



Charles County Commissioners Meeting of October 29, 2024

Department of Planning and Growth Management Staff Report

**Project Name: Additional Transitional Provisions for the Waldorf
Activity Center Zones**

Bill #2024-13 / ZTA #24-184

Type of Project: Zoning Text Amendment (ZTA)

Public Hearing

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BACKGROUND

In 2010 the County Commissioners adopted Resolution #2010-09 approving the Downtown Waldorf Vision Plan and Design Guidelines, an ambitious plan to transform the traditional heart of Waldorf into a mixed use, high-density, walkable urban center in synergy with future rapid transit. The ultimate goal is the development of a downtown center, a destination with a unique sense of place with a well-balanced mix of uses including commercial, service, residential, institutional, and recreational. The area, consisting of approximately 320 acres, is bounded by US 301 and the CSX railroad, and encompasses the area surrounding the intersection of Old Washington Road and Leonardtown Road, roughly extending to just north of Acton Lane.

To help implement this vision, the Commissioners adopted new zoning and Design Guidelines in 2010 as part of the adoption of the Downtown Waldorf Vision Plan. The zoning, named “Activity Center” zoning was codified in Section 297-97 of the Zoning Ordinance, and established two new zoning districts in the corridor: Waldorf Central (WC) and Acton Urban Center (AUC). The goal of this new zoning is to establish a more dense, urban development pattern in the corridor, with mixed use buildings, sidewalks and streetscape amenities, and common open space and parkland. The zoning sets a more urban form for buildings and sites, with detailed streetscape standards, shallow setbacks, minimum building heights, and reduced parking requirements. The Design Guidelines contain more detailed architectural and site design standards for the corridor.

The Downtown Waldorf Vision Plan and Design Guidelines can be viewed at <https://www.charlescountymd.gov/home/showpublisheddocument/2332/637182313098070000>
The Activity Center zoning can be viewed at <https://ecode360.com/27245928#27245928>

This urban development goal for Waldorf was not a completely new concept when the Vision Plan and Activity Center zoning were adopted. Since 1990 the county’s Comprehensive Plan has envisioned this area to have the most urban development patterns in the county. The Urban Core was first designated in the 1990 Comprehensive Plan to encourage high-density suburban or urban centers. In 2004 the County Commissioners adopted the Waldorf Sub Area Plan, which designated four Activity Centers to serve as town centers or “nodes” of activity in Waldorf. In 2007 the county initiated the Waldorf Urban Design Study (WUDS) to create a more detailed plan for two of these activity centers, Waldorf Center and Acton Center. The Downtown Waldorf Vision Plan and Design Guidelines is the outcome of the Waldorf Urban Design Study. Several years later, Downtown Waldorf was rebranded as the Waldorf Urban Redevelopment Corridor (WURC).

Since it was first designated, the Urban Core has only developed at medium rather than at high density and intensity. To encourage higher density, transit-supportive development, the 2016 Comprehensive Plan removed the Urban Core and designated a new Transit Corridor. The Transit Corridor further focuses density more directly on the US 301 corridor from Waldorf to White Plains. In addition, the 2016 Comprehensive Plan designated a new “Redevelopment District” over the Waldorf Urban Redevelopment Corridor, to formally recognize this area in the Comprehensive Plan.

After several years of relative inactivity of development in the WURC, new development projects are being proposed in the corridor that are more closely aligned with the original vision for the WURC. However, certain zoning requirements in §297-97 currently serve as a disincentive and make development challenging. Bill #2024-13 (ZTA #24-184) attempts to address this issue by proposing additional transitional provisions to modify these requirements for an interim period, as explained in more detail below. These transitional provisions are considered “additional” as the County had previously adopted in 2014 several transitional provisions to relax certain design requirements for an interim period.

REQUESTED AMENDMENTS

General Description of the Request: Bill #2024-13 (ZTA #24-184) would amend the Charles County Zoning Ordinance to provide additional transitional provisions for the Waldorf Central (WC) and Acton Urban Center (AUC) zones to provide regulatory flexibility for an interim period to facilitate new development in the Waldorf Urban Redevelopment Corridor (WURC); and would also amend certain provisions in the Zoning Ordinance to allow for greater clarity and ease of understanding of the requirements for these zones. The amendments are described in more detail below.

Additional Transitional Provisions

These proposed amendments consist of additional transitional provisions in Section 297-97 to temporarily relax certain requirements to remove barriers for development in the WC and AUC zones. The proposed provisions are as follows:

- A modification to the requirement that residential buildings fronting on Arterial Highways and Waldorf Urban Major Collectors (including Old Washington Road) have a nonresidential use occupy the entire ground floor. The amended language would allow residential buildings fronting these roads to have residential uses on the ground floor, provided that 1) the portion of the ground floor façade visible from the street is developed for non-residential use; and 2) the ground floor architecture of the street facing façade must have the design and appearance of a non-residential use.
 - The original purpose of this requirement was to ensure that the area develops in an integrated mixed-use pattern, with a mix of uses within buildings. However, residential developments are having difficulty meeting this requirement. The modification to require nonresidential uses only along the portion of the building facing the street will contribute to the mixed-use appearance of the corridor and encourage more pedestrian activity, while also better making it easier for residential developers to develop.
 - Removal of the requirement for residential development in the WC and AUC zones to purchase Transferable Development Rights (TDRs) in exchange for additional density. The purpose of this provision is to further incentivize new development in the WURC. Staff believes that TDRs from the WURC are not essential to the county’s land preservation efforts as there are several other land preservation programs to contribute to the county’s land preservation goals.

- Revision of the transitional period to five years from the effective date of the adopted ZTA. This replaces the previous transitional period which was two years from when sewer capacity was available to serve individual properties. Staff considers that a five-year period is a simpler, more straightforward time period that is easier to track.

Amendments for clarification (“housekeeping”)

As new development and redevelopment has begun to take hold in the WURC, staff and the development community have encountered various sections in the Zoning Ordinance that should be revised to enhance clarity and ease of understanding. The proposed revisions are as follows:

Article VI, Section 297-97, Activity Center Zones: The proposed revisions to this section include the following:

- Addition of references to the new transitional provisions in §297-97.O. where applicable.
- Clarification that signage and lighting shall comply with the requirements in the Downtown Waldorf Design Guidelines.
- Addition of language that clarifies that the signage and lighting requirements in §297-97 supersede those in other sections of the Zoning Ordinance in cases of conflict.
- Streamlining of language for existing sidewalk requirements.
- Clarification that street tree species shall be consistent with the requirements in the Road Ordinance.
- Clarification that project sites that include land in the future high-capacity transit corridor must clearly identify and note the future right-of-way line on proposed development plans, and further ensure all improvements are located outside the transit corridor right of way area.
- Amendments to Figure VI-8, Thresholds and Applicability of Requirements, to further clarify the applicability of requirements for change in use, as well as other revisions for consistency and clarity.

Article XIII, Section 297-212, Uses Corresponding with Table of Permissible Uses: The amendments remove language requiring ground floor nonresidential development in residential buildings on Arterial Highways and Waldorf Urban Major Collectors, to promote consistency with the additional transitional provision for this requirement.

Article XVIII, Section 297-306, Lighting standards: The amendments add language that refers the reader to the specific requirements for lighting in the Activity Center zones contained in §297-97.I. of the Zoning Ordinance and Section 6.0 of the Downtown Waldorf Design Guidelines, and further notes that in the event of any conflicts between the regulations, the requirements in §297-97.I. and in the Downtown Waldorf Design Guidelines shall apply.

Article XIX, Section 297-319, General provisions: The amendments add language that refers the reader to the specific requirements for signage in the Activity Center zones contained in §297-97.H. of the Zoning Ordinance and Section 5.0 of the Downtown Waldorf Design Guidelines, and further notes that in the event of any conflicts between the regulations, the requirements in §297-97.H and in the Downtown Waldorf Design Guidelines shall apply.

Article XXI, Section 297-358, Perimeter landscaping. The amendments add language that clarifies that the perimeter landscaping requirements in this section do not apply to development in the WC and AUC zones. Instead, development in these zones must comply with corresponding requirements in §297-97.K.7.

SUMMARY OF PUBLIC HEARING

At their regularly scheduled meeting on July 1, 2024, the Charles County Planning Commission held a Public Hearing on the proposed amendment. At the hearing, one (1) individual voiced comments. These verbal comments included concerns regarding loosening restrictions for mixed-use development; removal of the TDR requirement; and amount of residential development and impacts to county finances and services. No written comments were submitted prior to the hearing.

SUMMARY OF WRITTEN RECORD

At the conclusion of the Public Hearing, the record was left open for thirty (30) days. The record was closed on August 1, 2024. During the open record period, the Planning Commission received one written comment from members of the public. The public comment has been uploaded online to the Planning Commission's agenda. In summary, the written public comment expressed that residential uses on the first floor should be allowed; concerns with removal of the TDR requirement; medium rather than higher density should be supported in the interim to help mitigate financial impacts and support small scale developers until the area becomes more established; and support for other policy changes such as removing parking minimums to support smaller scale development in the WURC.

PLANNING COMMISSION RECOMMENDATION

On August 19, 2024, the Planning Commission held a Work Session to consider the proposed zoning amendments and public testimony. At the conclusion of the Work Session, the Planning Commission voted unanimously to forward a recommendation of approval of proposed ZTA #24-184 for adoption by the Board of County Commissioners.

STAFF FINDINGS

Staff finds that the proposed amendments support the objectives of the Vision Plan for the WURC and the 2016 Comprehensive Plan, specifically the Transit Corridor. While the county continues to fully support mixed use development in this corridor, the type of mixed use that is "integrated" or "vertical" mixed use (a mix of uses in the same building) is challenging to build, particularly when redeveloping small and narrow lots, which is the predominant pattern in the WURC. Staff finds that it is most critical at this time to incentivize higher density residential development in the WURC to the extent possible, to increase walkability and create demand for more commercial development. The WURC is the area in the county specifically intended for a large amount of multifamily development to support the vision of a dense, urban, walkable downtown. Further,

while the WURC is intended for mixed use development, it is currently overwhelmingly commercial, with only one residential neighborhood, Oak Manor Townhomes.

Economic Development Department (EDD) staff have been briefed on the amendments and are in support of them. They agree that new residential development is needed in the WURC to catalyze further investment in the corridor and draw commercial development.

The amendments will be reviewed in five years (towards the end of the interim period) to assess whether they are still needed, or whether the full integrated mixed-use requirement can be reinstated.

CONCLUSION AND RECOMMENDATION

Staff finds that the proposed amendments support the objectives of the 2016 Comprehensive Plan and the County's land use, housing, and economic development goals and policies. Staff further recommends that the Planning Commission make a recommendation of approval to the County Commissioners.

NOTE: The recommendation of approval by the Planning Commission has been forwarded to the Board of Charles County Commissioners for their consideration and final approval or denial.

APPENDICES

The following items associated with this proposal are attached and have been uploaded [Online](#) for your review and consideration:

1. Draft Bill #2024-13 (ZTA #24-184), Additional Transitional Provisions for the Waldorf Activity Center Zones