

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2024 Legislative Session

Bill No. 2024-13 / Zoning Text Amendment 24-184

Chapter. No. 297

Introduced by Charles County Planning Division

Date of Introduction September 10, 2024

BILL 2024-13

AN ORDINANCE concerning

ADDITIONAL TRANSITIONAL PROVISIONS FOR THE WALDORF ACTIVITY CENTER ZONES

FOR the purpose of

Amending 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 until a critical mass of the overall vision for the Waldorf Urban Redevelopment Corridor (WURC) is achieved; and also to amend the text of certain provisions in the Zoning Ordinance to allow for greater clarity and ease of understanding of the requirements for these zones.

BY amending:

Chapter 297 – ZONING ORDINANCE

Article VI, §297-97, Activity Center Zones.

Code of Charles County, Maryland

Chapter 297 – ZONING ORDINANCE

Article VI, §297-97, Figure VI-8, Thresholds and Applicability of Standards.

Code of Charles County, Maryland

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[Brackets] indicate language deleted from existing law.

1

2 Chapter 297 – ZONING ORDINANCE

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Article XIII, §297-212, Sections 3.03.100 and 3.03.200.

4

Code of Charles County, Maryland

5

6 Chapter 297 – ZONING ORDINANCE

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Article XVIII, §297-306, Lighting standards.

8

Code of Charles County, Maryland

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10 Chapter 297 – ZONING ORDINANCE

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Article XIX, §297-319, General provisions.

12

Code of Charles County, Maryland

13

14 Chapter 297 – ZONING ORDINANCE

15

Article XXI, §297-358, Perimeter landscaping.

16

Code of Charles County, Maryland

17

18 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**
19 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as**
20 **follows:**

21

22 Chapter 297. ZONING ORDINANCE

23

Article VI: Base Zone Regulations

24

25 Section 297-97. Activity Center Zones.

26

A. Objectives.

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(1) The Activity Center Zones are established to promote and require forms of development that create cohesive communities through the integration of residential, retail, business, office and civic uses into a network of streets, pedestrian ways and open space. Activity center zones are intended to achieve the following objectives:

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1 (a) Range of uses. Permit residential, office, retail, commercial service and
2 institutional uses. Restrict highway-oriented commercial uses.

3 (b) Range of housing. Permit a range of housing types, including mixed-use
4 buildings, attached, and multifamily dwellings.

5 (c) Street network. Create a grid street network that provides multiple means
6 of getting to destinations.

7 (d) Streetscape character. Create attractive streetscapes with a lively,
8 pedestrian-oriented character.

9 (e) Modes of transportation. Provide pedestrian, bicycle and transit linkages.

10 (f) Open space. Provide parks, plazas and greenways as community gathering
11 spaces and natural areas.

12 (g) Building form. Promote building forms that respect and improve the
13 integrity of streets, open spaces and other public areas.

14 (h) Visual harmony. Promote harmony in the visual relationships and
15 transitions between buildings.

16 (i) Transition to other districts. Provide transitions or buffers so that new
17 development is compatible with or protective of surrounding residential
18 uses.

19 (J) Transition time period for project design. Provide for a transitional period
20 where new development is not subject to all of the design standards in this
21 code as redevelopment transitions to the overall community vision for the
22 area.

23 (k) Transitional time period for project uses. Provide that existing uses may
24 continue and expand on-site during the transitional period.

25 (l) Require uses on vacant or adjacent properties, or for total voluntary
26 demolition and redevelopment, to comply with permitted use
27 requirements.]

28 (2) Waldorf Central Zone (WC). This zone provides for moderate - to high-density
29 development in the pattern of the downtown core of a traditional town, with a mix
30 and intensity of uses supportive of rail transit. Development is to be consistent with
31 the Downtown Waldorf Vision Plan and Design Guidelines (RESOLUTION
32 #2010-09) adopted by the County Commissioners.

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(3) Acton Urban Center Zone (AUC). This zone provides for high density, urban-scaled development with a mix and intensity of uses supportive of rail transit. Development is to be consistent with the Downtown Waldorf Vision Plan and Design Guidelines adopted by the County Commissioners.

B. Uses Permitted.

(1) Permitted uses shall be in conformance with the Table of Permissible Uses (Figure IV-2).

(2) The following additional requirements apply to the permitted uses of land within the Waldorf Central and Acton Urban Center zones:

(a) Mixed use buildings are encouraged.

(b) Buildings abutting an arterial highway (U.S. 301 and MD Business Route 5) or a Waldorf Urban Major Collector, as identified in the Downtown Waldorf Vision Plan and Design Guidelines, shall be developed for mixed use or non-residential use. No solely residential buildings are permitted in these locations. **TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).**

(c) Residential uses in mixed-use buildings shall be above the ground floor.
**TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN
§297-97(O).**

(d) The retail component of mixed-use buildings shall be primarily on the ground floor of the building and oriented towards a public street.

(e) Projects may be subdivided and/or phased as stand alone projects as desired provided that each phase meets the code requirements. Phasing will permit a single parcel to be developed in stages in compliance with the design requirements of this ordinance. A conceptual phasing plan shall be included as a part of the site development review process.

[f] The transitional use period shall begin from the adoption date of this section (6-10-2014) and ending two years from when sewer capacity is available to service the property. Existing uses may remain as permitted and expand only on-site, including:

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- [1] Construction services and supplies.
- [2] Retail sales.
- [3] Wholesale related businesses.
- [4] Motor vehicle related sales and services.]

C. Density - WC and AUC Zones.

The following requirements apply in the Waldorf Central and Acton Urban Center Zones:

- (1) Attached residences (Townhouse and Multiplex) shall be built at a minimum density of 12 dwelling units per acre and a maximum density of 36 dwelling units per acre.
- (2) Garden apartment, mid-rise and high-rise dwellings in residential-only buildings shall be subject to a minimum density of 15 dwelling units per acre. There is no minimum density for apartments within mixed-use buildings.
- (3) There are no maximum density requirements for apartments. The floor area ratio and building height requirements in the Schedule of Zone Regulations determine the allowed scale and intensity of apartment and mixed-use development.
- (4) Transferable Development Rights (TDRs) are required at the following rates:
 - (a) No TDRs are required for the first 12 dwelling units per acre.
 - (b) For attached residences, one TDR is required per dwelling unit in excess of 12 units per acre.
 - (c) For garden apartment, mid-rise or high-rise residences in residential-only buildings, one TDR is required per two dwelling units or fraction thereof in excess of 12 units per acre.
 - (d) In mixed-use buildings, one TDR is required per three dwelling units or fraction thereof in excess of 12 units per acre.
 - (e) TRANSITIONAL PROVISIONS AND EXCEPTIONS ARE NOTED IN §297-97(O).

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1 G. Streetscape Requirements.

2 * * * * * * * * * * * *

3 (6) Sidewalks.

4 (a) For development activity requiring a subdivision plan or site plan,
5 sidewalks shall be installed along streets within and abutting the
6 development site [where appropriate,]. THE WIDTH AND DESIGN OF
7 SIDEWALKS AND PLANTING STRIPS SHALL BE [based upon]
8 CONSISTENT WITH the road standards established by the Downtown
9 Waldorf Vision Plan, Section 5.3 and Figures 4 through [8.] 8.1., AND
10 SECTIONS 4.1 AND 4.3 OF THE DOWNTOWN WALDORF DESIGN
11 GUIDELINES.

12 (b) Sidewalks shall also be provided to connect building entrances and parking
13 areas with the sidewalks along the streets.

14 (c) Sidewalks may be located partially within the street right-of-way and
15 partially within the front setback area of the abutting property.

16 (d) Where sufficient right-of-way is available, sidewalks shall be separated
17 from streets by landscape strips to allow for street trees and to buffer
18 pedestrians from street traffic.

19 (e) [The width and design of sidewalks and planting strips shall be guided by
20 the Downtown Waldorf Vision Plan and Sections 4.1 and 4.3 of the
21 Downtown Waldorf Design Guidelines and reviewed as part of the site
22 development plan review process.]

23 (7) Street Trees. Street trees shall be provided along all streets at the time of
24 development.

25 (a) Spacing: At least one large shade tree shall be planted per 40 linear foot of
26 frontage along all public streets and major private streets. Street trees may
27 be spaced between 35 and 45 feet apart on center.

28 (b) Planting Standards. Street trees shall be planted using either underground
29 planters with minimum dimensions of 6 feet by 8 feet and structural soil

1 amendments or the planting site shall be prepared with a minimum of 120
2 cubic feet of rootable soil with structural soil amendments.

3 (c) STREET TREE SPECIES SHALL BE CONSISTENT WITH THE
4 RECOMMENDED LIST OF TREES FOR STREET PLANTING IN THE
5 CHARLES COUNTY ROAD ORDINANCE.

6 * * * * * * * * * * * *

7 H. Signage.

8 (1) Intent. Site and building signs should complement the architectural composition
9 and design of the building and the surrounding environment. Durable, attractive,
10 and well-maintained signs attract potential customers, provide directional
11 orientation, and contribute to the look and feel of the community.

12 (2) Signs shall be constructed of high-quality materials such as brick, cut stone,
13 stainless steel, or other similar materials.

14 (3) The requirements of Article XIX, Signs, shall apply within the Activity Center
15 Zones, with the following additional requirements. WHERE THE
16 REQUIREMENTS IN THIS SECTION CONFLICT WITH THOSE IN ARTICLE
17 XIX, THE REQUIREMENTS IN THIS SECTION SHALL APPLY.

18 (a) Freestanding pole-mounted commercial signs are not permitted.

19 (b) Signs located above or projecting from the roofline or parapet wall are not
20 permitted.

21 (c) Illuminated signs shall be lit externally. External lighting fixtures used to
22 illuminate signage shall provide full cut-off fixtures to reduce sky glow and
23 glare.

24 (d) Common sign plans shall be provided for all new non-residential and
25 mixed-use buildings.

26 (e) SIGNAGE SHALL COMPLY WITH THE STANDARDS
27 ESTABLISHED IN SECTION 5.0 OF THE DOWNTOWN WALDORF
28 DESIGN GUIDELINES.

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1 I. Lighting.

2 (1) Intent. Lighting should be a cohesive element of architectural and environmental
3 design to strengthen the appearance and functionality of structures and their
4 surroundings while providing adequate safety and visibility. Light fixtures should
5 be constructed of attractive, high-quality materials, be incorporated into the design
6 of the project, direct glare away from adjoining properties and public rights-of-way,
7 and reduce light pollution.

8 (2) The requirements of § 297-306, “Lighting Standards,” apply. In addition, the
9 following requirements are applicable.

10 (a) Comprehensive lighting plans shall be provided with site plan submittals
11 for new institutional, office, mixed-use and retail/commercial buildings.
12 These lighting plans shall be accompanied by plans, sketches, or
13 photographs indicating the design, size, methods of lighting fixture
14 attachment and shielding.

15 (b) Illumination shall be provided for main entrances, parking lots, service
16 entrances, alleys, pathways, open space, and plazas.

17 (c) **LIGHTING SHALL COMPLY WITH THE STANDARDS
18 ESTABLISHED IN SECTION 6.0 OF THE DOWNTOWN WALDORF
19 DESIGN GUIDELINES.**

20 * * * * * * * * * * * * * *

21 M. Reservation. If the property shown on a proposed site plan contains or abuts a public
22 infrastructure improvement (including but not limited to transit facilities, ROADS,
23 PARKLAND, OPEN SPACE and stormwater facilities) shown on the Downtown Waldorf
24 Vision Plan and Design Guidelines, to the extent possible other improvements shall be
25 located to reserve the full right-of-way for future construction of said public infrastructure
26 improvement.

27 (1) FOR PROJECT SITES THAT INCLUDE LAND IN THE FUTURE HIGH-
28 CAPACITY TRANSIT CORRIDOR, AS IDENTIFIED IN THE 2017
29 SOUTHERN MARYLAND RAPID TRANSIT ALTERNATIVES REPORT, THE
30 APPLICANT SHALL IDENTIFY THE FUTURE RIGHT OF WAY LINE FOR

SAID CORRIDOR ON THE PLAN, PROVIDE A NOTE INDICATING SUCH ON THE PLAN, AND ENSURE ALL IMPROVEMENTS ARE LOCATED OUTSIDE THE TRANSIT CORRIDOR RIGHT OF WAY AREA TO THE EXTENT FEASIBLE.

N. Administration.

- (1) A site development plan shall be required for all development within the Activity Center Zones.
- (2) Site development plans shall be reviewed for compliance with the requirements of this District as well as the Design Guidelines adopted by the County Commissioners for the specific area.
- (3) Limits of Applicability.

The Activity Center Zones will be applied to areas with existing residences, businesses and industries. The Activity Center Zones are intended to allow existing uses to continue, while the goals of the zones are gradually realized through infill, redevelopment and major expansion. Figure VI-8, THRESHOLDS AND APPLICABILITY OF STANDARDS, establishes thresholds at which the requirements of this Section shall be applied to proposed development in the WC and AUC Zones. Any request for expansion or extension of a nonconforming use shall first comply with the provisions and processes established in Article XXVIII, Nonconforming Uses, of this Chapter. [These expansion or extension of non-conforming use thresholds shall not apply during the transitional period.]

O. Transitional [design] provisions.

- (1) THE TRANSITIONAL PERIOD SHALL BEGIN ON THE EFFECTIVE DATE OF THIS SECTION (INSERT DATE) AND SHALL END FIVE (5) YEARS FROM THE EFFECTIVE DATE OF THIS SECTION. ALL DEVELOPMENT SHALL REFER TO THE THRESHOLDS AND APPLICABILITY OF STANDARDS TABLE DURING THE TRANSITIONAL PERIOD.
- (2) The following transitional [design] provisions apply within the WC and AUC zones during the transitional time period:

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1 (a) For new principal structures, the building façade must occupy at least 50%
2 percent of the street frontage.

3 (b) No frontage requirement shall apply for additions to existing buildings.

4 (c) The minimum building height required by Figure VI-9, Schedule of Zone
5 Regulations,^[6] shall not apply to new buildings or building additions
6 within the Acton Urban Center (AUC) Zone. The Waldorf Central Zone
7 (WC) shall require a minimum of two stories for new development.

8 [6] *Editor's Note: VI-9 is included as an attachment to this chapter.*

9 (d) A minimum floor area ratio shall not apply to construction of additions or
10 new principal structures.

11 (e) The minimum fifteen- percent open space requirement for non-residential
12 development shall not apply.

13 (f) The maximum parking is set at 100% of the required parking for the
14 proposed use, but 80% of the required parking can be provided with
15 additional on-street or off-site parking allocated for the proposed use.

16 (g) TRANSFERABLE DEVELOPMENT RIGHTS (TDRS) SHALL NOT BE
17 REQUIRED DURING THE TRANSITIONAL PERIOD.

18 (h) BUILDINGS ABUTTING AN ARTERIAL HIGHWAY (U.S. 301 AND
19 MD BUSINESS ROUTE 5) OR A WALDORF URBAN MAJOR
20 COLLECTOR, AS IDENTIFIED IN THE DOWNTOWN WALDORF
21 VISION PLAN AND DESIGN GUIDELINES, MAY INCLUDE
22 RESIDENTIAL USES ON THE GROUND FLOOR, PROVIDED THAT
23 THE ENTIRE PORTION OF THE GROUND FLOOR FAÇADE
24 FRONTING ON AND VISIBLE FROM THE STREET:

25 [1] IS DEVELOPED FOR NON-RESIDENTIAL USE. SUCH USES
26 COULD INCLUDE RETAIL, OFFICE, OR RECREATIONAL
27 USES, INCLUDING THOSE THAT ARE ANCILLARY TO THE
28 PRIMARY RESIDENTIAL USE; AND

29 [2] HAS THE ARCHITECTURAL DESIGN AND APPEARANCE
30 OF A NON-RESIDENTIAL USE. THE GROUND FLOOR

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1 ARCHITECTURE SHALL BE CLEARLY DIFFERENTIATED
2 FROM THAT OF THE UPPER FLOORS. THE BUILDING
3 ARCHITECTURE SHALL COMPLY WITH THE STANDARDS
4 FOR MIXED-USE AND NON-RESIDENTIAL STRUCTURES
5 AS PROVIDED FOR IN SECTION 3.3 OF THE DOWNTOWN
6 WALDORF DESIGN GUIDELINES.

7 *****

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9
10 Chapter 297. ZONING ORDINANCE
11 Article VI: Base Zone Regulations

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13 Figure VI-8. Thresholds and Applicability of Standards.

14 *****

15
16

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Figure VI-8
Thresholds and Applicability of Standards: ACTIVITY CENTER ZONES*
[Added 4-23-2010 by Bill No. 2010-02, amended 6-10-2014 by Bill No. 2014-03]

Type of Development	Applicable Requirements								
	Building & Lot Standards	Architectural	Road Classification and Layout	Streetscape	Signs	Lighting	Landscape	Parking	Open Space
[THIS TABLE IS NOT APPLICABLE DURING THE TRANSITIONAL PERIOD]									
1. New Principal Building	✓	✓	✓	✓	✓	✓	✓	✓	✓
[2. Additions to Single-Family Detached Dwellings]									
2. CHANGE IN USE OF EXISTING BUILDINGS				**	✓	✓	**	**	
3. Additions to Non-Residential or Multi-Family Building- Less than 20% of existing GFA or [1,000] 1,200 square feet GFA, whichever is less – Apply standards to new construction and areas affected by new site improvements		✓	✓		✓	✓	✓		
4. Additions to Non-Residential or Multi-Family Building – 20% or greater, but not more than 100% of existing GFA or [1,000] 1,200 square feet GFA, whichever is less – Apply standards to new construction and areas affected by new site improvements.	✓	✓	✓		✓	✓	✓	✓	✓
5. Additions to Non-Residential or MF Building– Increase in existing GFA by more than 100% - Apply standards to entire site to the extent possible	✓	✓	✓	✓	✓	✓	✓	✓	✓

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6. New Parking Areas That Add 1-10 Spaces			✓			✓	✓		
7. New Parking Areas – 11+ Spaces			✓			✓	✓	✓	✓

***PROVISIONS IN SECTION 297-97(O) SHALL APPLY TO THESE THRESHOLDS DURING THE TRANSITIONAL PERIOD.**

GFA = Gross Floor Area

****REQUIRED ONLY IF DEVELOPMENT RESULTS IN SUBSTANTIAL CHANGE/DISTURBANCE TO SITE (I.E. CHANGES TO PARKING, STORMWATER MANAGEMENT, ETC.)**

297 Attachment 3:19

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2 B. Within the WC and AUC Zones:

3 (1) Development shall comply with all applicable requirements of § **297-97**, Activity
4 center zones.

5 (2) Buildings shall be sited and designed to comply with the Downtown Waldorf Design
6 Guidelines.

7 [(3) Lots abutting a principal arterial highway (U.S. 301) or a Waldorf urban major
8 collector street, as identified in the Waldorf Downtown Vision Plan and Design
9 Guidelines, shall be developed for mixed use or nonresidential use. No solely residential
10 buildings are permitted in these locations.]

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16 Article XVIII, Site Design.

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20 Section 297-306, Lighting standards.

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22 * * * * * * * * * * * * *

23 * * * * * * * * * * * * *

24 E. LIGHTING IN THE WC AND AUC ZONES. LIGHTING LOCATED IN THE
25 WALDORF CENTRAL (WC) AND ACTON URBAN CENTER (AUC) ZONES SHALL
26 BE REQUIRED TO COMPLY WITH THE STANDARDS IN SECTION 297-97.I. OF
27 THE ZONING ORDINANCE AND IN SECTION 6.0 OF THE DOWNTOWN
28 WALDORF DESIGN GUIDELINES, IN ADDITION TO THE REQUIREMENTS IN
29 SECTION 297-306. WHERE THE REQUIREMENTS IN SECTION 297.97.I. AND/OR
30 THE DOWNTOWN WALDORF DESIGN GUIDELINES CONFLICT WITH THOSE
31 IN SECTION 297-306, THE REQUIREMENTS IN SECTION 297-97.I. OF THE
32 ZONING ORDINANCE AND THE DOWNTOWN WALDORF DESIGN
33 GUIDELINES SHALL APPLY.

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5 Chapter 297. ZONING ORDINANCE

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7 Article XIX, Signs.

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9 Section 297-319. General provisions.

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13 M. SIGNS IN THE WC AND AUC ZONES. SIGNS LOCATED IN THE WALDORF
14 CENTRAL (WC) AND ACTON URBAN CENTER (AUC) ZONES SHALL BE
15 REQUIRED TO COMPLY WITH THE STANDARDS IN SECTION 297-97.H. OF
16 THE ZONING ORDINANCE AND IN SECTION 5.0 OF THE DOWNTOWN
17 WALDORF DESIGN GUIDELINES, IN ADDITION TO THE REQUIREMENTS IN
18 ARTICLE XIX. WHERE THE REQUIREMENTS IN SECTION 297.97.H. AND/OR
19 THE DOWNTOWN WALDORF DESIGN GUIDELINES CONFLICT WITH THOSE
20 IN ARTICLE XIX, THE REQUIREMENTS IN SECTION 297-97.H. OF THE ZONING
21 ORDINANCE AND THE DOWNTOWN WALDORF DESIGN GUIDELINES SHALL
22 APPLY.

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24 * * * * * * * * * * * *

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26 Chapter 297. ZONING ORDINANCE

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28 Article XXI, Landscaping of Parking Facilities.

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30 * * * * * * * * * * * *

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32 Section 297-358. Perimeter landscaping.

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2 G. THIS SECTION SHALL NOT APPLY TO DEVELOPMENT IN THE WC AND AUC
3 ZONES. DEVELOPMENT IN THESE ZONES SHALL INSTEAD COMPLY WITH
4 THE REQUIREMENTS IN SECTION 297-97.K.7.

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6 * * * * * * * * * * * * *
7
8 **SECTION 2.** BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)
9 calendar days after it is adopted.

10
11 ADOPTED this _____ day of _____, 2024.

12
13 COUNTY COMMISSIONERS
14 CHARLES COUNTY, MARYLAND

15
16
17 Reuben B. Collins, II, Esq., President

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19
20
21
22 Ralph E. Patterson, II, M.A., Vice President

23
24
25
26 Gilbert O. Bowling, III

27
28
29 Thomasina O. Coates, M.S.

30
31
32
33 Amanda M. Stewart, Ed.D.

34
35 ATTEST:

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37
38 Carol DeSoto, Clerk to the Commissioners

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