

**ATTACHMENT, DRAFT NOVEMBER 4, 2004  
FRAMEWORK FOR A NEW MIXED-USE ZONE FOR THE OLNEY TOWN CENTER**

**Purpose**

This zone is intended to create a compact, mixed-use town center for Olney with a variety of building types of one to five stories. It should have at least one street as the main street of the community designed primarily for pedestrian traffic with buildings lined along the street front. The town center will have civic functions such as a library and community center and more than one main street or public gathering area. Ample pedestrian connections will connect it to the surrounding neighborhood of single-family attached and detached housing. It is meant for both infill and new development. Development should primarily be oriented to pedestrian streets and public spaces.

**New Construction, Re-use of Existing Building, Remodeling and Construction**

Where an otherwise lawful structure or building existed in a zone other than this zone prior to adoption of this zone, such structure or building is a conforming structure and may be continued, structurally altered for compliance with the health and building codes, repaired or enlarged for up to 10 percent of the gross building floor area or 10,000 square feet, which ever is less. Any new construction, substantial reconstruction, or complete demolition and replacement with new construction of a lot will be subject to the controls of this zone.

**Definitions**

Build-to-line: A line along which the front building wall or principal facade of the building shall be built when required in this zone and as recommended in the applicable master plan.

Public use space: In addition to the definition of public use space in the Zoning Ordinance, public use space included in any development in this zone should be a contiguous area with landscaping, seating, lighting and other features and amenities. It should be accessible from an adjoining sidewalk or other public space and building entrances and must be useable and identifiable as a public space. Such space should be exclusive of front, rear or side yards associated with individual units, public sidewalks, driveways, parking medians, entry decorative features and landscaped areas associated with parking lots or structures.

**Development Procedures**

Developments in this zone can be developed under either the standard method or the optional method of development.

**Standard Method of Development**

Standard method projects in this zone must comply with the Standard method development requirements as specified in this chapter. Development under this method also must be in compliance with the guidelines of an applicable master or sector plan.

**Optional Method of Development**

Properties that intend to achieve higher densities than those permitted under the standard method of development must use the optional method of development. A site plan must be submitted and approved in accordance with the provisions of division 59-D-3. Mixed use developments and developments five acres or more must also file a project plan.

**Permitted Uses**

- P: permitted under standard method and optional method
- OM: permitted under optional method only
- SE: permitted through special exception process for both the standard and optional method projects

| Use Group  | MX-2 |
|--|------|
| <b>(a) Residential:</b>  |      |
| Single-family, multiple-family, group homes, live/work units, housing and related facilities for senior adults or persons with disabilities  | P    |
| <b>(b) Transportation, Communication, and Utilities:</b>   |      |
| Power transmission lines, rooftop antennas and related unmanned equipment structures   | P    |
| <b>(c) Retail:</b>   |      |
| Hotel or motel   | P    |
| General retail stores:   |      |
| Up to 20,000 gsf per establishment   | P    |
| More than 20,000 gsf per establishment   | OM   |
| Eating and drinking establishments   | P    |
| <b>(d) Office/services</b>   |      |
| General office and professional services   |      |
| Up to 20,000 gsf per establishment   | P    |
| More than 20,000 gsf per establishment   | OM   |
| Places of worship  | P    |
| Publicly owned or operated uses  | P    |
| Educational institutions   | P    |
| Auto workshops   | P    |
| Clinics, hospitals, day care   | P    |
| <b>(e) Cultural, Entertainment and Recreational:</b>   |      |
| Indoor amusement and entertainment establishments, recreation centers, health clubs, theaters, skating rinks, and community service centers: |      |
| Up to 20,000 gsf per establishment   | P    |
| More than 20,000 gsf per establishment   | OM   |

| Use Group  | MX-2 |
|--|------|
| <b>(f) Uses permitted by special exception</b>   |      |
| Cable communications systems, Public utility buildings and structures, and telecommunication facilities and towers | SE   |
| Gas stations, car wash, Auto and truck rental  | SE   |
| Automobile sales, outdoor  | SE   |
| Drive-in restaurants   | SE   |
| Dry cleaning establishments in a mixed-use building  | SE   |
| Pawn shops, manufacturing, self storage and warehouses   | SE   |
| Outdoor recreation (driving ranges, miniature golf, skating rinks)   | SE   |
| <b>(g) Miscellaneous</b>   |      |
| Signs, in accordance with article 59-F   | P    |
| Accessory uses and structures  | P    |

### Development Standards

Standard and optional methods of development are allowed in this zone. Residential developments under both methods may increase the number of maximum permitted units to accommodate Moderately Priced Dwelling Units in accordance with the provisions of Chapter 25 A.

### Development Standards Table

|   | Standard  | MX-2   |                  |
|---|---|--------|------------------|
|   |   | SM     | OM               |
|   | Process   |        |                  |
| 1 | Maximum residential density (units/acre)                    | 8      | 15               |
| 2 | Maximum non-residential FAR                                 | 0.3    | 1.0              |
| 3 | Maximum building height (stories)                           | 3      | 5 <sup>1</sup>   |
| 4 | Public use space  |        |                  |
|   | For lots of less than 20,000 sf (percent of gross lot area) | 0      | 15               |
|   | For lots of more than 20,000 sf:                            |        |                  |
|   | Residential (lot area per unit)                             | 200 sf | 200 sf           |
|   | Non-residential (percent of gross lot area)                 | 10%    | 20% <sup>2</sup> |
| 5 | Minimum required front building wall                        | 75%    | 75%              |
| 6 | Building setbacks:  |        |                  |
|   | Minimum front setback (feet)                                | 0      | 0                |
|   | Maximum front setback (feet)                                | 10     | 70 <sup>3</sup>  |
|   | From an adjacent residential zone (feet)                    | 20     | 20               |

<sup>1</sup> Must not exceed any limitations in the master or sector plan.

<sup>2</sup> For optional method projects the Planning Board may allow all or part of the public use space requirement to be satisfied by the provision of indoor amenities.

<sup>3</sup> The Planning Board may allow a maximum front setback of larger than 70 feet if it finds that such front setback is needed for public use space or the development has more than one street frontage, and that such front setback would not disrupt the continuity of front building walls on adjacent properties on the same street frontage. For corner lots or lots comprising entire block, the Planning Board may establish which sides would be subject to front wall requirements for the development during the site plan review based on a layout that best achieves the objective of creating pedestrian oriented streets.

## **Street Wall Requirements**

1. Developments in this zone must have at least one front building wall for a minimum of 75 percent of building frontage located along a street or a public use space within 10 feet of its front lot line or the public use space. If the local area master plan recommends a location and a minimum height for such front building wall, the required front building wall should be provided in accordance with those recommendations.
2. The ground floor portion of any such street wall must have display windows and principal entrances to stores and retail establishments from the adjoining sidewalk or public use space.
3. The street wall requirement, as specified in this zone or the local area master plan may be modified by the Planning Board through the optional method of development if deemed appropriate and desirable to achieve the objectives of the area master plan.
4. Off-street parking structures should not be located along the street level floor of the required street walls. Minimum street wall requirement may be reduced to allow driveway entrances to such parking lots or structures if it can be demonstrated that no other street frontage or feasible alternative is available to the subject lot.
5. The Director or the Planning Board may reduce the street wall requirement for smaller lots where strict application of this requirement will preclude the development from having a driveway access to the street. The reduction should be minimum needed to allow one driveway access to the lot. Any other reduction or change in the street wall requirement must be subject to a site plan review through the optional method of development.

## **Parking Lots**

For parking lots of one acre or more, at least 10 percent of the parking lot area shall be devoted to landscaping within the parking lot. This landscaping would not count towards the public use space requirements. Off-street parking structures are not subject to this requirement.

## **Internal Connection Between Parking Areas**

All new developments must provide for a current or a future pedestrian and vehicular connection to current or future parking areas on at least one adjoining lot. The Director or the Planning Board may grant a waiver if the applicant demonstrates that the compliance with this requirement would preclude the subject lot from meeting the required off-street parking on site.

## **Off-Street Parking**

- (a) Except as modified in this section, required off-street parking must be provided pursuant to Section 59-E.
- (b) Except as modified in this section, Off-Street parking spaces for mixed-use projects must be provided pursuant to Section 59-E 3.1.
- (c) Off-street parking for two or more properties may be grouped to serve more than one lot or establishment pursuant to Section 59-E-3.4. Off-site parking spaces, and be eligible for reduction in required number of space pursuant to Section 59-E. 3.1- Mixed uses.

KA:ha: j:\staff reports\team 5\PB report-A New Town Center zone 11-4-04