

**DRAFT MILLINGTON COMMUNITY INFILL AND REDEVELOPMENT OVERLAY DISTRICT**

**§ \*. CRD Community Infill and Redevelopment Overlay District.**

A. Intent.

- (1) This district intends to encourage appropriate development on vacant and underutilized properties where the Planning Commission determines it will achieve efficient land use and improve site design. This district's design standards promote compatible infill and redevelopment by, among other things, allowing development on sites that may not meet the minimum land area and dimension requirements of the underlying zones.
- (2) The district promotes Smart Growth principles by encouraging the efficient use of land, public facilities, and services in substantially or partially developed areas. These regulations are intended to create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses following approved plans.

B. Applicability.

- (1) The provisions of this district apply to all land located within the CRD Overlay Zone as designated on the official zoning map.
- (2) All land uses and development shall be located and developed following the applicable provisions of the underlying zoning and all other applicable land development regulations except as modified by this subsection.

C. General Requirements. Site development shall adhere to the following to enhance compatibility with the surrounding community to the maximum extent practical:

- (1) Add sidewalks that connect to the adjacent sidewalk system where appropriate;
- (2) Construct public streets that connect to the adjacent street pattern as needed;
- (3) Preserve architecturally significant structures whenever feasible;
- (4) Include new or connect with existing civic spaces;
- (5) Include street furniture, lighting, and landscaping for the comfort and convenience of pedestrians; and
- (6) Design buildings and sites to be compatible with the surrounding community.

D. Permitted Uses.

- (1) Permitted uses may include a mix of residential, commercial, cultural, institutional, or entertainment into one space, where those functions are physically and functionally integrated, providing pedestrian connections.
- (2) Mixed-use development may be applied to a single building, a property, or several properties under the single ownership of a private developer, (quasi-) governmental agency, or a combination thereof. A mixed-use development may be new construction, reuse of an existing building or brownfield site, or a combination.

E. Development standards.

- (1) Development standards, including but not limited to density, intensity, height, area, and bulk, shall be set based on a master plan approved by the Planning Commission.
- (2) Density may exceed the underlying zone to create a neighborhood with various housing types.
- (3) Development standards applicable to the underlying zoning district shall apply if not included in the approved master plan development standards.

F. Compatibility standards.

- (1) The proposed development shall comply with the Community design standards established in Part III CD Community Design Overlay District (see Appendix A).
- (2) All planned uses, building types, and landscaping will be included in the preliminary plan and will demonstrate the relationships of the proposed development with the existing surrounding development.
- (3) Proposed open space and landscaping shall be shown on plans.
- (4) Public Facilities and Utilities.
  - (a) Existing and planned public facilities should be shown on development plans.
  - (b) All public streets, walkways, and alleyways shall be shown on development plans. The local street and walkway system shall be safe, efficient, convenient, attractive, and accommodate all population segments' use.

- (c) Roads, lighting, sidewalks, street furniture, utilities, and other public facilities should be designed to enhance pedestrian circulation.
- (6) Parking.
  - (a) All parking spaces shall be shown on the site plan.
  - (b) The Planning Commission may reduce minimum off-street parking requirements if the project is pedestrian-oriented.
  - (c) The parking plan may provide a combination of off-street and on-street spaces.
  - (d) Shared drives serving no more than two (2) dwellings may be permitted.
  - (e) Bicycle parking shall be provided for non-residential projects.
  - (f) Parking requirements can be waived where adequate public parking is available nearby, and the new parking demand does not interfere with the established parking patterns in the neighborhood. If public parking is proposed to provide any required parking, the Town Commissioners shall first approve such arrangement. Approval shall be documented in a letter signed by the Town Commissioners specifying where public parking is available for regular use by the development.
- G. Findings Required and Conditions of Approval. The Planning Commission may approve a proposed mixed-use infill or redevelopment project upon finding that:
  - (1) The plan accomplishes the purposes, objectives, and minimum standards and requirements of the overlay district;
  - (2) The plan is in accordance with the Comprehensive Plan;
  - (3) The plan is internally and externally compatible and harmonious with existing and planned land uses in the area; and
  - (4) Existing or planned public facilities adequately serve the proposed development.
  - (5) The Planning Commission may establish appropriate conditions for approval of all uses, including hours of operation, buffer, screening, signage, and lighting, to ensure compatibility with adjacent residential uses.
- H. Application process.

- (1) Notice: Property or properties proposed for mixed-use infill or redevelopment under the terms of this subsection shall be posted by the Town. Such posting shall appear on the site at least (14) days before the Planning Commission considers the application. As outlined herein, all required application information shall be present and available for review in the Town office at the time of posting.
  - (2) The applicant has the entire burden of proof to demonstrate that the proposed infill or redevelopment proposal meets or exceeds the development standards in Sections E and compatibility standards in Section F. Applications shall include adequate information to address this burden of proof requirement and shall, at a minimum, include the following:
    - (a) A description of the proposed development site, i.e., a plot plan or survey plot.
    - (b) A description of existing conditions in the vicinity of the site (e.g., block-face on both sides of the street within five hundred (500) feet of the proposed development site). These descriptions shall include documenting photographs and an analysis of the prominent architectural features on the adjacent block faces and shall address the following:
      - (i) site location and topography;
      - (ii) street connections;
      - (iii) pedestrian pathways;
      - (iv) lot coverage;
      - (v) building orientation; and
      - (vi) a description of prominent existing neighborhood architectural styles, characteristics, and features.
    - (c) A master development plan that includes a description of the proposed mixed-use infill or redevelopment, including:
      - (i) elevations of all proposed buildings;
      - (ii) a description of how the proposed infill or redevelopment is compatible with the features described in b above; and
      - (iii) a statement of how the proposed infill or redevelopment meets E and F development and compatibility standards above and the findings requirements outlined in G above.
- I. Remedies. Appeals from the Planning Commission's decision concerning any application for mixed-use infill or redevelopment may be made as provided in Article XIV of this Ordinance.

## **APPENDIX A**

### **Part III CD Community Design Overlay District**

#### **§ 80-27. Purpose of the District**

The purpose of CD Community Design Overlay District is to apply community appearance standards that promote public health, safety, and welfare. Economic objectives include enhancement and preservation of property values. These standards are not intended to restrict imagination or variety, but rather to assist in focusing on design principles that result in creative solutions that will develop a satisfactory visual appearance within the Town.

#### **§ 80-28. Development Subject to Community Appearance Standards**

All new development and/or redevelopment within the Community Design Overlay District shall be subject to the performance standards in this section.

#### **§ 80-29. Process for Review**

The Planning Commission and/or Board of Appeals shall review development plans as required to ensure the standards specified in this section are met. These standards are in addition to other regulations in this ordinance.

#### **§ 80-30. Standards**

##### **A. Relationship of Buildings to Site**

1. The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.
2. Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from public ways.
3. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
4. Newly installed utility services and service revisions necessitated by exterior alterations shall be underground where possible.

##### **B. Relationship of Buildings and Site to Adjoining Area**

1. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, site breaks, and materials.
2. Attractive landscape transition to adjoining properties shall be provided.
3. Harmony in texture, lines, and masses is required. Monotony of design shall be avoided.

### C. Landscape and Site Treatment

1. Where natural or existing topographic patterns contribute to beauty and utility of a development they shall be preserved and developed. Modifications to topography will be permitted where it contributes to good appearance.
2. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for the pedestrian.
3. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.
4. Unity of landscape design shall be achieved by repetition of certain plant varieties and other materials and by coordination with adjacent development.
5. Plant material shall be selected for interests in its structure, texture and color, and for its ultimate growth. Plants that are indigenous to the area and others that will be hearty, harmonious to design, and of good appearance shall be used.
6. In locations where plants will be susceptible to injury by pedestrian or motor traffic they shall be protected by appropriate curbs, tree guards, or other devices.
7. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.
8. Where building sites limit planting, the placement of trees in parkways or paved areas may be required.
9. Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, plantings, or combinations of these. Screening shall be effective in winter and summer.
10. In areas where general planting will not prosper, other materials such as fences, walls, and paving or wood, brick, stone gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.
11. Exterior lighting, when used, shall enhance the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided.

### D. Building Design

1. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.
2. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development. Building bulk and scale shall be similar to and consistent with the surrounding neighborhood as evaluated by the bulk of buildings adjacent, abutting and surrounding the proposed development. Larger buildings should be designed to adhere to the existing architectural pattern of the surrounding neighborhood.

3. Primary facades and entries face the adjacent street with a connecting walkway that does not require pedestrians to walk through parking lots or across driveways and that maintains the integrity of the existing streetscape.
4. Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses by considering appropriate bufferyards, the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project.
5. Building materials shall be similar to materials of the surrounding neighborhood or use other characteristics such as scale, form, architectural detailing, etc., to establish compatibility. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings. Materials shall be of durable quality. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same material, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.
6. All planned uses, building types, and landscaping will be included on the preliminary plans and will demonstrate the relationships of the proposed development with existing off-site development in the context of the adjacent community.
7. In any design in which the structural frame is exposed to view, the structural material shall be compatible within themselves and harmonious with their surroundings.
8. Building components, such as windows, eaves, doors, parapets, etc., shall have good proportions and relationships to one another.
9. Colors shall be harmonious and shall use only compatible accents.
10. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from public ways.
11. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
12. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting of individual projects shall be used to prevent a monotonous appearance.

E. Miscellaneous Structures and Street Hardware

1. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be appropriate, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
2. Lighting in connection with miscellaneous structures and street hardware shall adhere to standards set forth for site, landscape, buildings, and signs.

F. Maintenance - Planning and Design Factors

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures shall be conducive to easy maintenance and upkeep.
2. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.
3. Provisions for washing and cleaning of buildings and structures, and control of dirt and refuse shall be incorporated in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

G. Application information should include adequate information to address this burden of proof requirement and shall, at a minimum, include the following:

1. A description of the proposed development site, i.e., a plot plan or survey plot.
2. A description of existing conditions in the vicinity of the site (e.g. block face on both sides of the street within 500 feet of the proposed development site). These descriptions shall include documenting photographs and an analysis of the prominent architectural features, and as applicable shall address the following:
  - (a) Site location and Topography;
  - (b) Street Connections;
  - (c) Pedestrian Pathways;
  - (d) Lot Coverage;
  - (e) Impervious Surfaces;
  - (f) Building Orientation;
  - (g) Roofs;
  - (h) Massing and Proportions;
  - (i) Entryways;
  - (j) Windows;
  - (k) Garage Doors;
  - (l) Finishes and Materials;
  - (m) Ornamentation; and



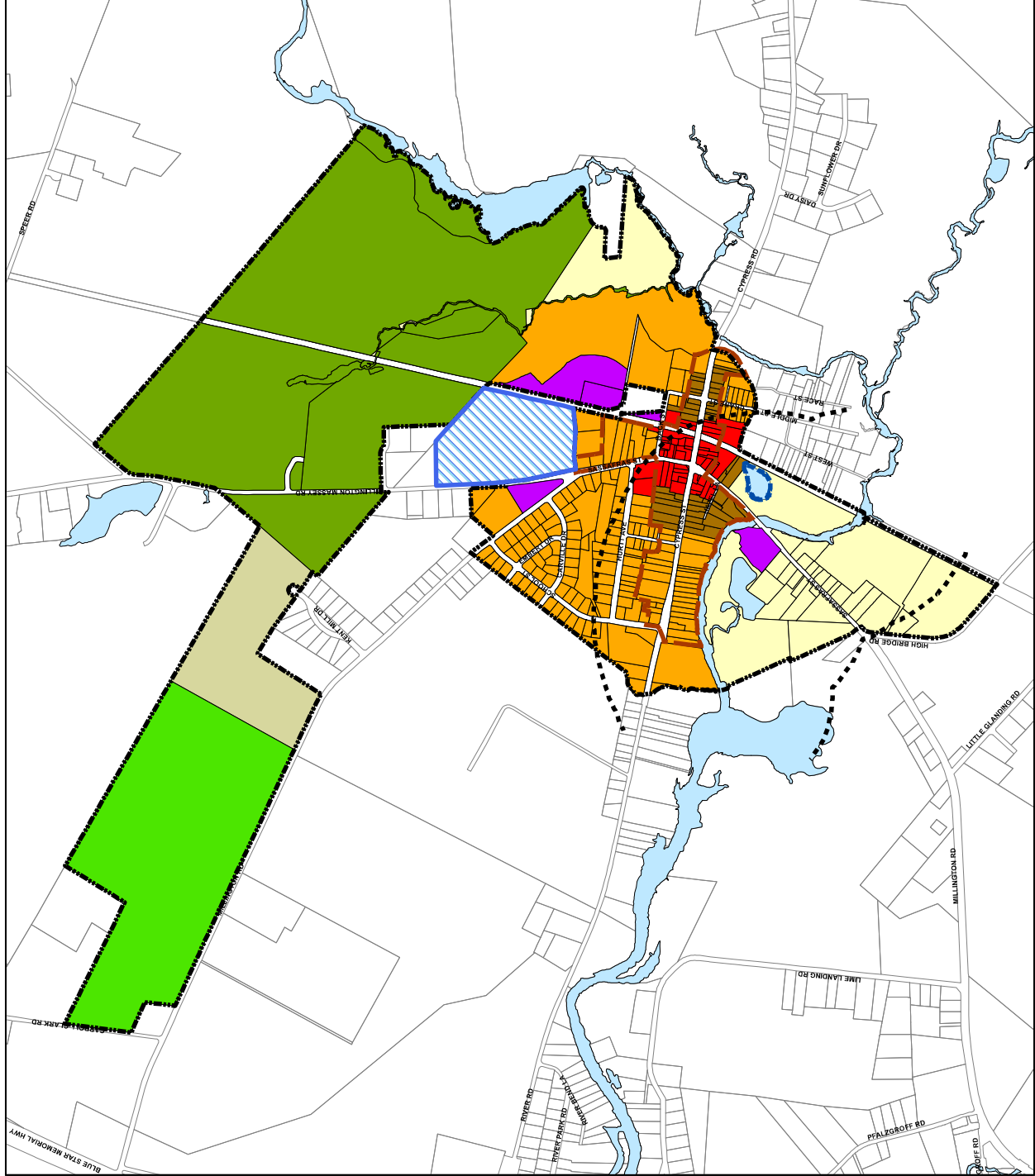
- (n) Building and other Colors.
3. A description of the proposed development including:
- (a) Elevations of all proposed buildings;
  - (b) Plot plan showing the existing and proposed footprint of structures on the property; and
  - (c) A statement describing how the proposed development is compatible these appearance standards.

# DRAFT

## OFFICIAL ZONING MAP MILLINGTON, MARYLAND

### Zoning Districts

- AR\_Agriculture
- Z\_R-1
- Z\_R-2
- Z\_R-3
- Z\_TC
- Z\_LI
- Rural Character, County
- Village, County
- Community Redevelopment Overlay
- Community Design Overlay
- Critical Area Boundary



This is the official "Zoning District" map for Millington, Maryland as set forth in Section 80-19 of the Zoning Ordinance for Millington, Maryland.

Mayor \_\_\_\_\_ Date \_\_\_\_\_

Attest: \_\_\_\_\_ Date \_\_\_\_\_

Town Clerk \_\_\_\_\_ Date \_\_\_\_\_

