



To: Westminster Planning and Zoning Commission

From: Andrew R. Gray, Comprehensive Planner

cc: Mark A. Depo, Director of Community Planning and Development
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Date: April 3, 2020

Subject: Planning and Zoning Commission Election Discussion

BACKGROUND:

Chair Beaver contacted Community Planning and Development staff requesting that the Planning and Zoning Commission ("Commission") be reminded of the upcoming elections for Commission Chair and Vice-Chair, that is scheduled for the May 14, 2020 Commission meeting.

According to the Commission Rules and Regulations, Section III. Quorum and Officers:

- B. "At its regularly scheduled meeting in the month of May, the PZC will elect from among its members a Chair and Vice-Chair to serve for the term of one year each. An affirmative majority vote of the members present will be necessary to elect members as officers. Officers may serve for as many consecutive terms as elected. In the event of a resignation or end of term of the Chair or Vice-Chair, the remaining members will elect another member to complete the term in question."

In addition, the following is information regarding the duties of the Chair and Vice Chair:

- A. "...If there is no business before the PZC, the Chair may cancel the PZC meeting pursuant to §2-104 of the Land Use Article."
- C. "The Chair will preside over all meetings of the PZC; call special meetings as needed; interpret these Rules and Regulations as they apply to conduct of the PZC; and, in general preside over conduct and proper decorum of the PZC while the PZC is in session. The Chair may also represent the PZC at other meetings upon the affirmative majority vote of the members present at a given meeting."
- D. "The Vice-Chair will have all of the powers, duties and responsibilities of the Chair in the Chair's absence."

ATTACHMENT:

1. Planning and Zoning Commission Rules and Regulations



CITY OF WESTMINSTER
PLANNING AND ZONING COMMISSION
RULES AND REGULATIONS

Adopted July 11, 2019
Effective August 25, 2019

This document contains the adopted rules and regulations for the City of Westminster's Planning and Zoning Commission (PZC), which the PZC has adopted for its proceedings.

These rules and regulations are intended to provide predictability and order to the public process upon which members of the public, applicants, City staff and the PZC may rely.

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PZC RULES AND REGULATIONS

I. Authorization

These Rules and Regulations are adopted pursuant to [§164-158](#) of the Charter and Code of the City of Westminster. The Planning and Zoning Commission (PZC) is authorized to adopt rules and regulations it deems appropriate. This document comprises the rules and regulations so adopted. The current version of this document supersedes all others.

These Rules and Regulations are also adopted as rules pursuant to §2-105 (c) of Title 2 under Division I of the Land Use Article of the Annotated Code of Maryland.

II. Overview

The PZC conducts nine types of major reviews and may accept other items for purposes of information. Those reviews that the PZC is required by law to conduct are as follows:

A. **Comprehensive Planning** per Titles 1 and 3 of Division I in the Land Use Article

1. Comprehensive Plan adoption
2. Comprehensive Plan amendments
3. Comprehensive Plan ten-year reviews
4. Consistency reviews of improvements
5. Annual reports with Carroll County

B. **Zoning Text Amendments** per Article XXIII of Chapter 164 of the City Code

1. Mayor and Common Council initiated
2. Applicant and other agency initiated

C. **Zoning Map Amendments** per Article XXIII of Chapter 164 of the City Code

1. Local Amendment
2. Sectional Amendment
3. Comprehensive Amendment
4. Annexations

D. **Planned Developments** per Article XXIII of Chapter 164 of the City Code

1. Applications for Planned Development
2. Amendments to Planned Development

E. **Plats and Subdivisions** per Article XXIV of Chapter 164 of the City Code

1. Minor Plats (two lots)
2. Preliminary Plats
3. Final Plats

F. **Development Site Plans** per Article XXV of Chapter 164 of the City Code

1. Simplified Site Plans
2. Site Plans

G. **Special Exception Uses** per Article XXII of Chapter 164 of the City Code

H. **Signage Review** per Article XVII of Chapter 164 of the City Code

I. **Capital Budget** per §20-4 of Chapter 20 of the City Code

PZC RULES AND REGULATIONS

III. Quorum and Officers

- A. The City Code provides for five regular members and one alternate. One of the five regular members is on the Common Council and serves as an *ex officio* member. At least three members of the PZC will be present to constitute a quorum. The PZC will not meet in the absence of a quorum. No applications may be reviewed in the absence of a quorum. Members are eligible to vote on items, as set forth in Chapter 7 of the City Code. If there is no business before the PZC, the Chair may cancel the PZC meeting pursuant to §2-104 of the Land Use Article.
- B. At its regularly scheduled meeting in the month of May, the PZC will elect from among its members a Chair and Vice-Chair to serve for the term of one year each. An affirmative majority vote of the members present will be necessary to elect members as officers. Officers may serve for as many consecutive terms as elected. In the event of a resignation or end of term of the Chair or Vice-Chair, the remaining members will elect another member to complete the term in question.
- C. The Chair will preside over all meetings of the PZC; call special meetings as needed; interpret these Rules and Regulations as they apply to conduct of the PZC; and, in general preside over conduct and proper decorum of the PZC while the PZC is in session. The Chair may also represent the PZC at other meetings upon the affirmative majority vote of the members present at a given meeting.
- D. The Vice-Chair will have all of the powers, duties and responsibilities of the Chair in the Chair's absence.
- E. A temporary Chair may be elected by the affirmative majority vote of the members present at the meeting of the PZC to serve for a single meeting or as may be necessary during any absence of both the Chair and Vice-Chair.
- F. The Director of Community Planning and Development or the Director's designee will act as the Executive Secretary to the PZC. The Executive Secretary will notify PZC members of meetings, both regularly scheduled and special; prepare any required notice; and, maintain the required records of meetings for the PZC.
- G. The Legal Advisor will be the City Attorney and/or another legal professional as designated by the City Attorney. The Legal Advisor may attend and participate in the meetings of the PZC, as may be deemed necessary by the City Attorney.
- H. Unless excused by an affirmative majority vote of the PZC, an appointed member who is absent for three consecutive, regularly scheduled meetings, will be deemed as having vacated his or her position on the PZC. The Executive Secretary may then submit a request for consideration to appoint a replacement.

PZC RULES AND REGULATIONS

- I. No member of the PZC with a personal, financial or equity interest in the outcome of a decision on an application will speak or vote on the matter during the PZC's deliberations. Members may choose to leave the meeting at their own discretion. Members absent from meetings due to self-recusal will be considered as excused.
- J. Per §7-13, Sub-section B. of the City Code, "The alternate member shall be expected to attend all meetings of the Commission and is entitled to participate in the meeting, as are the regular members, except in the matter of voting." Per Sub-section C., "Members of the Planning and Zoning Commission shall be eligible to vote on any item of Commission business as to which 1) the member was present for any hearing or other discussion or regarding which the member has reviewed the entire record and 2) for which they have no conflict of interest. In case a regular member is absent or cannot vote, the alternate member shall vote if 1) the alternate was present for any hearing or other discussion or regarding which the alternate has reviewed the entire record and 2) a regular or *ex officio* member abstains from the decision or is absent at the time of a decision."
- K. Members of the PZC are required to file statements of financial interests for the City of Westminster Code of Ethics Commission per § 16-6 of the City Code.
- L. Except as may otherwise be provided by law or these Rules, prior to a meeting on an application to the PZC, a member of the PZC will not communicate with any party on any matter relevant to the application, nor discuss specific details of any application. Following an action by the PZC, members may choose to communicate with any party at their discretion.
- M. PZC members may visit subject properties and may enter on any land to make examinations and surveys pursuant to §2-105 of the Land Use Article. Members are not required to visit subject properties. PZC members are expected to contact the applicant and/or the property owner prior to any visit as a courtesy. In the event that the PZC is conducting a quasi-judicial proceeding of any sort, a single visit shall be arranged for all members to view the property at the same time.

IV. Schedule and Notice of Meetings

- A. A regularly scheduled meeting of the PZC will be held on the second Thursday of each month, at 7:00 p.m. unless otherwise moved by the affirmative majority vote of the PZC. Meetings will be in a place designated by the Executive Secretary and published on the City's webpage to satisfy the Open Meetings Act.
- B. At any meeting, the Chair may set limits to the length of the meeting. If agenda items and/or an application cannot be heard due to such a limit, the meeting will be continued to a time or times as the PZC may determine is appropriate, taking into account where practicable the schedule of the applicant(s), and such times will be announced prior to conclusion of the meeting.

PZC RULES AND REGULATIONS

- C. Items on the PZC agenda will be limited to a maximum of five applications for review. Additional applications in excess of five will be held by the Executive Secretary for the next, regularly scheduled meeting or for a special meeting.
- D. Special meetings of the PZC may be called by the Chair or Executive Secretary when it is necessary to prevent an undue delay to any application or to consider any matter that requires attention prior to the next, regularly scheduled meeting.
- E. Notice of regularly scheduled meetings in the form of an agenda will be posted on the City's webpage on the Friday prior to the meeting. The agenda will include the date, time, place of the meeting, list of items to be reviewed, and date posted.
- F. For special meetings, notice in the form of an agenda will be placed on the City webpage at least two calendar days prior to the meeting. The agenda will include the date, time, place of the meeting, list of items to be reviewed, and date posted.

V. Conduct and Record of Meetings

- A. The Chair will preside over PZC meetings and provide direction regarding all presentations, written comments, verbal comments, and the PZC's deliberations. At the Chair's discretion, the order of the agenda may be re-ordered or amended.
- B. Applicants requesting approval of text amendments, map amendments, planned developments, subdivisions, and site plans must present their applications to the PZC. Applicants for sign approvals and special exception uses where a site plan is not part of the required application are not required to present their applications.
- C. Applicants and their design professionals must present proposals with supporting materials and respond to questions raised by the PZC or the Executive Secretary.
- D. Meetings are open to the public. Participation by members of the public is limited to providing written or verbal comments when a meeting is also a public hearing. At the Chair's discretion, anyone at any meeting may be recognized by the Chair.
- E. Members of the public may also submit comments in writing to the Executive Secretary in advance of the PZC meeting. Copies of written comments will be provided to PZC members by the Executive Secretary in advance of the meeting.
- F. Members of the public may review project applications upon receipt by the City. Members of the public may review PZC agendas and staff reports in advance of a meeting, after the Friday packet has been received by the PZC. Members of the public may review meeting summaries after formal adoption by the PZC.

PZC RULES AND REGULATIONS

- G. After the meeting, the Executive Secretary will prepare a summary including the formal actions by the PZC including all motions (passed, failed, and tie). These summaries are posted on the City's webpage after formal adoption by the PZC.
- H. Adopted meeting summaries will be posted on the City's webpage subsequent to adoption and will include the date of adoption.
- I. A sign-up sheet in the form provided by the Executive Secretary will be provided for each meeting. Members of the public may sign up with an email address to receive a summary of the meeting they attended after formal adoption by the PZC.
- J. A record of each PZC meeting including agenda, adopted summary, and sign-up sheet will be retained in the permanent records of the PZC on file with the City's Department of Community Planning and Development by the Executive Secretary or the secretary's designee. PZC records are available for review by appointment during regular business hours at 56 West Main Street, Suite 1, Westminster Maryland 21157.

COMPREHENSIVE PLANNING

VI. Comprehensive Plan per Title 3, Division I, Land Use Article

- A. For adoption or amendment of the City's Comprehensive Plan, the PZC will hold a public hearing for which at least one notice of the time and place of the hearing is published in a newspaper of general circulation in the City of Westminster.
- B. At least 60 days prior to the public hearing before the PZC, copies of the plan or amendment will be provided to adjoining jurisdictions and State units responsible for financing or constructing improvements necessary to implement the proposal.
- C. The PZC will include in its report to the Mayor and Common Council all of the recommendations received from each jurisdiction and State unit that comments.
- D. The adoption of a proposed plan, part of a plan, or plan amendment, and then the recommendation of the PZC to the Mayor and Common Council to approve a plan or any part of a plan, must be effected by the vote of a majority of the PZC.
- E. The approved plan, part of a plan, or plan amendment, and PZC recommendations to the Mayor and Common Council will be recorded along with the proposed plan or amendment and attested by the signature of the Chair and the Executive Secretary. An attested copy will be provided to the City Clerk for certification to the Common Council. Signed minutes may serve as the verification of attestation.

PZC RULES AND REGULATIONS

VII. Ten-Year Periodic Reviews per §3-301, 302 and 303 of the Land Use Article

- A. For the periodic review of the City's Comprehensive Plan, the PZC will hold a public meeting in accordance with the regulations of Section IV of these Rules.
- B. The PZC will review the Comprehensive Plan and may make recommendations to the Mayor and Common Council regarding the adequacy of implementation of the Comprehensive Plan by zoning laws and related ordinances and regulations.
- C. At the review or at other times, the PZC may also make recommendations related to public structures, improvements, land acquisitions, and financing programs.
- D. Upon review of the Comprehensive Plan, the PZC may recommend to the Mayor and Common Council specific actions or no action, based on its review. The PZC may recommend amendments, but the ten-year review itself is not an amendment.

VIII. Consistency Reviews of Improvements per §3-205 of the Land Use Article

- A. For the State-required consistency reviews with the Comprehensive Plan of a privately or publicly owned street, square, park or other public way, ground or open space, a public building or structure, or a public utility, the PZC will hold a public meeting in accordance with the regulations of Section IV of these Rules.
- B. A consistency review of a potential proposal under consideration by the City may be provided in response to a specific request by the Mayor and Common Council.
- C. In all other matters, the required consistency review is part of the subdivision and site plan review process, where consistency with the adopted zoning requirements in Chapter 164 is presumed to be consistent with the City's Comprehensive Plan.

IX. Annual Report with Carroll County per §1-207 of the Land Use Article

- A. For the State-required annual report, the PZC reviews data and information as provided by the City's Department of Community Planning and Development.
- B. For the approval and transmittal of the Annual Report, the PZC will hold a public meeting in accordance with the regulations of Section IV of these Rules.
- C. The PZC may, by affirmative majority vote, approve and transmit required data and information to Carroll County for use in its combined Annual Report, in order to satisfy the requirements of §1-207 of the Land Use Article.

PZC RULES AND REGULATIONS

- D. The PZC may use several meetings or a single meeting to effect approval and transmittal of the data for preparation, a draft report, and/or the final approval.
- E. After final approval by the PZC and prior to July 1 of each year, a copy of the report will be provided to the City Clerk for filing with the Common Council.

ZONING TEXT AMENDMENTS

X. Mayor and Common Council Initiated

- A. For text amendments, the PZC will review proposed text amendments and make recommendations to the Mayor and Common Council, after introduction and referral by the Mayor and Common Council, per the provisions of Article XXIII.
- B. Upon referral by the Mayor and Common Council, the PZC will hold a public meeting to make its recommendation. Such meeting will be scheduled by the Executive Secretary at the next regularly scheduled meeting date for which the required notice can be given, or as specified by the Mayor and Common Council.

XI. Applicant and Other Agency Initiated

- A. Text amendments initiated by the PZC must be introduced by the Mayor and Common Council prior to any formal recommendation given by the PZC.
- B. Text amendments filed by any interested party or any officer, department, board, commission, or bureau of the City must first be approved via introduction by the Mayor and Common Council prior to any recommendation by the PZC.
- C. Upon introduction and formal referral by the Mayor and Common Council, the PZC will hold a public meeting per the requirements set forth in Section IV.

ZONING MAP AMENDMENTS

XII. Local Amendment

- A. For local map amendments, the PZC will review proposed amendments and make recommendations to the Mayor and Common Council, in advance of the hearing by the Mayor and Common Council, per the provisions of Article XXIII.

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XIII. Sectional Amendment

- A. For sectional map amendments initiated by the Mayor and Common Council, the PZC will follow the requirements and procedures under Section X.
- B. For sectional map amendments initiated by the PZC, the PZC will follow the requirements and procedures under Section XI (excluding XI, sub-section B).

XIV. Comprehensive Amendment

- A. For comprehensive amendments, the regulations for sectional amendments apply.
- B. The PZC will only propose comprehensive map amendments in conjunction with required ten-year periodic reviews, which result in an affirmative directive by the Mayor and Common Council that a comprehensive map amendment is needed.

XV. Annexations

- A. For annexations, the PZC will conduct a public hearing per all of the applicable requirements of Subtitle 4, Title 4 under Division II of the Local Government Article of the Annotated Code of Maryland and related provisions of State law.
- B. For rezoning of annexed lands per § 164-6 of the City Code, the PZC may review rezoning related to annexations in batches when there are multiple annexations.
- C. City staff will prepare and present all required draft reports for the PZC to review.
- D. The approved annexation resolution shall constitute the rezoning of annexed lands.
- E. The PZC accepts the staff memo as constituting both the draft preliminary and final reports upon which the PZC will make recommendations.
- F. At least 60 days prior to the public hearing before the PZC, annexation documents will be provided to Carroll County Planning and State agencies identified in law.
- G. The PZC will render recommendations on annexations within a reasonable time.
- H. For annexations, the PZC may review accompanying amendments to the City's comprehensive plan at a later date and/or as part of the ten-year periodic update.

PZC RULES AND REGULATIONS

PLANNED DEVELOPMENTS

XVI. Applications for Planned Development

- A. For applications for planned development, the PZC will consider applications in three stages: rezoning (development plan approval), subdivision (culminating with the final plat), and building permit (site plan approval), per § 164-188 (C).
- B. For the rezoning (development plan) stage, the PZC will review proposals at an advertised public hearing and make recommendations, in advance of the public hearing by the Mayor and Common Council, per the provisions of § 164-188.
- C. For the subdivision stage, the regulations for plats and subdivisions will apply.
- D. For the site plan stage, the regulations for development site plans will apply.

XVII. Amendments to Planned Development

- A. For amendments to planned development, the PZC will review proposals at an advertised public hearing and make recommendations, in advance of the public hearing by the Mayor and Common Council, per § 164-188 (K).
- B. For development plan amendments filed per § 164-133 B., the PZC will review proposals at an advertised public hearing and make recommendations, in advance of the public hearing by the Mayor and Common Council, per § 164-188 (J).

PLATS AND SUBDIVISIONS

XVIII. Minor Plats

- A. Pursuant to § 164-202, the PZC recognizes these Rules and Regulations as fulfilling the additional written procedures for the processing and approval of subdivisions.
- B. For the re-subdivision of a lot or a minor subdivision (two lots), the PZC will not require submission of a preliminary concept plan per the provisions of § 164-201.
- C. For minor plats, pursuant to § 164-202, the PZC recognizes that the approval of a proposed plat by the various Carroll County review agencies and City review agencies constitutes required compliance with the provisions of Article XXIV.

PZC RULES AND REGULATIONS

- D. Pursuant to § 5-201 of Subtitle 2, Title 5 under Division I of the Land Use Article of the Annotated Code of Maryland, if the PZC is unable to make a recommendation for any reason within 30 days of its scheduled public meeting, the plat will be considered to be approved and signed by the Executive Secretary.
- E. For the purposes of § 5-201 (State Law), a plat signed by the Executive Secretary is hereby considered to meet the certificate requirement as set forth in State Law, pursuant to the permitted delegation of authority under § 5-203 of said State Law.
- F. The time for an interested party to file an action for judicial review, if permitted by law pursuant to Title 7 of the Maryland Rules of Procedure, shall run from the date on which the PZC conducts a vote constituting an action upon a matter pending before it. Upon PZC approval, the PZC Chair may sign an approved plat after the thirty-day appeal period.

XIX. Preliminary Plats

- A. Pursuant to § 164-202, the PZC recognizes these Rules and Regulations as fulfilling the additional written procedures for the processing and approval of subdivisions.
- B. Pursuant to the provision above and in recognition of long-standing precedent, the PZC recognizes preliminary plans may be considered upon the applicant's option.
- C. In the absence of any ruling to the contrary, the PZC considers preliminary plan approval as being conducted in tandem with final approval for all plat submittals.
- D. A separate motion is not required for the tandem approval of any plat by the PZC.

XX. Final Plats

- A. Pursuant to § 164-202, the PZC recognizes these Rules and Regulations as fulfilling the additional written procedures for the processing and approval of subdivisions.
- B. Applicants for final plats may substitute a digital copy in lieu of printed copies at the direction of City staff. A printed copy must be available at the public meeting.
- C. The licensed land surveyor whose signature appears on the surveyor's certificate and who prepared the plat must attend the meeting and present the proposed plat.
- D. For final plats, pursuant to § 164-202, the PZC recognizes that the approval of a proposed plat by the various Carroll County review agencies and City review agencies constitutes required compliance with the provisions of Article XXIV.

PZC RULES AND REGULATIONS

- E. Except as stated explicitly in a motion by the PZC, the PZC recognizes implicitly that proposed subdivisions achieve the Code-required maximum of compatibility, safety, efficiency, and attractiveness by their compliance with Code provisions.
- F. All required demonstrations by applicants and findings by the PZC, as set forth in the Code, are considered to have been met by the approval of the PZC, regardless of whether or not such were specifically enumerated by applicants or the PZC.
- G. The PZC will utilize the current version of the Development Design Preferences (DDP) in its review of plats. Except as explicitly stated in a motion, the PZC recognizes implicitly that a motion for approval affirms the required compliance.
- H. Pursuant to § 5-201 of Subtitle 2, Title 5 under Division I of the Land Use Article of the Annotated Code of Maryland, if the PZC is unable to make a recommendation for any reason within 30 days of its scheduled public meeting, the plat will be considered to be approved, and signed by the Executive Secretary.
- I. For the purposes of § 5-201 (State Law), a plat signed by the Executive Secretary is hereby considered to meet the certificate requirement as set forth in State Law, pursuant to the permitted delegation of authority under § 5-203 of said State Law.
- J. Upon PZC approval, the PZC Chair may sign an approved plat after the thirty-day appeal period, as required by Maryland Rules, Rule 7-203 Time for Filing Action.

DEVELOPMENT SITE PLANS

XXI. Simplified Site Plans

- A. For simplified site plans, the PZC will review any plan referred by City staff.
- B. The review of a simplified site plan is not required in the absence of a referral.
- C. The PZC will utilize the current version of the Development Design Preferences (DDP) in its review of plans. A simplified site plan for a building addition or site layout modification, which is deemed to be consistent with the existing building architecture or site layout, may be found to comply “in principle” with the DDP.
- D. For an “in principle” approval, the proposal need not meet specific guidelines in the DDP, if the PZC determines that the existing building and current site layout are acting as the context to which a simplified site plan is found to be consistent.
- E. If the PZC is unable to make a recommendation for any reason within 30 days of its scheduled public meeting, the plan may be signed by the Executive Secretary.

PZC RULES AND REGULATIONS

- F. Upon PZC approval, the PZC Chair may sign an approved plan after the thirty-day appeal period, as required by Maryland Rules, Rule 7-203 Time for Filing Action.

XXII. Site Plans

- A. For site plans, the PZC recognizes that the approval of a proposed plan by the various Carroll County review agencies and City review agencies constitutes required compliance with the Code provisions in § 164-208 and § 164-211 A.
- B. Applicants for site plans may substitute a digital copy in lieu of printed copies at the direction of City staff. A printed copy must be available at the public meeting.
- C. The licensed architect, licensed landscape architect, and/or licensed civil engineer who prepared the site plan must attend the meeting and present the proposed plan.
- D. All required demonstrations by applicants and findings by the PZC, as set forth in the Code, are considered to have been met by the approval of the PZC, regardless of whether or not such were specifically enumerated by applicants or the PZC.
- E. Applicants will present the phasing plan to the PZC, if a project is to be phased.
- F. Applicants will address the number of dwelling units per year to be constructed.
- G. The PZC will utilize the current version of the Development Design Preferences (DDP) in its review of plans. Except as explicitly stated in a motion, the PZC recognizes implicitly that a motion for approval affirms the required compliance.
- H. A proposed site plan for a building addition or site layout modification, which is deemed to be consistent with the existing building architecture or site layout, may be found to comply “in principle” with the DDP.
- I. For an “in principle” approval, the proposal need not meet specific guidelines in the DDP, if the PZC determines that the existing building and current site layout are acting as the context to which a site plan is found to be consistent.
- J. Upon PZC approval, the PZC Chair may sign an approved plan after the thirty-day appeal period, as required by Maryland Rules, Rule 7-203 Time for Filing Action.

SPECIAL EXCEPTION USES

XXIII. Referrals from the City of Westminster’s Board of Zoning Appeals

- A. For special exception uses where no site plan or any plat would be required, as anticipated in § 164-166 F. of the City Code, the following process will be followed.

PZC RULES AND REGULATIONS

- B. At the PZC meeting nearest the public hearing by the Board of Zoning Appeals, the Executive Secretary will brief the PZC on any pending special exception use.
- C. The PZC will signify whether any further review is desired by the PZC on the use.
- D. If further review is signified, then the special exception use would be scheduled for review at the PZC meeting immediately following the BZA's public hearing.
- E. If no further review is signified, then it would be noted in the meeting summary.
- F. In any event, the PZC will not review uses in advance of the BZA public hearing.

SIGNAGE REVIEW

XXIV. Signage review required per the provisions of Article XVII

- A. For applicable proposed signage, the applicant must submit a complete signage application, which indicates the size and location of all signage areas including required calculations and dimensions for evaluation by City staff and the PZC.
- B. The PZC will utilize the current version of the Development Design Preferences (DDP) in its review of signage. Except as explicitly stated in a motion, the PZC recognizes implicitly that a motion for approval affirms the required compliance.
- C. If the PZC is unable to make a recommendation for any reason within 15 days of the scheduled public meeting, a sign may be approved by the Executive Secretary.
- D. Upon approval by the PZC or via sub-section C above, a permit for an approved sign may be issued by the Zoning Administrator immediately upon its approval.
- E. Per § 164-128 of the City Code, the sign owner or owner of property on which a sign is proposed to be located may appeal a denial of proposed signage within 30 days by filing an appeal in writing with the Westminster Board of Zoning Appeals.

CAPITAL BUDGET

XXV. Capital Budget Review

- A. Per § 20-4 D. of the City Code, the PZC will review the proposed Capital Budget and make comments prior to the adoption of the operating budget.

PZC RULES AND REGULATIONS

- B. By annually reviewing the Capital Budget and making comments, the PZC considers itself to have fulfilled all required duties set forth in § 20-4 D.
- C. The PZC will review the proposed Capital Budget at its regularly scheduled meeting in April or a special meeting, if such a meeting were needed.
- D. If the PZC is unable to make a recommendation for any reason within seven days of its public meeting, the proposed capital budget will be considered to have received an **affirmative** recommendation by the PZC and move forward.
- E. In any case, the draft minutes of the PZC shall be deemed sufficient to provide the comments of the PZC to the Common Council.
- F. The Chair may review the draft summary minutes prior to their being forwarded.
- G. The PZC may also designate the Chair to represent the PZC at the budget hearing, pursuant to these rules and regulations under Section III, sub-section C. above.

RULES AND REGULATIONS

XXVI. Adoption and Amendment

- A. Rules and regulations may be adopted and amended at any regularly scheduled meeting or any special meeting called for that purpose and noticed per Section IV.
- B. For adoption, rules and regulations and/or any amendment must be approved by the affirmative majority vote of the PZC members present at the PZC meeting.
- C. Adopted rules and regulations become effective two weeks after adoption or by the posting of the agenda for the next regular meeting, whichever is sooner.
- D. City staff are hereby directed to correct any typographical and grammatical errors that may be identified in these rules and to update any informational items, such as contact information on the cover, without further approval by the Commission.

XXVII. Extraordinary Circumstances

The PZC authorizes the Director of Community Planning and Development to forego any requirement within these Rules and Regulations, if the City's interests were to be severely and adversely affected by the application of such rules and regulations. The Director will notify the PZC in writing (via email) immediately upon any such action by the Director.