and proposed
 29 interpretive features.

30 (4) A public facilities overlay, showing:

31 (A) The location of existing public facilities, including parks and recreation

1 facilities;

2 (B) The location of all required and proposed dedications for public use;

3 (C) Potential impacts on surrounding public facilities, including school
4 population, fire and police response, water and sewer usage, parks and recreation facilities, and
5 libraries; and

6 (D) The development schedule and cost estimates for all new public facilities,
7 including parks and recreation facilities, proposed within the UC District.

8 (5) A development phasing overlay, which would show the planned development
9 process moving towards completion and build-out of the Regulated Plan and Illustrative Plan,
10 and the development of needed infrastructure to support that process. This overlay shall also
11 identify where development of a parcel or lot is contingent on another parcel or lot, or a required
12 infrastructure element such as an access road.

13 **Sec. 27A-303. Components of a Regulating Plan.**

14 (a) **Required Elements.**

15 (1) The Regulating Plan shall be provided in a digital format acceptable to the
16 Planning Director or Designee.

17 (2) A Regulating Plan shall be produced at a scale appropriate for review and with the
18 same extent as the proposed Illustrative Plan.

19 (3) The Regulating Plan is comprised of and shall show the following components:

20 (A) The land area that is the subject of the zoning map amendment, including
21 fifty (50) additional feet beyond the zoning amendment area to establish context, and shall also
22 show the immediately abutting roads, water bodies, canals, and other rights-of-way or easements.

23 (B) The boundaries of each Urban Neighborhood.

24 (C) The location of all Streets, with the Street type specification of each Street.

25 (D) All frontage designations, or Building Envelope Standards, applied to
26 existing or future Streets.

27 (E) The location of all public spaces, parks, and recreation facilities.

28 (F) The proposed core and edge locations.

29 (G) The Build-to Lines and Parking Setback Lines.

30 (H) The location of all Regulated Environmental Features as shown in the
31 approved Natural Resources Inventory (NRI) developed as part of the environmental functional

1 overlay.

2 (I) The location of civic buildings.

3 (J) A Build-to Line established along each Block.

4 (K) A Parking Setback Line established along each Block.

5 (L) Street type designations for all existing and proposed Streets.

6 (M) Any Employment Reserve area.

7 (N) Any historic and archeological resource listed in the adopted and approved
8 Historic Sites and Districts Plan, and which are identified within and adjacent to the Urban
9 Center District in the historical and archeological resources overlay.

10 (O) Any parcel-specific treatment, as designated by an asterisk (*) on the
11 Regulating Plan.

12 (4) The Regulating Plan may show:

13 (A) Site-specific requirements for development (related to unique context or
14 urban design).

15 (B) Site-specific opportunities for development.

16 (5) Regulating Plans and future development shall be sensitive to the natural
17 environment:

18 (A) Regulated Environmental Features shall be preserved in a natural state to the
19 fullest extent possible.

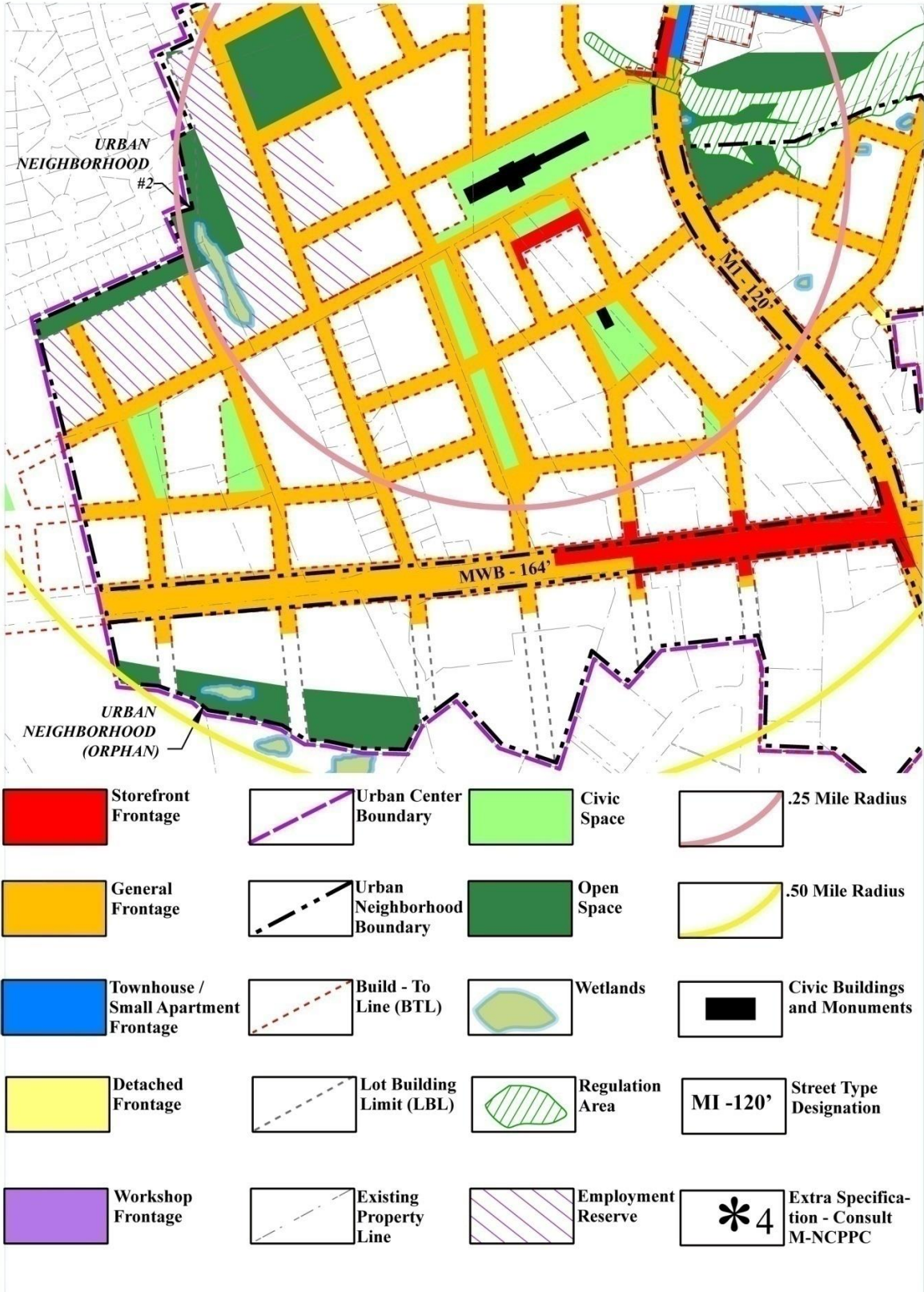
20 (B) Environmental site design shall be used to the maximum extent practicable.

21 (C) Green building techniques shall be used to the maximum extent practicable.

1
2

(b) Sample Regulating Plan.

Shown below is a sample Regulating Plan and key.



3

Sec. 27A-304. Preparation of a Regulating Plan

When creating a Regulating Plan, the following standards of this Section shall apply.

(a) Building Envelope Standards (BES).

(1) General.

(A) Building Envelope Standards are designated on the Regulating Plan.

(B) In determining the allocation of Building Envelope Standards within a Regulating Plan (and thereby the form and mixed-use character of each Urban Neighborhood), attention shall be paid to both the physical context (what goes next to what) and the diversity of allowed/required uses (including the Minimum Employment Threshold).

(2) Allocation by Urban Neighborhood.

(A) The required mix of Building Envelope Standards that applies to each Urban Neighborhood is specified below. This standard is measured as Net Lot Area. The percentage is measured based on the relationship of the lot area designated with the same Building Envelope Standard to the area of the entire Urban Neighborhood (minus the area of any Street rights-of-way).

| <u>Building Envelope Standard</u> | <u>Metropolitan UC-1</u> | <u>Regional UC-2</u> | <u>Community UC-3</u> | <u>Corridor Node UC-4</u> |
|--|---------------------------------|-----------------------------|------------------------------|----------------------------------|
| <u>Storefront</u> | <u>4-20%</u> | <u>2-20%</u> | <u>2-20%</u> | <u>2-40%</u> |
| <u>General</u> | <u>30-80%</u> | <u>30-50%</u> | <u>20-50%</u> | <u>20-50%</u> |
| <u>Townhouse/Small Apartment</u> | <u>10-30%</u> | <u>10-40%</u> | <u>10-40%</u> | <u>15-40%</u> |
| <u>Workshop</u> | <u>0-10%</u> | <u>0-15%</u> | <u>0-30%</u> | <u>0-30%</u> |
| <u>Detached</u> | <u>0-10%</u> | <u>0-15%</u> | <u>0-20%</u> | <u>0-20%</u> |

(B) Calculation of allocation occurs by considering each designated Urban Neighborhood separately. The area of the neighborhood minus any Street rights-of-way is calculated first. Then the Net Lot Area of land (minus Street rights-of-way and Regulated Environmental Features) associated with each Building Envelope Standard (mapped in a different color on the Regulating Plan) is calculated. The percentage of the land area in a given BES is then divided by the total net area of the neighborhood to derive a percentage to be matched against the table above.

(3) Consistency of Application.

(A) Consistent Building Envelope Standards (of a similar intensity) shall face

1 across Streets. Within the following hierarchy, Building Envelope Standards in the same group
2 are considered to be consistent and may face each other across Streets:

| | |
|-------------------------|---|
| <u>Group 1</u> | <u>Storefront/General</u> |
| <u>Group 2</u> | <u>General/Small Apartment/Townhouse/Workshop</u> |
| <u>Group 3</u> | <u>Small Apartment/Townhouse</u> |
| <u>Group 4</u> | <u>Townhouse/Detached</u> |
| <u>Exception</u> | <u>When a single-family detached residential district directly fronts (across a Street) an Urban Center District, the Detached Building Envelope Standards shall be used on the Urban Center Street Frontage.</u> |

3 (B) When separated by a Square, plaza, Civic Green, or park, consecutive
4 Building Envelope Standards (one group different) may front one another. For example, types
5 from Group 1 may face types from Group 2 but not Group 3.

6 (C) Building Envelope Standards from consecutive groups (one group different)
7 may share a Common Lot Line and/or sit directly beside one another. For example, types from
8 Group 1 may sit beside types from Group 2 but not Group 3. Such changes shall be consistent on
9 both sides of the Street and shall not occur more than once per one hundred (100) linear feet of
10 the Street length.

11 (D) When separated by an Alley (or Common Access Easement) and when
12 fronting different Streets (i.e. a Corner Lot and its adjacent lot), Building Envelope Standards
13 from any group may sit adjacent or alongside one another.

14 (E) Civic Use Buildings (as designated on the Regulating Plan) are not restricted
15 by these standards regarding consistent Building Envelope Standards.

16 (4) **Proximity to Rail Transit Stations.**

17 (A) In UC-1 and UC-2 districts, only the Storefront and General Building
18 Envelope Standards are permitted within a one thousand three hundred twenty (1,320) foot
19 walking distance (one-quarter mile) of a rail transit station.

20 (B) In the UC-3 district, the Townhouse/Small Apartment Building Envelope
21 Standards may be permitted within a one thousand three hundred twenty (1,320) foot walking
22 distance, but not within a three hundred (300) foot walking distance, of a rail transit station.

23 (5) **Urban Neighborhood Boundary Transitions.**

24 (A) In UC-1 and UC-2, the Townhouse/Small Apartment Building Envelope

1 Standards frontage shall only be permitted within eight hundred (800) feet of the boundary of its
 2 Urban Neighborhood.

3 (B) Where an Urban Neighborhood adjoins an existing residential area, the
 4 common edge or Street shall be fronted with a Building Envelope Standard of a consistent
 5 character and scale. When a single-family detached residential district directly fronts (across a
 6 Street) any UC District, the Detached Building Envelope Standards shall be used on the UC
 7 District Street Frontage.

8 (C) In all UC Districts, the Detached frontage shall only be permitted within
 9 three hundred (300) feet of an Urban Neighborhood edge that fronts an existing detached single-
 10 family residential district. The exception to this shall be where the county has designated an
 11 existing single-family area for preservation (see Section 27A-305).

12 (D) Each UC District shall provide direct pedestrian access within a right-of-way
 13 or easement to all adjacent neighborhoods and parks and recreation facilities. Neighborhoods are
 14 considered “not adjacent” when separated by:

15 (i) More than one thousand three hundred twenty (1,320) feet, or one-
 16 quarter mile;

17 (ii) A limited access highway; or

18 (iii) By existing natural features such as topography or water bodies not
 19 reasonably crossed or bridged over.

20 **(b) Minimum Employment Threshold**

21 In order to guarantee the provision of a significant employment base in each UC
 22 District, now and in the future, a Minimum Employment Threshold has been established.

23 (1) The Minimum Employment Threshold is intended to ensure the provision of high-
 24 value jobs in dense mixed-use environments served by mass transit. Concentrating jobs at
 25 appropriate locations within the County, namely Urban Centers and Corridor Nodes, will benefit
 26 the County by reducing traffic congestion and pollution, enhancing the employment and taxation
 27 base, and ensuring workers are close to amenities such as restaurants, shopping, recreation, and
 28 living opportunities.

29 (2) For the purposes of this Subtitle, the Minimum Employment Threshold shall be
 30 dedicated to the creation of jobs classified within the Bureau of Labor Statistics Standard
 31 Occupational Classifications of management, business and financial operations, computer and

1 mathematical, architecture and engineering, life, physical, and social science, community and
 2 social services, legal, education, training, and library, arts, design, entertainment, sports, and
 3 media, healthcare practitioners and technical, healthcare support, protective service, sales and
 4 related occupations (excepting sector 41-2000 retail sales), office and administrative support,
 5 construction and extraction, and production occupations.

6 (3) The Minimum Employment Threshold for each district is expressed as either:

7 (A) The Net Lot Area of each UC District, specified in paragraph (4) below; or

8 (B) A total gross floor area for each UC District that is equal to the percentage
 9 specified below multiplied by two.

10 (4) In order to ensure an appropriate and healthy balance of jobs and housing uses,
 11 the Minimum Employment Thresholds (described as a percentage of Net Lot Area within the UC
 12 District) for each UC District are as follows:

| <u>Metropolitan</u> <u>UC-1</u> | <u>Regional</u> <u>UC-2</u> | <u>Community</u> <u>UC-3</u> | <u>Corridor Node</u> <u>UC-4</u> |
|------------------------------------|--------------------------------|---------------------------------|-------------------------------------|
| <u>25%</u> | <u>20%</u> | <u>10%</u> | <u>5%</u> |

13 (5) The threshold shall be satisfied by:

14 (A) Demonstrated (built or under development) employment gross floor area
 15 within the Building Envelope Standards on the Regulating Plan; or

16 (B) By holding the specified Net Lot Area in reserve for employment uses; or

17 (C) Any combination of the two above.

18 (6) As employment Net Lot Area or gross floor area is built/demonstrated elsewhere
 19 within the Urban Center through the approval and construction of new development, a
 20 proportional amount of the land previously held in reserve may be developed for non-
 21 employment purposes.

22 (c) **Blocks, Streets & Alleys.**

23 The Blocks, Streets, and Alleys provide the framework for each Urban Neighborhood.

24 (1) **Streets.**

25 (A) New Streets shall be designated and designed in accordance with Section
 26 27A-503. All Streets which are proposed for County maintenance under Subtitle 23 shall be
 27 designed to the applicable standards contained in the County roadway standards. Improvements
 28 to roadways in the State highway system shall be designed to the applicable MDOT standards.

1 (B) New Streets may be publicly or privately owned, but public access on
2 privately owned Streets shall be dedicated via an easement.

3 (C) No Streets may be gated.

4 (D) All lots shall share a frontage line with a Street-Space.

5 (2) **Block Standards.**

6 (A) The average perimeter of the Blocks within an Urban Neighborhood shall
7 not exceed one thousand three hundred (1,300) feet.

8 (B) Blocks are measured at the Build-to Line, or the edges of Regulated
9 Environmental Features or public lands where a Build-to Line is not present. All lots and all
10 contiguous lots are considered to be part of a Block for this purpose.

11 (C) No Block face shall have a length greater than four hundred (400) feet
12 without an Alley, common drive, or pedestrian pathway providing through-access to another
13 Street, Alley or Common Access Easement, Street-Space, or Regulated Environmental Features
14 or public lands.

15 (D) Existing individual platted lots with less than seventy-five (75) feet of
16 frontage are exempt from the requirement to interrupt the Block face; those with over two
17 hundred fifty (250) feet of frontage shall meet the requirement within their lot, unless already
18 satisfied within that Block face.

19 (3) **Street Grid.**

20 (A) Connectivity of the Street grid throughout each Urban Neighborhood,
21 specifically intersection alignments, is established and regulated by the Regulating Plan and
22 Street specifications and as specified below.

23 (B) In configuring the major Street types, the relationship between the
24 competing needs of through traffic and the goals of an Urban Center or Corridor Node should be
25 directly considered.

26 (C) For Streets types NST-1, NST-2a, NST-2b, NST-3 (see Section 27A-503),
27 the center line may be moved up to fifty (50) feet in either direction, as long as:

28 (i) The Street connectivity is maintained;

29 (ii) No Street intersection occurs within one hundred (100) feet of another
30 intersection; and ,

31 (iii) The resulting Block configuration meets the required standards.

1 (D) Streets that do not connect to other Streets, as part of an interconnected
 2 network, are not permitted except as below:

3 (i) Where configured with a one-way loop around the perimeter of a
 4 central green area, having a maximum depth (perpendicular to the primary Street centerline) of
 5 seventy-five (75) feet and a minimum width (dimension parallel to the primary Street) of
 6 seventy-five (75) feet;

7 (ii) Where less than one hundred twenty (120) feet long (measured from
 8 the intersection centerlines) and configured as a stub-out designed for connection to future
 9 Streets/development;

10 (iii) Where less than one hundred twenty (120) feet long (measured from
 11 the intersection centerlines) and connected to Alleys or common drives giving rear lot access,
 12 and ending at Regulated Environmental Features or public land.

13 (4) **Access.**

14 (A) Unless otherwise specified on the Regulating Plan, curb cuts are not
 15 permitted within seventy-five (75) feet of another curb cut, intersection, or driveway. Driveways
 16 into or from Alleys are not restricted by this measure. All points of access to Streets which are
 17 proposed for County maintenance under Subtitle 23 shall be subject to permitting under the
 18 provisions of Subtitle 23. All points of access to Streets on the State highway system shall be
 19 subject to permitting under the Transportation Article of the Annotated Code of Maryland.

20 (B) Alleys or Common Access Easements shall provide access to the rear of all
 21 lots, except where lots are on a perimeter common to non-developable or Regulated
 22 Environmental Features or public lands or where a lot has Streets on three sides and the absence
 23 of an Alley would not deprive an adjacent neighbor of rear lot access.

24 (C) Front-loaded garages shall not be permitted.

25 (D) Primary access to isolated commercial and industrial properties through
 26 existing single-family residential neighborhoods by commercial and service traffic (including
 27 delivery trucks) should be prohibited whenever possible. Alternate access routes to these
 28 properties should be identified to minimize impacts on residential neighborhoods.

29 (d) **Public Spaces, Parks, and Recreation Facilities.**

30 Public spaces, Civic Greens or Squares, shall constitute no less than eight percent (8%)
 31 of the Net Lot Area of each Urban Neighborhood. Each Urban Neighborhood shall have one (1)

1 central public space and a variety of other public spaces, small urban parks, and recreation
 2 facilities.

3 (1) **Central Public Space.**

4 (A) A central Civic Green or Square of a minimum ten thousand (10,000) and
 5 maximum fifty thousand (50,000) square feet in area shall be provided per each Urban
 6 Neighborhood.

7 (B) Civic Greens or Squares shall be measured independent of the surrounding
 8 right-of-way.

9 (C) The central Civic Green or Square shall be located within a four hundred
 10 (400) foot radius of the geometric center of each Urban Neighborhood.

11 (D) No more than twenty-five percent (25%) of the perimeter of a central Civic
 12 Green or Square may front onto the edge of any Urban Neighborhood.

13 (2) **Other Public Spaces.**

14 (A) Civic Greens or Squares of smaller size shall be distributed throughout the
 15 Urban Neighborhood so that no lot is farther away than a three-minute walk, or approximately
 16 nine hundred (900) feet of a public space.

17 (B) No Civic Green or Square may be narrower than a one to five (1:5) ratio
 18 (width or breadth). The minimum width or breadth dimension shall be twenty-five (25) feet.

19 (C) At least sixty percent (60%) of the public space perimeter shall be abutted by
 20 a Street right-of-way.

21 (3) **Parks and Recreation Facilities.**

22 (A) In addition to passive open spaces such as plazas, Civic Greens, or Squares,
 23 urban active fields and recreational amenities (both indoor and outdoor) should be provided
 24 whenever possible. Deficiencies related to the parks and recreational needs of current and future
 25 residents of the Planning Area where an Urban Center or Corridor Node is located shall be
 26 compiled, evaluated, and analyzed prior to approval of the Regulating Plan. Coordination of
 27 efforts to meet the future recreational needs of the residents shall be accomplished in conjunction
 28 with the Department of Parks and Recreation at the time the Functional Overlays and Regulating
 29 Plans are developed. The locations, acquisition, development, operation, and maintenance of
 30 parks and recreational facilities shall be addressed when deficiencies are found to exist.

31 (i) Urban active fields and recreational amenities should be built with

1 limited or no green buffers and no on-site parking facilities.

2 (ii) Recreational components within these facilities should consist of
 3 amenities that address the needs for urban communities and recognize the limited space available
 4 in Urban Neighborhoods for active recreation types more suited for suburban environments.
 5 Examples of recreation amenities that are appropriate for Urban Centers and Corridor Nodes
 6 include, but are not limited to, public or community gardens, dog parks, spray pads and/or
 7 outdoor pools, indoor pools, skate parks, cultural arts facilities, fitness and wellness
 8 opportunities, programs to provide general, skills, nature, and environmental education, varied
 9 playground types, disk golf, and themed play such as imitation boulders for rock climbing.

10 (iii) Other facilities may be appropriate depending on the specific needs of
 11 the Urban Neighborhood and adjacent communities.

12 (iv) Access to larger neighborhood, community, and regional parks, sports
 13 fields, special recreation areas, and other amenities should be integral to all Regulating Plans to
 14 ensure equitable service for all residents to a variety of recreation opportunities.

15 (4) Civic Use Buildings and Monuments.

16 Civic Use Buildings and monuments are allowed to occupy up to twenty percent
 17 (20%) of any single public space.

18 **Sec. 27A-305. Retrofitting Existing Neighborhoods.**

19 (a) Configuring a Regulating Plan for existing situations to meet the standards of this
 20 Subtitle requires consideration of, and reasonable allowances for, existing buildings and
 21 infrastructure (and related legal/procedural arrangements), historic and archeological resources,
 22 property boundaries, and built-form. Reasonable allowances in the Regulating Plan shall be
 23 made for these conditions.

24 **(b) Permitted deviations in existing neighborhoods.**

25 **(1) Maximum Average Block Perimeter.**

26 May be up to ten percent (10%) larger per Urban Neighborhood.

27 **(2) Street Type Specifications.**

28 (A) The Street standards of this Subtitle shall be implemented at such time as
 29 Street reconstruction occurs. All Streets which are proposed for County maintenance under
 30 Subtitle 23 shall be designed to the County roadway standards. Improvements to roadways in the
 31 State highway system shall be designed to the applicable MDOT standards.

1 (B) Existing major Streets shall be reconfigured to meet the standards of this
 2 Subtitle or the County or MDOT roadway standards, as applicable, to the extent possible to
 3 achieve the pedestrian-and transit-oriented development goals of the General Plan. This
 4 reconfiguration shall occur in coordination with responsible agencies.

5 (C) In configuring the major Street types, the relationship between the
 6 competing needs of through traffic and the goals of an Urban Center or Corridor Node should be
 7 directly considered. However, UC Districts should be designed as destinations to minimize the
 8 need for major Street designs within the district itself.

9 (3) **Public Space Standards.**

10 The size may vary by up to twenty percent (20%) per Urban Neighborhood.

11 (4) **Building Envelope Standards.**

12 (A) In order to enable special and community-specific urban design
 13 configurations, the height of a building may vary by up to two (2) stories for up to five (5)
 14 percent of the frontage within an Urban Center.

15 (B) The location of such special sites shall be noted on the Regulating Plan.

16 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

17 **PART 4. BUILDING ENVELOPE STANDARDS.**

18 **Sec. 27A-401. Purpose and Intent.**

19 (a) The goal of the Building Envelope Standards (BES) is the creation of a vital, and
 20 coherent public realm through the creation of good Street-Space. The intent of these form
 21 standards is to shape the Street-Space—the specific physical and functional character—of the
 22 UC Districts. The placement and form controls on building frontages work together to frame the
 23 Street-Space while allowing the buildings greater latitude behind their Façades. The Building
 24 Envelope Standards aim for the minimum level of control necessary to meet this intent.

25 (b) The BES set the basic parameters governing building construction, including the
 26 building envelope (in three dimensions) and certain required or permitted functional elements,
 27 such as colonnades, stoops, balconies, Front Porches, and Street Walls.

28 (c) The BES establishes the rules for development and redevelopment on private lots, un-
 29 less otherwise indicated on the Regulating Plan.

30 (d) The Regulating Plan identifies the Building Envelope Standards for all private building
 31 sites within an UC District.

1 **Sec. 27A-402. General Provisions.**

2 The following apply to all BES, unless expressly stated otherwise within an individual BES or
 3 otherwise designated on the Regulating Plan.

4 (a) **Transitions.**

5 When the BES designation shown on the Regulating Plan changes along a property's
 6 Build-to Line (BTL), that property owner has the option, for his property's Street Frontage only,
 7 of applying either BES for a maximum additional distance of fifty (50) feet in either direction
 8 along the Build-to Line (BTL).

9 (b) **Facade Composition.**

10 Facade composition is the arrangement and proportion of Façade materials and ele-
 11 ments (windows, doors, columns, pilasters, bays). The Urban Centers and Corridor Nodes
 12 Development and Zoning Code focuses on Façade design that incorporates architectural
 13 articulation and expression through design and materials to maintain and protect a human-scale
 14 for the Street-Space.

15 (1) Façades along the Build-to Line (BTL) shall present a complete and discrete
 16 vertical Façade composition (see Section 27A-402(b) (3) for additional clarification) at an
 17 average Street Frontage length of no greater than sixty (60) feet for Storefront frontage sites;
 18 seventy-five (75) feet for General and Small Apartment/Townhouse frontage sites; and one
 19 hundred (100) feet for Workshop and Detached frontage. This standard shall be measured for
 20 each Block face.

21 (2) Each Façade composition shall include a functioning Street entry door. This
 22 requirement may be satisfied through the use of liner shops for large floor-plate buildings.
 23 Individual infill projects on lots with frontage of less than one hundred (100) feet are exempted
 24 from the overall Façade composition requirement, but shall still include a functioning Street
 25 entry.

26 (3) "A complete and discrete" composition is like a new Façade, much as for a new
 27 building. To achieve this within a single building frontage requires, at a minimum, item (A).
 28 below and two additional items:

29 (A) Clearly different Ground Story Façade composition (both materials and
 30 Fenestration proportions) from that of the upper stories.

31 (B) Clearly different window proportions (minimum difference twenty percent

1 (20%).

2 (C) Clearly different Façade composition (clearly different ‘bay’ rhythm, e.g.
3 ‘ABA’ – ‘ABBA’ – ‘BAAB’ – ‘ABCBA’).

4 (D) Clearly different wall material (color changes shall not be considered as
5 different wall materials).

6 (E) Clearly different Fenestration percentage, with a minimum difference of
7 twelve percent (12%). Ground floor Façades are exempt from this provision.

8 (c) **Building Size.**

9 The maximum floor-plate (footprint) for a building shall not exceed twenty-five
10 thousand (25,000) square feet; beyond that limit a variance is required in accordance with
11 Section 27A-214. Grocery use sites designated on the Regulating Plan are exempt from this
12 standard. Parking structures built according to this Subtitle are also exempt from this standard.

13 (d) **Neighborhood Manners.**

14 For any BES frontage except Detached and Small Apartment/Townhouse, the fol-
15 lowing rules apply:

16 (1) Where a site has a Common Lot Line with a single-family residential property,
17 there shall be a forty (40) foot setback for any structures.

18 (2) Where a site abuts or is adjacent to (having only an Alley on between) a single-
19 family residential property, a Garden Wall four (4) to six (6) feet in height shall be constructed
20 on that site within one (1) foot of the Common Lot Line or Alley.

21 (3) Where a site is located within fifty (50) feet of an existing single-family residential
22 zoning district, the maximum eave or parapet height for that portion of the site shall be thirty-two
23 (32) feet. This requirement supersedes the minimum Story Height requirement.

24 (e) **Height.**

25 (1) The height of all buildings is measured in stories, with an ultimate limit in feet,
26 measured relative to the fronting sidewalk elevation, unless otherwise designated in this
27 Subtitle.

28 (2) Attic stories are permitted for all sites and do not count against the maximum Story
29 limit. Attic stories may have only Dormer windows on the Build-to Line (BTL) Façade.

30 (3) Top-floor mezzanines, penthouses, and lofts count against the maximum Story
31 limit. For the purposes of this Subtitle, two-Story penthouses or lofts are considered to be two

1 separate stories that both count against the maximum Story limit.

2 (4) If an individual Story exceeds the maximum floor-to-floor height, it shall be
3 counted against another Story, and no individual building height may exceed the BES
4 prescribed ultimate height.

5 (5) Where a parking structure is within forty (40) feet of any building constructed after
6 approval of the Regulating Plan, that portion of the structure shall not exceed the building's
7 primary ridge or parapet height.

8 (6) Mezzanines that have a floor area greater than one-third (1/3rd) of the floor area of
9 the Story in which they are located shall count as an additional full Story in the Story Height
10 measurement.

11 (7) The prescribed minimum Story clear height shall be met for at least eighty percent
12 (80%) of the area of the specified Story.

13 **(f) Siting.**

14 (1) The building Façade shall be built to the Build-to Line (BTL) within thirty (30) feet
15 of a Block Corner.

16 (2) A Street Wall shall be required along any Build-to Line (BTL) frontage that is not
17 otherwise occupied by a building, except for Detached Frontages. The Street Wall shall be
18 located not more than eight (8) inches behind the Build-to Line (BTL).

19 (3) The Build-to Line (BTL) designated on the Regulating Plan shall be considered an
20 area spanning an additional eighteen (18) inches into the lot, to allow for jogs, Façade articula-
21 tion, and other forms of architectural expression unless otherwise designated herein.

22 (4) Buildings may only occupy that portion of the lot specified as the Buildable Area
23 the area behind the Build-to Line (BTL) as designated by the BES.

24 (5) No part of any building may be located outside of the Buildable Area except
25 overhanging eaves, awnings, shop fronts, Bay Windows, or balconies. No part of any building
26 may contain eaves that overhang a Regulated Environmental Feature.

27 (6) No part of any building may be located outside of any designated boundary line
28 except steps, overhanging eaves, or awnings.

29 (7) There is no required setback from Alleys. On lots without Alley access, there shall
30 be a minimum twenty-five (25) foot setback from the rear lot line.

31 (8) There are no side lot setbacks, except as specified in the neighborhood manners

1 (above) or in the BES.

2 (9) The Parking Setback Line is thirty (30) feet behind the Build-to Line (BTL) and
3 extends vertically as a plane unless otherwise indicated on the Regulating Plan or BES. Vehicle
4 parking shall be located behind the Parking Setback Line, except where parking is provided
5 below grade, on-Street, or otherwise indicated on the Regulating Plan.

6 (10) Corner Lots and through lots shall satisfy the Build-to Line and frontage require-
7 ments for all their designated frontages, unless otherwise specified in this Subtitle.

8 (g) **Elements.**

9 (1) Fenestration is measured as a percentage of the Façade between floor levels.

10 (2) Balconies and stoops shall not project within five (5) feet of a Common Lot Line.

11 (3) No part of any building except overhanging eaves, awnings, balconies, Bay
12 Windows, stoops, and shop fronts as specified by the code may project beyond the Build-to Line
13 (BTL).

14 (4) Privacy Fences may be constructed along that portion of a Common Lot Line not
15 otherwise occupied by a building.

16 (h) **Civic Use Buildings.**

17 When designated on the Regulating Plan, Civic Use Buildings are exempt from the BES
18 standards, excepting any provisions that concern adjacent single-family detached districts.

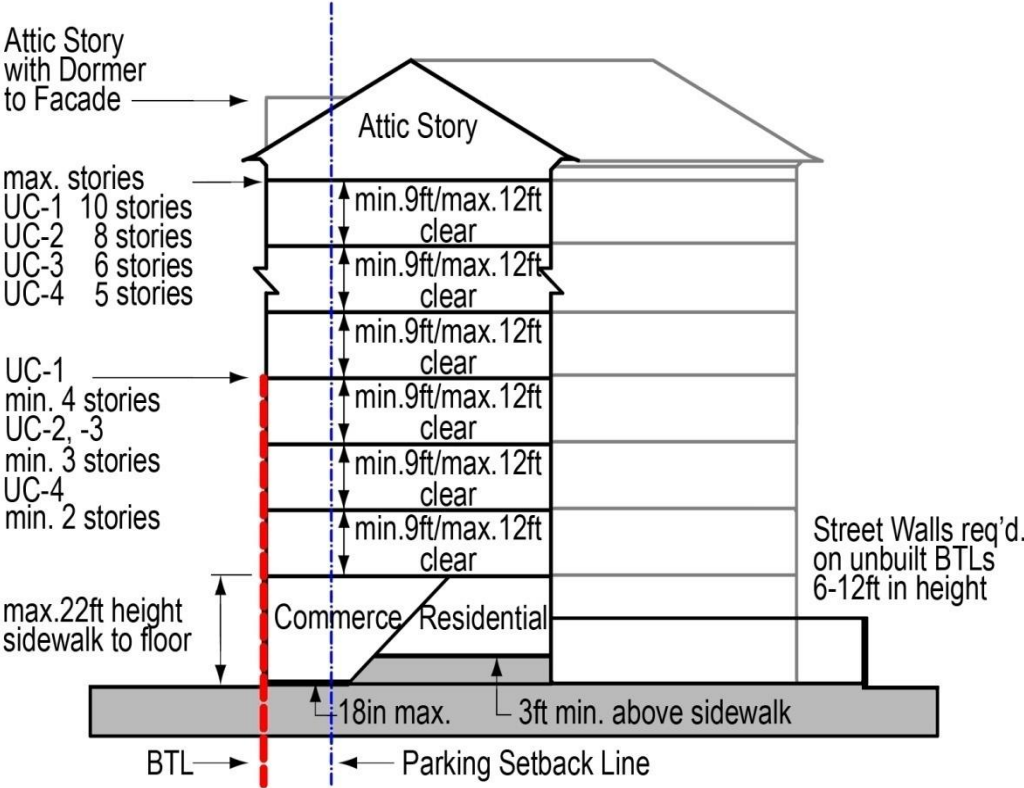
19 **Sec. 27A-403. General Building Envelope Standards.**

20 (a) Intent and Illustrations. The General Building Envelope Standard is the basic urban Street
21 Frontage, common in cities across the United States. The uses are not specific, ranging from
22 commercial to residential, retail to civic—or some combination of all of the above. The primary
23 form is that of multi-Story buildings placed directly at the sidewalk, with windows across the
24 Façade, with the buildings lined up shoulder to shoulder. The building elements—shop fronts,
25 stoops, balconies, etc—vary, depending on the uses. These are sometimes called “background”
26 buildings. They are the primary building blocks of an Urban Center.

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(b) General Height and Siting



(1) Height

(A) Building Height. The building shall be:

UC-1: 4 stories minimum, 10 stories and one hundred sixty (160) feet maximum.

UC-2: 3 stories minimum, 8 stories and one hundred thirty (130) feet maximum.

UC-3: 3 stories minimum, 6 stories and ninety-seven (97) feet maximum.

UC-4: 2 stories minimum, 5 stories and eighty-five (85) feet maximum.

(B) Ground Story Height: Commerce Uses

(i) The average Ground Story finished floor elevation shall be equal to the exterior sidewalk elevation in front of the building, to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.

(ii) The Ground Story shall have at least eighteen (18) feet of clear interior height (floor to ceiling) in the UC-1 District and fifteen (15) feet in all other UC Districts contiguous to the Build-to Line (BTL) frontage for a minimum depth of twenty-five (25) feet.

1 (iii) The maximum Ground Story Height is twenty-two (22) feet, measured
2 from the sidewalk to second Story floor.

3 (C) Ground Story Height: Residential Units

4 (i) The average finished floor elevation shall be no less than three (3) feet
5 above the exterior sidewalk elevation at the Build-to Line (BTL).

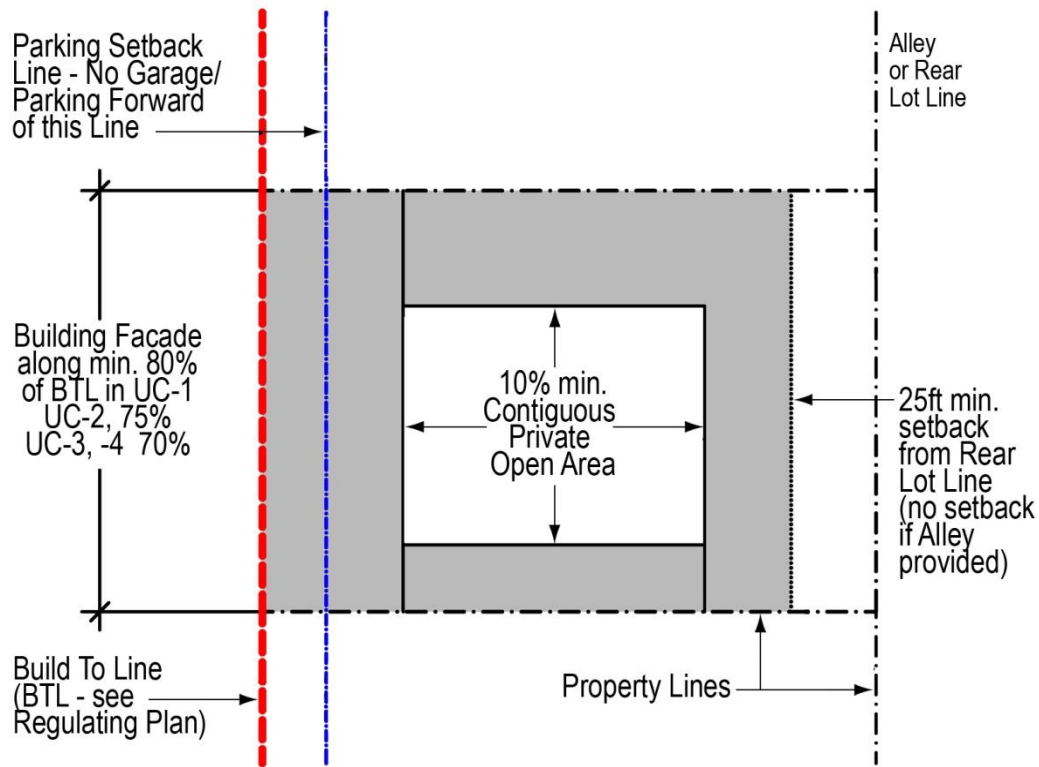
6 (ii) The Ground Story shall have an interior clear height (floor to ceiling) of
7 at least nine (9) feet and a maximum sidewalk to second Story floor height of twenty-two (22)
8 feet.

9 (D) Upper Story Height

10 (i) The maximum clear height (floor to ceiling) for stories other than the
11 Ground Story is twelve (12) feet.

12 (ii) Each upper Story shall have an interior clear height (floor to ceiling) of
13 at least nine (9) feet.

14 (E) Street Wall Height. A Street Wall between six (6) and twelve (12) feet in
15 height shall be required along any Build-to Line (BTL) frontage that is not otherwise occupied
16 by a building on the lot.



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(2) Siting

(A) Street Façade

(i) On each lot the building Façade shall be built to the Build-to Line (BTL) for at least:

UC-1: eighty percent (80%) of the Build-to Line (BTL) length.

UC-2: seventy-five percent (75%) of the Build-to Line (BTL) length.

UC-3: seventy percent (70%) of the Build-to Line (BTL) length.

UC-4: seventy percent (70%) of the Build-to Line (BTL) length.

(ii) Within seven (7) feet of the Block Corner, the ground floor Façade may be chamfered to form a corner entry.

(B) Buildable Area. A contiguous Private Open Area equal to at least ten percent (10%) of the total Buildable Area shall be preserved on every lot. Such contiguous open area may be located anywhere behind the parking setback, at or above grade.

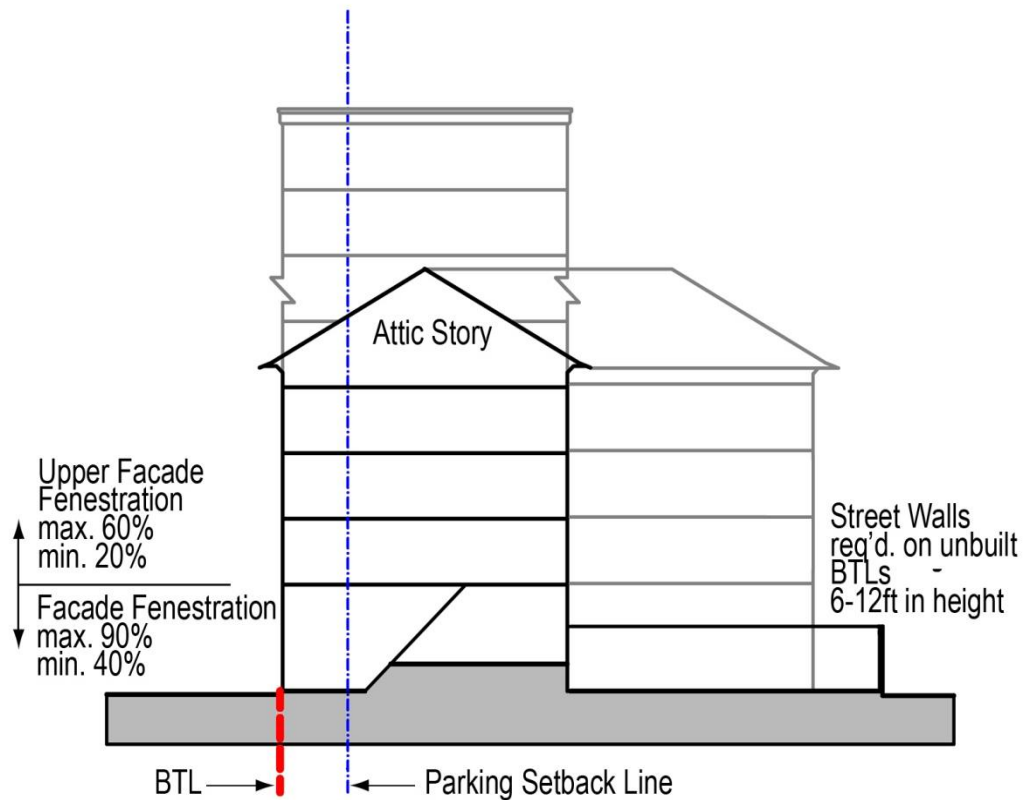
(C) Garage and Parking

(i) Curb cuts or driveways shall be located at least seventy-five (75) feet

1 away from any Block Corner, curb cut, or another garage entry on the same Block face. These
2 requirements are not applicable along Alleys.

3 (ii) Openings in the Build-to Line (BTL) for parking garage entries shall
4 have a maximum clear height no greater than sixteen (16) feet and a clear width no greater than
5 twenty-two (22) feet.

1 (c) General: Elements and Use



2
3 (3) Elements

4 (A) Fenestration

5 (i) Blank lengths of wall exceeding twenty (20) linear feet are prohibited on
6 all Build-to Lines (BTL).

7 (ii) Ground Story Façade Fenestration shall comprise between forty percent
8 (40%) and ninety percent (90%) of the Façade.

9 (iii) Upper Story Façade Fenestration shall comprise between twenty percent
10 (20%) and sixty percent (60%) of the Façade area per Story.

11 (B) Building Projections

12 (i) Awnings shall project a minimum of five (5) feet to a maximum of within
13 one (1) foot of the back of the Tree Lawn.

14 (ii) Awnings that project over the sidewalk portion of a Street-Space shall
15 maintain a clear height of at least ten (10) feet.

16 (iii) Awnings may have supporting posts at their outer edge provided that

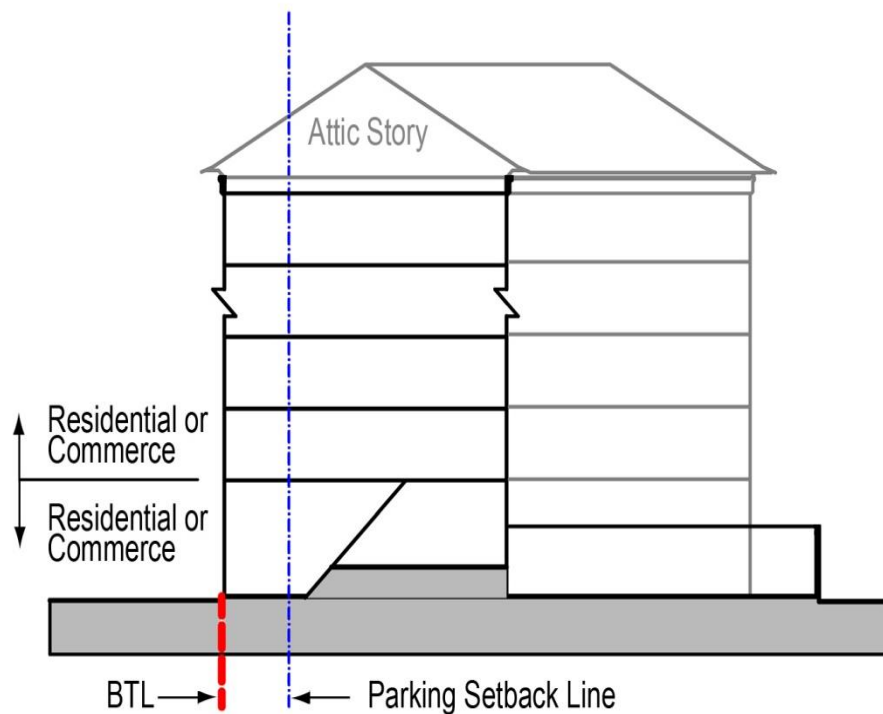
they:

(aa) Have a minimum of eight (8) feet clear width between the Façade and the support posts or columns of the awnings, and

(bb) Provide a continuous Clear Walkway at least four (4) feet wide running adjacent and parallel to the awning columns/posts.

(C) Doors/Entries. At least one functioning entry door shall be provided along each Ground Story Façade at intervals not greater than seventy-five (75) linear feet.

(D) Street Walls. One vehicle entry gate no wider than twenty (20) feet and one pedestrian entry gate no wider than five (5) feet shall be permitted within any required Street Wall, to a maximum of one (1) vehicle entry gate per one hundred twenty (120) feet of frontage per Block face.



(4) Use

(A) Ground Story. The Ground Story may only house commerce or residential uses. See the height specifications for specific requirements unique to each use. Overnight lodging guest rooms shall meet the requirements for residential use.

(B) Upper stories

(i) The upper stories may only house residential or commerce uses. No

1 restaurant or retail sales uses shall be allowed in upper stories unless they are second Story
2 extensions equal to or less than the area of the Ground Story use.

3 (ii) No retail use is permitted above a residential use.

4 (ii) Additional habitable space is permitted within the roof where the roof is
5 configured as an attic Story.

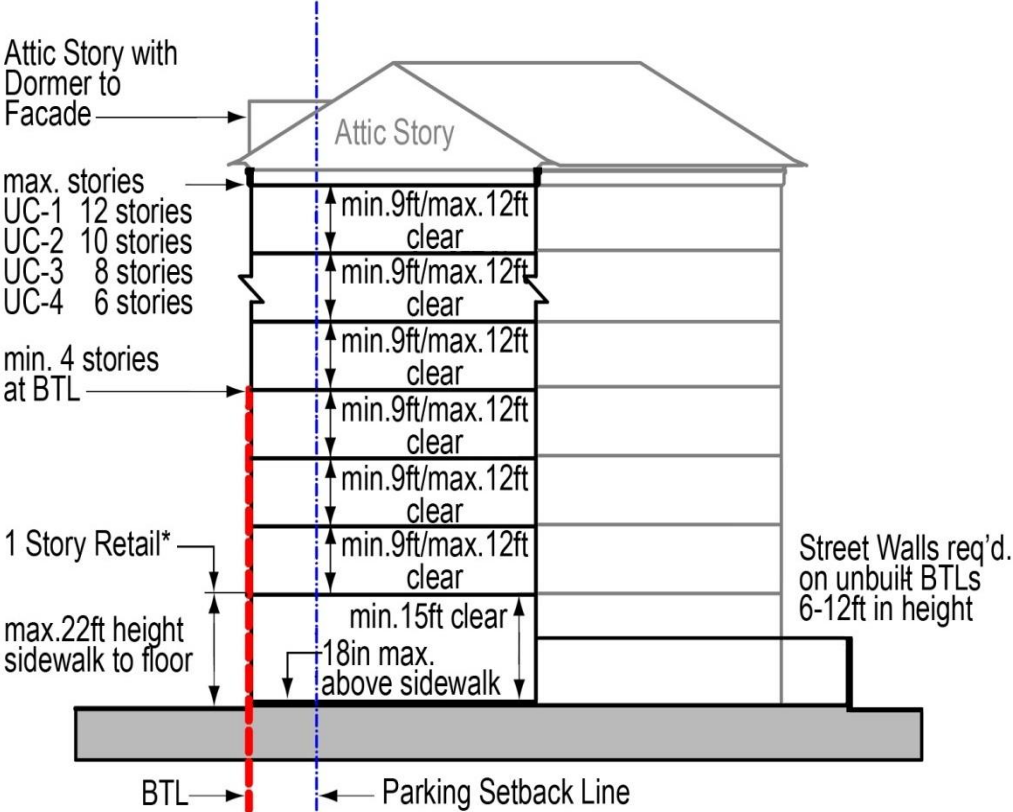
6 (C) Specific Use Requirements. See Section 27A-802 for specific use
7 requirements.

8 **Sec. 27A-404. Storefront Building Envelope Standards.**

9 (a) Intent and Illustrations. The Storefront Building Envelope Standard is a variation on
10 the General Building Envelope Standard. The uses for Storefront are highly skewed toward
11 retail. The primary feature is that of Storefronts placed directly up and into the sidewalk. This
12 frontage type is ideal for lining large footprint buildings, whether the structure is an office
13 building, “big-box retail”, or a parking garage. It visually breaks the Façade into smaller
14 pedestrian-scaled sections and can activate an entire Block length through multiple smaller retail
15 uses (and entrances).

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(b) Storefront Height and Siting



(1) Height

(A) Building Height. The building shall be:

UC-1: 4 stories minimum, 12 stories and one hundred eighty-seven (187) feet maximum.

UC-2: 4 stories minimum, 10 stories and one hundred fifty-seven (157) feet maximum.

UC-3: 4 stories minimum, 8 stories and one hundred twenty-seven (127) feet maximum.

UC-4: 4 stories minimum, 6 stories and one hundred three (103) feet maximum.

(B) Ground Story Height

(i) The average Ground Story finished floor elevation shall be equal to the exterior sidewalk elevation in front of the building to a maximum finished floor elevation of eighteen (18) inches above the sidewalk.

(ii) The Ground Story shall have at least eighteen (18) feet of clear interior height (floor to ceiling) in the UC-1 District and fifteen (15) feet in all other UC Districts contiguous to the Build-to Line (BTL) frontage for a minimum depth of twenty-five (25) feet.

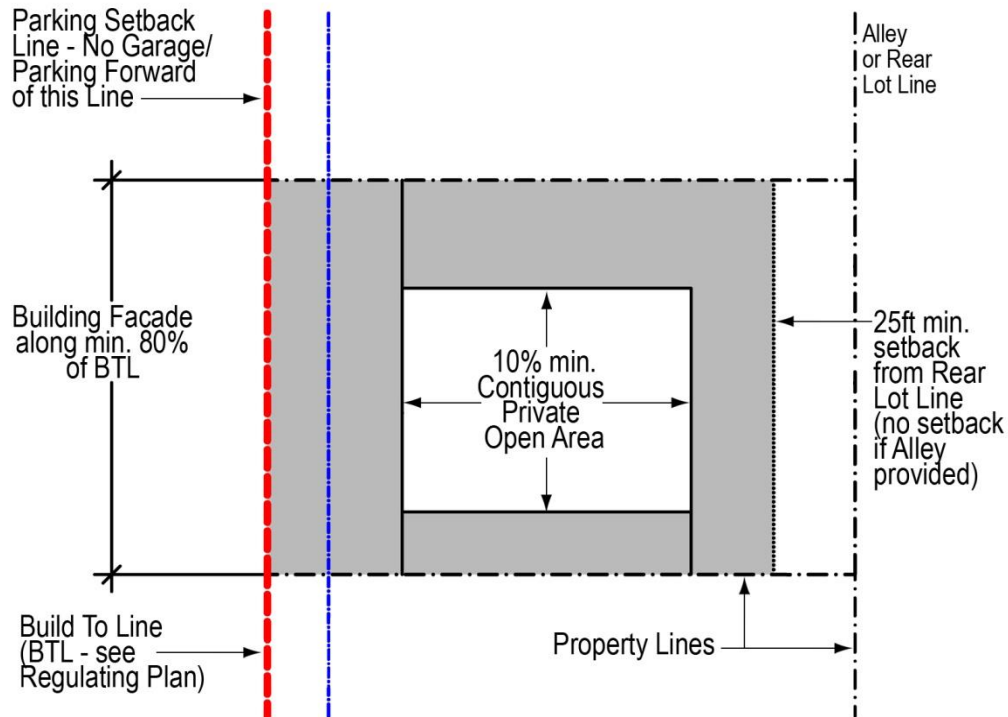
(iii) The maximum Ground Story Height is twenty-two (22) feet, measured from the sidewalk to second Story floor.

(C) Upper Story Height

(i) The maximum clear height (floor to ceiling) for stories other than the Ground Story is twelve (12) feet.

(ii) Each upper Story shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

(D) Street Wall Height. A Street Wall between six (6) and twelve (12) feet in height shall be required along any Build-to Line (BTL) frontage that is not otherwise occupied by a building on the lot.



(4) Siting

(A) Street Façade

1 (i) On each lot the building Façade shall be built to the Build-to Line (BTL) for at
2 least eighty percent (80%) of the Build-to Line (BTL) length, regardless of BES.

3 (ii) The ground floor Façade may, within seven (7) feet of the Block Corner, be
4 chamfered to form a corner entry.

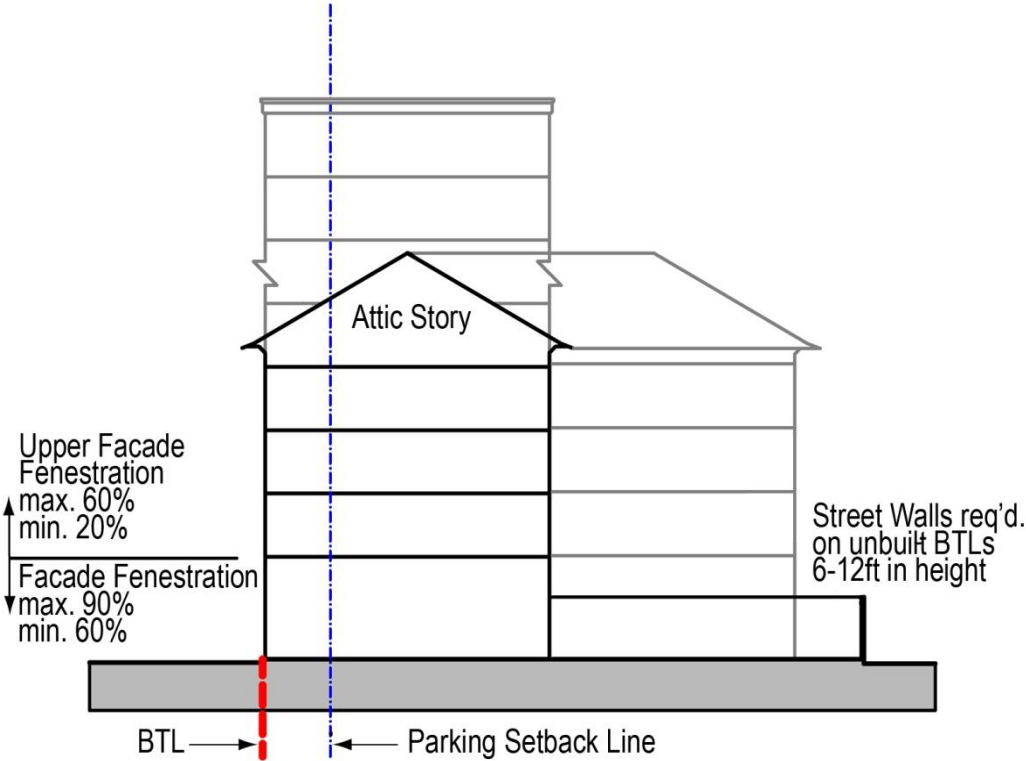
5 (B) Buildable Area. A contiguous Private Open Area equal to at least ten percent
6 (10%) of the total Buildable Area shall be preserved on every lot. Such contiguous open area
7 may be located anywhere behind the parking setback, at or above grade.

8 (C) Garage and Parking

9 (i) Curb cuts or driveways shall be located at least seventy-five (75) feet away
10 from any Block Corner, curb cut, or another garage entry on the same Block face. These
11 requirements are not applicable along Alleys.

12 (ii) Openings in the Build-to Line (BTL) for parking garage entries shall have a
13 maximum clear height no greater than sixteen (16) feet and a clear width no greater than twenty-
14 two (22) feet.

15 (c) Storefront Elements and Use



1 (1) Elements

2 (A) Fenestration

3 (i) Blank lengths of wall exceeding 20 linear feet are prohibited on all
4 Build-to Lines (BTL).

5 (ii) Ground Story Façade Fenestration shall comprise between sixty per-
6 cent (60%) and ninety percent (90%) of the Façade.

7 (iii) Upper Story Façade Fenestration shall comprise between twenty
8 percent (20%) and sixty percent (60%) of the Façade.

9 (B) Building Projections

10 (i) Awnings shall project a minimum of five (5) feet to a maximum of within
11 one (1) foot of the back of the Tree Lawn.

12 (ii) Awnings that project over the sidewalk portion of a Street-Space shall
13 maintain a clear height of at least ten (10) feet.

14 (iii) Awnings may have supporting posts at their outer edge provided that
15 they:

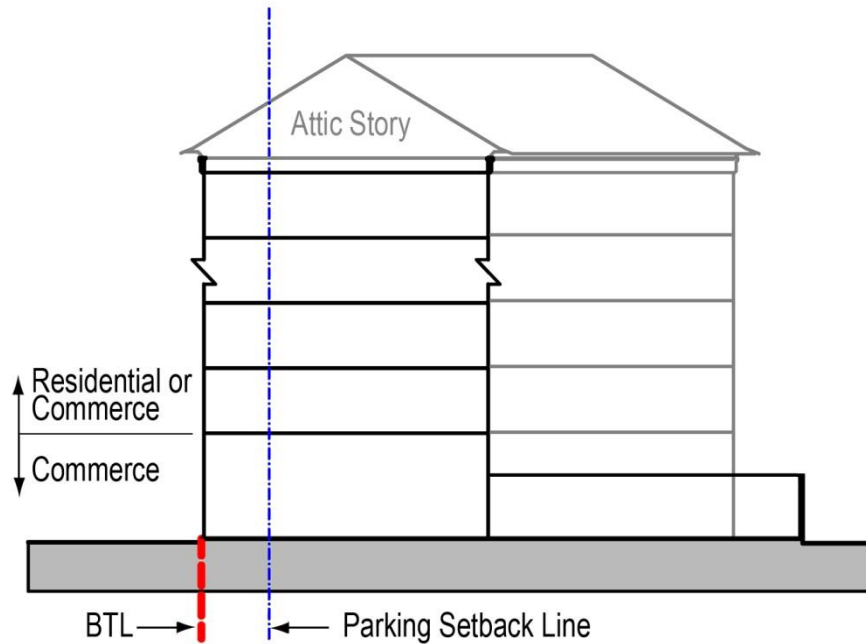
16 (aa) Have a minimum of eight (8) feet clear width between the Façade
17 and the support posts or columns of the awnings, and

18 (bb) Provide a continuous Clear Walkway at least four (4) feet wide
19 running adjacent and parallel to the awning columns/posts.

20 (iv) Shopfronts shall not project more than two (2) feet beyond the Build-to
21 Line (BTL).

22 (C) Doors/Entries. At least one functioning entry door shall be provided along
23 each Ground Story Façade at intervals not greater than sixty (60) linear feet.

24 (D) Street Walls. One vehicle entry gate no wider than twenty (20) feet and one
25 pedestrian entry gate no wider than five (5) feet shall be permitted within any required Street
26 Wall, to a maximum of one (1) vehicle entry gate per one hundred twenty (120) feet of frontage
27 per Block face.



1
2 (2) Use

3 (A) Ground Story. The Ground Story may only house commerce uses.

4 (B) Upper Stories:

5 (i) The upper stories may only house residential or commerce uses. No
 6 restaurant or retail sales uses shall be allowed in upper stories unless they are second Story
 7 extensions equal to or less than the area of the Ground Story use.

8 (ii) No commerce use is permitted above a residential use.

9 (iii) Additional habitable space is permitted within the roof where the roof is
 10 configured as an attic Story.

11 (C) Specific Use Requirements. See Section 27A-802 for specific use
 12 requirements.

13 **Sec. 27A-405. Townhouse/Small Apartment Building Envelope Standards.**

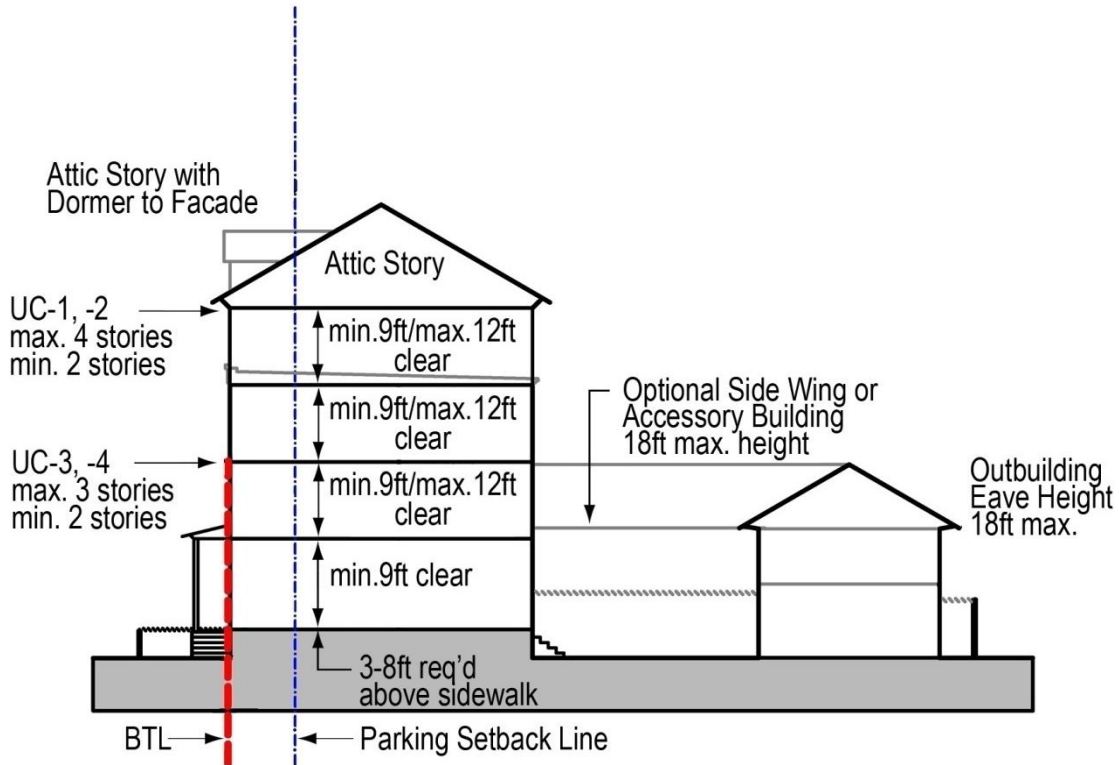
14 (a) Intent and Illustrations.

15 (1) The Small Apartment frontage is a less intensive neighborhood building Block–
 16 typically 3 to 4 stories with regular entrances every fifty to seventy-five (50-75) feet along the
 17 Build-to Line. It is predominantly residential in character. Although a significant percentage of

1 the building Façade will sit at the Build-to Line, the entire Block frontage/Street Wall may be
 2 more irregular, with projecting bays, balconies, or similar arrangements.

3 (2) The Small Apartment standard is commonly used to transition between the more
 4 intense core of an Urban Center and adjacent residential neighborhoods.

5 (b) Townhouse/Small Apartment Height and Siting



6
 7 (1) Height

8 (A) Building Height. Each building shall be:

9 UC-1: 2 stories minimum, 4 stories and sixty-five (65) feet maximum.

10 UC-2: 2 stories minimum, 4 stories and sixty (60) feet maximum.

11 UC-3: 2 stories minimum, 3 stories and forty-seven (47) feet maximum.

12 UC-4: 2 stories minimum, 3 stories and forty-seven (47) feet maximum.

13 (B) A side wing or ancillary structure shall be no higher than eighteen (18) feet,
 14 measured to its eaves or parapet.

15 (C) Ground Story Height

16 (i) The average finished floor elevation shall be no less than three (3) feet

1 and no more than eight (8) feet above the exterior sidewalk elevation at the Build-to Line (BTL).

2 (ii) The Ground Story shall have an interior clear height (floor to ceiling) of
 3 at least nine (9) feet.

4 (iii) The maximum Ground Story floor to ceiling height is sixteen (16) feet.

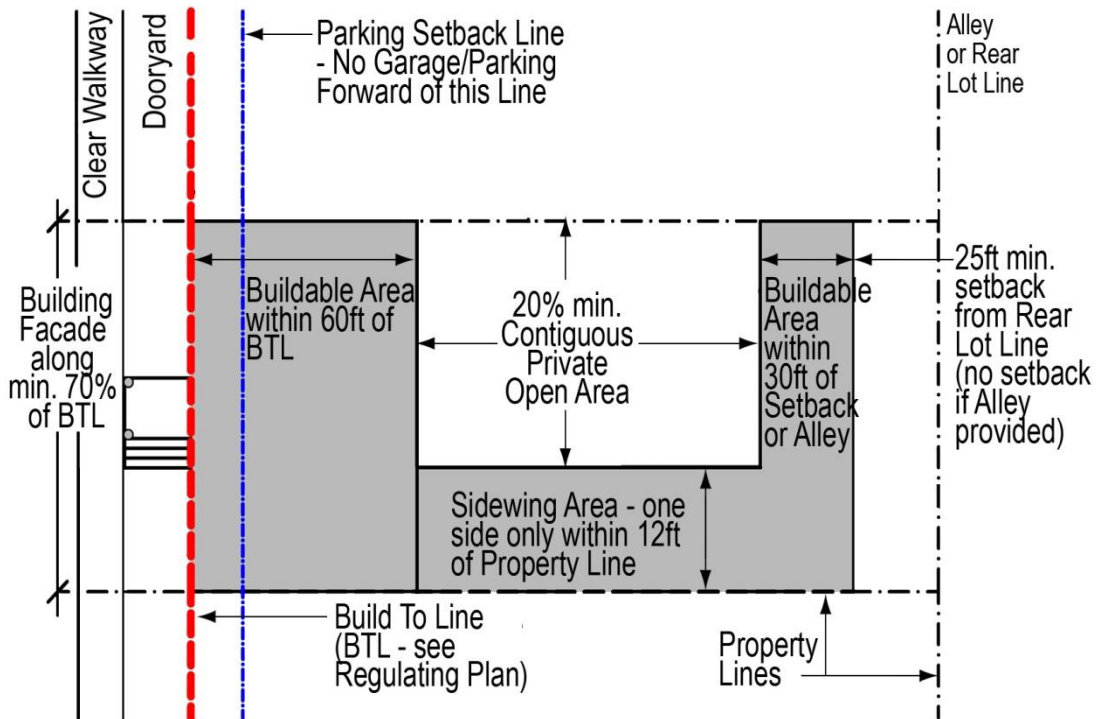
5 (D) Upper Story Height

6 (i) The maximum clear height (floor to ceiling) for stories other than the
 7 Ground Story is twelve (12) feet.

8 (ii) Each upper Story shall have an interior clear height (floor to ceiling) of
 9 at least nine (9) feet.

10 (E) Street Wall Height. A Street Wall between four (4) and eight (8) feet in height
 11 shall be required along any Build-to Line (BTL) frontage that is not otherwise occupied by a
 12 building on the lot.

13 (2) Siting



14
 15 (A) Street Façade

16 (i) On each lot the building Façade shall be built to the Build-to Line (BTL) for at
 17 least seventy percent (70%) of the Build-to Line (BTL) length, regardless of BES.

1 (ii) For buildings with Front Porches the Dooryard/Clear Walkway line shall
2 serve as the Build-to Line (BTL) and the Front Porch shall be built-to the Dooryard line. For this
3 situation only, the Façade will sit behind the Build-to Line (BTL), as determined by the required
4 Front Porch depth.

5 (iii) The building Façade shall be built to the Build-to Line (BTL) within twenty
6 (20) feet of a Block Corner.

7 (B) Buildable Area. A contiguous Private Open Area equal to at least twenty percent
8 (20%) of the total Buildable Area shall be preserved on every lot. Such contiguous open area
9 may be located anywhere behind the parking setback, at grade.

10 (C) Garage and Parking

11 (i) Curb cuts or driveways shall be located at least seventy-five (75) feet away
12 from any Block Corner, curb cut, or another garage entry on the same Block face. These
13 requirements are not applicable along Alleys.

14 (ii) Garage doors/entries shall not be permitted on the Build-to Line
15 (BTL)/Façade.

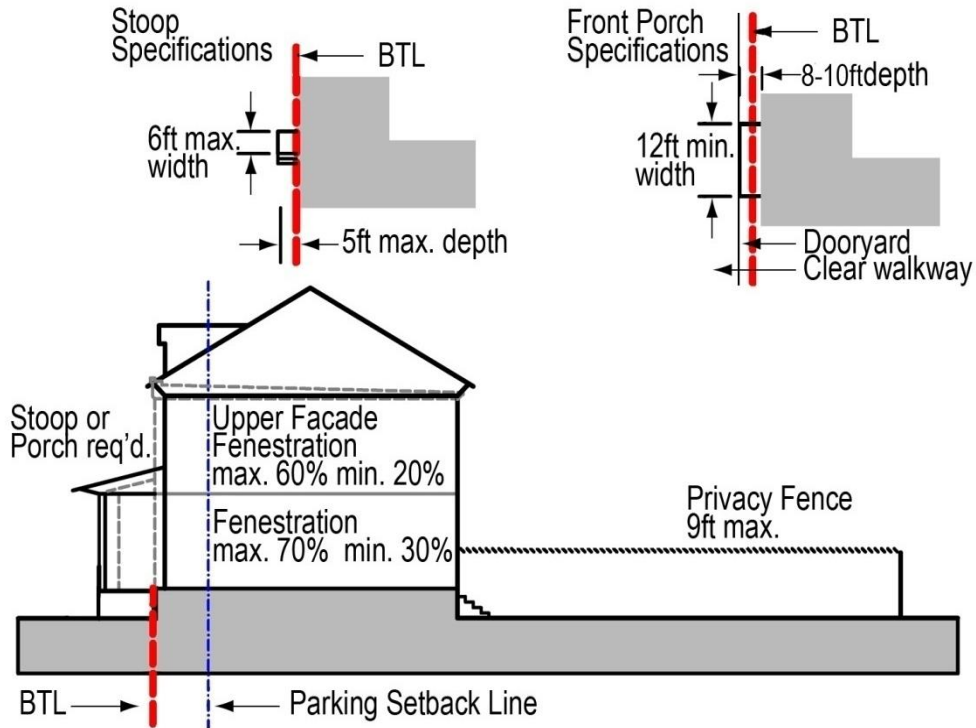
16 (D) Frontage Widths

17 (i) The minimum lot width is eighteen (18) feet, the minimum depth is eighty (80)
18 feet.

19 (ii) Although there are no individual side lot setbacks, no building Façade may
20 exceed one hundred twenty (120) feet of continuous building frontage. A gap of ten (10) feet to
21 twenty (20) feet is required between each such structure.

1

(c) Townhouse/Small Apartment Elements and Use



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(1) Elements

4

(A) Fenestration

5

(i) Blank lengths of wall exceeding fifteen (15) linear feet are prohibited on all Build-to Lines (BTL).

7

(ii) Ground Story Façade Fenestration shall comprise between thirty percent (30%) and seventy percent (70%) of the Façade.

9

(iii) Upper Story Façade Fenestration shall comprise between twenty percent (20%) and sixty percent (60%) of the Façade.

11

(iv) No Ground Story window may face or direct views toward a Common Lot Line within twenty (20) feet unless:

13

(aa) That view is contained within the lot (e.g. by a Privacy Fence/Garden Wall), or

15

(bb) The sill for any window on the Ground Story is at least six (6) feet above the finished floor level.

16

1 (B) Building Projections

2 (i) Each lot or Ground Story unit shall include:

3 (aa) A stoop of not more than five (5) feet deep and six (6) feet wide
4 (not including steps), or

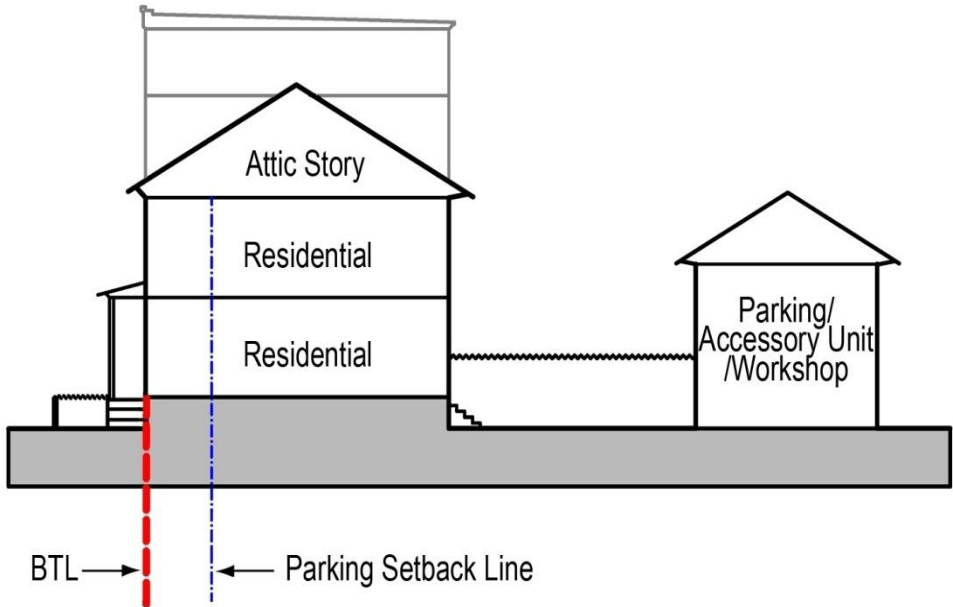
5 (bb) A Front Porch, between eight (8) feet and ten (10) feet deep with a
6 width not less than twelve (12) feet, at the Dooryard/Clear Walkway line.

7 (C) Doors/Entries. Each Build-to Line (BTL)/Façade Ground Story unit shall
8 provide a functioning entry door with direct Street access.

9 (D) Street Walls

10 (i) One vehicle entry gate no wider than eighteen (18) feet and one (1)
11 pedestrian entry gate no wider than five (5) feet shall be permitted within any required Street
12 Wall, to a maximum of one (1) vehicle entry gate per one hundred twenty (120) feet of frontage
13 per Block face.

14 (ii) A Privacy Fence may be constructed along any Common Lot Line or
15 Alley, behind the Build-to Line (BTL) Façade.



16 (2) Use

17 (A) Ground Story. The Ground Story may only house residential uses.

18 (B) Upper Stories

1 (i) The upper stories may only house residential uses.

2 (ii) Additional habitable space is permitted within the roof where the roof
3 is configured as an attic Story.

4 (C) Accessory Unit

5 (i) One Accessory Unit is permitted per lot.

6 (ii) The maximum footprint for an Accessory Unit building shall not exceed
7 six-hundred fifty (650) square feet.

8 (iii) Parking and Accessory Unit uses are permitted in the Buildable Area at
9 the rear of the lot.

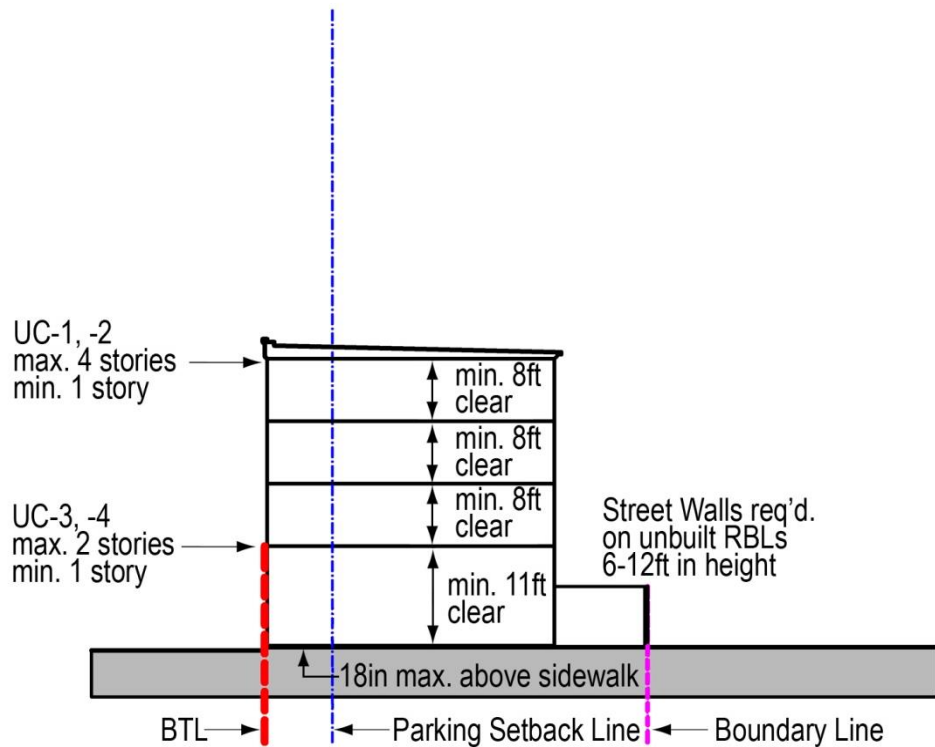
10 (D) Specific Use Requirements. See Section 27A-802 for specific use
11 requirements.

12 **Sec. 27A-406. Workshop Building Envelope Standards.**

13 (a) Intent and Illustrations. The workshop form standard accommodates small scale service,
14 manufacturing and repair—including artisanal—within an urban form. These structures are of
15 limited height and are built to the fronting sidewalk. Exterior work and loading areas are
16 confined to rear yards at the center of the Block.

1

(b) Workshop Height and Siting



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(1) Height

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(A) Building Height. Each building shall be:

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UC-1: 1 Story minimum, 4 stories and seventy (70) feet maximum.

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UC-2: 1 Story minimum, 4 stories and sixty-four (64) feet maximum.

7

UC-3: 1 Story minimum, 2 stories and thirty-nine (39) feet maximum.

8

UC-4: 1 Story minimum, 2 stories and thirty-nine (39) feet maximum.

9

(B) Ground Story Height

10

(i) The average Ground Story finished floor elevation shall be equal to the

11

exterior sidewalk elevation in front of the building to a maximum finished floor elevation of

12

eighteen (18) inches above the sidewalk.

13

(ii) The Ground Story shall have at least eleven (11) feet of clear interior

14

height (floor to ceiling) contiguous to the Build-to Line (BTL) frontage for a minimum depth of

15

at least twenty-five (25) feet.

16

(iii) The maximum floor to floor height for the Ground Story is twenty-five

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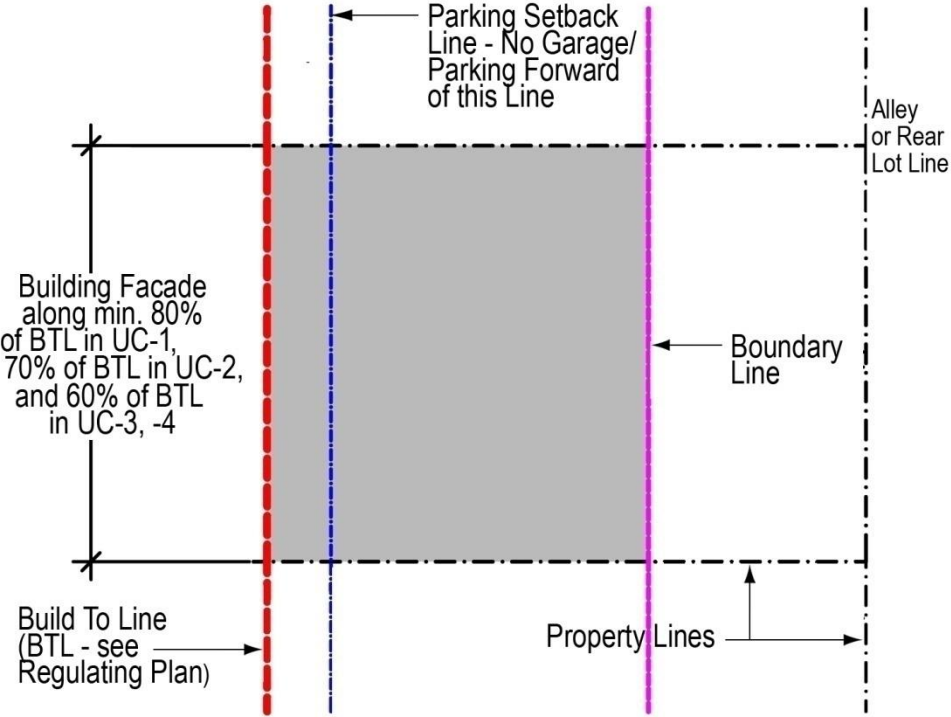
(25) feet.

1 (C) Upper Story Height

2 (i) The maximum floor-to-floor Story Height for stories other than the
3 Ground Story is twelve (12) feet.

4 (ii) Each upper Story shall have an interior clear height (floor to ceiling) of
5 at least eight (8) feet.

6 (D) Street Wall Height. A Street Wall between six (6) and twelve (12) feet in
7 height shall be required along any Build-to Line (BTL) frontage that is not otherwise occupied
8 by a building on the lot.



9
10 (2) Siting

11 (A) Street Façade

12 (i) On each lot the building Façade shall be built to the Build-to Line (BTL) for at
13 least:

14 UC-1: eighty percent (80%) of the Build-to Line (BTL) length.

15 UC-2: seventy percent (70%) of the Build-to Line (BTL) length.

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UC-3: sixty percent (60%) of the Build-to Line (BTL) length.

UC-4: sixty percent (60%) of the Build-to Line (BTL) length.

(ii) The ground floor Façade, within seven (7) feet of the Block Corner, may be chamfered to form a corner entry.

(B) Buildable Area

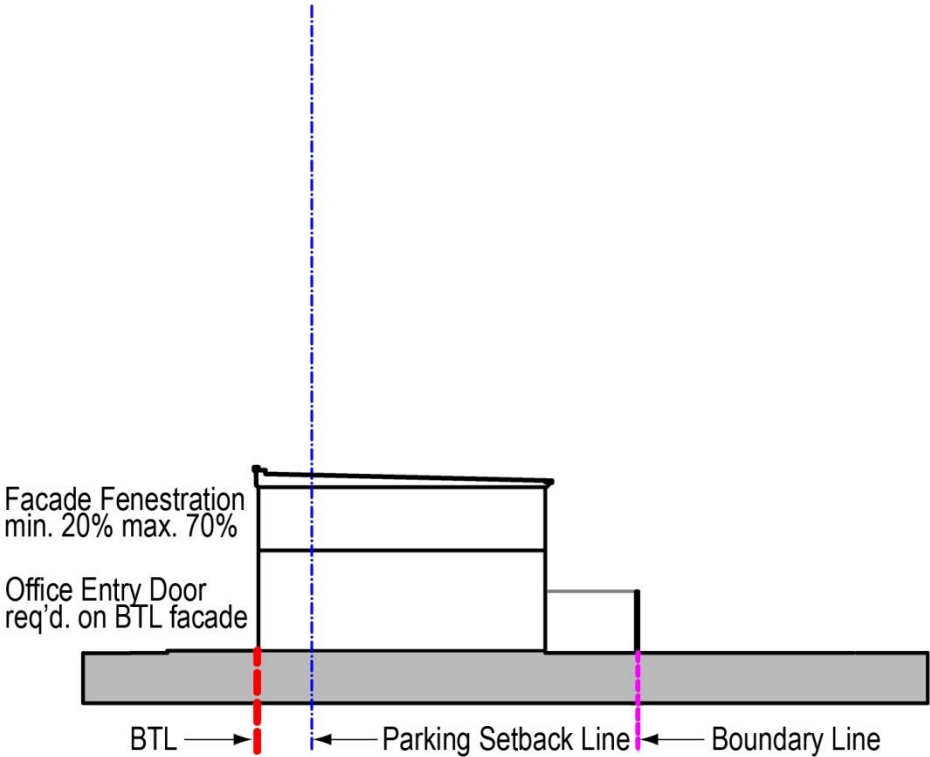
(i) No part of any building, except overhanging eaves, or awnings may occupy the area behind the boundary line. The area may be used for loading, circulation and/or as a work yard.

(ii) A garden/Street Wall or Privacy Fence is allowed behind the boundary line.

(C) Alleys. There is no required set back from Alleys, except as may be provided by a boundary line on the Regulating Plan.

(D) Garage and Parking. Driveways shall be located at least seventy-five (75) feet away from any Block Corner or another driveway or garage entry on the same Block. This requirement does not apply along Alleys.

(c) Workshop Elements and Use



16

1 (1) Elements

2 (A) Fenestration

3 (i) Blank lengths of wall exceeding thirty-five (35) linear feet are prohibited
4 on all Build-to Lines (BTL).

5 (ii) Fenestration on Façades shall comprise between twenty percent (20%)
6 and seventy percent (70%) of the Façade.

7 (B) Building Projections

8 (i) Awnings shall project a minimum of five (5) feet to a maximum of within
9 one (1) foot of the back of the Tree Lawn.

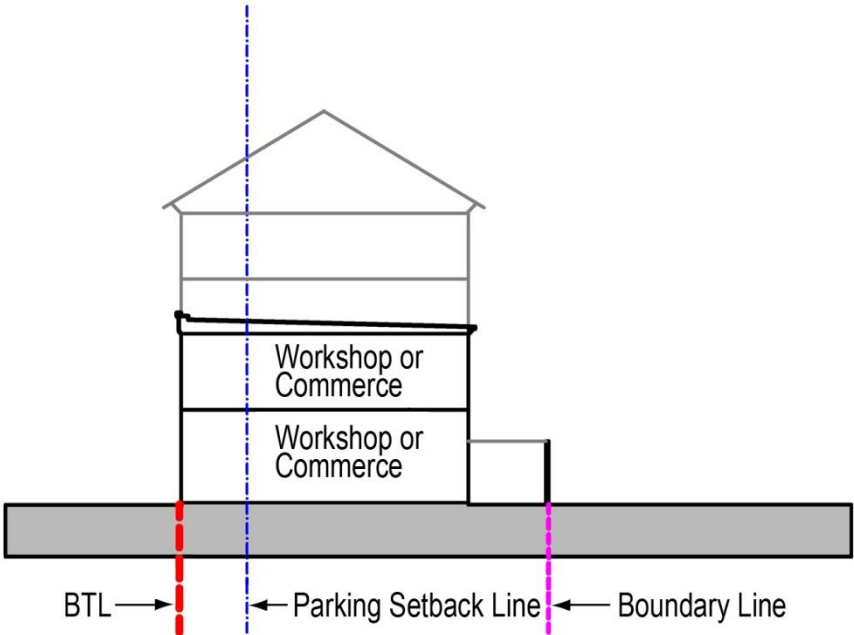
10 (ii) Awnings that project over the sidewalk portion of a Street-Space shall
11 maintain a clear height of at least ten (10) feet.

12 (C) Doors/Entries. At least one functioning pedestrian entry door shall be
13 provided along each Ground Story Façade at intervals not greater than one hundred (100) linear
14 feet.

15 (D) Street Walls and Privacy Fences.

16 (i) One vehicle entry gate no wider than twenty-five (25) feet and one (1)
17 pedestrian entry gate no wider than five (5) feet shall be permitted within any required Street
18 Wall, to a maximum of one (1) vehicle entry gate per one hundred (100) feet of frontage.

19 (ii) Privacy Fences may be constructed along any portion of a Common Lot
20 Line or boundary line not otherwise occupied by a building.



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(2) Use

(A) Ground Story. The Ground Story may only house workshop or commerce uses.

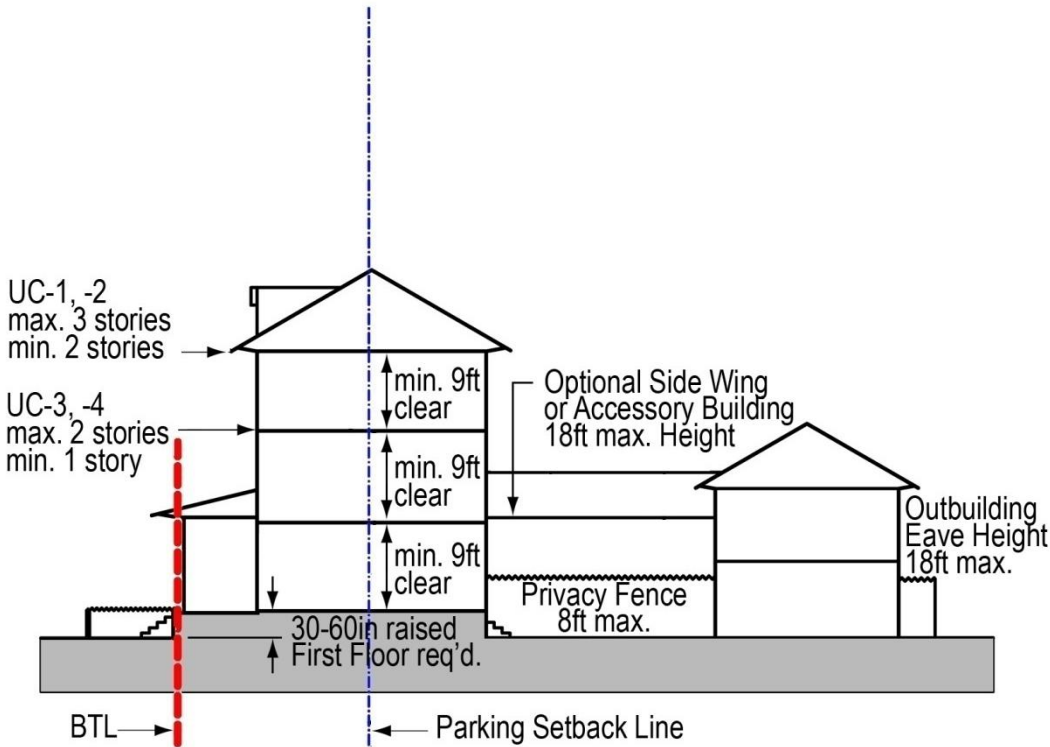
(B) Upper Stories. The upper stories may only house workshop or commerce uses. No restaurant or retail uses shall be allowed in upper stories.

(C) Specific Use Requirements. See Section 27A-802 for specific use requirements.

Sec. 27A-407. Detached Building Envelope Standards.

(a) Intent and Illustrations. The detached Building Envelope Standard generally consists of single-family houses with small front, side and rear yards along a tree-lined Street. Structures are typically 2 to 3 stories in height with pitched roofs and porches. This frontage is not common in an Urban Center. It is intended exclusively for the edges of centers that abut existing residential neighborhoods.

(b) Detached Height and Siting



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(1) Height

(A) Building Height. Each building shall be:

UC-1: 2 stories minimum, 3 stories and forty-five (45) feet maximum.

UC-2: 2 stories minimum, 3 stories and forty-five (45) feet maximum.

UC-3: 1 Story minimum, 2 stories and thirty (30) feet maximum.

UC-4: 1 Story minimum, 2 stories and thirty (30) feet maximum.

(B) A side wing or ancillary structure shall be no higher than eighteen (18) feet, measured to its eaves.

(C) Ground Story Height

(i) The average finished floor elevation shall be no less than thirty (30) inches and no more than sixty (60) inches above the exterior sidewalk elevation at the Build-to-Line (BTL).

(ii) At least eighty percent (80%) of the first Story shall have an interior clear height (floor to ceiling) of at least nine (9) feet.

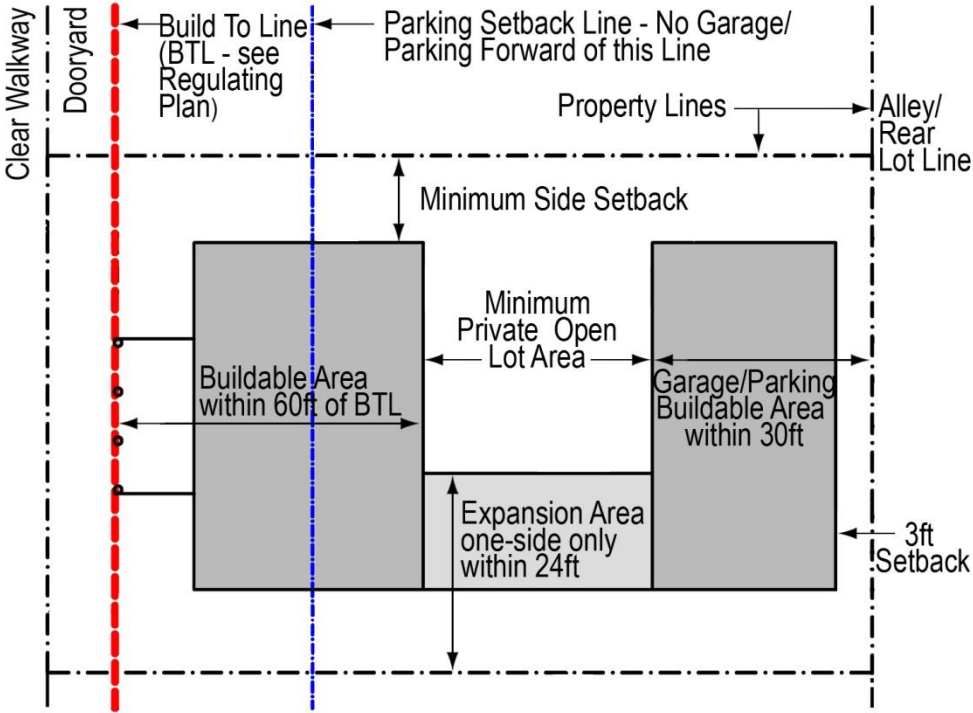
(iii) The maximum Ground Story floor to floor height is sixteen (16) feet.

1 (D) Upper Story Height

2 (i) The maximum floor-to-floor Story Height for stories other than the
3 Ground Story is twelve (12) feet.

4 (ii) Each upper Story shall have an interior clear height (floor to ceiling) of
5 at least nine (9) feet.

6 (E) Front Yard Fence. A Front Yard Fence is required with a minimum height of
7 thirty (30) inches and a maximum height of forty (40) inches. The Front Yard Fence may be
8 located within one (1) foot behind and parallel to the property line sidewalk/Dooryard area of
9 private lots and also along common lot lines to a point at least ten (10) feet back from the Build-
10 to Line.



11 (2) Siting

12 (A) Street Façade

13 (i) On each lot the Front Porch shall be built to the Build-to Line (BTL) for
14 at least thirty-three percent (33%) of the building width.
15

1 (ii) Within twenty (20) feet of a Block Corner the building Façade shall be
2 eight (8) to ten (10) feet behind the Build-to Line (BTL).

3 (B) Buildable Area. A contiguous private open space equal to at least twenty-five
4 percent (25%) of the total Buildable Area shall be preserved on every lot. Such contiguous open
5 area may be located anywhere behind the parking setback, at grade.

6 (C) Lot Size

7 (i) Each lot has a minimum width of twenty-four (24) feet and a minimum
8 depth of ninety (90) feet.

9 (ii) Each lot has a maximum width of seventy-five (75) feet or two-thirds
10 (2/3) of the width of the existing fronting lots, whichever is greater. The maximum depth is one
11 hundred twenty (120) feet.

12 (D) Front Yard. The Front Yard/Dooryard shall not be paved.

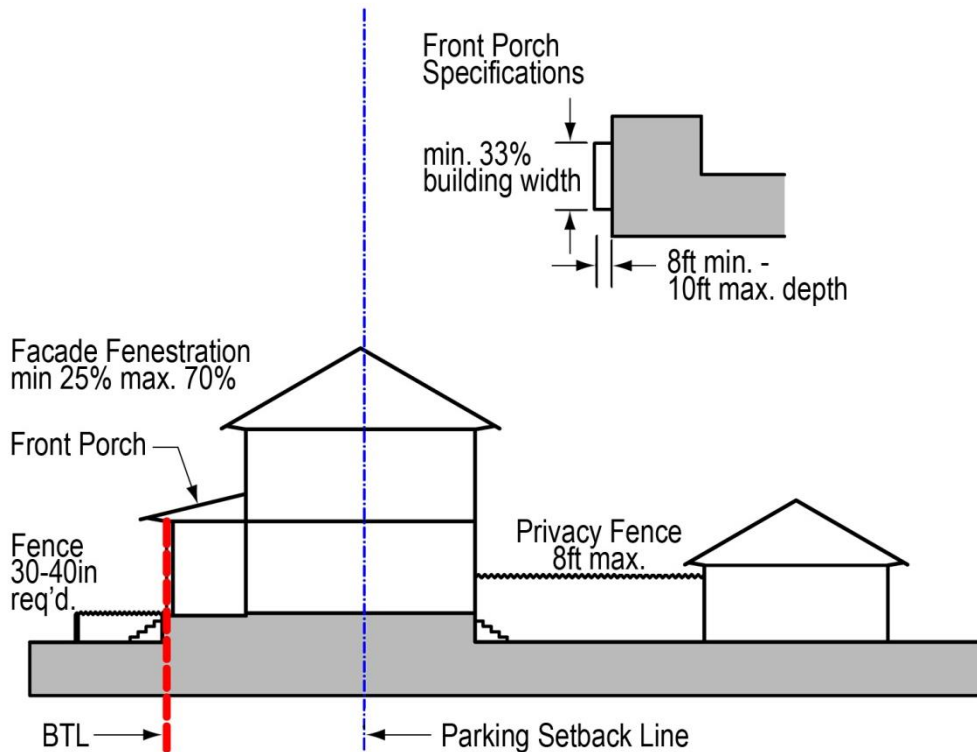
13 (E) Side Lot Setbacks. The minimum side lot setback shall be five (5) feet or as
14 otherwise designated on the Regulating Plan.

15 (F) Garage and Parking. Curb cuts or driveways shall be located at least seventy-
16 five (75) feet away from any Block Corner or another garage entry on the same Block face.
17 These requirements are not applicable along Alleys.

18 (G) Garage doors shall not be located on the Build-to Line (BTL)/building
19 Façade.

20 (H) Alleys. There is a three (3) foot required setback from Alleys.

21 (c) Detached Elements and Use



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(1) Elements

(A) Fenestration

(i) Blank lengths of wall exceeding twenty (20) linear feet are prohibited on all Build-to Lines (BTL).

(ii) Fenestration on all Façades shall comprise at least twenty-five percent (25%), but not more than seventy percent (70%), of the Façade.

(iii) No Ground Story window may face or direct views toward a Common Lot Line within twenty (20) feet unless:

(aa) That view is contained within the lot (e.g. by a Privacy Fence/Garden Wall), or

(bb) The sill for any window on the Ground Story is at least six (6) feet above the finished floor level.

(B) Building Projections

(i) Each lot shall include a Front Porch at the Build-to Line (BTL), between eight (8) feet and ten (10) feet deep with a width not less than thirty-three percent (33%) of the

1 building width.

2 (ii) No part of any building except porch roof (overhanging eaves) and steps
3 shall encroach beyond the Build-to Line (BTL).

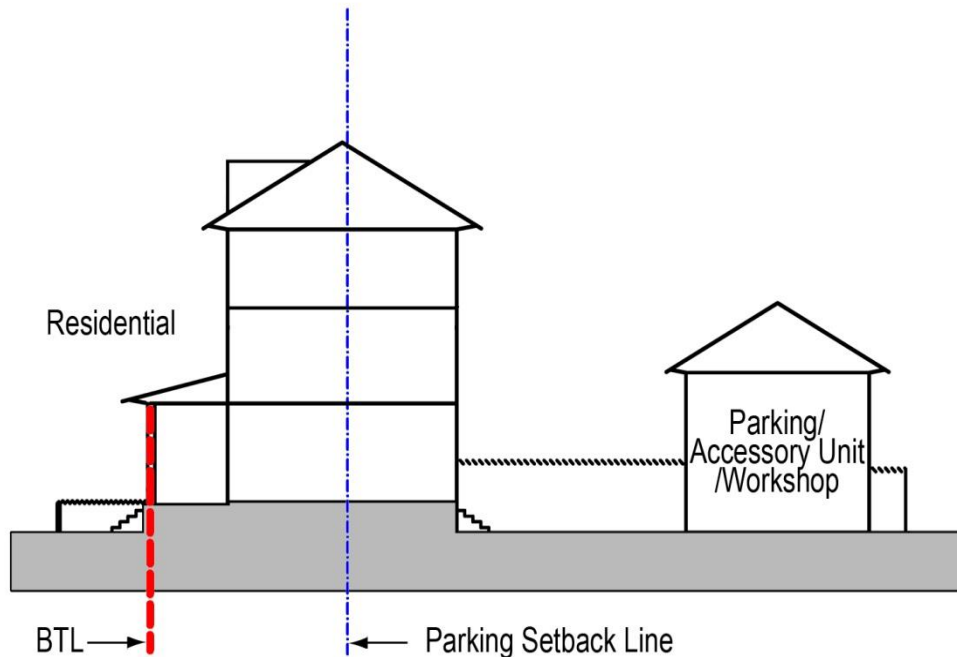
4 (C) Doors/Entries. At least one functioning entry door shall be provided along the
5 Ground Story Façade of each building.

6 (D) Street Walls and Fences

7 (i) There is no Street Wall requirement.

8 (ii) A Front Yard Fence is required within one (1) foot of the Clear
9 Walkway/Dooryard line parallel to the Build-to Line (BTL). The Front Yard Fence may be
10 located within one (1) foot behind and parallel to the property line sidewalk/Dooryard area of
11 private lots and also along common lot lines to a point at least ten (10) feet back from the Build-
12 to Line.

13 (ii) A Privacy Fence may be constructed along any Common Lot Line or
14 Alley, behind the Façade.



15
16 (2) Use

1 (A) Ground Story. The Ground Story may only house residential uses.

2 (B) Upper Stories

3 (i) The upper stories may only house residential uses.

4 (ii) Additional habitable space is permitted within the roof where the roof is
 5 configured as an attic Story.

6 (C) Accessory Units. Parking and Accessory Unit uses are permitted in the
 7 Buildable Area at the rear of the lot. The maximum footprint for an Accessory Unit building
 8 shall not exceed six-hundred fifty (650) square feet.

9 (D) Specific Use Requirements. See Section 27A-802 for specific use
 10 requirements.

11 **Section 27A-408. Limited Access Highway.**

12 (a) Intent

13 (1) This section provides for the unique circumstance of the Street Frontage along a
 14 limited access highway where, if designated on the Regulating Plan, certain relaxations and
 15 exceptions to elements of this Subtitle may be granted.

16 (2) The exemptions allow building Façades that face Limited Access Highway
 17 Frontages to respond to the roadway at an appropriate scale. They provide more leeway for
 18 signage and allow non-“Street-wall” buildings above the Ground Story level (e.g.: where the
 19 upper stories are not built-to the Build-to Line (BTL), including curved and/or open
 20 courtyard/“alphabet” configurations).

21 (3) Frontages on Streets intersecting with the Limited Access Highway Frontage are
 22 subject to the full standards for those Street Frontages.

23 (b) Building Envelope Standards

24 (1) Height. The height limit may be increased by thirty-three percent (33%).

25 (2) Siting. The minimum build-to may be reduced to fifty percent (50%) (Street Wall
 26 requirements still apply).

27 (3) Elements.

28 (i) The requirements for upper Story Fenestration do not apply.

29 (ii) The Ground Story minimum Fenestration requirement may be reduced to
 30 twenty percent (20%).

31 (c) Blocks/Alleys

1 (1) There are no requirements to provide through-access along Block faces via an
 2 Alley, access easement, or pedestrian pathway.

3 (2) This Subtitle places no limits on curb cuts on the frontage road. (However, other
 4 County limitations may apply.)

5 (d) Architectural Standards

6 (1) Windows and Doors.

7 (i) The requirements for upper Story window light transmission do not apply.

8 (ii) Configurations and Techniques. The requirements for upper Story windows
 9 do not apply.

10 (2) Signage Regulations for Limited Access Highway Frontage.

11 (i) Prohibited signs within this frontage are as specified by Section 27-593 of
 12 the County Code.

13 (ii) Complete sign plans for property in the Limited Access Highway Frontage
 14 shall be submitted at the time of Permit Site Plan review. This submittal shall include plans,
 15 sketches, or photographs indicating the design, size, methods of sign support, and other
 16 information the Planning Director or Designee requires, and shall clearly indicate the location of
 17 any proposed marquee or freestanding signs associated with the development.

18 (iii) One marquee sign or freestanding sign is permitted for each development.

19 (iv) Freestanding signs shall only be located on property where the main building
 20 associated with the sign has been constructed.

21 (v) Wall signs mounted to the Façade of any building in the Limited Access
 22 Highway Frontage are allowed anywhere above the second Story floor level.

23 (vi) The maximum lettering size is thirty-six (36) inches in height.

24 (vii) The maximum height for marquee and freestanding signs is twenty-five (25)
 25 feet, and the maximum area of the sign shall not exceed one (1) square foot for each four (4)
 26 lineal feet of Street Frontage, to a maximum of one hundred (100) square feet.

27 (viii) No sign shall extend more than twelve (12) feet above the roof line or
 28 parapet wall (whichever is higher) of that part of the building to which it is attached.

29 (ix) The light from any illuminated sign shall be shaded, shielded, or directed so
 30 that light intensity does not adversely affect surrounding areas or contribute to light pollution and
 31 sky glow effects.

1 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

2 **PART 5. URBAN SPACE AND RECREATION STANDARDS.**

3 **Sec. 27A-501. Applicability.**

4 (a) The urban space and recreation standards apply to new development as well as the
 5 reconstruction of existing Streets and other public (and publicly accessible) spaces.

6 (b) The urban space and recreation standards establish the rules and standards for the
 7 public realm, especially Streets and sidewalks.

8 (c) The urban space and recreation standards ensure equitable access to parks and
 9 recreation amenities for all residents, workers, and visitors within Urban Centers and Corridor
 10 Nodes.

11 **Sec. 27A-502. Purpose and Intent.**

12 (a) Although commonly thought of as just squares, greens, plazas, or parks, the urban
 13 space (or public realm) is much more; it includes the complete Street-Space—the public domain
 14 between the building Façades: the travel lanes between the curbs as well as the sidewalks; the
 15 public plazas as well as urban parks and greens.

16 (b) The 2002 General Plan clearly encourages pedestrian-oriented development as a high
 17 priority for the Developed and Developing Tiers and establishes pedestrian-oriented design as a
 18 goal for the designated Centers and Corridors. The urban space and recreation standards are
 19 directly related to that goal. Specifically:

20 (1) They establish an environment that encourages and facilitates pedestrian activity,
 21 creating “walkable” Streets that are comfortable, efficient, safe, and interesting.

22 (2) They ensure the coherence of the Street-Space, serving to assist residents,
 23 building owners, and managers with understanding the relationship between the Street-Space and
 24 their own lots.

25 (3) They contribute to ultimate sustainability. Native trees and plants contribute to
 26 privacy, the reduction of noise and air pollution, shade, maintenance of the natural habitat,
 27 conservation of water, and rainwater management.

28 (4) They enhance the health, fitness, and general welfare of the citizens of Prince
 29 George’s County.

1 (c) Property frontages and building Façades are part of the public realm, literally forming
 2 the walls of the public Street-Space and are therefore subject to more regulation than the other
 3 portions of private property.

4 (d) The private, interior portions of the lots (toward the Alley or rear lot lines) allow
 5 commercial operators to utilize these spaces as efficient working environments unseen by the
 6 public and allow residents to have private (semi-private for apartment and condominium
 7 dwellers) gardens and courtyards.

8 **Sec. 27A-503. Street Type Specifications.**

9 The Street type specifications illustrate typical configurations for Street-Spaces within an Urban
 10 Center District. The plans and sections specify vehicular travel lane widths, curb radii,
 11 sidewalks, tree planting areas, and on-Street parking configurations. They also provide a
 12 Comparative Pedestrian Crossing time as a gauge of relative pedestrian crossing-comfort
 13 between the various Street types (this measure assumes a pedestrian speed of 3.7 feet per
 14 second).

15 (a) **General Provisions.**

16 (1) Intent

17 (A) Streets are a community's first and foremost public spaces and should be just
 18 as carefully designed and planned as any park or public building. The character of the Street-
 19 Space—both its scale and its details—plays a critical role in determining the pedestrian quality
 20 of a given location.

21 (B) Streets shall balance the needs of all forms of traffic—auto, transit, bicycle
 22 and pedestrian—to maximize mobility and convenience for all County residents and all users of
 23 an Urban Center District. Their character shall vary depending on their location: some Streets
 24 shall carry a large volume of traffic and provide a more active and intense urban pedestrian
 25 experience while others shall provide a less active and more intimately scaled Street-Space.

26 (C) Transportation corridors within an Urban Center District are Streets—not
 27 highways, arterials, or collectors—and shall be developed as such to create the type of
 28 pedestrian-oriented places described in the General Plan. All neighborhood Street types are
 29 designed primarily for walkability and pedestrian comfort, with automobile movement as a
 30 secondary focus.

31 (2) Principles

1 (A) The appropriate design of Streets is one of the most important design
2 elements for an Urban Center.

3 (B) To design for continuous free-flowing traffic creates situations where
4 vehicles will travel at speeds greater than desirable for pedestrians.

5 (C) With appropriate design techniques, drivers will choose slower speeds and
6 less aggressive behavior, a feat typically not achieved through basic speed limit
7 signage/postings.

8 (D) Scale is a threshold design consideration for Street design elements covering
9 everything from signage to crossing distances. In an Urban Center or Corridor Node, the scale
10 should be that of the pedestrian rather than the automobile.

11 (E) An interconnected Street network allows traffic capacity to be diffused and
12 maintained across numerous Streets.

13 (F) Each Urban Center District shall contain bikeways that lead to the
14 employment, housing, and transit destinations within that district and which provide additional
15 opportunities for urban recreation.

16 (G) Larger vehicular corridors can be maintained/located at the edges of the
17 district between Urban Neighborhoods.

18 (H) Emergency vehicle access shall be maintained, but with an interconnected
19 Street network, there shall always be at least two routes of access to any lot or parcel.

20 (I) Differences between “requirements” and “preferences” can be significant—
21 increased lane width and the accompanying increased vehicle speed more often than not
22 decrease the overall safety for pedestrians.

23 (J) On-Street parking slows passing vehicular traffic and acts as a buffer
24 between moving vehicles and pedestrians.

25 (K) Overall function, comfort, safety, and aesthetics of a Street are more
26 important than efficiency alone.

27 (L) In a pedestrian-oriented area, non-vehicular traffic should be provided with
28 every practical advantage so long as safety is not adversely affected.

29 (M) Street design should take into consideration what is reasonably foreseeable,
30 not every situation that is conceivably possible.

31 (N) Designing a Street to facilitate (rather than accommodate) infrequent users

1 may actually be the wrong design for the frequent users of the space.

2 (O) When the Street design creates a conflict between the vehicular and non-
 3 vehicular user, it should be resolved in favor of the non-vehicular user unless public safety shall
 4 be truly jeopardized by the resolution.

5 (3) Modifications

6 (A) The Street configurations may be modified for the strict purposes of forming
 7 public open space as required by Part 3. Regulating Plan and Functional Overlays, and Part 5.
 8 Urban Space Standards, of this Subtitle.

9 (B) Where medians are provided for in these major Street types, they may be
 10 modified (enlarged) for urban design purposes during the master planning process. Such
 11 modifications shall be subject to approval by the fire marshal and other appropriate agencies if
 12 they result in one lane, one-way sections.

13 (b) Neighborhood Street Types

14 (1) General Provisions

15 (A) These are the permitted Street types and configurations within the bound-
 16 aries of an Urban Neighborhood. They may also be used elsewhere within an Urban Center
 17 District.

18 (i) Neighborhood Street 1 (NST-1)

19 (ii) Neighborhood Street 2a (NST-2a)

20 (iii) Neighborhood Street 2b (NST-2b)

21 (iv) Neighborhood Street 3 (NST-3)

22 (v) Mid-Block Emergency Staging Area configuration

23 (vi) Alley-24

24 (vii) Alley-30

25 (B) The Urban Centers and their neighborhoods are designed to be the ideal
 26 complement to good transit service. The Neighborhood Street Types are not configured to
 27 provide free-flow bus service as they are not intended for through routes. That is the role of the
 28 Major Street Types.

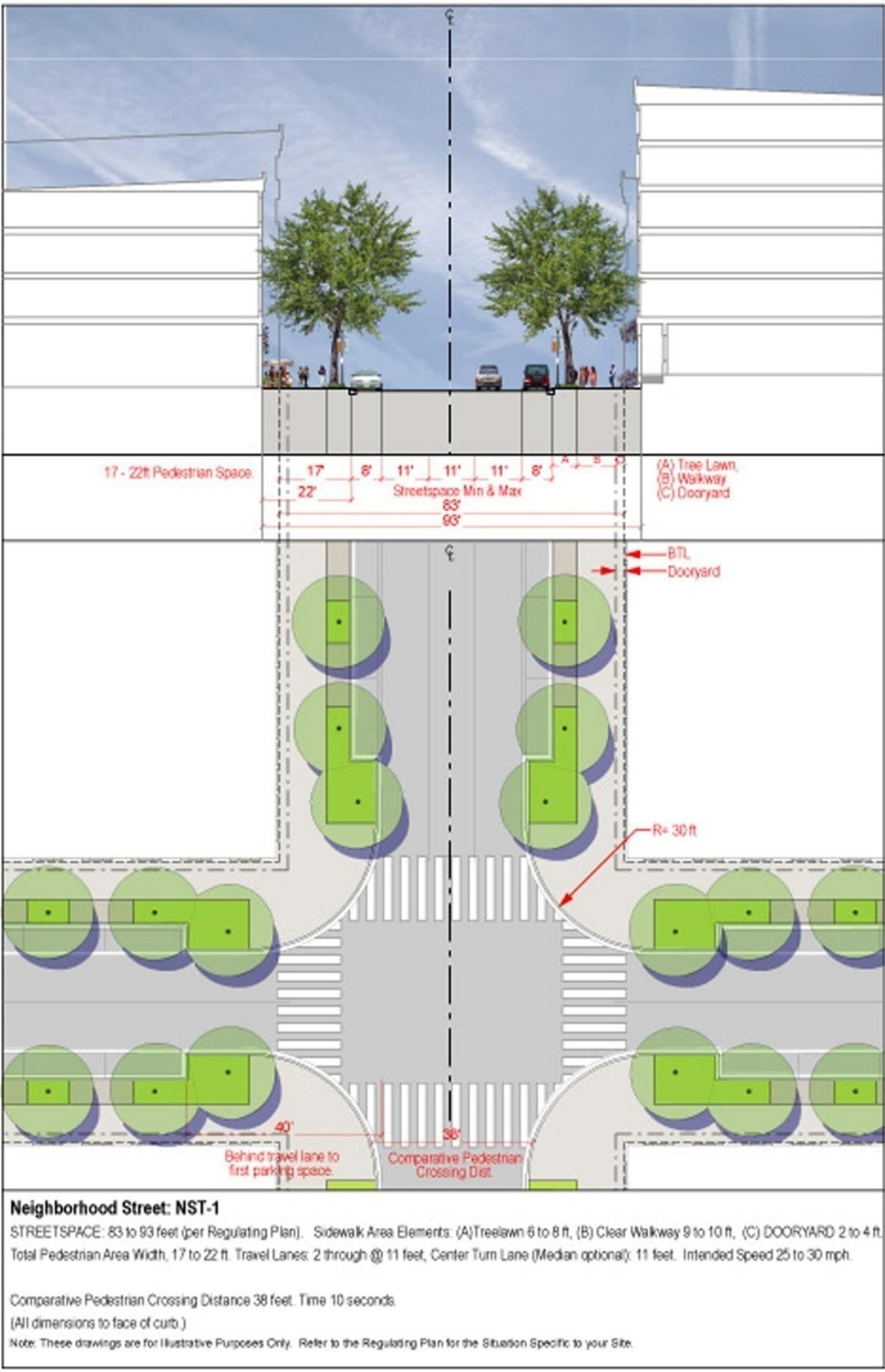
29 (iii) Bus and Rail transit routes should generally be between and along the
 30 Urban Neighborhoods, as determined during the development of a functional transportation
 31 network overlay.

1 (iv) If the master planning process determines that a transit route should
2 pass through an Urban Neighborhood, the prescribed curb radii for the given Street may be
3 modified at the point of entry and exit for the Urban Neighborhood. Modification is handled
4 through the functional transportation network overlay and is reflected as a note on the regulating
5 plan.

6 (C) Within the Urban Neighborhoods, intersections configured as roundabouts are
7 discouraged. They are encouraged at the edges of and between multiple Urban Neighborhoods,
8 where their ability to break up and distribute traffic flow is most appropriate and least disruptive
9 to pedestrian comfort.

10 (D) The Neighborhood Street Types are configured such that in-lane bicycle travel
11 is encouraged and appropriate.
12

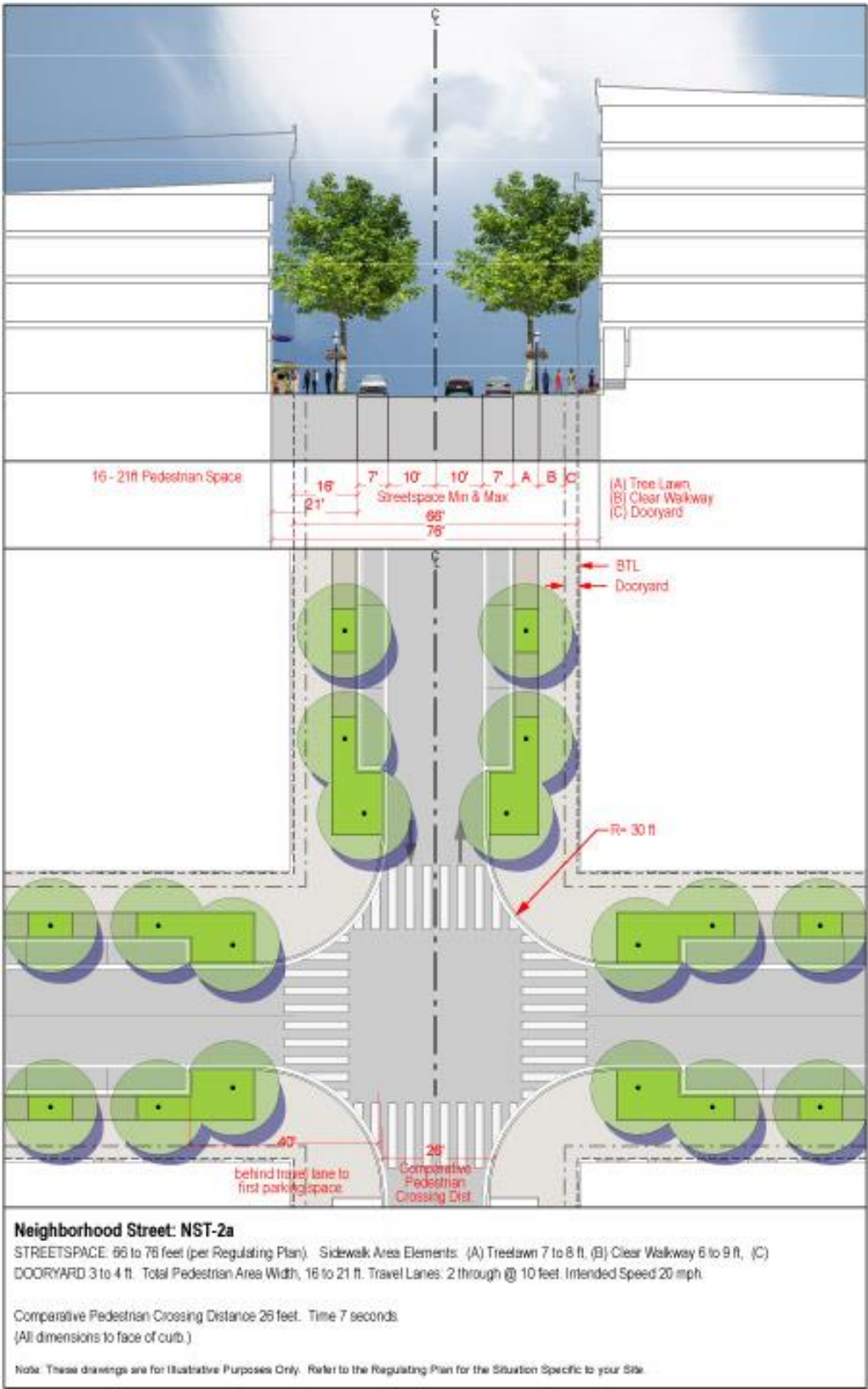
1 NST-1



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NST-2a

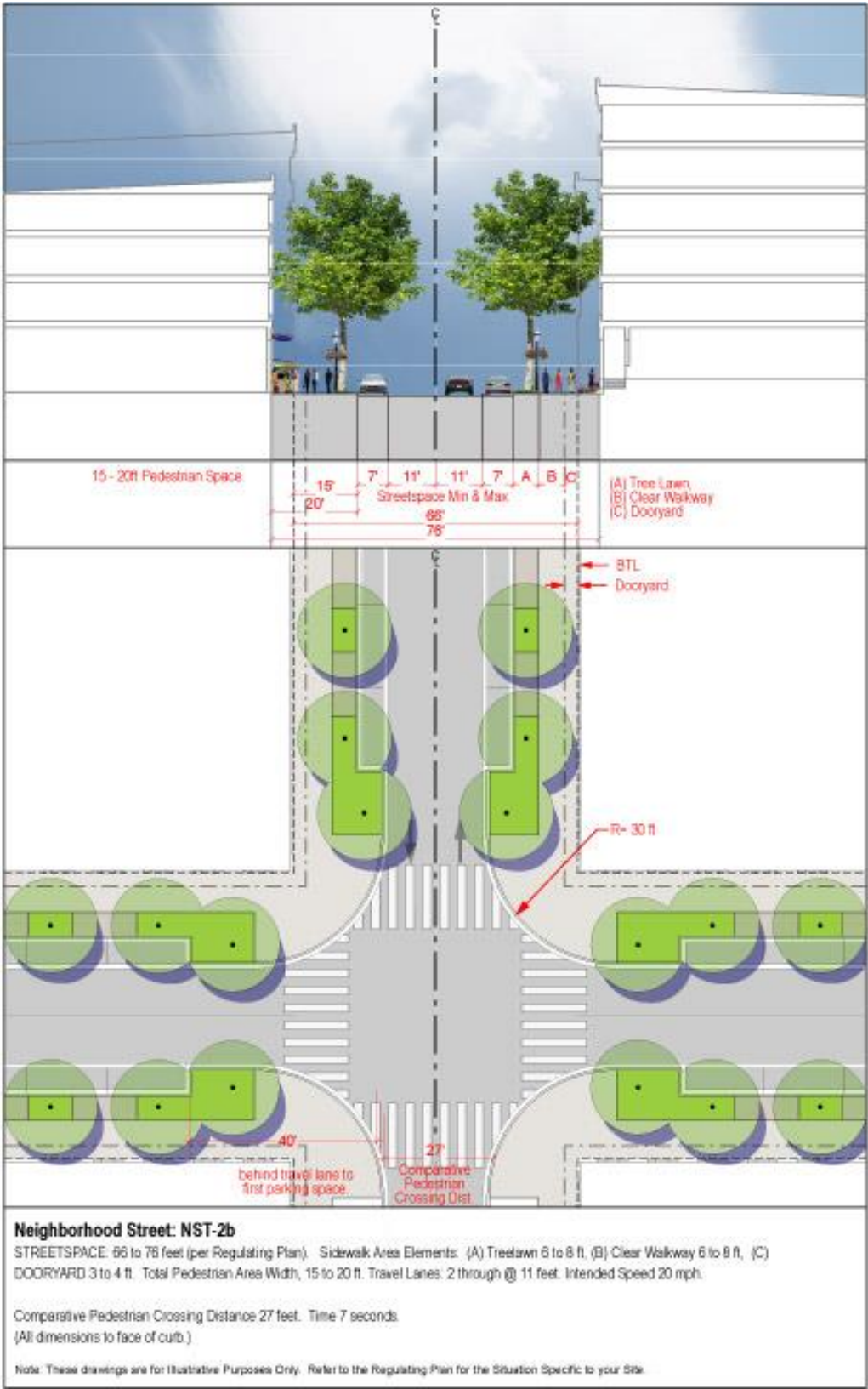


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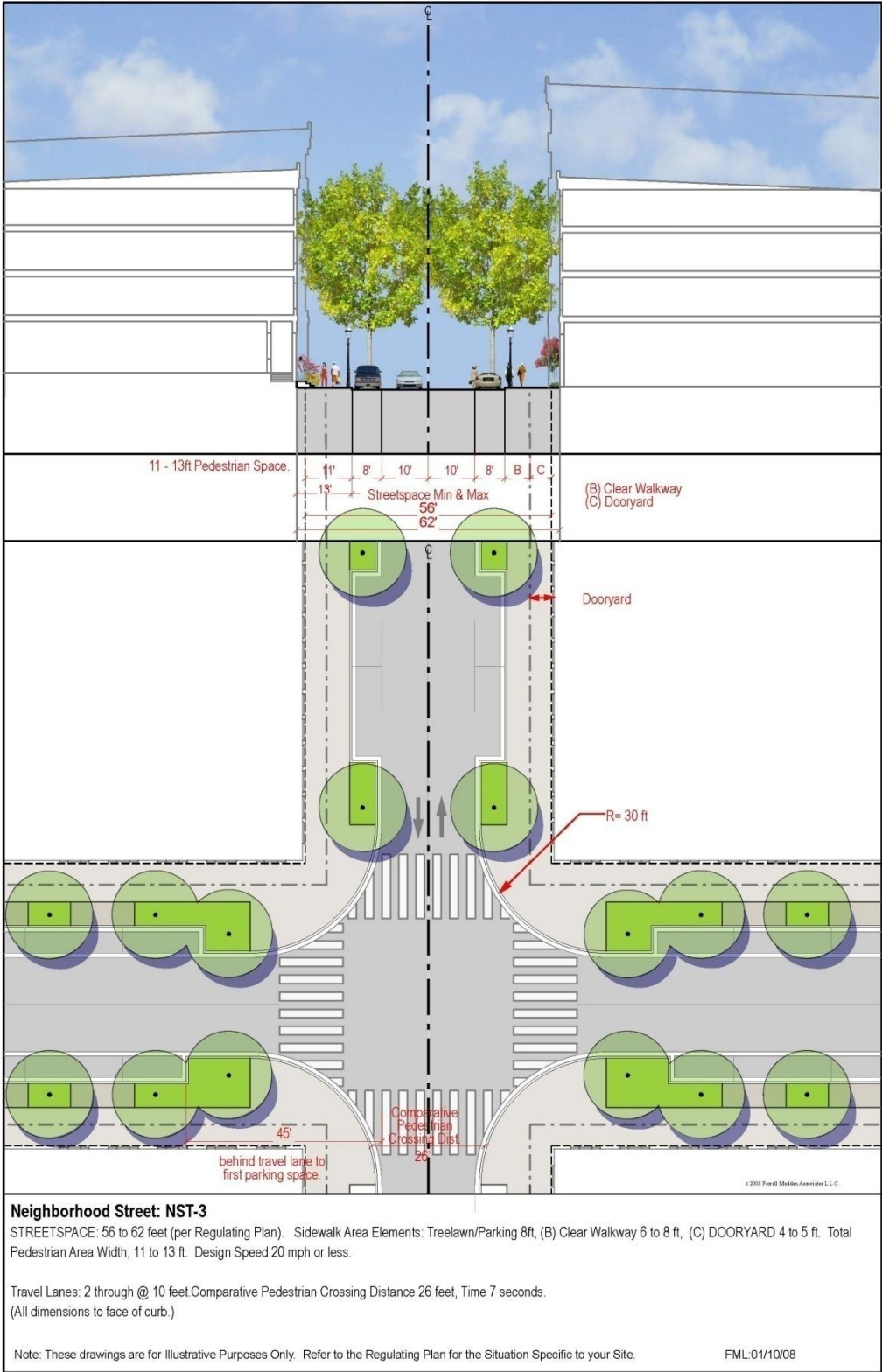
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1 NST-3

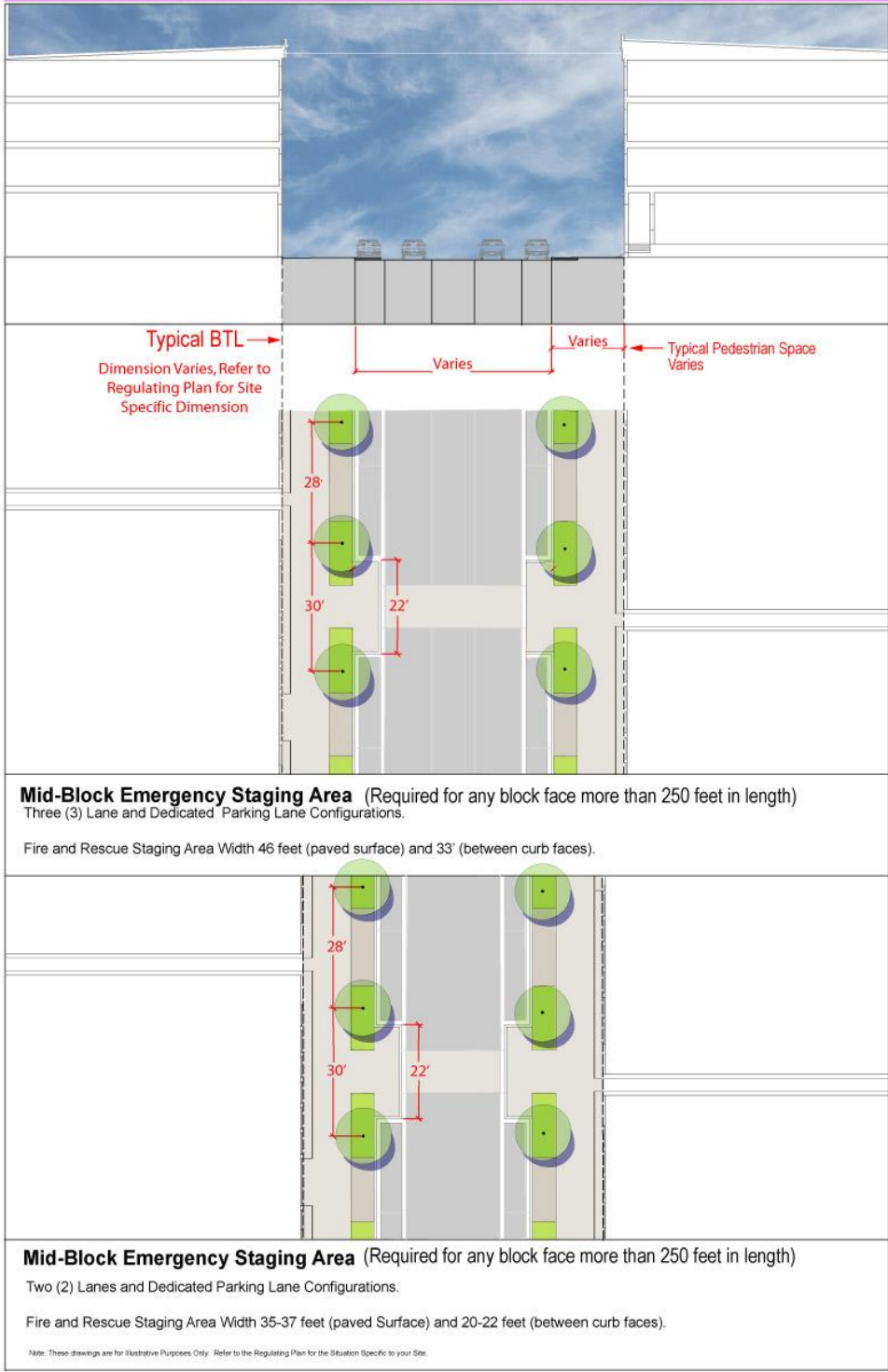


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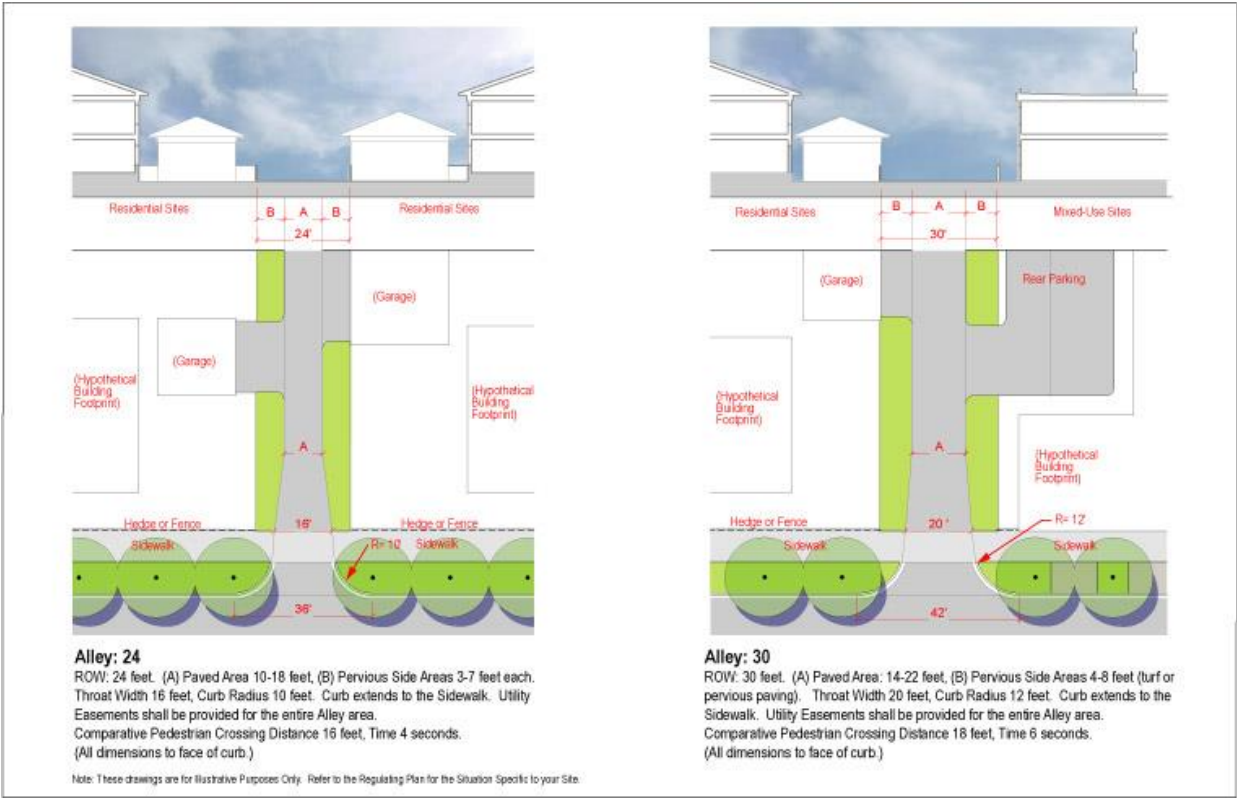
Mid-Block Emergency Access



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1 Alley 24, Alley 30



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3 (c) Major Street Types

4 (1) General Provisions

5 (A) These Street types are the preferred standards for the major thoroughfares
6 through and within an Urban Center District. They are intended to border and define the Urban
7 Neighborhoods and are not permitted within an Urban Neighborhood. Modifications to these
8 standards, as proven necessary to accommodate preexisting and/or broader transportation
9 demands, may be made during the master planning process.

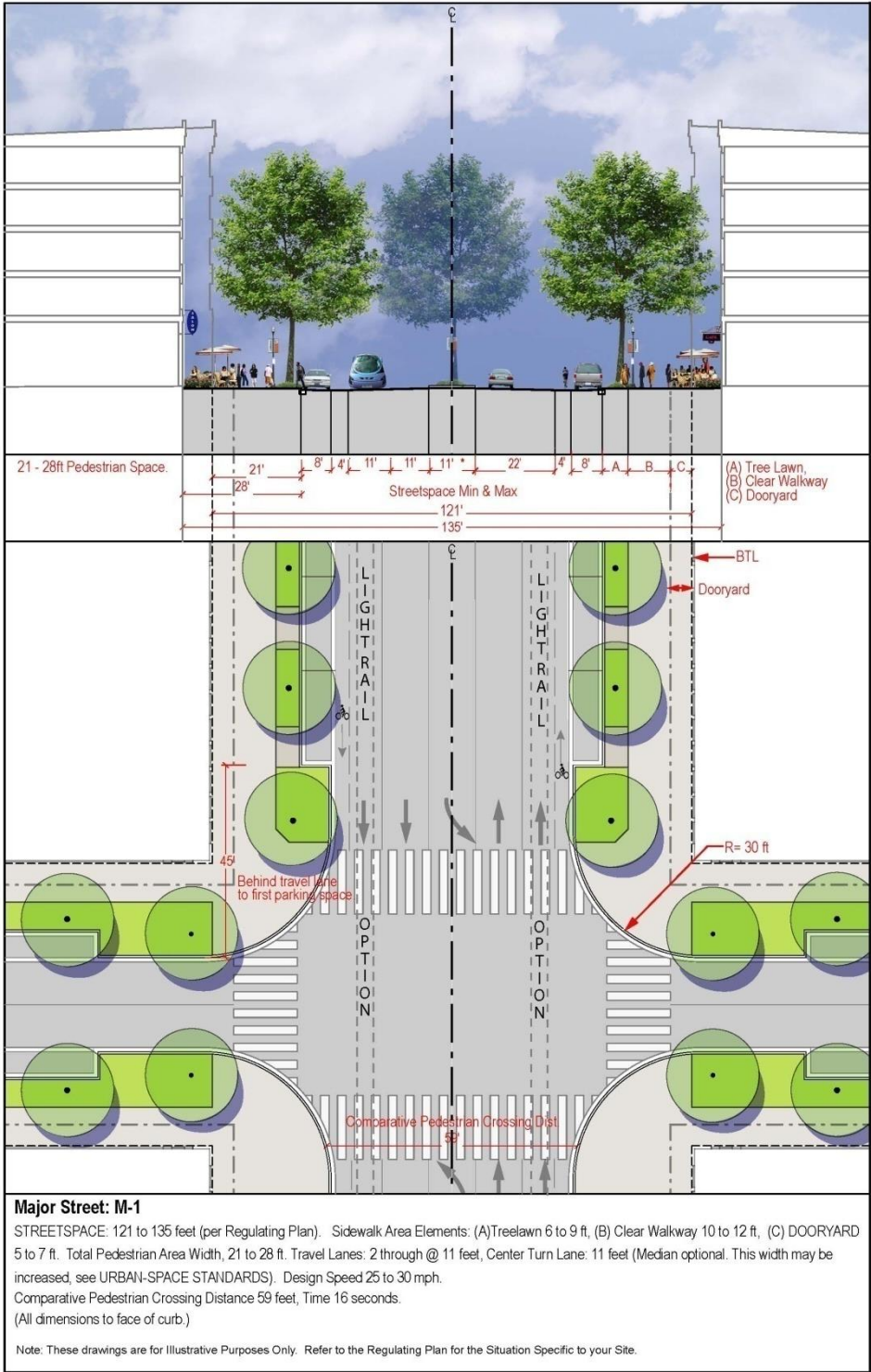
10 (i) Major Street 1 (M-1)

11 (ii) Multi-Way Boulevard 1 (MWB-1, intended for larger, regional roadways)

12 (B) Both major Street specifications show rail transit as an option. These are shared
13 lane configurations that allow rail lines to be easily added in the future.

14 (C) The Major Street Types provide dedicated bicycle lanes; bicycle travel in the
15 automobile lane is not appropriate or safe.

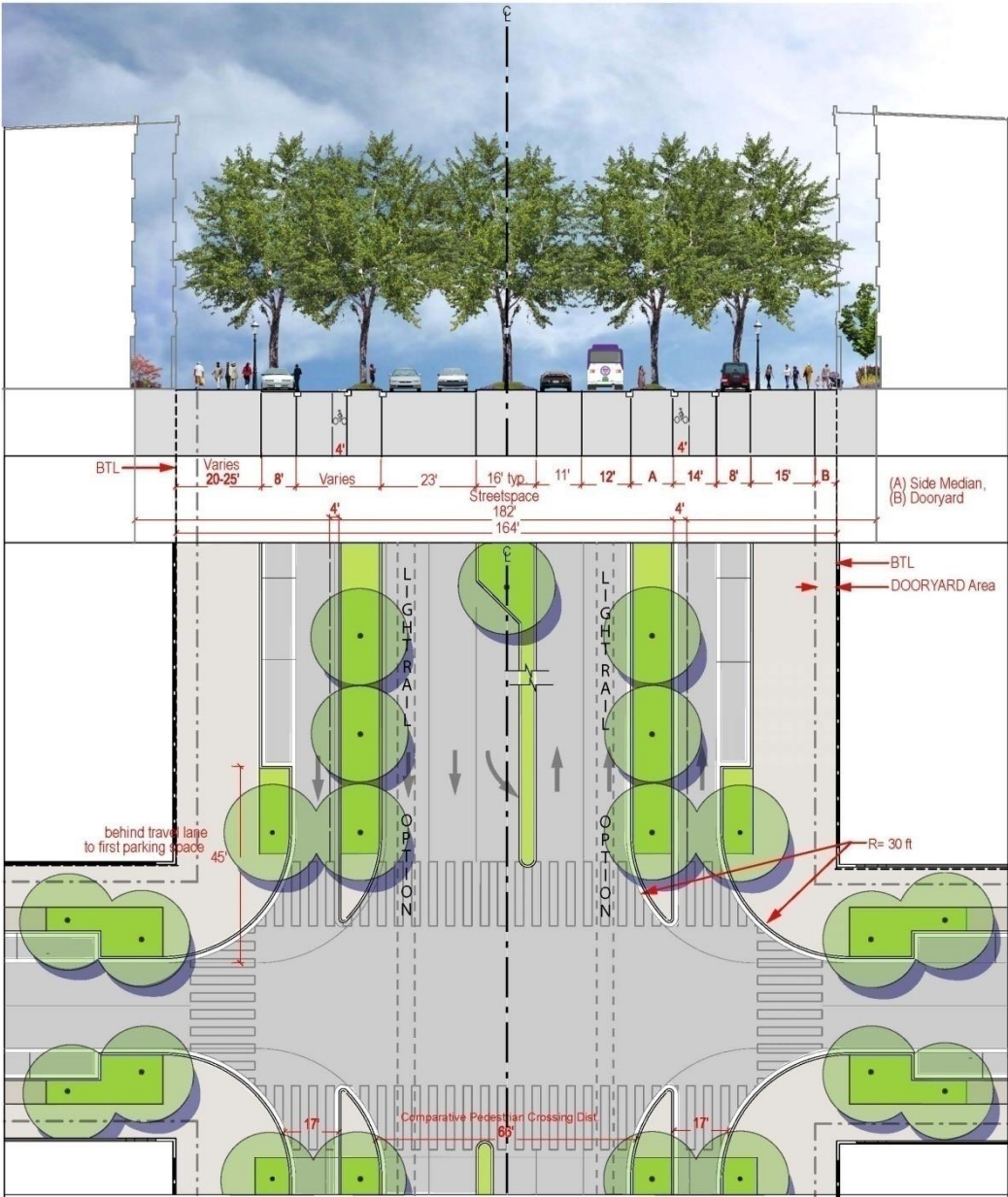
16 M-1



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MWB-1



Multi-Way Boulevard: MWB-1

STREETSPACE: 156 to 174 feet (per Regulating Plan). Sidewalk Area Elements: (A) Side Median 10 to 15 ft, Clear Walkway 15 ft, (B) DOORYARD 5 to 10 ft. Total Pedestrian Area Width, 20 to 25 ft. Travel Lanes*: 2 inside through @ 11 feet, 2 outside through @ 12 feet
 Bicycle Lane 2 @ 4 feet, Slip Lane 2 @ 10 feet, Parking Lanes: 8 feet, Center Turn Lane/Median: 16 feet Median width may be increased, see urban space standards.
 Design Speed, Through Lanes 25 to 35 mph, Slip Lanes Below 20 mph.

Comparative Pedestrian Crossing Distance 66 feet, Time 18 seconds.

(All dimensions to face of curb.)

* This may be increased to a total 6 through lanes where warranted by extreme traffic volume situations.

Note: These drawings are for Illustrative Purposes Only. Refer to the Regulating Plan for the Situation Specific to your Site.

2

1 **Sec. 27A-504. Streetscape Standards.**

2 **(a) General Provisions.**

3 (1) All plant material (including trees) shall pass any inspections required under State
4 regulations.

5 (2) All plant material within the Street-Space shall be irrigated and maintained by the
6 abutting property owner.

7 (3) All turf grass shall be solidly sodded at installation—not seeded, sprigged, or
8 plugged. Vegetative groundcovers may be used in place of turf grass.

9 (4) In addition to the lot, the owner shall maintain the following areas:

10 (A) The portion of the Street-Space between their lot line and the back of the curb.

11 (B) The portion of the Alley between the lot line and the edge of the Alley
12 pavement.

13 (5) Mechanical and electrical equipment including, but not limited to, air com-
14 pressors, pumps, exterior water heaters, water softeners, private garbage cans (not including
15 public sidewalk waste bins), and storage tanks shall not be stored or located within any Street-
16 Space. Water pumps not visible are not included in this prohibition. Temporary placement of
17 private garbage cans within the Street-Space may be allowed to accommodate scheduled pick-
18 up.

19 **(b) Street Trees.**

20 (1) Each Street-Space shall have Street Trees planted along the Street Tree Alignment
21 Line (generally 3 to 3½ feet from the back of the curb unless otherwise specified in the approved
22 Regulating Plan) at an average spacing not greater than thirty (30) feet on center, calculated per
23 each Block face. Where necessary, spacing allowances may be made to accommodate curb cuts,
24 fire hydrants and other infrastructure elements; however, at no location may Street Tree spacing
25 exceed fifty (50) feet on center. Required tree planting area configurations are specified in the
26 Section 27A-503 and below.

27 (2) Required tree planting area minimum specifications are as follows:

28 (A) Soil surface area shall not be less than ninety (90) square feet per
29 isolated tree or sixty (60) square feet per tree for connected (Tree Lawn) situations.

30 (B) No dimension of the soil surface area may be less than five and a half
31 (5 ½) feet.

1 (C) These requirements may be met through the use of bridged slab,
 2 structural soil, or other techniques that clearly exceed these standards in the fostering of vital and
 3 long-lived Street Trees.

4 (D) Street Tree planting areas shall be at grade or not greater than six
 5 inches in height above or below the sidewalk

6 (E) At planting, Street Trees shall be at least three (3) inches in caliper.
 7 Species shall be selected from the *Landscape Manual* for private Streets. For public Streets, the
 8 County Department of Public Works and Transportation shall be consulted.

9 (F) Any unpaved ground area shall be planted with grass, groundcover,
 10 flowering vegetation, or climbing vines, not to exceed twelve (12) inches in height. Street Trees
 11 shall be “limbed up” as they gain appropriate maturity so as to not interfere with pedestrian or
 12 truck travel. The minimum clear height over the sidewalk shall be seven (7) feet, and the
 13 minimum clear height over travel lanes of the Street shall be fourteen (14) feet to maintain
 14 visibility.

15 (c) **Streetscape Elements.**

16 Street furniture is an element of the overall Streetscape design—not an afterthought.
 17 Street furnishings should be simple, functional, and durable.

18 (1) Street Lights shall be installed on both sides of Streets along the Street Tree
 19 Alignment Line and unless otherwise designated on the Regulating Plan, at intervals of not more
 20 than eighty (80) feet, measured parallel to the Street.

21 (2) Street Lights shall be between nine (9) and sixteen (16) feet above ground in
 22 height.

23 (3) At the time of development, the developer is required to install sidewalks as
 24 illustrated in Section 27A-503.

25 (4) At the time of development, the developer is responsible for the installation of
 26 Street Lights and sidewalks on the side of the Street-Space being developed.

27 (5) Sidewalks not otherwise designated in the Regulating Plan shall be a minimum of
 28 six (6) feet wide and be constructed to meet all County and ADA specifications.

29 (d) **On-Street Parking.**

30 (1) On-Street parking spaces shall count towards parking requirements (see Part 7.
 31 Parking and Loading Standards).

1 (2) The parking space/tree planting pattern may be interrupted by existing or new
 2 driveways designated in the Regulating Plan, Streets, Alleys, and transit stops or stations, but at
 3 no time may Street Tree spacing exceed fifty(50) feet on center except where Street NST-3 curb
 4 bump-outs or driveway entrances may necessitate an increase in Street Tree spacing.

5 (3) Parking spaces shall be constructed in a manner that allows proper drainage
 6 (generally a “w” profile, having a gutter pan between the travel and parking lanes).

7 (4) If on-Street bicycle parking is provided forward of the Dooryard area, the racks
 8 shall be located along the Street Tree Alignment Line.

9 **Sec. 27A-505. Squares, Civic Greens, Parks, and Recreation Facilities.**

10 **(a) Intent.**

11 (1) These standards apply to those spaces that are either publicly owned or publicly
 12 accessible, if such spaces are being used to meet the minimum public space requirements of this
 13 Subtitle (see Part 3. Regulating Plans and Functional Overlays).

14 (2) Squares, Civic Greens, and plazas should be situated at prominent locations
 15 within each Urban Neighborhood and should be dedicated to important events or citizens. The
 16 green plants and trees of squares and Civic Greens provide a landscape and civic architecture
 17 that complement the surrounding private building architecture.

18 (3) Squares are active pedestrian centers. Civic Greens are spaces intended for less
 19 intensive foot traffic. Surface treatment is regulated accordingly.

20 (4) Pervious paving materials (to allow oxygen for tree roots and absorb stormwater
 21 run-off) are encouraged in both squares and Civic Greens, and the percentage of impervious
 22 paving material is limited (see Section 27A-505(c)).

23 (5) Small urban active fields, pocket parks, and indoor recreation facilities are
 24 appropriate to serve the recreation needs of the residents, workers, and visitors of an Urban
 25 Center or Corridor Node. The locations of these facilities shall be carefully considered and
 26 addressed during the preparation of the public facilities Functional Overlay and the Regulating
 27 Plan.

28 (6) Parks consisting of large natural areas, active recreation areas including multiple
 29 ball fields and more than eight (8) recreation components, and special facilities such as
 30 equestrian centers, ice rinks, and tennis bubbles are not permitted within an Urban
 31 Neighborhood. These larger parks are encouraged within an Urban Center District at the

1 periphery or between Urban Neighborhoods. Walking, biking, and hiking trails should be
 2 incorporated to the Regulating Plan to ensure full access to these local amenities.

3 **(b) Standards.**

4 Squares and Civic Green shall be designed, planted and maintained according to the
 5 following requirements.

6 (1) All squares and Civic Greens shall have not less than sixty percent (60%) of their
 7 perimeter fronting rights-of-way. Both types of spaces shall be surrounded by Street Trees. Their
 8 dimensions shall be no narrower than a one to five (1:5) ratio and no square or Civic Green width
 9 or breadth dimension shall be less than twenty-five (25) feet.

10 (2) Appropriate to their high (pedestrian) traffic level they shall be designed with a
 11 higher percentage of paved surface area.

12 (3) Squares and Civic Greens shall not include active recreation structures such as ball
 13 fields and courts.

14 **(c) Materials and Configurations.**

15 (1) General

16 (A) Street Trees shall be planted along the Street Tree Alignment Line in accor-
 17 dance with Section 27A-504(b). They may be of a different species than those planted on
 18 connecting Streets.

19 (B) The ground surface level elevation shall be between zero (0) and eighteen
 20 (18) inches above the top of the adjacent curb.

21 (C) The maximum slope across any square or Civic Green shall not exceed five
 22 (5) percent.

23 (D) Except for tree trunks, Street Lights, civic buildings, public art or monu-
 24 ments, there shall be a clear view between two (2) and eight (8) feet above grade. The foliage of
 25 newly planted trees may intrude into this area until the tree has sufficient growth to allow such a
 26 clear trunk height.

27 (E) Trees within a square or Civic Green may also be selected from the
 28 Landscape Manual.

29 (F) Asphalt is prohibited within a square or Civic Green.

30 (2) Squares. Appropriate to their high pedestrian traffic level, squares shall
 31 incorporate a higher percentage of paved surface area. Surface treatment and materials (within

1 the area back-of-curb to back-of-curb, excluding any civic building, public art or monument
 2 footprint) shall be a minimum twenty percent (20%) and a maximum forty-five percent (45%)
 3 unpaved pervious surface such as turf, groundcover, gravel, soil, or mulch.

4 (3) Civic Greens. Appropriate to their less intensive character and because they are
 5 used less often by pedestrians than Squares, Civic Greens shall be designed with a lower
 6 percentage of paved surface area. Surface treatment and materials (within the area back-of-curb
 7 to back-of-curb excluding any civic building, public art or monument footprint) shall be a
 8 minimum fifty percent (50%) unpaved pervious surface area (such as turf, groundcover, gravel,
 9 soil or mulch).

10 (4) Pedestrian Pathway. The area within a pedestrian pathway shall be a public access
 11 easement or public right of way. The easement width for these pathways shall not be less than
 12 twenty (20) feet with a paved walkway not less than ten (10) feet wide and shall provide an
 13 unobstructed view straight through its entire length, except where otherwise specified on the
 14 Regulating Plan.

15 **Sec. 27A-506. Private Open Space.**

16 (a) At least one (1) tree per eight hundred (800) square feet of any at-grade required
 17 private open (unpaved) area shall be planted in the rear lot area and located no closer than five
 18 (5) feet to any Common Lot Line.

19 (b) Trees shall be at least three inches in caliper at the time of planting. Species shall be
 20 selected from the *Landscape Manual*. Exceptions: Storefront and workshop sites, and sites that
 21 are reusing existing structures with no ground level open area are exempt from this requirement.

22 **Sec. 27A-507. Street Trees**

23 (a) General

24 (1) Approved tree species for use in an Urban Center District shall be selected from
 25 the *Landscape Manual*. The manual includes native and acceptable adapted species.

26 (2) Invasive exotic species shall not be used anywhere on private lots or other areas
 27 within an UC District.

28 (3) Trees shall be placed as shown in Section 27A-503, or as specified in the
 29 Regulating Plan for placement along the Street Tree Alignment Line.

30 (b) Intent

31 (1) Street Trees are part of an overall Street-Space plan designed to provide both

1 canopy and shade and to give special character and coherence to each Street-Space. The desired
 2 aesthetic shall be achieved through the use of native and/or proven hardy adapted species. The
 3 Street Tree lists of species in the Landscape Manual may be amended over time. Street Trees
 4 serve several crucial functions in the construction of the Street-Space:

5 (A) Structural – Street Trees shape and subdivide the Street-Space, increasing
 6 pedestrian comfort and adding value to the Street/community. Species appropriate for canopy
 7 shade trees typically grow to heights in excess of sixty (60) feet and have a broad canopy-
 8 enabling them to clear auto traffic and pedestrians, form a ceiling-like enclosure, and open a
 9 clear view of the Street-Space and shop fronts at eye-level.

10 (B) Pragmatic – Life as a typically placed Street Tree is typically short. Few
 11 species are tough enough to survive to an appropriate height. Appropriate species have special
 12 tolerance to salt and soil compaction. Street Tree planting techniques and configurations provide
 13 a healthy environment in which the tree can thrive-this shall ensure that the trees increase the
 14 community value as they grow.

15 (C) Design – Species are planted consistently along a given Street-Space to
 16 provide a special form and character to each Street. Provide species diversity at the same time
 17 you provide diverse Street character by planting different Streets with different trees.

18 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

19 **PART 6. ARCHITECTURAL STANDARDS.**

20 **Sec. 27A-601. Intent.**

21 (a) These architectural standards establish basic parameters regarding functional building
 22 element configuration and palettes for building materials.

23 (b) The architectural standards serve to establish a coherent character and encourage a high
 24 caliber, lasting quality of development. Buildings shall be reviewed by the Planning Director or
 25 Designee to verify that they meet the architectural standards (and the requirements of this
 26 Subtitle). The Planning Director or Designee may also work with the developer or designer to
 27 show them how to work within the requirements of this Subtitle.

28 (c) In order to establish and maintain a sense of place, these standards specify an
 29 architectural aesthetic of load-bearing walls and regional materials. Buildings should reflect and
 30 complement the traditional materials and techniques of the Mid-Atlantic Region. The standards
 31 also specify details, such as window proportions, roof or cornice configurations, Storefronts, and

1 overhangs.

2 **Sec. 27A-602. General Principles.**

3 (a) **Material Expression.**

4 (1) All building materials to be used shall express their specific properties. For
 5 example, stronger and heavier materials (masonry) support lighter materials (wood).

6 (b) **Equivalent or Better.**

7 While only materials, techniques, and product types prescribed here are allowed,
 8 Equivalent or Better practices and products are encouraged. They shall be submitted to the
 9 Planning Director or Designee for review.

10 (c) **Where Clearly Visible from the Street-Space.**

11 (1) The following standards apply in conditions where development is clearly visible
 12 from the Street-Space. Note that the definition of Street-Space includes parks, plazas, civic
 13 squares, and Civic Greens but not Alleys.

14 (2) These controls therefore concentrate on the public space/views from the public
 15 space and minimize interference in the private realm. For example, an architectural element that
 16 is visible only through an opening in a Street Wall is not clearly visible from the Street-Space. A
 17 building element that is more than forty (40) feet behind the Build-to Line is not clearly visible
 18 from the Street-Space.

19 **Sec. 27A-603. Building Walls.**

20 (a) **Intent.**

21 Building walls should define the public realm-the Street-Space. All walls should
 22 express the construction techniques and structural constraints of traditional, long-lasting building
 23 materials. Simple configurations and solid craftsmanship are favored over complexity and
 24 ostentation in building form and the articulation of details.

25 (b) **Primary Materials.**

26 Only the following materials are permitted (for not less than seventy-five percent (75%) of
 27 the building wall surface area on each Façade):

28 (1) Brick and tile masonry.

29 (2) Native stone (or synthetic equivalent).

30 (3) Wood – clapboard or shingles.

31 (4) Hardie-Plank™ Equivalent or Better siding.

1 (5) Stucco (cementitious finish).

2 Under no circumstances shall vinyl siding be permitted as a building material in the
3 Urban Centers and Corridor Nodes Development and Zoning Code.

4 (c) **Secondary Materials.**

5 Only the following materials are permitted (no greater than ten percent of the building
6 wall):

7 (1) Pre-cast masonry (for trim and cornice elements only).

8 (2) Gypsum Reinforced Fiber Concrete (GRFC—for trim elements only).

9 (3) Metal (for beams, lintels, trim elements and ornamentation only).

10 (4) Split-faced block (only for piers, foundation walls and chimneys only).

11 (5) Glass block (no closer than thirty (30) inches to Building Corners).

12 (6) Hardie-Trim™ equivalent or better (at cornices only)

13 (7) Wood (for trim elements and at cornices only)

14 (d) **Configurations and Techniques.**

15 The following configurations and techniques are permitted.

16 (1) Walls

17 (A) Wall openings: the horizontal dimension of the opening may not exceed the
18 vertical dimension except where otherwise prescribed in this Subtitle.

19 (B) Wall openings shall not span vertically more than one Story.

20 (C) Wall openings shall correspond to interior space and may not span across
21 building structure such as floor structural and mechanical thickness.

22 (D) Material changes shall be made with appropriate construction details for
23 each abutting material—as where an addition (of a different material) is built onto the original
24 building.

25 (2) Wood Siding and Wood Simulation Materials.

26 (A) Siding shall be in a lap (horizontal) configuration.

27 (B) Siding shall be smooth or rough-sawn finish (no faux wood grain).

28 (3) Brick, Block, and Stone. All masonry shall be appropriately detailed and in load-
29 bearing configurations commensurate with local building traditions.

30 (4) Stucco (cementitious finish). Finish coat shall be smooth or sand finish only, with
31 no roughly textured finish.

1 **Sec. 27A-604. Roofs and Parapets.**

2 (a) Intent

3 (1) Roofs and parapets should demonstrate common-sense recognition of the climate
 4 by utilizing appropriate pitch, drainage, and materials in order to provide visual coherence to
 5 each Urban Center.

6 (2) Green roofs (vegetated) are encouraged as a mechanism to manage stormwater
 7 run-off and reduce the heat generated by typical roofing materials.

8 (b) Materials. Only the following materials are permitted:

- 9 (1) Clay or concrete (faux clay).
- 10 (2) Tile (barrel, beavertail or flat roman).
- 11 (3) Slate (equivalent synthetic or better).
- 12 (4) Metal (standing seam, Equivalent or Better).
- 13 (5) Dimensional Asphalt shingles.
- 14 (6) Cornices and soffits may be a combination of wood, vinyl, and/or metal.

15 (c) Configurations and Techniques. The following configurations and techniques are
 16 permitted.

17 (1) **Parapet Roofs.**

18 Allowed for Storefront, General, Workshop, and Townhouse/Small Apartment
 19 frontage sites where the roof material is not visible from any adjacent Street-Space. Where used
 20 to limit building height in this Subtitle, parapet height shall be measured at the top of the parapet,
 21 including any coping. An additional three (3) feet in height by twelve (12) feet in width, or
 22 fifteen (15) percent of the Façade, whichever is greater, is permitted for a section of the parapet
 23 to emphasize the building’s primary Street entry or a Block Corner.

24 (2) **Pitched Roofs.**

25 Pitch (exclusive of roofs behind parapet walls):

- 26 (A) Simple hip and gable roofs shall be symmetrically pitched with a slope
 27 between 5:12 and 10:12.
- 28 (B) Shed roofs, attached to the main structure, shall be pitched with a slope
 29 between 3:12 and 8:12.

30 (3) **Overhang.**

31 (A) Eaves shall overhang Six (6) to thirty (30) inches on the primary structure

1 for the initial four stories. For each additional Story; four inches shall be added to the minimum
 2 and twelve (12) inches shall be added to the maximum, up to a maximum projection of seven (7)
 3 feet.

4 (B) Eaves and rakes on accessory buildings, Dormers, and other smaller struc-
 5 tures shall overhang at least eight (8) inches.

6 (C) Timber eaves and balcony brackets shall be a minimum of four (4) inches by
 7 four (4) inches in dimension.

8 (D) Buildings without visible roof surfaces and overhanging eaves are required to
 9 include a cornice.

10 (E) Eave height shall be measured at the bottom of the top layer of roofing
 11 material at its outermost point from the building wall.

12 **(4) Cornices and Other Features.**

13 (A) Buildings without visible roof surfaces and overhanging eaves may satisfy
 14 the overhang requirement with a cornice projecting horizontally between six (6) and twelve (12)
 15 inches beyond the building walls on the primary structure for the initial four (4) stories. For each
 16 additional Story, three inches shall be added to the minimum and twelve (12) inches shall be
 17 added to the maximum, up to a maximum projection of six (6) feet.

18 (B) Skylights and roof vents are permitted only on the roof plane opposite the
 19 Street (or Build-to Line) or when shielded from Street-Space view by the building's parapet wall.
 20 Wall vents may be permitted in lieu of roof vents so long as they are designed to appear as part
 21 of the overall Façade design and use compatible materials, colors, and other detailing to
 22 minimize their visual impact.

23 **(5) Dormers.**

24 (A) Dormers are permitted and do not constitute a Story (for height measurements
 25 purposes) so long as these criteria are met.

26 (B) Each dormer shall be less than fifteen (15) feet wide.

27 (C) Dormers shall not form more than sixty percent (60%) of the Build-to Line
 28 Façade length of any individual building.

29 (D) Dormers shall not break the primary eave line of the roof.

30 **Sec. 27A-605. Street and Garden Walls and Fences.**

31 **(a) Intent.**

1 (1) Property lines are physically defined by buildings, walls, or fences. Land should
2 be clearly public or private—in public view and under surveillance or private and protected.

3 (2) Street and Garden Walls establish a clear edge to the Street-Space where the
4 buildings do not. The Urban Center requirements include masonry walls that define outdoor
5 spaces and separate the Street-Space from the private realm (e.g. parking lots, trash cans,
6 gardens, and equipment). All Street and Garden Wall Façades shall be as carefully designed as
7 the building Façade, with the finished side facing the Street-Space.

8 (3) A Street Wall or Garden Wall is a masonry wall set back not more than eight
9 inches from the Build-to Line or adjacent building Façade and built to the height specified in the
10 Building Envelope Standards.

11 (4) Fences are appropriate to establish an edge to the Street-Space by establishing the
12 boundaries of the front yard in the Detached Building Envelope Standards, and are required in
13 this BES. Privacy fences may also be appropriate along Common Lot Lines or Alleys behind the
14 Façade of the structure.

15 (b) **Materials.**

16 Only the following materials are permitted:

17 (1) Native/regional stone and equivalent imitation stone.

18 (2) Metal (wrought iron, welded steel and/or electro-statically plated black
19 aluminum)-may be used for gates and fences only.

20 (3) Brick.

21 (4) Stucco on concrete block or poured concrete (only when a brick or stone coping is
22 provided).

23 (5) A combination of materials (e.g. stone piers with brick infill panels).

24 (6) Wood-may only be used for gates and front yard fences.

25 Under no circumstances shall barbed wire, razor wire, unclad cinder block, vinyl
26 cladding, corrugated metal, corrugated fiberglass, sheet metal, wire mesh, or chain link be used
27 as fencing materials or construction techniques.

28 (c) **Configurations and Techniques.**

29 The following configurations and techniques are permitted:

30 (1) Street Walls along any unbuilt Build-to Line shall be built to the height and length
31 specified in the Building Envelope Standard.

1 (2) Metal work may additionally be treated to imitate a copper patina.

2 (3) Copings shall project between one inch and four inches from the face of the wall.

3 (4) Street and Garden Walls taller than four (4) feet shall be subject to the
4 Fenestration requirements of their BES.

5 (5) Gates are permitted within Street Walls to provide access to private areas,
6 publicly-accessible gardens and open spaces, and the rear of the lot.

7 **Sec. 27A-606. Windows and Doors.**

8 (a) **Intent.**

9 (1) The placement, type, and size of windows and doors help to establish the scale
10 and vitality of the Street-Space. For commercial Façades, they allow interplay between the shop
11 interiors and the Street-Space. Commercial uses (especially restaurants and retail establishments)
12 benefit from exposure to the passers-by and the Street-Space benefits from the visual activity.

13 (2) For residential Façades, they form the “eyes on the Street” surveillance which
14 provides for the security and safety for the area, in keeping with the best practices of Crime
15 Prevention Through Environmental Design (CPTED).

16 (3) Windows should be divided by multiple panes of glass. This helps the window
17 hold the surface of the Façade, rather than appearing like a “hole” in the wall (an effect produced
18 by a large single sheet of glass).

19 (b) **Materials.**

20 Only the following materials are permitted:

21 (1) Window frames shall be of anodized aluminum, wood, clad wood, vinyl, or steel.

22 (2) Window glass shall be clear, with light transmission at the Ground Story at least
23 ninety percent (90%) and for the upper stories percent (75%). The Planning Director or Designee
24 may modify this standard as necessary to meet any applicable building and energy code
25 requirements. Specialty windows, to a maximum of one per Façade may utilize stained or
26 opalescent glass, or glass block.

27 (3) Window screens shall be black or gray.

28 (4) Screen frames shall match the window frame material or be dark anodized.

29 (5) Doors shall be of wood, clad wood, or steel and may include glass panes.

30 (6) Shutter materials may only be painted wood or clad wood.

31 (c) **Configurations and Techniques.**

1 The following configurations and techniques are permitted:

2 (1) All Windows. The following requirements apply to all windows:

3 (A) The horizontal dimension of the opening may not exceed the vertical
4 dimension except where otherwise prescribed in this Subtitle.

5 (B) Windows may be ganged horizontally if each grouping (maximum five per
6 group) is separated by a column, pier, or wall section that is at least seven inches wide.

7 (C) Windows (not doors) shall be no closer than thirty (30) inches to Building
8 Corners (excluding Bay Windows and Storefronts).

9 (D) Bay Windows shall not project more than thirty-six (36) inches beyond the
10 Build-to Line, the minimum interior clear width at the main wall shall be four (4) feet.

11 (E) Exterior shutters, if applied, shall be sized and mounted appropriately for
12 the window (one-half the width), even if inoperable.

13 (F) When mounted in masonry construction, window panes shall be recessed
14 behind the wall surface a minimum of three inches, except for Bay Windows and Storefronts.

15 (2) Upper-Story Windows. The following requirements apply to all upper-Story
16 windows:

17 (A) Windows may be double-hung, single-hung, awning, or casement windows.

18 (B) Fixed windows are permitted only as a component of a system including
19 operable windows within a single wall opening.

20 (i) Residential buildings/floors: panes of glass no larger than thirty-six
21 (36) inches vertical by thirty (30) inches horizontal.

22 (ii) The maximum pane size for office uses is forty-eight (48) inches
23 vertical by forty-two (42) inches horizontal.

24 (iii) Egress windows may be installed according to the appropriate building
25 Code.

26 (3) Storefront Windows. The following standards apply only to Storefront (ground
27 floor commerce) windows and doors:

28 (A) Single panes of glass shall not be permitted larger than eight (8) feet in
29 height by four (4) feet in width.

30 (B) Storefront windows may not be made opaque by window treatments,
31 excepting operable sunscreen devices within the conditioned space.

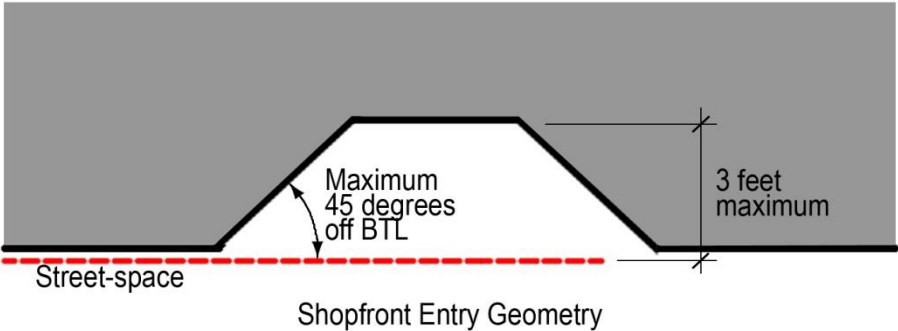
1 (C) A minimum of seventy percent (70%) of the window surface shall allow a
2 view into the building for a depth of at least fifteen (15) feet.

3 (D) Storefronts may extend up to twenty-four (24) inches beyond the Façade or
4 Build-to Line into the Street-Space.

5 (4) Doors

6 (A) Double-height entryways that span more than one (1) Story shall not be
7 permitted in the Townhouse/Small Apartment, Workshop, or Detached Building Envelope
8 Standards or in any building less than eight (8) Stories in height.

9 (B) A door may not be recessed more than three (3) feet behind its Façade or its
10 shopfront and, in any case, shall have a clear view and path to a 45-degree angle past the
11 perpendicular from each side of the door.



12
13 **Sec. 27A-607. Signage.**

14 (a) **Intent.**

15 (1) Signs along commercial frontages should be clear, informative to the public and
16 should be durable.

17 (2) Signs should be scaled for mixed-use, pedestrian-oriented areas and not for high
18 speed automobile traffic.

19 (3) Signage that is glaring or too large creates distraction, intrudes into or lessens the
20 Urban Center experience, and creates visual clutter.

21 (b) **General Design and Materials.**

22 (1) Wall signs are permitted within the area between the second Story floor line and

1 the Ground Story ceiling, within a horizontal band not to exceed three (3) feet in height. In no
2 case may this band extend higher than eighteen (18) feet or lower than twelve (12) feet above the
3 adjacent sidewalk. In lieu of a horizontal sign band, a single vertical sign not to exceed three (3)
4 feet in width and ten (10) feet in height may be provided to generate interest and variety of
5 signage. Vertical signs shall be placed with a minimum of nine (9) feet of clear height above the
6 sidewalk, and shall not extend above the roofline of the building to which it is attached.

7 (2) Letters may not exceed eighteen (18) inches in height or width and three (3)
8 inches in relief. Signs may not come closer than two (2) feet to an adjacent Common Lot Line.

9 (3) Company logos may be placed within the horizontal sign band, vertical sign when
10 provided in lieu of a horizontal sign band, or placed or painted within ground floor or second
11 Story office windows. Company logos may not be larger than a rectangle of eight (8) square feet
12 in size.

13 (4) A masonry or bronze plaque bearing an owner's or building's name may be
14 placed in the building's cornice/parapet wall or under the eaves, and above the upper Story
15 windows. Any such plaque may be no larger than a rectangle of eighteen (18) square feet in size.

16 (5) Horizontal or vertical blade signs may be hung below the second Story level,
17 perpendicular to the Build-to Line or from an overhang or awning to advertise individual
18 businesses or points of interest. Horizontal or vertical blade signs shall not be more than two (2)
19 feet by three (3) feet in size, and shall be placed with a minimum of nine (9) feet of clear height
20 above the sidewalk.

21 (6) Signs consisting of individual lettering, also known as channel letters, are
22 permitted. Notwithstanding Subsection (7) below, these signs may be illuminated with neon,
23 back-lighting, LED fixtures, or by external illumination sources.

24 (7) Prohibited Signs: Billboards, free-standing pole signs, monument signs,
25 marquees, box signs, any kind of animation, roof signs, and signs painted on the exterior walls of
26 buildings are prohibited. No internally lit, flashing, traveling, animated, or intermittent lighting
27 may be on the exterior of any building whether such lighting is of temporary or long-term
28 duration. Portable or wheeled signs and advertising devices located outside any building shall not
29 be permitted.

30 (8) Limited Access Highway Frontage sites, as designated on the Regulating Plan, are
31 exempted from some of the standards above (see Section 27A-408 for additional detail).

1 **(d) Awnings/Overhangs.**

2 (1) Any overhangs shall have a minimum of ten (10) feet clear height above the
3 sidewalk and be a minimum of five (5) feet deep from the building Façade.

4 (2) Only the following materials are permitted: canvas or equivalent (no shiny or
5 reflective materials), metal or glass.

6 (3) Internal illumination through the awning/overhang shall not be permitted.

7 (4) Lettering on awnings shall be limited to six inches in height on the vertical face of
8 the curb side of the awning.

9 (5) One-quarter cylinder configurations shall not be permitted.

10 **Sec. 27A-608. Lighting and Mechanical Equipment.**

11 **(a) Intent.**

12 (1) Appropriate lighting is desirable for nighttime visibility, crime deterrence, and
13 decoration. However, lighting that is too bright or intense creates glare, hinders night vision, and
14 creates light pollution.

15 (2) Every attempt should be made to preserve the ambiance of the night by applying
16 the appropriate fixtures in the correct locations – Street Lights are pedestrian-scaled and should
17 occur along all Streets but “cobra-head” highway fixtures should only occur at intersections and
18 only when absolutely necessary for safety.

19 (3) All materials and equipment chosen for lighting fixtures should be durable to age
20 well without demanding maintenance requirements.

21 (4) Mechanical equipment is generally any heating, ventilation, and air conditioning
22 (HVAC) or electrical machinery but also includes air compressors, mechanical pumps, exterior
23 water heaters, water softeners, utility and telephone company transformers, meters or boxes,
24 garbage cans, storage tanks, and similar elements. These elements should not be located in any
25 public areas or be visible from the Street. Mechanical equipment should not detract or interfere
26 with the pedestrian space or block the sight triangle at intersections.

27 **(c) Lighting.**

28 (1) Street Lights shall be located between nine (9) feet and sixteen (16) feet above
29 grade with a maximum average spacing per Block face of sixty (60) feet on center on Storefront
30 frontage sites, seventy-five (75) feet on General frontage sites, and one hundred (100) feet on
31 other frontage sites along the Street Tree Alignment Line on each side of the Street-Space and

1 travel lanes, unless otherwise indicated on the Regulating Plan.

2 (2) At the front of the building, exterior lights shall be mounted between six (6) feet
 3 and fourteen (14) feet above the adjacent grade.

4 (3) All lots with Alleys shall have lighting fixtures within five (5) feet of the Alley
 5 right-of-way. These fixtures shall illuminate the Alley, be between nine (9) and sixteen (16) feet
 6 in height, and not cause glare in adjacent lots.

7 (4) Lighting elements shall be specified to proscribe those that cast a
 8 clearly/perceptively unnatural spectrum of light (such as low pressure sodium). LED, metal
 9 halide, or halogen elements with a spectrum of light more perceptively natural are preferred. HID
 10 or fluorescent lights (excepting compact fluorescent bulbs that screw into standard sockets) shall
 11 not be used on the exterior of buildings. These standards may be updated by the Planning
 12 Director or Designee as technologies advance and produce additional Equivalent or Better
 13 elements.

14 (5) Floodlights or directional lights up to a maximum of 75-watt bulbs may be used to
 15 illuminate Alleys, parking garages, and working or maintenance areas, but shall be shielded or
 16 aimed in such a way that they do not shine into other lots, the Street-Space, or direct light out of
 17 any district.

18 (6) Flood or uplighting shall not be used to illuminate private building walls. Accent
 19 lighting may be permitted on civic buildings, historic buildings, or monuments to highlight
 20 architectural features such as church steeples or courthouse domes.

21 (7) Site lighting shall be of a design and height and be located so as to illuminate only
 22 the lot. An exterior lighting plan shall be approved as consistent with these standards by the
 23 Planning Director or Designee.

24 (8) Flashing, traveling, animated, or intermittent lighting shall not be visible from the
 25 exterior of any building whether such lighting is of temporary or long-term duration.

26 (9) Lighting for parking garages shall consider general Crime Prevention Through
 27 Environmental Design (CPTED) standards and guidelines.

28 **(d) Mechanical Equipment.**

29 (1) The following shall be placed behind and away from any Build-to Line, may not
 30 be stored or located within any Street-Space, and shall be screened from view from the Street-
 31 Space: air compressors, mechanical pumps, exterior water heaters, water softeners, utility and

1 telephone company surface-mounted transformers, meters or boxes, garbage cans, storage tanks,
 2 and similar equipment.

3 (2) Roof mounted equipment shall be placed behind and away from any Build-to Line
 4 and be screened from view from the Street-Space.

5 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

6 **PART 7. PARKING AND LOADING STANDARDS.**

7 **Sec. 27A-701. Purpose and Intent.**

8 The purpose of the parking and loading standards is to:

9 (a) Promote a “park once” environment that shall enable people to conveniently park and
 10 access a variety of commercial and civic enterprises in pedestrian-friendly environments by
 11 encouraging shared parking.

12 (b) Reduce fragmented, uncoordinated, inefficient, reserved single-purpose parking.

13 (c) Avoid adverse parking impacts on neighborhoods adjacent to Urban Centers and
 14 Corridor Nodes.

15 (d) Maximize on-Street parking.

16 (e) Promote increased use of bicycles as a transportation option.

17 (f) Provide flexibility for redevelopment of small sites.

18 **Sec. 27A-702. Other Applicable Regulations.**

19 (a) The requirements of Section 27-551, Permitted Use of Parking Lots and Loading
 20 Areas, apply to all parking and loading areas under this Subtitle.

21 (b) The requirements of Subtitle 27, Part 11, Division 3, Subdivision 2, Design Standards
 22 apply to all parking areas under this Subtitle, except that:

23 (1) Speed bumps shall not be permitted;

24 (2) The minimum size for nonparallel parking spaces provided in parking structures
 25 shall be nineteen (19) feet by nine (9) feet; and

26 (3) Pervious surfaces approved by the Planning Director or Designee are encouraged for
 27 surface parking lots.

28 **Sec. 27A-703. Required Parking Spaces.**

29 (a) The following minimum parking spaces shall be required for each use unless an
 30 alternative requirement has been approved by the Planning Director or Designee in accordance
 31 with this Part.

1 (b) When the number of spaces calculated according to this Part results in a number
 2 containing a fraction, the number of required spaces is rounded up to the next whole number.

3 (c) For uses not specifically listed, the requirement of the most nearly similar use is
 4 applied. (See also Part 8. Building Function.)

5 (d) Table of Required Parking Spaces:

| | USE CATEGORY | Parking Space Requirement | | |
|--------------------|--|---|---|---|
| | | <u>Within a 1,320-foot Walking Distance of a Rail Transit Station</u> | <u>1,320-foot to 2,640-foot Walking Distance of a Rail Transit Station</u> | <u>More than a 2,640-foot Walking Distance of a Rail Transit Station</u> |
| <u>RESIDENTIAL</u> | <u>Household living</u> | <u>1.5 per single-family unit</u> <u>0.86 per one-bedroom or smaller multifamily unit</u> <u>1.24 per two-bedroom multifamily unit</u> <u>1.50 per three-bedroom or larger multifamily unit</u> | <u>1.70 per single-family unit</u> <u>0.98 per one-bedroom or smaller multifamily unit</u> <u>1.40 per two-bedroom multifamily unit</u> <u>1.70 per three-bedroom or larger multifamily unit</u> | <u>2.00 per single-family unit</u> <u>1.15 per one-bedroom or smaller multifamily unit</u> <u>1.65 per two-bedroom multifamily unit</u> <u>2.00 per three-bedroom or larger multifamily unit</u> |
| <u>CIVIC</u> | <u>Civic, except: Educational</u> | <u>3.75 per 1,000 SF</u> <u>1.13 spaces per elementary classroom</u> <u>2.63 spaces per junior high or middle classroom</u> <u>7.13 spaces per senior high classroom</u> <u>0.75 per 4 seats in any other classroom</u> | <u>4.25 per 1,000 SF</u> <u>1.28 spaces per elementary classroom</u> <u>2.98 spaces per junior high or middle classroom</u> <u>8.08 spaces per senior high classroom</u> <u>0.85 per 4 seats in any other classroom</u> | <u>5.00 per 1,000 SF</u> <u>1.50 spaces per elementary classroom</u> <u>3.50 spaces per junior high or middle classroom</u> <u>9.50 spaces per senior high classroom</u> <u>1.00 per 4 seats in any other classroom</u> |
| | <u>Place of worship</u> | <u>0.75 per 4 fixed seats or per 18" length of bench</u> <u>OR 1.00 per 21.00 SF floor area without seating</u> | <u>0.85 per 4 fixed seats or per 18" length of bench</u> <u>OR 1.00 per 23.80 SF floor area without seating</u> | <u>1.00 per 4 fixed seats or per 18" length of bench</u> <u>OR 1.00 per 28.00 SF floor area without seating</u> |
| <u>COMMERCE</u> | <u>Day care</u> | <u>1.50 per 1,000 SF</u> | <u>1.70 per 1,000 SF</u> | <u>2.00 per 1,000 SF</u> |
| | <u>Indoor recreation, except: Health club or spa</u> <u>Movie theater</u> <u>Performing arts theater</u> | <u>5.00 per 1,000 SF</u> <u>5.25 per 1,000 SF</u> <u>0.20 per seat</u> <u>0.30 per seat</u> | <u>5.67 per 1,000 SF</u> <u>5.95 per 1,000 SF</u> <u>0.23 per seat</u> <u>0.34 per seat</u> | <u>6.67 per 1,000 SF</u> <u>7.00 per 1,000 SF</u> <u>0.27 per seat</u> <u>0.40 per seat</u> |
| | <u>Medical</u> | <u>3.38 per 1,000 SF</u> | <u>3.83 per 1,000 SF</u> | <u>4.50 per 1,000 SF</u> |
| | <u>Office, except: Art studio, gallery</u> <u>Bank</u> <u>Call Center</u> | <u>2.63 per 1,000 SF</u> <u>1.50 per 1,000 SF</u> <u>3.45 per 1,000 SF</u> <u>4.50 per 1,000 SF</u> | <u>2.98 per 1,000 SF</u> <u>1.70 per 1,000 SF</u> <u>3.91 per 1,000 SF</u> <u>5.10 per 1,000 SF</u> | <u>3.50 per 1,000 SF</u> <u>2.00 per 1,000 SF</u> <u>4.60 per 1,000 SF</u> <u>6.00 per 1,000 SF</u> |
| | <u>Overnight lodging</u> | <u>0.75 per room PLUS</u> <u>3.75 per 1,000 SF of meeting room</u> | <u>0.85 per room PLUS</u> <u>4.25 per 1,000 SF of meeting room</u> | <u>1.00 per room PLUS</u> <u>5.00 per 1,000 SF of meeting room</u> |
| | <u>Personal service</u> | <u>3.00 per 1,000 SF</u> | <u>3.40 per 1,000 SF</u> | <u>4.00 per 1,000 SF</u> |

| | USE CATEGORY | Parking Space Requirement | | |
|-----------------|-----------------------------------|---|---|---|
| | | <u>Within a 1,320-foot Walking Distance of a Rail Transit Station</u> | <u>1,320-foot to 2,640-foot Walking Distance of a Rail Transit Station</u> | <u>More than a 2,640-foot Walking Distance of a Rail Transit Station</u> |
| | <u>Restaurants</u> | <u>9.00 per 1,000 SF</u> | <u>10.20 per 1,000 SF</u> | <u>12.00 per 1,000 SF</u> |
| | <u>Retail sales</u> | <u>3.00 per 1,000 SF</u> | <u>3.40 per 1,000 SF</u> | <u>4.00 per 1,000 SF</u> |
| | <u>Vehicle sales</u> | <u>3.75 per 1,000 SF</u> | <u>4.25 per 1,000 SF</u> | <u>5.00 per 1,000 SF</u> |
| <u>WORKSHOP</u> | <u>Light Industrial</u> | <u>1.25 per 1,000 SF</u> | <u>1.42 per 1,000 SF</u> | <u>1.67 per 1,000 SF</u> |
| | <u>Light manufacturing</u> | <u>1.25 per 1,000 SF</u> | <u>1.42 per 1,000 SF</u> | <u>1.67 per 1,000 SF</u> |
| | <u>Research & development</u> | <u>2.50 per 1,000 SF</u> | <u>2.83 per 1,000 SF</u> | <u>3.33 per 1,000 SF</u> |
| | <u>Self-service storage</u> | <u>0.75 per 1,000 SF floor area up to 20,000 SF</u> <u>0.19 per 1,000 SF floor area over 20,000 SF</u> | <u>0.85 per 1,000 SF floor area up to 20,000 SF</u> <u>0.21 per 1,000 SF floor area over 20,000 SF</u> | <u>1.00 per 1,000 SF floor area up to 20,000 SF</u> <u>0.25 per 1,000 SF floor area over 20,000 SF</u> |
| | <u>Vehicle service</u> | <u>1.50 per 1,000 SF</u> <u>minimum 5 spaces</u> | <u>1.70 per 1,000 SF</u> <u>minimum 5 spaces</u> | <u>2.00 per 1,000 SF</u> <u>minimum 5 spaces</u> |

Sec. 27A-704. Maximum Parking.

(a) Reserved Parking.

(1) Surface and structured parking spaces may be reserved for a specific tenant or unit, provided that the following standards are not exceeded:

| <u>Use</u> | <u>Reserved Spaces (maximum)</u> |
|-----------------------|--|
| <u>Residential</u> | <u>2.0 per single-family unit</u> <u>1.0 per one-bedroom multifamily unit</u> <u>1.0 per two-bedroom multifamily unit</u> <u>2.0 per three-bedroom multifamily unit</u> |
| <u>Nonresidential</u> | <u>1.2 per 1,000 SF</u> |

(2) Underground parking may be reserved without the imposition of maximum standards.

(b) Maximum Parking. Surface parking may not exceed the required parking ratios of this Subtitle. Structured or underground parking may exceed the required quantity of parking up to a maximum of one hundred thirty percent (130%) of the required parking.

Sec. 27A-705. Parking Reductions.

1 (a) **Proximity to Transit.**

2 (1) Rail Transit Station.

3 (A) Parking reductions for locations within a 2,640-foot walking distance of a
4 rail transit station are reflected in the columns of the required parking table in Section 27A-
5 703(d). Table of Required Parking Spaces.

6 (B) The rail transit station shall be in operation, or anticipated to be in operation
7 within one year of the requested reduction.

8 (2) Bus or Trolley Transit. The Planning Director or Designee may approve a five
9 percent (5%) reduction in the number of required parking spaces for uses with a main entrance
10 within a six hundred (600) foot walking distance of an improved bus or trolley transit stop
11 providing both shade and seating. This reduction shall be granted only where a rail transit station
12 is not available.

13 (3) Measurement of Walking Distance. Walking distance is measured from the
14 primary entrance of the use to the rail platform (or in the case of an underground station, the top
15 of the nearest elevator, stair or escalator leading to the rail platform) or the nearest bus boarding
16 location.

17 (b) **Shared Parking.**

18 (1) Applicants wishing to use shared parking as a means of reducing the total number
19 of required spaces shall submit a shared parking analysis using the latest edition of the Urban
20 Land Institute (ULI) Shared Parking Model.

21 (2) The study shall be provided in a form established by the Planning Director or
22 Designee.

23 (3) Reductions in the total number of required spaces for shared parking for new
24 development shall not be permitted unless the Planning Director or Designee determines a
25 reduction is appropriate on a case-by-case basis through the use of the latest edition of the ULI
26 Shared Parking Model.

27 (4) Reductions in the total number of required spaces for shared parking for existing
28 development may be permitted to achieve the goals of the Urban Center District. The normal
29 parking space requirement for each use participating in a joint lot may be reduced by up to
30 twenty percent (20%).

31 (5) Uses providing shared parking shall have either mutually exclusive or compatibly

1 overlapping normal hours of operation. The Planning Director or Designee shall determine
 2 whether hours of operation are compatibly overlapping on a case-by-case basis through the use
 3 of the latest edition of the ULI Shared Parking Model.

4 **(c) Car-Sharing Program.**

5 (1) The Planning Director or Designee may approve a reduction in the number of
 6 spaces for a residential project or a mixed-use project with a residential component.

7 (2) The total number of required parking spaces for residential units may be reduced
 8 where an active car-sharing program is made available to residents, and where cars for the
 9 program are available on the site or within a seven hundred (700) foot walking distance of the
 10 site and within the same Urban Neighborhood.

11 (3) The Planning Director or Designee may reduce parking requirements by up to five
 12 (5) spaces for each car-share vehicle available.

13 **(d) Employer Transportation Demand Management (TDM).**

14 (1) The Planning Director or Designee may approve up to a twenty-five (25) percent
 15 reduction in the number of spaces typically required by Section 27-568 for uses that institute and
 16 commit to maintain a transportation demand management (TDM) program, considering
 17 information the applicant submits that clearly indicates the types of TDM activities and measures
 18 proposed.

19 (2) There is no limitation on the types of TDM activities for which reductions may be
 20 granted. The following measures serve as a guide to potential transportation management
 21 activities that may be used in combination to reduce parking demand. The applicant shall
 22 demonstrate to the satisfaction of the Planning Director or Designee that a specific reduction
 23 shall occur.

24 (A) The occupant of the use may appoint an employee to act as transportation
 25 coordinator with responsibility for disseminating information on ride-sharing and other
 26 transportation options that may be cause for a reduction in otherwise applicable off-Street
 27 parking requirements. In addition to acting as liaisons, transportation coordinators shall be
 28 available to attend meetings and training sessions with transit providers.

29 (B) The occupant of the use may provide specially marked spaces for each
 30 registered car pool and van pool. These marked spaces may be cause for a reduction in otherwise
 31 applicable parking requirements.

1 (C) The occupant of the use may provide cash or in-kind financial incentives for
2 employees telecommuting or commuting by car pool, van pool and transit. Such incentives may
3 be cause for a reduction in otherwise applicable parking requirements.

4 (D) The occupant of the use may allow work from home or otherwise outside the
5 facility on specific Days. Telecommuting may be cause for a reduction in otherwise applicable
6 parking requirements.

7 (E) The availability of an emergency ride home for those with family, medical or
8 other similar emergencies may be cause for a reduction in otherwise applicable parking
9 requirements.

10 **Sec. 27A-706. Special Parking Standards.**

11 **(a) Joint Parking.**

12 (1) Uses abutting one another shall physically connect their surface parking areas at
13 the lot line to create connecting drive aisles where such surface parking areas lie within fifty (50)
14 feet of one another, provided a mutual access easement acceptable to the Planning Director or
15 Designee has been executed.

16 (2) The agreement shall ensure that maneuvering space for required parking spaces in
17 both parking areas is preserved.

18 (3) The use of joint parking does not by itself authorize a reduction in the number of
19 required spaces.

20 **(b) On-Street Parking.**

21 (1) A parking space located on a public Street may be included in the calculation of
22 parking requirements for every twenty-two (22) feet of linear space along the Street edge
23 adjacent to the building site where the use is located.

24 (2) Each on-Street parking space may only be counted for one use, except that on-
25 Street parking spaces may be used to reduce the combined total parking requirement of a mixed-
26 use project.

27 **(c) Off-Site Parking.**

28 (1) Off-site parking shall be located within a walking distance of seven hundred (700)
29 feet from the use served by the off-site parking.

30 (2) The off-site parking shall be located within a UC District, or in any abutting
31 district that permits surface parking as a Principal Use.

1 (3) The off-site parking shall be the subject of a long-term lease of at least five (5)
2 years in duration or permanently dedicated for off-site parking usage.

3 **(d) Tandem Parking.**

4 (1) Two (2) parking spaces in tandem shall have a combined minimum dimension of
5 nine (9) feet in width by thirty-six (36) feet in length.

6 (2) Tandem parking is allowed for:

7 (A) Single-family projects; and

8 (B) Multifamily projects and the residential component of mixed-use projects.

9 (3) Up to eighty-five percent (85%) of the total off-Street parking spaces provided for
10 residential projects may incorporate tandem parking. For residential projects, both tandem spaces
11 shall be assigned to the same dwelling unit. Tandem parking may not be used to provide guest
12 parking.

13 **Sec. 27A-707. Bicycle Parking.**

14 **(a) Required Spaces.**

15 (1) All new nonresidential development providing less than twenty (20) vehicle
16 parking spaces shall provide four (4) bicycle parking spaces for each ten-thousand (10,000)
17 square feet of nonresidential development. A minimum of four (4) bicycle parking spaces shall
18 be provided by all nonresidential development regardless of size.

19 (2) Nonresidential development providing more than twenty (20) but less than one
20 hundred one (101) vehicle parking spaces shall be required to install a minimum of six (6)
21 bicycle parking spaces. Six (6) additional bicycle parking spaces shall be required for every 100
22 additional vehicle parking spaces.

23 (3) All new residential development providing more than twenty (20) but less than
24 one hundred one (101) vehicle parking spaces shall be required to install a minimum of ten (10)
25 bicycle parking spaces. Ten (10) additional bicycle parking spaces shall be required for every
26 100 additional vehicle parking spaces.

27 (4) Single-family detached and single-family attached dwellings are exempt from this
28 requirement.

29 (5) Wheel racks shall not be counted toward meeting the minimum bicycle parking
30 requirements.

31 **(b) Bicycle Parking Design Regulations.**

1 (1) Bicycle parking spaces should be located at close to the building entrance as possible.
 2 At least four (4) of the required bicycle parking spaces serving nonresidential development shall
 3 be located within fifty (50) feet of the main entrance to the building.

4 (2) When located outdoors, bicycle parking spaces shall be installed in concrete footings
 5 with anchor bolts.

6 (3) Bicycle parking spaces shall be placed at least three (3) feet away from the associated
 7 structure to allow sufficient room for parking a bicycle. Bicycle racks should be installed to
 8 allow for at least thirty (30) inches of spacing between each rack. Where serpentine rows of
 9 bicycle parking is provided, an aisle at least five (5) feet in width shall be provided between
 10 rows of bicycle parking spaces, and along the perimeter of the area devoted to bicycle parking.

11 (4) Covered bicycle parking spaces should be provided whenever possible. All bicycle
 12 parking areas serving residential development shall be in a covered location that is well-lit and
 13 placed to allow for increased observation by passers-by in keeping with best practices of
 14 CPTED.

15 **Sec. 27A-708. Surface Parking Lot Plantings.**

16 **(a) New Development.**

17 (1) The edge of any surface parking lot adjacent to a single family (detached or
 18 attached) zoning district shall be planted with canopy shade trees per the *Landscape Manual* and
 19 planted at an average distance not to exceed forty (40) feet on center and aligned three (3) to
 20 seven (7) feet behind the Common Lot Line.

21 (2) Surface parking lot edges along a Common Lot Line shall have a Street Wall or
 22 Garden Wall (see 27A-605 for additional information regarding walls) or provide a minimum
 23 four (4) foot wide landscape area planted with shrubs at least two (2) feet high at the time of
 24 planting with a maximum spacing of two and one half (2½) feet on center.

25 (3) Where practicable, parking lots shall incorporate environmental site design
 26 techniques throughout the parking areas and adjacent open space areas.

27 (4) Surface parking lots shall be planted with trees, shrubs, and other flora in
 28 accordance with the requirements of the *Landscape Manual*.

29 (5) Landscaping shall be hardy and able to withstand salt, soot, and gas fumes.

30 **Sec. 27A-709. Loading Facilities.**

31 (a) Loading facilities are not required in any Urban Center District.

1 (b) Where loading facilities are provided, they shall meet the design standards in Subtitle
 2 27, Part 11, Division 3, Loading Facilities, except that loading facilities shall only be located to
 3 the rear and side of buildings. Loading facilities shall in no case be visible from the Street-Space.

4 **SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES**

5 **PART 8. BUILDING FUNCTION.**

6 **Sec. 27A-801. General Provisions.**

7 (a) Permitted Uses. In order to regulate use, categories of uses have been established. Use
 8 categories provide a systematic basis for assigning land uses to appropriate categories with other,
 9 similar uses. Use categories classify land uses and activities based on common functional,
 10 product, or physical characteristics. Characteristics include the type and amount of activity, the
 11 hours of operation, the type of customers or residents, how goods or services are sold or
 12 delivered, likely impact on surrounding properties, and site conditions.

13 (1) Principal Uses. Principal Uses are grouped into categories. Permitted Principal
 14 Uses by Building Envelope Standard are shown in Section 27A-802. Examples of specific uses
 15 that fall within the use categories used in the use table are listed in Section 27A-804.

16 (2) Accessory Uses. Accessory Uses are allowed in conjunction with a permitted
 17 Principal Use.

18 **(b) Use Determination.**

19 (1) Planning Director or Designee Responsibility. The Planning Director or
 20 Designee is responsible for categorizing all uses. If a proposed use is not listed in a use category,
 21 but is similar to a listed use, the Planning Director or Designee shall treat the proposed use as a
 22 use under that category. If a proposed use is not listed in a use category, and is not similar to any
 23 other listed use, the use shall be prohibited. Section 27A-804 provides additional guidance for
 24 categorizing uses by listing examples of specific uses that fall within designated use categories.

25 (2) Uses Not Specifically Listed. When determining whether a proposed use is similar
 26 to a use listed in Section 27A-804. Use Categories, the Planning Director or Designee shall
 27 consider the following criteria:

28 (A) The actual or projected characteristics of the proposed activity in relationship
 29 to the stated characteristics of each use.

30 (B) The relative amount of site area or floor space and equipment devoted to the
 31 activity.

- (C) Relative amounts of sales from each activity.
- (D) The customer type for each activity.
- (E) The relative number of employees in each activity.
- (F) Hours of operation.
- (G) Building and site arrangement.
- (H) Types of vehicles used and their parking requirements.
- (I) The relative number of vehicle trips generated.
- (J) The number of type of signs needed for the use.
- (K) How the use is advertised.
- (L) The likely impact of the use on surrounding properties.
- (M) Whether the activity is considered accessory to other activities on the site.

Sec. 27A-802. Use Table.

1. The following use table identifies the use categories allowed in the respective frontages (Building Envelope Standards). These categories are defined in Section 27A-106.

| USE CATEGORY | GENERAL | | STOREFRONT | | TOWNHOUSE/ SMALL APARTMENT | | WORKSHOP | | DETACHED | | ADDITIONAL REGULATIONS | |
|--------------|--------------------|-------------|--------------|-------------|-------------------------------|-------------|--------------|-------------|--------------|-------------|---------------------------|--------------------|
| | GEN | | STR | | TH | | WRK | | DET | | | |
| | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | | |
| RESIDENTIAL | Household living | P | P | A | P | P | P | X | A | P | P | Sec. 27A-803.B |
| | Group living | P | P | A | P | P | P | X | A | P | P | Sec. 27A-803.B |
| CIVIC | Civic | A | A | A | A | A | A | A | A | A | A | Sec. 27A-803.C + D |
| COMMERCE | Day care | X | A | X | A | A | X | X | X | X | X | Sec. 27A-803.E |
| | Medical | P | P | P | P | X | X | X | X | X | X | |
| | Office | P | P | X | P | X | X | X | X | X | X | |
| | Outdoor recreation | X | X | X | X | X | X | X | X | X | X | |

| USE CATEGORY | GENERAL | | STOREFRONT | | TOWNHOUSE/ SMALL APARTMENT | | WORKSHOP | | DETACHED | | ADDITIONAL REGULATIONS |
|---|--------------|-------------|--------------|-------------|-------------------------------|-------------|--------------|-------------|--------------|-------------|---------------------------|
| | GEN | | STR | | TH | | WRK | | DET | | |
| | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | Ground Story | Upper Story | |
| <u>Overnight lodging</u> | P | P | A | P | X | X | X | X | X | X | Sec. 27A-803. F |
| | P | X | P | X | X | X | X | X | X | X | |
| | A | A | A | A | X | X | X | X | X | X | Sec. 27A-803.G |
| | P | A | P | A | X | X | X | X | X | X | Sec. 27A-803. H |
| | A | A | A | A | X | X | A | X | X | X | Sec. 27A-803. H,I + J |
| | P | X | P | X | X | X | X | X | X | X | |
| | P | X | P | X | X | X | X | X | X | X | |
| <u>WORKSHOP</u> | X | X | X | X | X | X | P | P | X | X | |
| | X | X | X | X | X | X | P | P | X | X | |
| | P | P | X | P | X | X | P | P | X | X | |
| | X | X | X | X | X | X | X | P | X | X | |
| | X | X | X | X | X | X | A | A | X | X | Sec. 27A-803.J +K |
| <u>INDUSTRIAL</u> | X | X | X | X | X | X | X | X | X | X | |
| | X | X | X | X | X | X | X | X | X | X | |
| | X | X | X | X | X | X | X | X | X | X | |
| | X | X | X | X | X | X | X | X | X | X | |
| | X | X | X | X | X | X | X | X | X | X | |
| | X | X | X | X | X | X | X | X | X | X | |
| Key: P = Permitted A = Additional Regulations Apply (see 27A-803) X = Not Permitted | | | | | | | | | | | |

1 NOTE: The individual Building Envelope Standards also regulate use (see Part 4).

2 2. The following uses are prohibited within the Urban Centers and Corridor Nodes

3 Districts:

4 (A) Adult entertainment

1 (B) Club or lodge, membership club

2 (C) Check cashing business

3 (D) Liquor store

4 (E) Pawnshop

5 3. Public utility uses or structures including underground pipelines, electric power
 6 facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger
 7 stations, but not railroad yards, shall be permitted in all frontages (Building Envelope Standards),
 8 subject to the design regulations of this Subtitle. These uses or structures shall be designed to be
 9 harmonious to the overall design and character of the Urban Center District. Other public utility
 10 uses or structures including major transmission and overhead distribution lines and structures are
 11 prohibited within the Urban Centers and Corridor Nodes Districts.

12
 13 **Sec. 27A-803. Additional Regulations.**

14 (a) **General.** No civic, commerce or workshop use is permitted above a residential
 15 use.

16 (b) **Household or Group Living.**

17 (1) A lobby serving an upper Story residential use is permitted on the Ground Story
 18 of a Storefront site.

19 (2) Household living is permitted on the top floor or upper most floor only of a
 20 Workshop site and shall not exceed twenty-five percent (25%) of the gross floor area of the
 21 entire building.

22 (c) **Civic.**

23 (1) Buildings that house civic uses located on sites specifically designated as civic
 24 on the Regulating Plan are not subject to Part 4. Building Envelope Standards.

25 (d) **Private School.**

26 Private schools permitted by this Subtitle shall be limited to schools which offer a
 27 complete program of nursery school education accredited by the Maryland State Department of
 28 Education, or a complete program of academic elementary (including kindergarten), junior high
 29 (middle), or senior high school education, and shall be subject to the following:

30 (1) The maximum enrollment shall be four hundred (400) students. State and local
 31 health, education, or fire regulations may reduce the number of students permitted to be enrolled.

1 For the purposes of this Section, enrollment shall mean the total number of students enrolled in
 2 the institution at any one (1) time. If there are separate morning, afternoon, and evening sessions,
 3 each one of which is attended by different students, enrollment shall mean the number of
 4 students enrolled in the session having the largest number of students.

5 (2) The property shall have frontage on, and direct vehicular access to a Street (NST-
 6 1, NST-2b, or a Major Street Type). This shall not apply where the Planning Director or
 7 Designee determines that adequate passenger debarkation areas are provided.

8 (3) An outdoor playground or activity area shall be provided. It shall contain at least
 9 twenty-five (25) square feet of usable space per student. The area shall be located at least twenty-
 10 five (25) feet from any dwelling on an abutting lot and buffered from abutting uses in accordance
 11 with the provisions of the *Landscape Manual*. The area shall be enclosed by a substantial wall or
 12 fence at least three (3) feet high for grades six and below, and at least five (5) feet high for other
 13 grades. The wall or fence shall meet the provisions of this Subtitle.

14 (4) The requirements of this Section shall not apply to the use of existing public
 15 schools which have been conveyed by the Prince George's County Board of Education to either
 16 Prince George's County or to any municipality within the County, provided the County or
 17 municipality:

18 (i) Maintains ownership of the facility and operates a school in it; or

19 (ii) Leases the facility for use as a private school (of any type).

20 **(e) Day Care Center for Children.**

21 (1) An ample outdoor play or activity area shall be provided, in accordance with the
 22 following:

23 (A) All outdoor play areas shall have at least seventy-five (75) square feet of
 24 play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square
 25 feet per child for the total number of children to use the play area at one (1) time, whichever is
 26 greater;

27 (B) All outdoor play areas shall be located at least twenty-five (25) feet from any
 28 dwelling on an abutting lot, and shall be enclosed by a substantial wall or fence at least four (4)
 29 feet in height;

30 (C) A greater set back from adjacent properties or uses or a higher fence may be
 31 required by the Planning Board if it determines that it is needed to protect the health and safety

1 of the children utilizing the play area;

2 (D) An off-premises outdoor play or activity area shall be located in proximity to
3 the day care center, and shall be safely accessible without crossing (at grade) any hazardous area,
4 such as a Street or driveway;

5 (E) The play area shall contain sufficient shade during the warmer months to
6 afford protection from the sun;

7 (F) Sufficient lighting shall be provided on the play area if it is used before or
8 after daylight hours to insure safe operation of the area; and

9 (G) Outdoor play shall be limited to the hours between 7 A.M. and 9 P.M.

10 (2) In addition to the submittal requirements this Subtitle, any development plan shall
11 show:

12 (A) The proposed enrollment;

13 (B) The location and use of all buildings on abutting lots;

14 (C) The location and size of outdoor play or activity areas; and

15 (D) The location, quantity, and type of screening and landscaping.

16 (3) Enrollment. For the purposes of this Section, enrollment shall mean the largest
17 number of children enrolled in the center in any one session.

18 **(f) Overnight Lodging.**

19 A lobby serving an upper Story overnight lodging use is permitted on the Ground
20 Story of a Storefront site.

21 **(g) Personal Service.**

22 Outdoor runs in association with an animal grooming, animal hospital, veterinary
23 clinic, pet clinic, animal boarding, animal shelter, kennel, or doggy day care facility shall not be
24 permitted.

25 **(h) Restaurant/Bar, Retail Sales.**

26 (1) A restaurant/bar or retail use is permitted in the upper stories of a General or
27 Storefront site provided it is a second Story extension equal to or less than area of the Ground
28 Story restaurant/bar or retail use.

29 (2) Only merchandise or commodities manufactured on premise may be sold in
30 the Ground Story of a Workshop site.

31 **(i) Building Supply Store.**

1 Outdoor storage areas shall be enclosed by an opaque wall or fence at least eight (8)
 2 feet in height and built in accordance with the design regulations of this Subtitle.

3 **(j) Gas Station.**

4 A gas station may be permitted, subject to the following:

5 (1) The subject property shall have vehicular access to a major Street (only at the
 6 Urban Neighborhood edge);

7 (2) The subject property shall only be located at the edges of an Urban
 8 Neighborhood;

9 (3) The subject property shall be located at least three hundred (300) feet from
 10 any lot on which a school, outdoor playground, library, or hospital is located;

11 (4) The use shall not include the display and rental of cargo trailers, trucks, or
 12 similar uses;

13 (5) The storage or junking of wrecked motor vehicles (whether capable of move-
 14 ment or not) is prohibited;

15 (6) Gasoline pumps and other service appliances shall be located at least twenty-
 16 five (25) feet behind the Build-to Line (BTL);

17 (7) Repair service shall be completed within forty-eight (48) hours after the
 18 vehicle is left for service. Discarded parts resulting from any work shall be removed promptly
 19 from the premises. Automotive replacement parts and accessories shall be stored inside the main
 20 structure; and

21 (8) Upon the abandonment of a gas station, the use shall terminate and all struc-
 22 tures exclusively used in the business (including underground storage tanks), except buildings,
 23 shall be removed by the owner of the property. For the purpose of this Subsection, the term
 24 "abandonment" shall mean non-operation as a gas station for a period of fourteen (14) months
 25 after the retail services cease.

26 **(k) Vehicle Towing Station.**

27 Vehicle towing stations shall be wholly enclosed by a six-foot tall sight-tight fence
 28 or wall built in accordance with the design regulations of this Subtitle.

1 (1) Antennas, monopoles, and related equipment buildings for wireless
2 telecommunications.

3 (1) Antennas, monopoles, and related equipment buildings shall be subject to the
4 following requirements:

5 (A) Unless otherwise prohibited below, it shall be concealed within the
6 opaque exterior of a structure or be attached to a public utility, radio, television, or
7 telecommunications broadcasting tower/monopole; a light pole; a multifamily dwelling at least
8 five (5) stories in height; a structure owned by a municipality, the Board of Education for Prince
9 George's County, or by Prince George's County; or a structure owned and primarily used by a
10 government agency that is exempt from the requirements of this Subtitle.

11 (B) It shall not extend more than fifteen (15) feet above the height of the
12 tower or structure to which it is attached.

13 (C) It shall not exceed the following dimensions:

14 (i) Twenty (20) feet in length and seven (7) inches in diameter for
15 whips;

16 (ii) Ten (10) feet in length and two (2) feet in width for panels;

17 (iii) Seven (7) feet in length and one (1) foot in diameter for cylinders;

18 or

19 (iv) Seven (7) feet in diameter for parabolic dishes; and

20 (D) On privately owned land, it shall not support lights or signs unless
21 required for aircraft warning or other safety reasons.

22 (2) The related telecommunications equipment building or enclosure shall comply
23 with the following standards:

24 (A) It shall not exceed five hundred sixty (560) square feet of gross floor
25 area or twelve (12) feet in height;

26 (B) When attached to an existing building, it shall match the construction
27 material and color(s) of that building;

28 (C) When constructed as a freestanding building, it shall be constructed of
29 brick and its design shall coordinate with the design of any existing main building on the same
30 lot or on an abutting lot; and

1 (D) The building or enclosure shall be unmanned, with infrequent (four (4)
2 or fewer per year) visits by maintenance personnel, and with access and parking for no more than
3 one (1) vehicle.

4 (3) The monopole shall comply with the following standards:

5 (A) The maximum height shall be one hundred ninety-nine (199) feet when
6 located on public property or one hundred (100) feet when located on all other properties;

7 (B) On privately owned land, the structure shall not support lights or signs
8 unless required for aircraft warning or other safety reasons;

9 (C) The structure shall be designed, galvanized, and/or painted in a manner
10 which is harmonious with surrounding properties;

11 (D) The applicant shall provide certification from a registered engineer that
12 the structure will meet the applicable design standards for wind loads of the Electronic Industries
13 Association (EIA) for Prince George's County; and

14 (E) Any monopole which is no longer used for telecommunications purposes
15 for a continuous period of one (1) year shall be removed by the monopole owner at owner's
16 expense.

17 **Sec. 27A-804. Use Categories.**

18 This Section provides additional guidance for categorizing uses by listing examples of specific
19 uses that fall within designated use categories. Certain specific uses listed below may be defined
20 in Section 27A-106 for clarification purposes.

21 **(a) Residential Use Categories.**

22 **(1) Household Living.**

23 Uses Included:

24 (A) Dwellings, all types;

25 (B) Family day care home;

26 (C) Foster home;

27 (D) Group residential facility for up to eight (8) mentally handicapped
28 dependent persons;

29 (E) Home occupations (as an Accessory Use within a single-family
30 dwelling)

31 (F) Professional office (limited to a person residing in the dwelling).

1 **(2) Group Living.**

2 Uses Included:

3 (A) Assisted living facility;

4 (B) Boarding house, rooming house, lodging house;

5 (C) Congregate care facility;

6 (D) Fraternity, sorority, dormitory;

7 (E) Group residential facility for more than eight (8) mentally handicapped
8 dependent persons;

9 (F) Hospice;

10 (G) Monastery, convent;

11 (H) Nursing or care home;

12 (I) Single room occupancy.

13 **(b) Civic Use Category.**

14 Uses Included:

15 (A) College, community college, university;

16 (B) Convention center, arena;

17 (C) Museum, library, post office;

18 (D) Places of worship including church, mosque, synagogue, temple;

19 (E) Police, fire, EMS station or substation;

20 (F) Public or private (K-12) school;

21 (G) Neighborhood arts center or similar community facility (public).

22 **(c) Commerce Use Categories.**

23 **(1) Day Care.**

24 Uses Included:

25 (A) Adult day care center;

26 (B) Day care center for children;

27 (C) Nursery school, preschool;

28 (D) Recreational program, before-or after-school;

29 (E) Small group child care center.

30 **(2) Indoor Recreation.**

31 Uses Included:

1 (A) Amusement center, game arcade, children's amusement center;

2 (B) Athletic, tennis, swim or health club, exercise salon;

3 (C) Billiard hall, pool hall;

4 (D) Bingo parlor;

5 (E) Bowling Alley;

6 (F) Dance hall;

7 (G) Dance, martial arts, music studio or classroom;

8 (H) Gymnastic facility, indoor sports academy;

9 (I) Miniature golf facility;

10 (J) Motor track;

11 (K) Movie or other theater;

12 (L) Skating rink;

13 (M) Auditorium.

14 **(3) Medical.**

15 Uses Included:

16 (i) Ambulatory surgical center;

17 (ii) Blood plasma donation center, medical or dental laboratory;

18 (iii) Hospital, urgent care or emergency medical office;

19 (iv) Medical, dental office or chiropractor, medical practitioner;

20 (v) Medical clinic;

21 (vi) Medical day care.

22 **(4) Office.**

23 Uses Included:

24 (A) Offices including advertising, business management consulting, data process-
25 ing, collection agency, real estate or insurance agent; professional service such as lawyer,
26 accountant, bookkeeper, engineer, architect, sales office, travel agency;

27 (B) Financial services such as lender, investment or brokerage house, bank, call
28 center, bail bonds;

29 (C) Counseling in an office setting;

30 (D) Trade, vocational, business school.

31 **(5) Outdoor Recreation.**

1 Uses Included:

2 (A) Drive-in theater;

3 (B) Campground, travel trailer park, recreational vehicle park;

4 (C) Executive par three golf course;

5 (D) Extreme sports such as paintball, BMX or skateboarding facility

6 (E) Golf course, country club, clubhouse;

7 (F) Outdoor entertainment activity such as batting cage, golf driving range, mini-
 8 amusement park, miniature golf facility, water park;

9 (G) Horse stable, riding academy, equestrian center;

10 (H) Outdoor shooting range;

11 (I) Sports academy for active recreational or competitive sports;

12 (J) Stadium, arena, commercial amphitheater.

13 **(6) Overnight Lodging.**

14 Uses Included:

15 (A) Apartment hotel;

16 (B) Hotel, motel, inn, extended-stay facility, bed and breakfast, youth hostel;

17 (C) Tourist home.

18 **(7) Passenger Terminal.**

19 Uses Included:

20 (A) Bus passenger terminal, multi-modal facility;

21 (B) Heliport;

22 (C) Rail station or stop;

23 (D) Taxi dispatch center, limousine service.

24 **(8) Personal Service.**

25 Uses Included:

26 (A) Animal care (animal grooming, animal hospital, veterinary clinic, pet clinic,
 27 animal boarding place, animal shelter, kennel, doggy day care);

28 (B) Catering establishment, cleaning establishment, dry-cleaning or laundry drop-
 29 off facility, laundromat, cleaning;

30 (C) Funeral home, funeral parlor, mortuary, undertaking establishment;

31 (D) Hair, nail, tanning, massage therapy and personal care service, barber, beauty

1 shop;

2 (E) Photocopy, blueprint, package shipping and quick-sign service, printing and
 3 publishing, security service;

4 (F) Tattoo/body piercing shop, palmist, psychic, medium, fortune telling, thera-
 5 peutic massage establishment;

6 (G) Appliance, bicycle, canvas product, clock, computer, jewelry, musical
 7 instrument, office equipment, radio, shoe, television or watch repair;

8 (H) Taxidermist, tailor, milliner, upholsterer, locksmith;

9 (I) Wedding chapel.

10 **(9) Restaurant/Bar.**

11 Uses Included:

12 (A) Bar, tavern, cocktail lounge, nightclub, brew pub;

13 (B) Eating and drinking establishment;

14 (C) Pizza delivery facility;

15 (D) Take-out, yogurt or ice cream shop.

16 **(10) Retail Sales.**

17 Uses Included:

18 (A) Sale, lease or rental of: Antiques, appliances, art supplies, baked goods,
 19 bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing,
 20 computers, convenience goods, dry goods, electronic equipment, fabric, flowers, fuel (including
 21 gasoline and diesel fuel), furniture, garden supplies, gifts or novelties, groceries, hardware, home
 22 improvement, household products, jewelry, medical supplies, music, musical instruments, office
 23 supplies, package shipping, pets, pet supplies, pharmaceuticals, photo finishing, picture frames,
 24 plants, printed materials, produce, seafood, souvenirs, sporting goods, stationery, tobacco, used
 25 or secondhand goods, vehicle parts and accessories, videos, and related products;

26 (B) Art studio, gallery;

27 (C) Gas station (no vehicle service allowed);

28 (D) Building supply store.

29 **(11) Vehicle Sales.**

30 Uses Included:

31 (A) Boats and other recreational vehicle sales;

1 (B) Vehicle sales, rental, or leasing.

2 **(12) Water-Oriented.**

3 Uses Included:

- 4 (A) Boat livery;
- 5 (B) Dock or pier (commercial);
- 6 (C) Dry storage of boats;
- 7 (D) Ferry/water taxi;
- 8 (E) Marina;
- 9 (F) Wet storage of boats (commercial).

10 **(b) Workshop Use Categories.**

11 **(1) Light Industrial.**

12 Uses Included:

- 13 (A) Brewery, winery;
- 14 (B) Bus or rail transit vehicle maintenance or storage facility;
- 15 (C) Contractors storage including janitorial and building maintenance service,
16 exterminator, or other maintenance yard or facility; building, heating, plumbing, landscaping or
17 electrical contractor and others who perform services off-site, but store equipment and materials
18 or perform fabrication or similar work on-site;
- 19 (D) Crematorium, pet crematorium;
- 20 (E) Electronics service center;
- 21 (F) Food or beverage production except animal slaughter and stockyards;
- 22 (G) Lawn, tree or garden service;
- 23 (H) Laundry, dry-cleaning, and carpet cleaning plants;
- 24 (I) Leather and leather products except tanning and finishing;
- 25 (J) Lumberyard and wood products, sheet metal shop, soft drink bottling;
- 26 (K) Stone, clay, glass, and concrete products.

27 **(2) Light Manufacturing.**

28 Uses Included:

- 29 (A) Bulk mailing service;
- 30 (B) Clothing, textile apparel manufacturing;
- 31 (C) Manufacture or assembly of equipment, instruments (including musical

1 instruments), appliances, precision items, electrical items, sporting goods, office and art supplies,
 2 electrical equipment/items, paper products (except pulp mills), metal and glass products

3 (D) Office showroom/warehouse;

4 (E) Printing, publishing, and lithography;

5 (F) Production of artwork and toys, graphic design sign-making, movie
 6 production facility, photo-finishing laboratory;

7 (G) Repair of scientific or professional instruments and electric motors;

8 (H) Sheet metal, welding, machine, tool repair shop or studio;

9 (I) Woodworking, including cabinet makers and furniture manufacturing.

10 **(3) Research and Development.**

11 Uses Included: Laboratories, offices, and other facilities used for research and
 12 development by or for any individual, organization, or concern, whether public or private;
 13 prototype production facilities that manufacture a limited amount of a product in order to fully
 14 investigate the merits of such a product; pilot plants used to test manufacturing processes
 15 planned for use in production elsewhere; production facilities and operations with a high degree
 16 of scientific input; facilities and operations in which the input of science, technology, research,
 17 and other forms of concepts or ideas constitute a major element of the value added by manufac-
 18 ture per unit of product.

19 **(4) Self-Service Storage.**

20 Uses Included: Warehouse, self-service, fully enclosed indoor multi-story storage,
 21 mini-warehouse.

22 **(5) Vehicle Service.**

23 Uses Included:

24 (A) Audio and alarm system installation, custom accessories, quick lubrication fa-
 25 ilities, auto detailing, minor scratch and dent repair, bedliner installation, glass
 26 repair/replacement, tire sales and mounting, full-or self-service vehicle wash;

27 (B) Alignment shop, body shop, engine replacement or overhaul, repair of cars,
 28 trucks, RVs and boats, repair or replacement of brakes, shocks, mufflers and transmissions;

29 (C) Service station (gas station with service bays);

30 (D) Towing service, truck service, vehicle towing station.

31 **(E) Industrial Use Categories.**

1 **(1) Agriculture.**

2 Uses Included:

3 (A) Animal raising including horses, hogs, cows, sheep, goats, and swine,
 4 poultry, rabbits, and other small animals, apiculture, aquaculture, dairying, personal or
 5 commercial animal breeding and development;

6 (B) Crop production, soil preparation, agricultural services, large animal and
 7 veterinary services, farm labor and management services;

8 (C) Floriculture, horticulture, pasturage, row and field crops, viticulture;
 9 tree or sod farm, silviculture, sale of agriculture products;

10 (D) Fish hatcheries and preserves;

11 (E) Grain, fruit, field crop and vegetable cultivation and storage;

12 (F) Hunting, trapping and game propagation;

13 (G) Livestock, horse, dairy, poultry and egg products;

14 (H) Livestock auction;

15 (I) Milk processing plant;

16 (J) Packing house for fruits or vegetables;

17 (K) Plant nursery, plant nursery with landscape supply;

18 (L) Poultry slaughtering and dressing;

19 (M) Timber tracts, forest nursery, gathering of forest products.

20 **(2) Heavy Industrial.**

21 Uses Included:

22 (A) Any use that is potentially dangerous, noxious or offensive to neighboring
 23 uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare,
 24 fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with
 25 radio or television reception, radiation or any other likely cause;

26 (B) Asbestos, radioactive materials;

27 (C) Animal processing, packing, treating, and storage, livestock or poultry
 28 slaughtering, concentrate plant, processing of food and related products, production of lumber,
 29 tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or
 30 products, production or fabrication of metals or metal products including enameling and
 31 galvanizing, automobile dismantlers and recyclers, commercial feed lot;

- 1 (D) Bulk storage of flammable liquids, chemical, cosmetics, drugs, soap, paints,
- 2 fertilizers and abrasive products;
- 3 (E) Concrete batching and asphalt processing and manufacture, batch plant earth
- 4 moving, heavy construction equipment, transportation equipment;
- 5 (F) Detention center, jail, prison;
- 6 (G) Explosives, fabricated metal products and machinery;
- 7 (H) Industrial sign-making;
- 8 (I) Impound lot, wrecker service including vehicle wreckers, auto storage,
- 9 wrecking, junk or salvage yard;
- 10 (J) Labor hall, leather and leather products including tanning and finishing;
- 11 (K) Manufactured or modular housing sales;
- 12 (L) Petroleum, liquefied petroleum gas and coal products and refining;
- 13 (M) Primary metal manufacturing;
- 14 (N) Pulp mill, rubber and plastic products, rubber manufacturing;
- 15 (O) Scrap metal processors, sawmill, secondary materials dealers;
- 16 (P) Trailer leasing, auction vehicle, broker vehicle, pawn shop vehicle;
- 17 (Q) Tire recapping, tobacco products, transportation equipment.

18 **(3) Resource Extraction.**

19 Uses Included:

- 20 (A) Extraction of phosphate or minerals;
- 21 (B) Extraction of sand or gravel, borrow pit;
- 22 (C) Land clearing for the purpose of resource extraction;
- 23 (D) Metal, sand, stone, gravel, clay mining and other related processing;
- 24 (E) Stockpiling of sand, gravel, or other aggregate materials.

25 **(4) Warehouse and Distribution.**

26 Uses Included:

- 27 (A) Bulk storage, including nonflammable liquids, cold storage plants, including
- 28 frozen food lockers, household moving and general freight storage, separate warehouse used by
- 29 retail store such as furniture or appliance store;
- 30 (B) Bus barn;
- 31 (C) Commercial packing for fruits and vegetables;

1 (D) Distribution facility, central postal facility;

2 (E) Freight, service facility;

3 (F) Outdoor storage yard;

4 (G) Parcel services;

5 (H) Railroad switching yard, freight terminal, piggyback yard;

6 (I) Transfer and storage business where there are no individual storage areas or
 7 where employees are the primary movers of the goods to be stored or transferred;

8 (J) Trailer storage, drop off lot;

9 (K) Truck or motor freight terminal, service facility;

10 (L) Trucking operation;

11 (M) Warehouse.

12 **(5) Waste-Related Service.**

13 Uses Included:

14 (A) Animal waste processing;

15 (B) Garbage or refuse collection service (office and truck fleet);

16 (C) Landfill, Class III rubble fill;

17 (D) Manufacture and production of goods from composting organic material;

18 (E) Recycling facility including recyclable material storage, including
 19 construction materials, recycling drop-off facility, recycling buy-back center, recycling collec-
 20 tion center;

21 (F) Solid or liquid waste transfer station, waste incineration.

22 **(6) Wholesale Trade.**

23 Uses Included:

24 (A) Mail-order house;

25 (B) Sale or rental of machinery, equipment, heavy equipment, building materials,
 26 special trade tools, welding supplies, machine parts, electrical supplies, plumbing supplies,
 27 janitorial supplies, restaurant equipment, and store fixtures;

28 (C) Wholesale sales of food, clothing, auto parts, building hardware and similar
 29 products.

30

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect
2 immediately upon its adoption.

Adopted this 9th day of March, 2010.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.