



PLANNING AND ZONING COMMISSION

August 13, 2020

TITLE: Carroll County Commerce Center

REQUEST: Development Plan Amendment DP-20-01

The Applicant is requesting to amend the previously approved Carroll County Commerce Center Development Plan to designate Condominium Unit 7 for a convenience store with gasoline pumps use to develop a Royal Farms convenience store, pursuant to City of Westminster Zoning Ordinance Article XII Section 164.75.D. and Article XXIII.

PROJECT INFORMATION:

LOCATION: Carroll County Commerce Center (SDAT #: 07-114370, 07-157215, 07-157223, 07-157231, 07-157258, 07-157266, 07-157274 and 07-157169)
ZONE: P-I Planned Industrial Zone (Zoning Ordinance Article XII)

APPLICANT/REPRESENTATIVES:

APPLICANT: Corporate Center Leasing, LLC.
OWNER: Corporate Center Leasing, LLC.
ENGINEER: Carroll Land Services Inc.
ATTORNEY: Kelly Shaffer Miller, Shaffer & Shaffer

STAFF: Andrea Gerhard, Comprehensive Planner
Mark A. Depo, Director of Community Planning and Development

RECOMMENDATION: Forward a recommendation to the Mayor and Common Council including the requested State Highway Administration MD 97 Ultimate Right-of-Way.

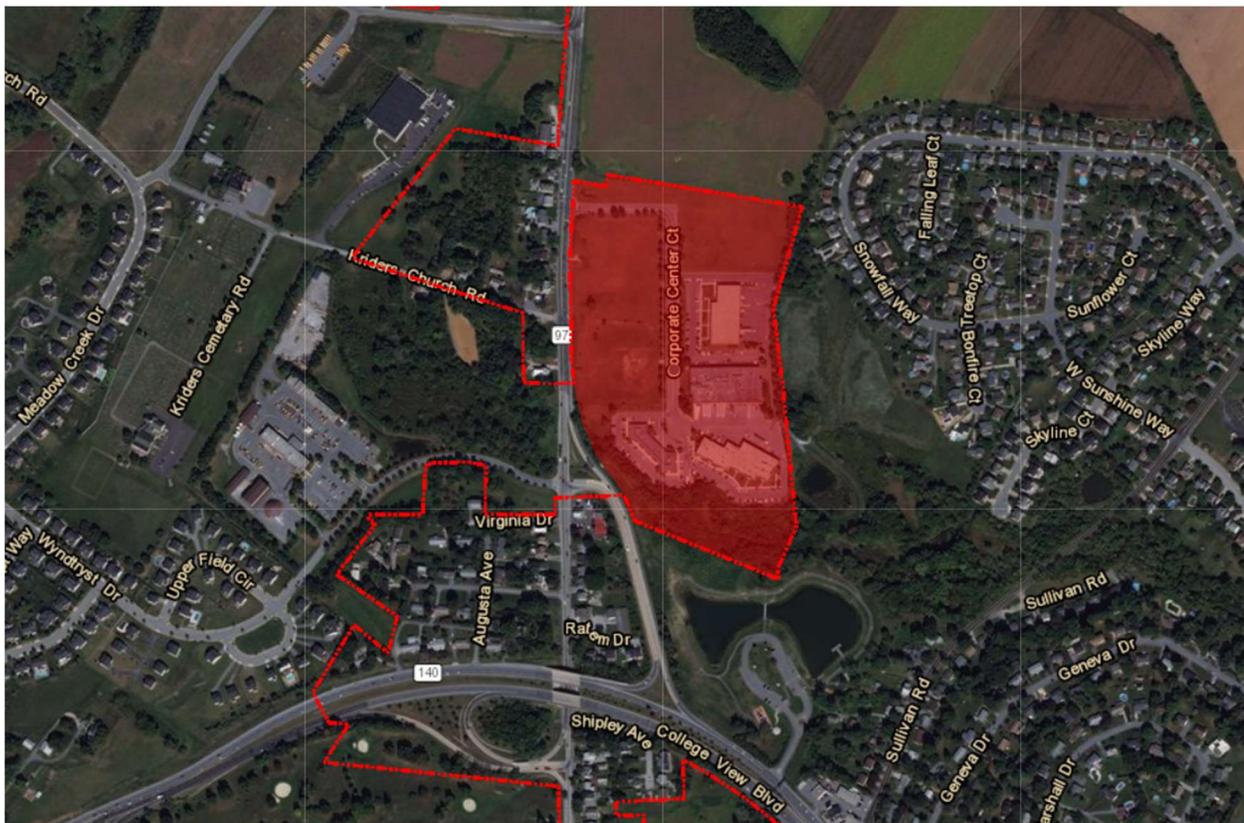
ATTACHMENTS:

1. Amended Carroll County Corporate Center Development Plan
2. Comprehensive Plan – Transportation Element Route 97
3. SHA MD 97 Concept Design and Report
4. Zoning Ordinance Article XII Section 164.75.D. and Article XXIII

STAFF REPORT

Pursuant to City of Westminster Zoning Ordinance (“Zoning Ordinance”) Article XII, P-I “Planned Industrial” Zone, Section 164-75.D., “A person may apply, either as part of an original application for zoning classification or as an amendment to a previously approved development plan, to designate a certain area of the Planned Industrial Zone for retail and commercial uses as part of the development plan, subject to the conditions and restrictions delineated below: [Section 164-75.D.(1) – (5)].” [Emphasis added] A “Convenience stores with or without gasoline pumps” is an allowed use in the P-I zoning district, subject to the previously approved Carroll County Commerce Center (“Commerce Center”) development plan being amended to designate a certain area for such use. also requires that the gross acreage of a commercial or retail use cannot exceed 15% of the acreage for the entire Commerce Center Planned Industrial project.

VICINITY MAP:



Red Shaded Area - Carroll County Commerce Center Development Plan

DEVELOPMENT INFORMATION:

Corporate Center Leasing, LLC., represented by Carroll Land Services Inc. and Kelly Shaffer Miller has submitted an application to amend the Commerce Center Development Plan to designate Unit 7 of the Development Plan for a convenience stores with gasoline pumps use. Section 164-75.D. [Attachment 1] The Commerce Center is located east of the intersection of MD Route

97/Corporate Center Court and further identified as SDAT# 07-114370, 07-157215, 07-157223, 07-157231, 07-157258, 07-157266, 07-157274 and 07-157169, hereinafter referred to as the "Development". The Development is zoned P-I Planned Industrial.

AMENDED DEVELOPMENT PLAN REVIEW COMMENTS:

Littlestown Pike (MD Route 97 North)

Commerce Center fronts on MD Route 97 North, a Maryland State Highway, and is located east of the Corporate Center Court and MD Route 97 North intersection. The portion of MD Route 97 North that the development fronts is classified as a principal arterial. Pursuant to the Transportation Element of the Comprehensive Plan a principal arterial *"Links large population or employment centers; can range from expressways to two-lane roadways; inter-county or interstate oriented and indicative of long travel lengths; high in traffic volume and speeds; access should be limited to intersections with public streets and controlled by establishing distances between points of access, provision of service or parallel roads, connections between adjacent developments, prevention of private/individual driveway connections, as well as the reduction in the number of existing access points."* Furthermore, *"the width of MD 97 North is forty feet, which offers two twelve foot travel lanes with ten foot left turn and acceleration/deceleration lanes at major intersections. There are no shoulders along most of the road, except in the section just north of the MD 140 interchange, where eight foot wide shoulders are available along the west side [opposite the property] of the road."*

Pursuant to the City of Westminster Comprehensive Plan - Transportation Element [Attachment 2], *"As a result of the increasing needs along MD 97 [as identified in the Transportation Element], City staff, in cooperation with SHA and Carroll County, will require three developers to be responsible for immediate mainline widening on MD 97(N). As future developments approach the City for development opportunity, they will also be required to make additional improvements to MD 97."* Furthermore, *"mainline widening improvements to MD 97(N) are now even more critical as areas beyond Westminster continue to develop at a pace that further exacerbates the problems on the existing roadway."*

Pursuant to Zoning Ordinance Section 164-138, Major road plans, *"in an area where a major road plan has been duly adopted in accordance with Article 66B of the Annotated Code of Maryland, showing a proposed new highway or street or a proposed relocation or widening of an existing highway or street, no building or part of a building shall be permitted to be erected within the lines of such proposed highway or street except as provided hereinafter:"*

MD Route 97 North adjacent to the Carroll Commerce Center development, including the Property, is planned to be a 5-lane principal arterial roadway. State Highway Administration's (SHA) June 2011 Concept Design and Report [Attachment 3], a SHA project with similar improvements, was completed north of the Commerce Center development on MD Route 97 from Magna Way to Pleasant Valley Road within a 110 feet right-of-way. In consultation with SHA, Community Planning and Development (CP&D) staff, has requested that the Applicant

depict and denote the same 110 feet right-of-way along the Property frontage of MD Route 97. Currently, the MD Route 97 right-of-way at this location is 60 feet, requiring additional right-of-way extending into and along the Carroll Commerce Center development.

Pursuant to Zoning Ordinance Section 164-69.B.(3), Dimensional Requirements, and Zoning Ordinance Section 165-55, Dimensional Requirements, Landscaping, a front yard depth of 50 feet is required for all buildings of the proposed convenience store with gasoline pumps use. Pursuant to Zoning Ordinance Section 164-3, Definitions, “Front Yard” is defined as “*A yard extending across the full width of the lot and lying between the front lot line or the proposed front street line and the nearest line of the building or any enclosed portion thereof.*” [Emphasis added]

The requested right-of-way along Route 97 allows for needed improvements that benefits the Commerce Center development. Route 97 provides the only access to the Commerce Center development and improvements to Route 97 would allow for better access and movement of vehicles accessing the development via Route 97 and would reduce the impact to Route 97 from vehicle trips to the Commerce Center development. The requested right-of-way along Route 97 will not restrict development within the Commerce Center as several Units (Units 2,3,4 and 5) have already developed and such right-of-way will have no effect on these developments. Furthermore, the requested right-of-way along Route 97 will not restrict Unit 7 from developing the proposed Royal Farms convenience store with gas pumps. The additional right-of-way may require the elimination of 9 parking spaces and relocation of the Stormwater Management (SWM) elements along MD 97, as proposed with the Royal Farm Site Development Plan. However, the proposed Royal Farm development exceeds the required number of parking spaces by 37 and there is vacant and useable space on Unit 7 where the SWM may be relocated. CP&D staff did meet with Carroll County Bureau of Resource Management, responsible for the review and approval of SWM for City development, and they confirmed that the Royal Farm development exceeds the required SWM on-site and any required SWM may be relocated on the vacant area of Unit 7.

Landscape Review

The Development Plan includes all major trees that have been approved through various site plan processes. Additional landscaping may be required with Site Development Plans, or amendments thereto, proposing development on Commerce Center Units.

Parking

Pursuant to Zoning Ordinance Article XVI and Sections 164-188 and 164-111, parking tabulations have been included on the Development Plan to include provided parking spaces compared to what is required. The following parking tabulations are provided for the required parking spaces for the total square footages of each use type of the Commerce Center, as follows:

Use	Square Footage	Parking Calculation	Required # of spaces
Warehouse	84,755	1 space/ 1,000 sq. ft.	85
Office Space	117,497	1 space/ 250 sq. ft.	470
Retail Space	5,154	1 space/ 250 sq. ft.	21
TOTAL # Required Spaces			576
TOTAL # Provided Spaces			718

The number of parking spaces existing currently on site is 381. The number of proposed spaces to be located on the undeveloped Units is 337. The total number of parking spaces provided will be 718 spaces when all development has occurred.

Water

Pursuant to the City of Westminster Water and Sewer Allocation Policy 2018-2024, for allocations related to any site development plan, the necessary allocations will be noted on the site plan; however, allocations are only granted at the building permit stage. The Commerce Center Development Plan includes 7 Condominium Units. Four of the Units are currently developed, Units 2,3,4 and 5. Buildings on Units 3 and 5 were in existence when the background study was completed for the City’s current Water and Sewer Allocation Policy. The flows from these buildings were incorporated into the background research for the policy therefore do not need their own specific water allocation. The City received Water and Sewer Allocation Applications for Units 2 and 4. The building on Unit 2 was allocated 1,650 gpd. The building on Unit 4 was allocated 261 gpd. A tentative water and sewer allocation (WSA-18-04) in the amount 1,460 gpd was issued for the Royal Farms proposal for Unit 7. Water Allocation for Units 1 and 6 will not be considered through this Development Plan process but will be discussed at the time in which a site plan is submitted.

PROCESS:

Pursuant to the City’s review process, the Development Plan was provided to the Department of Community Planning and Development to determine readiness to present to the Westminster Planning and Zoning Commission. Plans were reviewed for compliance with City requirements. The Planning and Zoning Commission shall decide if they will forward this Development Plan to the City of Westminster’s Mayor and Common Council if it will be with a favorable or unfavorable recommendation.

RECOMMENDATION:

Staff recommends that the Commission forward the revised Development Plan for Carroll County Commerce Center to the Mayor and Common Council with a favorable recommendation with the following condition:

1. Provide and depict the required right-of-way to accomplish a 110 feet ultimate right-of-way for MD Route 97 consistent with the City of Westminster's Comprehensive Plan, Zoning Ordinance, and State Highway Administration's June 2011 Concept Design and Report.

DRAFT MOTIONS FOR DEVELOPMENT PLAN DP-20-01:

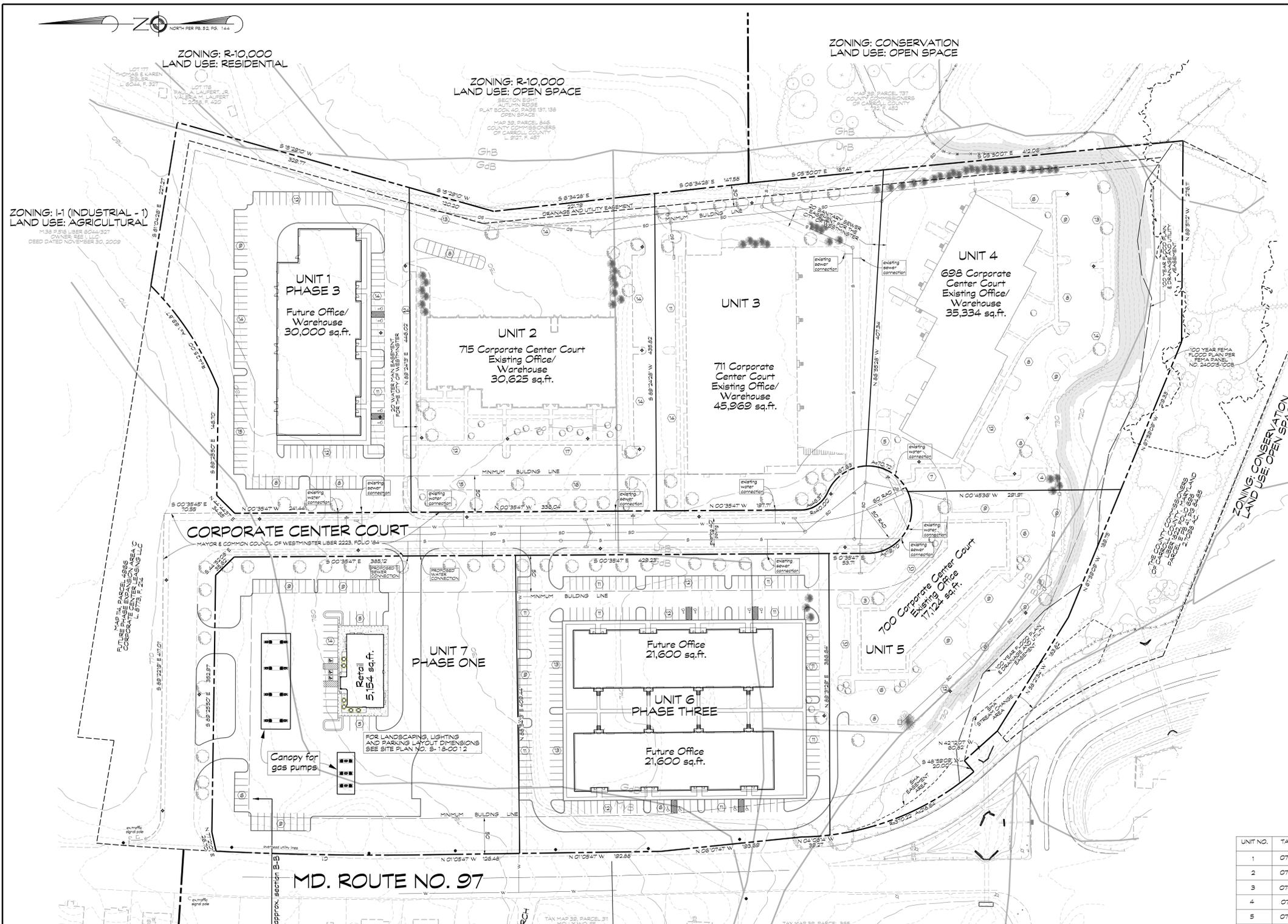
1. I move that the Planning and Zoning Commission recommend that the Mayor and Common Council approve Development Plan DP-20-01 based on the Staff Report and subject to the Condition of Approval provided at the August 13, 2020, Planning and Zoning Commission Meeting.

OR

2. I move that the Planning and Zoning Commission recommend that the Mayor and Common Council deny Development Plan DP-20-01.

OR

3. I move an alternate motion.



- DEVELOPMENT NOTES:**
1. OWNERSHIP: OWNER: CORPORATE CENTER LEASING LLC DEED REFERENCE: L 2425, F. 101 DATE: JULY 21, 2000 GRANTOR: NATIONAL INSTRUMENT CO.
 2. THIS SITE IS SERVED BY CITY OF WESTMINSTER PUBLIC SEWER AND WATER.
 3. THE BOUNDARY SHOWN HEREON IS FROM A BOUNDARY SURVEY BY KIDDE CONSULTANTS, INC. DATED 1990. BEARINGS AND DISTANCES SHOWN HEREON ARE FROM SHEET 1-9, SECOND AMENDED PLAN OF FUTURE PHASE EXPANSION AREA A, CONDOMINIUM SUBDIVISION OF CARROLL COUNTY COMMERCE CENTER, LAND CONDOMINIUM PHASE 1 RECORDED IN PLATBOOK 52, PAGES 144 THRU 152
 4. THE TOPOGRAPHY SHOWN HEREON IS FROM CARROLL COUNTY GIS 2015 TOPOGRAPHY.
 5. EXISTING ZONING: PI - PLANNED INDUSTRIAL ZONE
 6. THE DEVELOPMENT IS LOCATED IN THE MEDICAL CANNABIS JURISDICTION TO THE CITY OF WESTMINSTER ZONING ORDINANCE ARTICLE XVA.
 7. MINIMUM YARD REQUIREMENTS: FRONT YARD: 50' SIDE YARD: 30' REAR YARD: 30'
 8. TRASH REMOVAL SHALL BE IN COMPLIANCE WITH THE CITY OF WESTMINSTER CODE AND OTHER APPLICABLE DEVELOPMENT REQUIREMENTS. TRASH REMOVAL SHALL BE PROVIDED BY PRIVATE CONTRACTS.
 9. ALL CONSTRUCTION ON THIS PLAN SHALL BE IN ACCORDANCE WITH THE CITY OF WESTMINSTER, CARROLL COUNTY AND STATE REGULATIONS AND CODE REQUIREMENTS.
 10. LOCATION OF EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS. CONTRACTOR SHALL VERIFY THE UTILITIES LOCATIONS AND ELEVATIONS.
 11. COMPLETE LANDSCAPING AND LIGHTING PLANS SHALL BE REQUIRED AS PART OF THE SITE PLAN SUBMITTALS AND SHALL BE REVIEWED AND APPROVED BY THE CITY OF WESTMINSTER PLANNING AND ZONING COMMISSION IN ACCORDANCE WITH THE CITY OF WESTMINSTER CODE.

DATA TABULATIONS:
 UNITS 1-7 = 24,542.7 ACRES
 FUTURE PHASE EXPANSION AREA C = 1,611.2 ACRES
 CITY OF WESTMINSTER (L 2223, F. 184) = 2,207.4 ACRES
 PARCEL E (CARROLL CO. COMMISSIONERS L 1822, F. 698) = 2,709.6 ACRES
 TOTAL AREA OF DEVELOPMENT PLAN = 3,107.11 ACRES

BUILDING TABULATIONS:
 TOTAL AREA OF DEVELOPMENT PLAN: 3,107.11 ACRES
 MAXIMUM ALLOWABLE BUILDING COVERAGE: 40%
 MAXIMUM ALLOWABLE BUILDING COVERAGE: 12,428.4 ACRES
 TOTAL BUILDING COVERAGE PROVIDED: 20,740.6 SQ. FT.
 % OF BUILDING COVERAGE: 15.3% COVERAGE

RETAIL USE:
 1.746 ACRES, CONSTITUTING 5.619% OF ALLOWABLE MAXIMUM RETAIL ON SITE PER CITY CODE SECTION 184-75(D)

PARKING TABULATIONS:
 WAREHOUSE SPACE: 84,755 @ 1 SPACE/1000 SQ. FT. = 85 PARKING SPACES
 OFFICE SPACE: 117,497 @ 1 SPACE/250 SQ. FT. = 470 PARKING SPACES
 RETAIL SPACE: 5,154 @ 1 SPACE/250 SQ. FT. = 21 PARKING SPACES
 TOTAL PARKING SPACES REQUIRED: 576

EXISTING PARKING SPACES: 351
 PROPOSED PARKING SPACES: 937
 TOTAL PARKING SPACES PROVIDED: 718

CONDOMINIUM UNIT INFORMATION:

UNIT NO.	TAX ID NO.	ADDRESS OF BUILDING	ACREAGE OF UNIT	SQUARE FOOTAGE OF BUILDING	USE OF BUILDING	WATER (GPD)
1	07-114970	NONE ASSIGNED	3.4125	30,000	OFFICE/ WAREHOUSE	
2	07-157215	715 CORPORATE CENTER COURT	3.2867	30,625	OFFICE/ WAREHOUSE	1650
3	07-157223	711 CORPORATE CENTER COURT	3.0234	45,969	OFFICE/ WAREHOUSE	SEE NOTE (1)
4	07-157231	698 CORPORATE CENTER COURT	4.2199	35,334	OFFICE/ WAREHOUSE	261
5	07-157258	100 CORPORATE CENTER COURT	2.7605	17,124	OFFICE	SEE NOTE (1)
6	07-157266	NONE ASSIGNED	3.9417	43,200	OFFICE	
7	07-157274	NONE ASSIGNED	3.9880	5,154	RETAIL	

NOTE (1): THIS SITE WAS INCORPORATED IN THE BACKGROUND STUDY THAT FORMED THE CITY OF WESTMINSTER'S WATER AND SEWER ALLOCATION POLICY 2008-2024 AND THEREFORE IS SERVED BY WATER AND HAS A WATER ALLOCATION.

ZONING: I-1 (INDUSTRIAL - 1)
 LAND USE: AGRICULTURAL

- LEGEND**
- existing paving
 - s existing sewer line
 - w existing waterline
 - sd existing storm drain line
 - existing light pole
 - existing utility pole
 - existing tree
 - Denotes NUMBER OF PARKING SPACES
 - U-B SOIL LINE
 - GdB SOIL LINE
 - 25% SLOPE OR GREATER
 - 100 YEAR FEMA FLOOD PLAN PER FEMA PANEL NO. 24001B-100B
 - ZONING LINE

ZONING: R-10,000
 LAND USE: RESIDENTIAL

60 TURNPIKE RIGHT-OF-WAY BY MARYLAND ACTS OF 1780, CHAPTER 32 CONVEYED BY BALTIMORE AND RESTERTOWN TURNPIKE COMPANY TO SRC (NOW SH) BY DEED DATED OCTOBER 24, 1976

ENGINEER
 I HEREBY CERTIFY THAT THESE CONSTRUCTION DRAWINGS AND ASSOCIATED COMPUTATIONS WERE PREPARED BY ME OR UNDER MY SUPERVISION AND COMPLY WITH ALL APPLICABLE STANDARDS AND REGULATIONS OF THE CITY OF WESTMINSTER. I HAVE REVIEWED THESE DOCUMENTS WITH THE OWNER/DEVELOPER.

BRIAN E. WAGNER P.E.
 MARYLAND REGISTRATION NO. 51063

OWNER
 I HAVE HEREBY CERTIFY THAT ALL PROPOSED WORK SHOWN ON THESE CONSTRUCTION DRAWINGS HAS BEEN REVIEWED BY ME/US AND THAT I/WE FULLY UNDERSTAND WHAT IS NECESSARY TO ACCOMPLISH THIS WORK AND THAT THE WORK WILL BE CONDUCTED IN STRICT ACCORDANCE WITH THESE PLANS. I/WE ALSO UNDERSTAND THAT ANY CHANGES TO THESE PLANS WILL REQUIRE AN AMENDED PLAN TO BE REVIEWED AND APPROVED BY THE CITY OF WESTMINSTER PLANNING AND ZONING COMMISSION BEFORE ANY CHANGE IN THE WORK IS MADE.

BRIAN E. WAGNER P.E.
 DATE _____ OWNER _____ DATE _____

CITY OF WESTMINSTER, MAYOR

MAYOR: _____ DATE: _____

CITY OF WESTMINSTER, PLANNING AND ZONING COMMISSION

APPROVED: _____ DATE: _____

CITY OF WESTMINSTER, DIRECTOR OF PLANNING, ZONING & DEVELOPMENT

APPROVED: _____ DATE: _____

CITY OF WESTMINSTER, DIRECTOR OF PUBLIC WORKS

APPROVED: _____ DATE: _____

2nd AMENDED DEVELOPMENT PLAN

CARROLL COUNTY COMMERCE CENTER

7th ELECTION DISTRICT - CARROLL COUNTY, MD
 TAX MAP 114, BLOCK 24, PARCEL 4986

CLSI
 Civil Planning & Environmental Consultants

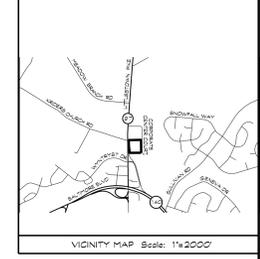
439 East Main Street Westminster, MD 21157-5539
 (410) 845-1192 FAX (410) 845-1191

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED OR APPROVED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND. LICENSE NO. 6368 EXPIRATION DATE: JUNE 7, 2021

Date: 7/20/2020 Revisions: none Drawn By: LJA
 100 per day of Westminster memo dated July 8 and email dated July 17 188

Reviewed By: _____ Date: MAY 12, 2020
 Scale: 1"=50'
 Job No.: 881570
 Sheet: 1 OF 1

County File No. _____



Transportation

2009

What is the Transportation Element?

At the 1997 session, the General Assembly passed five pieces of legislation and budget initiatives known collectively as "Smart Growth." Maryland has adopted the principles of Smart Growth to be incorporated into the Comprehensive Plan.

The following Smart Growth principle relates to the Transportation Element:

Facilitate an adequate mix of transportation modes

- To reduce traffic congestion throughout the City
- To coordinate land use and transportation
- To create resiliency, and connectivity within the City road networks
- To ensure connectivity between pedestrian, bike, transit, and road facilities

Revitalize existing neighborhoods into safe, walkable, and livable communities

- To mix land uses and build compactly, thus reducing trips and make walking a more viable alternative
- To create a streetscape that better serves a range of users (pedestrians, bicyclists, and automobiles)
- To balance streets and sidewalks in order to encourage walkability

State Planning Vision found in this Element

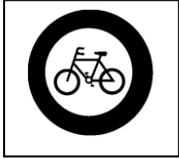
Transportation - A well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods and services

Community Vision for Transportation

According to the 2008 Community Survey, Westminster drivers are concerned with the difficulties they encounter turning on and off roads due to issues with visibility or merging. Some residents suggested that the City should consider the addition of lanes, roundabouts, or left turn signals. A second challenge with driving in Westminster is the high volume of traffic. Residents describe traffic to be an issue on Route 140 during commuting times in the early morning or early evening because of the high number of commuters that leave Westminster everyday to work outside of Carroll County.

From the timing to the synchronization, residents listed challenges with traffic lights throughout Westminster. In some cases, it is not the use of a traffic light, but rather the lack of a traffic light that most concerned residents. Residents would like to see the addition of traffic lights at certain difficult intersections.

Driving is not the only form of travel for residents of Westminster. Many residents choose walking or biking to get around the City. About 14% of residents are dissatisfied with the ease of pedestrian travel, and almost 17% are dissatisfied with the ease of traveling by bicycle. Residents would like improvements to sidewalks, the addition of walking/biking trails, and the enforcement of crosswalks in order to improve pedestrian or bike accessibility.



Part 1: Transportation Infrastructure

Transportation is increasingly the most complex issue faced by State and local governments. The movement of people, goods and services is crucial to the economic and social vitality of any community. The transportation network in and around Westminster provides access for people and products to small local markets, as well as large metropolitan areas. The Westminster transportation system affords its residents the opportunity to work in the larger employment centers, while residing in a community that has an established high quality of life. As Westminster and Carroll County continue to grow, the pressures on the transportation network will continue to increase, and these increasing pressures will need to be addressed by the State, County and local governments.

Chapter 12

Part 1: Transportation Infrastructure

Part 2: Traffic Volumes & Capacity

Part 3: Pedestrian & Bicycle Accessibility

Part 4: Transit Alternatives

Part 5: Commuting Patterns

Part 6: Corridor Studies

Part 7: Proposed Major Streets

Part 8: Transportation Planning

Goals and Objectives

Section 1: Summary of the Existing Transportation Network

The Westminster area features a variety of modes of transportation. These include the road network, which encompasses State highway facilities, collector roads, and the local street system; pedestrian and bicycle facilities; railroads; the Carroll County Regional Airport; and transit and ridesharing opportunities. All of these facilities are described in detail below. In addition, information is provided regarding the traffic volumes and capacity of area roadways, as well as the level of service and functional classification.

Section 2: Functional Classification

Functional classification is the assignment of streets and roadways into classes or systems, according to the type of service they are intended to provide based on its daily traffic volumes as well as its purpose, characteristics and location (Map 9.1). Individual streets do not function independently. Rather, travel involves movement through a network of roadway systems. The functional classification defines the role that any particular street should fulfill in order to facilitate logical and efficient travel patterns. Basically, local roadway classifications represent an emphasis on access to property, arterials represent a high level of mobility, and collectors represent a compromise between property access and mobility. (Source: Carroll County Functional Classification Criteria and Assignment, October 1995 (Revised in accordance with current SHA classification system, June 2004).

Roadway segments are designated as rural or urban based on context and roadway characteristics. The roadway segments of the Westminster area are then further classified into one of the following categories:

Principal Arterial

Links large population or employment centers; can range from expressways to two-lane roadways; inter-county or interstate oriented and indicative of long travel lengths; high in traffic volume and speeds; access should be limited to intersections with public streets and controlled by establishing distances between points of access, provision of service or parallel roads, connections between adjacent developments, prevention of private/individual driveway connections, as well as the reduction in the number of existing access points.

Minor Arterial

Provide a lower level of mobility while placing more of an emphasis on land access than the other arterial classifications; typically provide a link to the collector roadway system and connect small population centers to the overall arterial system; access should be controlled by establishing distances between points of access, connections between adjacent developments; and prevention of private/individual driveway connections.

Collector

Provide for both land access and movement within residential, commercial, industrial or agricultural areas; links from the land uses to the arterials; provide service to areas not on an arterial route and to other important traffic generators; access should be controlled by establishing distances between points of access, connections between adjacent developments; and prevention of private/individual driveway connections.

Local System

Provide for direct access to individual land uses; discourage through traffic and are typically low in traffic volumes and speed.

Section 3: State Highway Facilities

The City of Westminster and the surrounding area are served by seven Maryland State Highways: MD 140 (Baltimore Boulevard and a segment of MD 97), MD 97 North (Littlestown Pike), MD 97 South (Washington Road), MD 27 (Westminster/Manchester Road, Railroad Avenue/Liberty Street and Ridge Road), MD 32 (Sykesville Road), MD 31 (New Windsor Road), Route 832 (Old Taneytown Road), Route 852 North (Old Manchester Road), and Route 852 south (Old New Windsor Road). Each of these facilities is briefly described below, beginning with the principal arterials and working down to the state highways, which are classified as local roads (Map 12.2).

Maryland MD 140

Maryland MD 140 is classified as a principal arterial under the State Highway Administration (SHA) system of functional classification. Eastbound MD 140 provides access from Westminster to Interstate 795, which joins the Baltimore Beltway (I-695); to the west, MD 140 intersects with U.S. Route 15 in Emmitsburg. This route serves commercial and commuter traffic between Carroll County, Pennsylvania, and the Baltimore area via I-795 and I-695. East of the Westminster corporate limits, MD 140 is a four lane, divided highway, with twelve-foot wide travel lanes and ten to twelve foot shoulders. The posted speed limit is 55 miles per hour to the east of the City.

Within the Westminster area, the speed limit decreases to 45 miles per hour, while the roadway width increases to provide for right and left turn lanes at intersections. West of MD 31, the width of MD 140 decreases to between forty-four and forty-eight feet, providing two twelve foot travel lanes with ten to twelve foot paved shoulders. The speed limit increases to 55 miles per hour in this area. Signalized intersections include Market Street, Malcolm Drive/MD 97, Gorsuch Road, Ralph Street, Center Street, Englar Road, Sullivan Road, MD 31 (partial), and WMC Drive. Interchanges with on- and off-ramps exist where MD Routes 27 and 97 North travel under MD 140.

Maryland MD 97 North

Maryland MD 97 North also classified by SHA as a principal arterial from MD 140 to Old Meadow Branch Road, connects MD 140 to Pennsylvania MD 97, serving Littlestown and Gettysburg and providing a connection to U.S. Route 15. The width of MD 97 North is forty feet, which offers two twelve foot travel lanes with ten foot left turn and acceleration/deceleration lanes at major intersections. There are no shoulders along most of the road, except in the section just north of the MD 140 interchange, where eight foot wide shoulders are available along the west side of the road.

Signalized intersections include Commerce Center Drive and Airport Drive/Magna Way. The City's most significant industrial parks, as well as the Carroll County Airport, are located on MD 97 North. Considerable commuter and commercial traffic use this route to reach both local and regional employment and market centers. Recently, SHA is constructed a new bridge at the intersection with MD 97(N) and MD 140. This replacement bridge did not add capacity. However, it functions more efficiently as the ramps were slightly realigned for smoother transition of merging traffic.

Maryland MD 97 South

Maryland MD 97 South, between MD 140 and MD 32, is classified as a principal arterial. This road continues south through Carroll County and into Howard and Montgomery Counties, intersecting with the Washington, D.C. beltway (I-495) and continuing into Washington, D.C. In Westminster, at its intersection with MD 140, the width of MD 97 South is approximately fifty feet. Northbound traffic is provided with two left turn lanes, a shared left and through lane, and one twelve foot, free flow right turn lane separated by an island. A four foot raised median separates north and south bound traffic,

and curb and gutter is provided on both the east and west sides of the highway. The southbound direction has two twelve foot lanes with a free-flow right turn lane from eastbound MD 140. Between MD 140 and Main Street, MD 97 South has three twelve foot lanes in each direction separated by a four foot wide concrete median. To the south of Main Street, MD 97 is forty-four feet wide, providing two twelve foot travel lanes with ten foot paved shoulders.

Maryland MD 27

Maryland MD 27 classified as a principal arterial by SHA (Bond Street to Hahn Road), runs diagonally across the County, from Manchester to Mount Airy, where there is an interchange at I-70. This route then continues through Howard and Montgomery Counties to terminate at I-270. Maryland MD 27, both north and south of the Westminster corporate limits, is an undivided highway with two twelve foot travel lanes and stabilized shoulders that vary from zero to ten feet along the length of the road.

In the City of Westminster and to the south of Green Street, MD 27 has two twelve foot travel lanes with parking permitted on the east side of the road. Between Green Street and South Alley, parking is permitted on the west side of the street, and from South Alley to Main Street; parking is restricted to provide turn lanes at the Main Street intersection. Signalized intersections include Green Street, Main Street, and Mall Ring Road. An interchange exists where MD 27 crosses under MD 140. Recently, the State Highway Administration reconstructed the bridge at MD 27 and MD 140. This project added additional lane capacity to MD 140. The MD 27 Corridor has also been identified by the City of Westminster as the primary “Gateway” into downtown Westminster. Plans have been developed to provide mixed-use development opportunities along MD 27 near downtown.

Maryland MD 32

Maryland MD 32 is classified by SHA as a minor arterial. This road offers a connection from Westminster to the Sykesville/Eldersburg area, and continues into Howard and Anne Arundel Counties, terminating at I-97. MD 32 provides access to U.S. 29, M.D. 100, I-70, U.S. 1, U.S. 50, U.S. 301, and I-97. Within the Westminster corporate limits, MD 32 is also known as Main Street (Washington Road south of the intersection with Manchester Avenue). Various segments of Main Street have been reconstructed by the State Highway Administration (SHA) and then turned over to the City.

To date, the SHA has reconstructed and deeded to the City the section of MD 32 from the southern corporate limits on Washington Road through the downtown area as far as McDaniel College. The City now owns and maintains Main Street from MD 140 to Colonial Avenue. Main Street has two twelve foot travel lanes with parking permitted on both sides in most areas. Signalized intersections include Manchester Avenue, Center Street, Longwell Avenue, MD 27, John/Bond Street, Pennsylvania Avenue, and MD 31. Left turn lanes are provided at MD 27 and Manchester Avenue/Washington Road. South of Westminster, MD 32 has a thirty-two foot width, except where turn lanes are provided, resulting in two twelve foot travel lanes with a four foot shoulder area on each side.

Maryland MD 31

Maryland MD 31 is classified by SHA as a principal arterial, connects Westminster to New Windsor and continues west to terminate at Route 26 near Libertytown in Frederick County. In the Westminster area, MD 31 is a two lane, undivided roadway. The forty-four foot width provides two twelve foot travel lanes with ten foot stabilized shoulders.

Maryland Route 832

Maryland Route 832 (Old Taneytown Road) runs just south of and parallel to MD 140, providing an alternate route between Westminster and Taneytown. The thirty-two foot width provides two eleven-foot travel lanes with approximately five-foot shoulders. It will be necessary to make upgrades to this road with the eventual development of the Roop's Mill property.

Maryland Route 852 North

Maryland Route 852 North, also known as Old Manchester Road, offers a connection between Cranberry Road and MD 27. Maryland 852 continues north, parallel to MD 27, to a point north of Maryland Route 482. This route has two twelve foot travel lanes with approximately ten-foot shoulders.

Maryland Route 852 South

Maryland Route 852 South, also known as Old New Windsor Road, provides a connection between the Main Street/Uniontown Road intersection and the Wakefield Valley area. This road, which parallels Maryland MD 31, provides an alternate route to residents in the western portion of the City who have destinations in the downtown.

Section 4: Local System

Collector roads are those roads that facilitate traffic flow between arterial highways, and local roads, such as subdivision streets. Collector roads are classified as major or minor in rural areas and are characterized by moderate speeds. The State Highway Administration makes no distinction between major and minor collectors in urban areas. Roads bearing some or all of the characteristics of a collector in the Westminster area include the Main Street portion of Maryland MD 32, Uniontown Road, Sullivan Road, Gorsuch Road, parts of Green Street, John/Bond Streets and Englar Road, Center Street, Market Street, Kate Wagner Road, part of Hook Road, and Old Westminster Pike. The portion of Center Street north of MD 140, and all of Market Street are four-lane roadways divided by a concrete median. Once complete, the reconstructed Meadow Branch Road will be a significant collector road between MD 97(N) and MD 140. This critical road will serve as a primary through movement for the MD 97 Industrial Corridor as well as the residential development occurring in the area.

Other roads designed and/or functioning similar to collectors in the Westminster area are Carroll Street, Monroe Street, Hahn Road, Sunshine Way, Meadow Branch Road, Old Bachman Valley Road, Lemon

Road, Lucabaugh Mill Road, Royer Road, Stoner Avenue, 140 Village Road, Leidy Road, Gist Road, Poole Road, and the eastern part of Hook Road. In general, these roads link residential areas with large commercial areas and provide travel routes to the other municipalities within the County. With the exception of Englar Road, which becomes a four-lane, divided highway for a short section to the north of MD 140, the collectors are two-lane, undivided roadways. Within the City limits, on-street parking is sometimes permitted along collector roads.

The remaining streets in the City of Westminster are classified as local roads. This type of road provides direct access to individual parcels of land and is characterized by low speed limits, low traffic volumes, and the discouragement of through traffic. Most local roads have two lanes, are undivided, and frequently allow on-street parking; however, some local roads in Westminster, particularly those in the downtown area, provide only one-way traffic flow.

Pennsylvania Avenue

Pennsylvania Avenue is City owned and maintained. The road connects West Main Street to MD 97 North at its juncture with MD 140. Pennsylvania Avenue has two twelve foot wide travel lanes with parking permitted on both sides of the street. The City received a Community Legacy Grant from the State of Maryland in 2008 and in 2009, to implement the Pennsylvania Avenue Streetscape Project. This project began construction in October 2009 to install traffic calming devices and to revitalize two intersections in order to create a pedestrian friendly environment through this primarily residential neighborhood.

Table 12.1 Changes in Average Daily Traffic, 1999-2008 Significant State & City Routes in the Westminster Area

Location	1999 ADT	2003 ADT	2008 ADT	% Change
<i>Municipal Routes</i>				
Main Street (.10 Miles N of Manchester Ave.)	12875	12475	10562	-17.97%
Main Street (.20 Miles N of MD-27)	14125	15775	n/a	11.68%
Center Street (.10 Miles W of MD-140)	9675	8525	7591	-27.45%
John Street (.10 Miles N of W. Main St.)	8375	5825	6161	-26.44%
Monroe Street (.20 Miles E of Winters Alley)	2625	2525	n/a	-3.81%
Pennsylvania Avenue (.40 Miles S of MD-140)	8775	11025	7821	-10.87%
Royer Road (.20 Miles S of MD-140)	7875	5925	6161	-21.77%
WMC Drive (.10 Miles N of MD-31)	3775	7075	6502	72.24%
MD-27 (Liberty Street-.20 Miles S of Main St.)	10875	9650	n/a	-11.26%
<i>State Routes</i>				
MD-27 (Railroad Avenue-.30 Miles S of MD-140)	14775	13850	12680	-16.52%
MD-27 (Railroad Avenue-.10 Miles N of MD-140)	17475	22050	23740	26.39%
MD-31 (New Windsor Road-.70 Miles E of Medford Rd.)	5075	8050	n/a	58.62%
MD-31 (New Windsor Road-.30 Miles S of MD-140)	11175	12350	n/a	10.51%
MD-97 (Malcolm Drive-.10 Miles N of Old Westminster Pike)	23975	30475	n/a	27.11%

Source: Maryland State Highway Administration, 2009

Part 2: Traffic Volumes & Capacity

Average daily traffic (ADT) figures are presented in Tables 12.1. Table 12.1 includes counts for significant State and City routes from 1999 and 2008. Table 12.1 also shows the percent change in ADT over those years.

Two distinct trends emerge from the average daily traffic data. Traffic levels in the older sections of Westminster generally remained constant or dropped from 1999 to 2008. A notable exception is Pennsylvania Avenue, which experienced a 25% increase in traffic in 2003 but dropped 29 % again in 2008. The overall lack of a substantial increase in traffic volumes of these older City roadways suggests that this portion of the road network will require few large-scale capacity improvements in the near future. Significant infill development, particularly in the downtown area, would likely increase the ADT figures for downtown and may warrant capacity improvements.

Traffic levels on roads serving the more recently developed portions of Westminster increased at varying rates. MD 31, MD 27, and MD 97 all show increases over the four-year span. In addition, traffic volumes on MD 140, the City's primary arterial, increased at rates between 10% and 17% depending on the location. These increases underscore the need to plan for greater capacity on existing roadways as well as the construction of new roadways in the developing portions of Westminster.

Section 1: Capacity Analysis

The average daily traffic figures presented in Table 12.1 define trends in traffic patterns, but provide little information about the impacts on the operation of the highway network. Capacity analysis is a procedure that can estimate the number of vehicles per hour that can use a particular road section or pass through an intersection before congestion is experienced and/or safety problems result.

The capacity analysis procedure takes into consideration the number of lanes, lane width, topography, and, if applicable, the amount of green-signal time allocated to each approach vector. This procedure was used to measure the current operation of intersections on Maryland MD 140, as the route carries the largest volume of traffic in and through Westminster. Road segments may also be studied; however, conditions at intersections usually deteriorate prior to road segments.

Capacity analysis is then used to determine the level of service (LOS) of a roadway. Level of service defines and describes the level of congestion experienced by motorists. LOS is a qualitative measure expressed as a grade letter. The designations range from 'A' to 'F,' with 'A' representing the least restricted flow and 'F' representing failure of the intersection. Once identified, intersections operating at low levels of service may be targeted for improvements or new roadways may be planned to relieve congestion in the area. Brief descriptions of the typical conditions associated with each level appear below.

Section 2: Level of Service Descriptions (LOS)

LOS 'A'	Traffic flows freely. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent. Turning movements are easily made.
LOS 'B'	Upper range of stable operation, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver in the traffic stream from LOS 'A.' The level of comfort and convenience provided is somewhat less than at LOS 'A' because the presence of others begins to affect individual behavior.
LOS 'C'	Mid range of stable flow, but is the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream, but not objectionably so. The selection of speed is now affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. Back-ups may develop behind turning vehicles. The general level of comfort and convenience declines noticeably at this level. Levels of service of 'C' or higher are preferred within the City limits.
LOS 'D'	High density, but stable flow. Speed and freedom to maneuver are severely restricted, and the driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level. Delays to approaching vehicles may be substantial during peak hours. This level is the minimum degree of service acceptable in the City limits.
LOS 'E'	Unacceptable, operations are at capacity. All speeds are reduced to a low but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to 'give way' to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable as small increases in flow or minor disruptions within the traffic stream will cause breakdown. The service at this level and below is inadequate.
LOS 'F'	Unacceptable, forced or breakdown of flow; represents jammed conditions because capacity is exceeded. The amount of traffic approaching cannot be accommodated. This level of service is 'failing.'

A majority of the intersections along MD 140 currently operate at Levels of Service 'A' through 'D' during the peak hours of demand. The MD 140 / Market Street intersection operates at a LOS 'E' during PM peak hours. The section of this chapter entitled 'Corridor Studies' examines the impact of the existing levels of service on current and future development of the Westminster area, and discusses alternatives to mitigate projected future demand on the corridor.

Part 3: Pedestrian & Bicycle Accessibility

Westminster has set a goal to develop a Westminster Pedestrian Master Plan and Bicycle Accessibility Strategy that would outline the future of the City's bicycle, sidewalk and pathways system by 2012. The development of safe, attractive, efficient and accessible bicycle facilities and sidewalks will reduce vehicular use, increase pedestrian use and help to improve air quality as well as the overall health of Westminster residents and visitors. The development of these types of facilities would also aid in the connectivity of the overall transportation network for pedestrians. Sidewalks are critical transportation routes for communities as they allow pedestrians to travel from one place to another, stimulate business districts by encouraging leisure shopping, and keep communities safe by providing more activity on the street.

Section 1: Sidewalks

An extensive pedestrian system in Westminster gives residents and employees the opportunity to walk to businesses, civic functions, and cultural events instead of driving. Most City streets are lined with sidewalks, and the City's recreational parks often include pedestrian walkways as well (Map 12.3).

Even with the extensive sidewalk system within the City, there are several intersections that are difficult for pedestrians to navigate. The intersection of East Main Street and Washington Road is an example of these intersections that are characterized by fairly fast moving traffic, wider than usual crossings due to a skewed approach of the intersecting streets, a lack of pedestrian signals, and insufficient or nonexistent crosswalks. The City is working with the County and the State to improve the priority intersections. The City received a Community Legacy Grant from the State of Maryland in 2008 to improve the intersection of Union Street and Pennsylvania Avenue. In 2009, the City received another Community Legacy Grant from the State, to improve the intersection of West Main Street and Pennsylvania Avenue. These two projects will be completed by early 2010 and should improve the safety and accessibility for pedestrians in Downtown Westminster.

Another problem with the pedestrian system is a lack of sidewalks or other pedestrian facilities on the outside edge of the City limits, as well as connections to major activity centers such as the Town Mall of Westminster, the County's regional mall. Sidewalk links are needed along many Carroll County roads that become City streets once they enter the corporate limits, such as Bond Street and the South Center Street and Gist Road area. Sidewalks are also needed along some of the Maryland State Highway Administration facilities, such as Liberty Street/Railroad Avenue (Maryland MD 27).

The Maryland State Highway Administration offers matching funds for installation of sidewalks along existing state highways where there is significant pedestrian use. A project in the Westminster area identified for possible sidewalk funding is along MD 27 from the termination of the existing sidewalk at the Westminster City limits north to connect to the Hahn Road and Cranberry Mall. Since this project is located outside of the City in the unincorporated area of the County, the decision to construct the

sidewalk and provide matching funds belongs to Carroll County. Within the City limits, newly constructed roads are required by regulation to contain sidewalks.

Along with the high number of vehicles, pedestrians are also present along Maryland MD 140. The provision of sidewalks along this highway needs to be assessed. Speeds along MD 140 are not conducive to creating a pedestrian environment, and sidewalks offer the impression of a safe haven for pedestrians, which may not be the case along this highway. However, this factor must be weighed against the need for pedestrian access. Regardless of whether sidewalks are installed, current pedestrian use clearly indicates the need for pedestrian crossings at the major intersections, particularly at Englar Road and Center Street. The future provision of sidewalks along the highway is under study in connection with the MD 140 Improvements Study. The overall project is being designed and implemented to increase the capacity and efficiency of the existing road because the Westminster Bypass was eliminated from the State of Maryland Consolidated Transportation Plan in 1999. The City will continue to seek engineering assistance from SHA to determine the need for additional traffic control devices for pedestrians at these locations.

Section 2: Bicycle Travel

The ease and safety of bicycling varies throughout the City of Westminster. In general, the streets with low traffic volumes are typically narrow with little or no shoulder area, creating a greater potential for bicycle and vehicular conflicts. The roads that do have wide shoulders are characterized by heavy volumes of high-speed traffic that increase the danger to bicyclists. In addition, there are no designated bicycle lanes along any of the roads in the Westminster area. The Westminster Pedestrian Master Plan and Bicycle Accessibility Strategy (Pedestrian Plan) will include recommendations for adding bicycle lanes in the Westminster area. Westminster will include the following Maryland State Highway Administration definitions for bicycle and pedestrian improvements in the Pedestrian Plan:

- **Bicycle Facilities:** General term denoting improvements and provisions made by public agencies to accommodate or encourage bicycling, including parking and storage facilities and bikeways.
- **Bikeway:** Bicycle Lanes, shared lanes, paved shoulders, wide curb lanes, and shared use paths. These facilities may or may not be marked for preferential or exclusive use for bikers.
- **Bike Lane:** A portion of a roadway which has been designated by pavement markings for the preferential or exclusive use of bikers. Bike lanes may be supplemented with signage.
- **Bike Route:** A system of bikeways designated with “way finding” signage, pavement markings, maps or other means.

The Carroll County Office of Tourism has published a set of maps depicting recreational bicycle tours in the County, two of which pass through Westminster. The first bicycle route makes a 27-mile loop to the

north of the City and travels along Pennsylvania Avenue and West Main Street to end at Westminster Elementary School. The second, 15-mile tour begins and ends at Westminster High School and involves biking on East Main Street and South Center Street past the Carroll County Farm Museum.

The State Highway Administration has designated a regional bike loop connecting Westminster, Taneytown, and Frederick. Within the City, the route follows MD 27 north, turns west on Main Street, continues along WMC Drive, and exits the City Limits on MD 140 west towards Taneytown. Signs directing cyclists along the route were installed at intersections during the summer of 2004.

Section 3: Greenways & Trails

Maryland's Greenways Program

Greenways are natural corridors set aside to connect larger areas of open space and to provide for the conservation of natural resources, protection of habitat, movement of plants and animals, and to offer opportunities for linear recreation, alternative transportation, and nature study.

“The Carroll County Greenways, Bicycle, and Pedestrian Facilities Technical Report,” was prepared by Carroll County in 1994. The report outlines a recommendation for creating a countywide trail system. The trails system, if implemented, would facilitate better access to existing and future recreation facilities while concurrently decreasing the impact on the local roadway network. The study identified potential greenways locations, recommended greenways corridor design criteria, established a greenways classification system, and proposed a method of determining priority projects to help focus the County’s efforts in implementing the plan.

Union Mills to Westminster Greenway

The Union Mills to Westminster Greenway is a potential greenways corridor that could be designated along stream valleys between the proposed reservoir site at Union Mills and the city of Westminster. This greenway could provide connections to Hashawha Environmental Center, the Carroll County Sports Complex, and local parks in Westminster.

Trails

The Wakefield Valley Community Trail, the first trail in Westminster, begins at Old New Windsor Road and travels northeast to Uniontown Road, roughly paralleling Maryland MD 31. The approximately three mile trail provides Wakefield Valley residents with pedestrian and bicycle access to the Avondale Run Community Center in the Ridgeview Chase Apartment complex, the Fenby Farm Quarry and Lime Kiln Park, a bird and wildlife observation area, a basketball court, the Uniontown Road Athletic Field, and a commercial area planned at the intersection of Maryland MD 31 and Tahoma Farm Road.

The Wakefield Valley Community Trail is being built in three phases. The City is currently working on building Phase II that begins at Long Valley Road and travel northeast to Windsor Drive, as shown on the

Comprehensive Land Use Plan map. Phase I will connect Long Valley Road to Congressional Drive, traversing the open space land between Sawgrass Court and South Burning Tree Drive in the Avondale Run Community. Phase III was constructed when the property at the corner of Uniontown Road and Maryland MD 31 was developed. Phase III is the link between Windsor Drive and the Uniontown Road Athletic Field.

When completed, the trail will be dedicated as the Terrence Burk Memorial Trail, in memory of a local businessman and community leader who was fatally injured while jogging on Maryland MD 97. In the transportation element of the Westminster and Environs Comprehensive Plan, Carroll County has designated certain areas for the construction of greenway trails. In that regard, this trail system will tie together existing pedestrian areas and provide an opportunity for greater pedestrian access in and around Westminster.

Section 4: Maryland Scenic Byways Program

The Maryland State Highway Administration (SHA) established the Maryland Byways Program to enhance the quality of life for Maryland's citizens, engender pride, and improve visitor appeal of the state's most scenic, cultural and historic roads. Byways help residents express their values of place, contribute to the state's economy through tourism development, and provide unique experiences for all. SHA seeks to identify, designate, promote, and encourage stewardship of the State's byways and their surrounding resources while providing safe routes for travel. SHA has designated 19 byways that encompass 1,595 miles. In order to obtain the State designation, the byway must be "scenic" with added weight given to byways with historical, cultural, natural, and/or recreational qualities that promote Maryland's unique heritage. Westminster is part of the State designated Old Main Streets Byway.

Old Main Streets Byway

Westminster is part of the Old Main Streets Byway. The Old Main Streets Byway is described as a quiet drive along white picket fences, tree-lined streets and historic homes with rocking chairs on the front porch; sights associated with small-towns that visitors can step back in time to enjoy when driving along this charming byway. The tour is separated into an Upper and Lower loop and can include leisurely drives past wide open fields, window-shopping for antiques, dining with "locals" at the eatery on the corner, and then drifting off to sleep on a four-post bed inside a quaint country inn.

Part 4: Transit Alternatives

Section 1: Maryland Midland Railroad

Based in Union Bridge, the Maryland Midland Railway provides freight rail service to central Carroll County. This line heads northwest to Thurmont and into Hagerstown where it connects with CSX Railroad in Pennsylvania. From Keymar in Carroll County, the track runs northeast through Taneytown,

southwest into Walkersville in Frederick County, and east through New Windsor and Westminster. The rail then heads southeast through Finksburg, and continues through Baltimore County into Baltimore City, rejoining CSX near South Baltimore's harbor and ports. Westminster hosts one of two intermodal transfer stations operated by the rail line. According to Maryland Midland Railway, the company currently services for commercial clients in Westminster.

Section 2: Carroll County Regional Airport

Begun originally as the Westminster Airport with two turf landing strips, the Carroll County Regional Airport is located on the north side of the City of Westminster, off of Maryland MD 97. The initial owner and operator was the Shriver Packing Company. By 1969, there were about 22 based aircraft and approximately 7,500 annual operations according to the FAA. The County acquired the airport in 1976. Three parcels of land were purchased in 1977 for future use. A 2,930 foot by 40 foot paved runway was constructed in the fall of 1977. The following year the main hangar, which presently contains the administrative offices, and the first T-hangar were constructed with local funds. Runway lighting was installed in 1978. A parallel taxiway was paved and the runway was extended 300 feet in the fall of 1979. Both were widened in the early 1980s.

Now known as the Carroll County Regional Airport, the facility is designated as a General Utility-State II Airport, which means it serves aircraft with approach speeds of less than 121 knots and wingspans of less than 79 feet, essentially the size of small planes and corporate jets. The airport has been upgraded through the construction of a 5,100 foot runway. The old runway was extended and functions as a parallel taxiway. The terminal area consists of a maintenance hangar, operations center, classroom area, and seven 10,000 square foot corporate hangars with adjoining office space. The facility has an instrument approach with a final approach fix. Jet "A" fuel is currently available, as well as 100 Octane LL. There are currently 128 aircraft based at the airport, including thirteen multi-engine planes and three jets.

Section 3: Park and Ride Lots

Park and ride lots are intended for commuters who transfer from their own vehicles to alternative means of transportation, such as carpools or vanpools. There are seven park and ride lots located in Carroll County, with one in the Westminster area located at the intersection of MD Routes 97 and 32. This lot offers parking for 101 automobiles with approximately 15% of the spaces occupied on average. Handicapped parking is provided along with lighting and a telephone. All of Carroll County's park and ride facilities are state owned, with the exception of the Sandymount lot, which is owned by the County. Table 12.2 lists the locations of the Park and Ride lots serving Carroll County.

Table 12.2 Park and Ride Lots in Carroll County

Location	Adjacent Roadways
Manchester	MD 27 & MD Route 30
Sandymount	Old Westminster Pike & Green Mill Road
Westminster	MD 97 & MD 32
Dorsey Crossroads	MD 97 & MD Route 26
Eldersburg	MD 32 & MD Route 26
Sykesville	MD 32 & MD Route 851
Mt. Airy	MD 27, North of Interstate 70

Source: Carroll County Government

Section 4: Ridesharing Opportunities

The Maryland Mass Transit Administration (MTA) has developed a free ride-matching service. This program has been designed to assist residents and employees with their commute to and from work by offering alternatives to driving alone. Currently, the primary focus is placed on carpooling and vanpooling.

Through an online computer service, applicants are placed into a database and matched with commuters having the same criteria. The MTA shares information about Carroll County with other counties through the Washington Metropolitan Council of Governments’ Commuter Connections network. This cooperative effort increases a person’s chances of finding a successful match. As of the end of 2003, there were 98 Carroll County residents registered in the Commuter Connections database. This is less than half the number (225) registered at the end of 1998.

The benefits of ridesharing are numerous. Not only does it help alleviate traffic congestion, it translates into both an economical and environmental savings by reducing the accumulation of miles traveled on an individual’s car and reducing pollution.

Section 5: Carroll Transit System

Carroll Area Transit System

Carroll Area Transit System (CATS) is a private non-profit organization that provides public transportation services throughout Carroll County. CATS provides two types of transit services. The first service is an advanced reservation service, where people can schedule trips up to seven days in advance. The second service consists of four Deviated Fixed Route Carroll Transit Shuttles; buses with specific stops at designated times that can go off fixed routes for deviation. The four shuttle routes are the Taneytown Shuttle, Westminster to Eldersburg Shuttle, South Carroll Shuttle and the Westminster

Shuttle (Map 12.4). CATS currently has a fleet of 30 vehicles that serve a growing user population. Eighteen of these vehicles (60%) are lift equipped providing 37 wheelchair positions. The service currently transports an average of 12,453 one-way trips per month.

Carroll County Transportation Advisory Group

The Transportation Advisory Group is a 15-member group designed to provide input, ideas and consultation to the management of Carroll Area Transit System. The Group focuses on finding ways to improve existing services, to enhance and expand services and to coordinate with other community agencies providing transportation or with transportation needs.

Carroll Area Transit System Strategic Plan

In the fall of 2007, the Carroll Area Transit System (CATS) hosted a Carroll County Transportation Summit to gather ideas and input from local businesses, community organizations and service providers for the creation of a strategic plan. In January 2008, CATS presented the County Commissioners with a Strategic Plan to make operational and marketing changes to improve service, increase ridership and meet more of the needs that were identified at the Transportation Summit.

Over the next three years, CATS will implement the CATS Strategic Plan to connect the shuttle routes and add an additional shuttle route. CATS is also focused on the goal to expand their service by adding extended hours and adding Saturdays to their schedule. This change in service will help local residents who need to use the shuttle in the evenings for errands or have work hours that don't coincide with the current schedule. Overall, the CATS has set a benchmark for their service to increase ridership by 20% by 2011. The success of Carroll Area Transit System and the future of transportation for the County will rely on the continued cooperative effort and open communication between the County and CATS.

Part 5: Commuting Patterns

According to the 2000 U.S. Census, over 30% of the residents in Westminster spent less than 15 minutes traveling to work, while 28% of City residents spent 45 minutes or more in travel time to work (Table 12.3). This latter percentage represents an 8% increase from 1990, and is reflective of a regional trend of lengthening commutes. Travel time to work for residents in the County as a whole shows a similar pattern, with 31.5% of the County labor force commuting for 45 minutes or more each day (Table 12.4). The number of people working at home rose from 1.4% to 2.1% from 1990 to 2000, and is expected to continue to gradually increase due to technological advances in telecommunications.

The majority of persons commuting to work in 2000 traveled in cars, trucks, or vans (Table 12.5). Nearly 80% of the City's labor force drove alone to work, while 11% carpooled. These figures represent a shift of 4% from carpools to driving alone from 1990 to 2000. The next highest category for transportation mode to work was 'walked' with 5.1% of the labor force, down from 6.8% in 1990. Only 1.7% of the 2000 labor force in Westminster used some sort of public transportation to travel to work.

Table 12.3 Travel Time to Work for City of Westminster Residents, Workers, 2000

Travel Time to Work	Number of Workers	Percent
Did not work at home	7,375	97.9
Less than 5 minutes	267	3.5
5 to 9 minutes	1,041	13.8
10 to 14 minutes	1,140	15.1
15 to 19 minutes	785	10.4
20 to 24 minutes	574	7.6
25 to 29 minutes	302	4.0
30 to 34 minutes	560	7.4
35 to 39 minutes	116	1.5
40 to 44 minutes	448	5.9
45 to 59 minutes	1,065	14.1
60 to 89 minutes	867	11.5
90 or more minutes	210	2.8
Worked at home	158	2.1
TOTAL	7,533	100.0

Source: U.S. Census, 2000

Table 12.4 Travel Time to Work for Carroll County Residents, 2000

Travel Time to Work	Number of Workers	Percent
Did not work at home	74,595	96.1
Less than 5 minutes	1,871	2.4
5 to 9 minutes	5,039	6.5
10 to 14 minutes	7,114	9.2
15 to 19 minutes	7,675	9.9
20 to 24 minutes	7,478	9.6
25 to 29 minutes	3,647	4.7
30 to 34 minutes	8,669	11.2
35 to 39 minutes	3,731	4.8
40 to 44 minutes	4,975	6.4
45 to 59 minutes	12,480	16.1
60 to 89 minutes	9,377	12.1
90 or more minutes	2,539	3.3
Worked at home	2,997	3.9
TOTAL	77,592	100.0

Source: U.S. Census, 2000

Table 12.5 Means of Transportation to Work for City of Westminster Residents, 2000

Mode of Transportation	Number of Workers	Percent
Car, truck, or van:	6,804	90.3
Drove alone	5,977	79.3
Carpooled	827	11.0
Public transportation:	125	1.7
Bus or trolley bus	45	0.6
Streetcar or trolley car	0	0.0
Subway or elevated train	55	0.7
Railroad	0	0.0
Ferryboat	14	0.2
Taxicab	11	0.1
Motorcycle	25	0.3
Bicycle	13	0.2
Walked	387	5.1
Other means	21	0.3
Worked at home	158	2.1
TOTAL	7,533	100.0

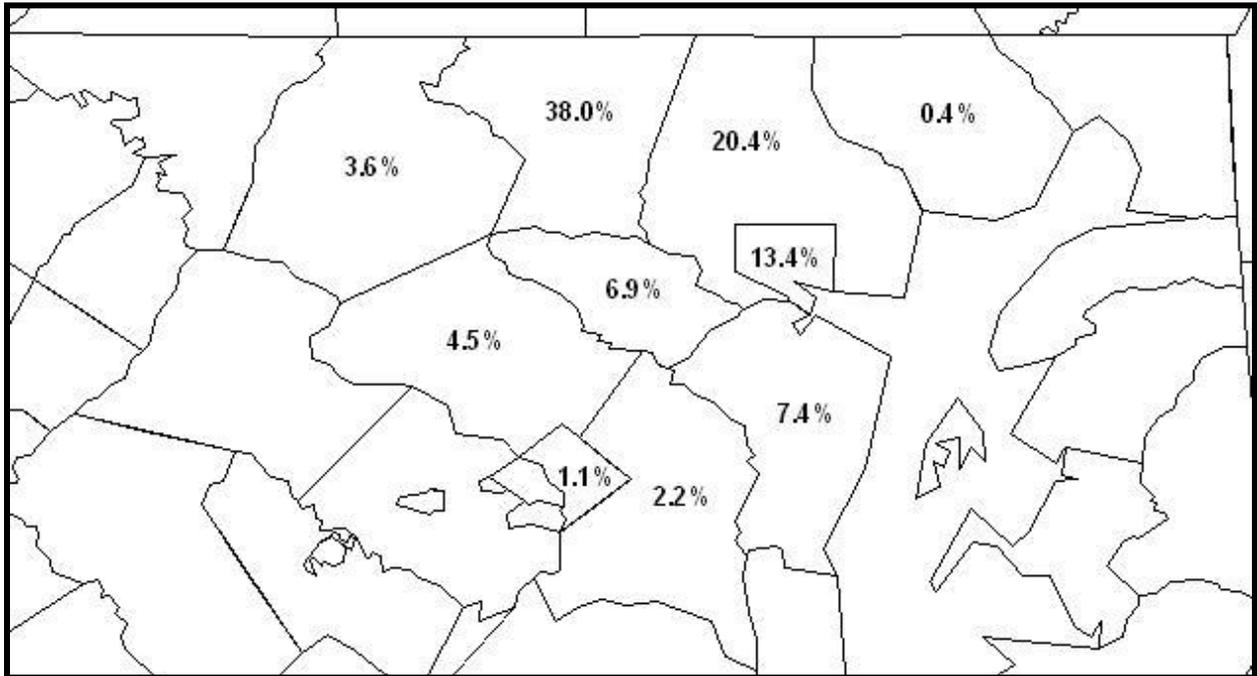
Source: U.S. Census, 2000

Table 12.6 County of Employment for Carroll County Residents, 2002

County of Employment	Number of Commuters	Percent
Maryland	706	96.8
Anne Arundel	54	7.4
Baltimore City	98	13.4
Baltimore County	149	20.4
Carroll	277	38.0
Frederick	26	3.6
Harford	3	0.4
Howard	50	6.9
Montgomery	33	4.5
Prince George's	16	2.2
Pennsylvania	8	1.1
Virginia	7	1.0
Washington, D.C.	8	1.1
TOTAL	729	100.0

Source: Carroll County Commuter Survey, 2002

Map 12.4 County of Employment for Carroll County Residents, 2002



Source: Carroll County Commuter Survey - Carroll County Department of Economic Development, 2000

Chart 12.1 Destination of Workers Commuting Within Carroll County, 2002

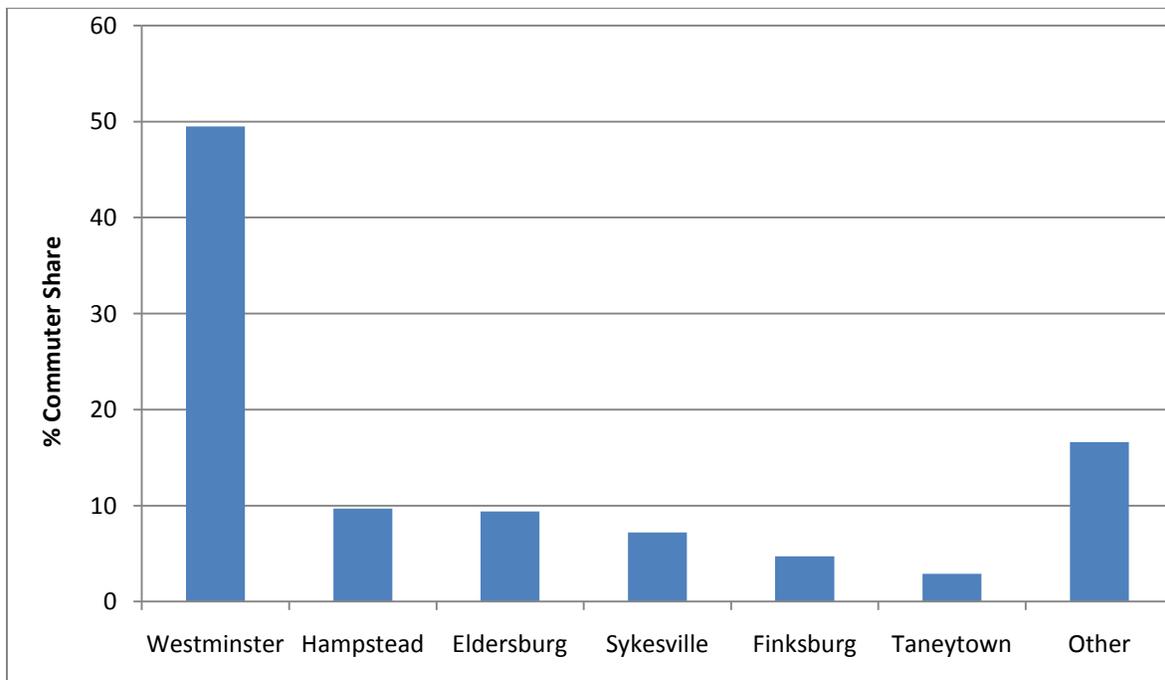


Table 12.7 Destination of Workers Commuting Within Carroll County, 2002

Location of Employment	Percentage of Commuters
Westminster	49.5
Hampstead	9.7
Eldersburg	9.4
Sykesville	7.2
Finksburg	4.7
Taneytown	2.9
Other	16.6

Source: Carroll County Commuter Survey, Carroll County Department of Economic Development, 2002

The increasing proportion of workers driving and driving alone, in combination with population increases countywide, has contributed to the poor levels of service on major arterial roadways identified in this chapter. Table 12.6 reveals that a majority of workers living in Carroll County work outside of the County, further contributing to peak hour congestion. Map 12.4 graphically illustrates the distribution of Carroll County residents who work outside of the County.

Of those who live and commute to a job in Carroll County, just less than half work in the Westminster area (Table 12.7). The high proportion of County employers in and around the City, while a positive indicator for economic development efforts, complicate peak hour travel patterns with a significant number of commuters entering the corporate limits at the same time as many City residents are leaving for other jurisdictions. The increases in average daily traffic on the state routes serving Westminster’s employment centers have quantified this challenge.

As the number of commuters working and living in separate jurisdictions continues to increase, the provision of increased vehicular capacity and alternative means of transportation will need to be addressed. Commuting patterns indicate that the state routes in and around Westminster are particularly at risk for further congestion and decreased levels of service. Interjurisdictional coordination will be essential to the success of planning efforts to mitigate future impacts of increased capacity demand on the transportation system in the Westminster area.

Part 6: Corridor Studies

Section 1: MD 140

The City of Westminster and the surrounding area are served by two primary east-west corridors: Maryland MD 140 (Baltimore Boulevard and Taneytown Pike) and Maryland MD 32 (Main Street). These

two corridors were studied in depth because of their significance with respect to commercial activity, as well as the flow of goods, materials, and people into, out of, and through the Westminster area.

The Westminster portion of MD 140 functions in many ways as the core business area for much of Carroll County. Included in the MD 140 corridor are numerous shopping, dining, and entertainment opportunities. The highest concentration of goods and services available to Carroll County residents is also located along this highway.

In addition to its commercial character, the MD 140 corridor provides access to the Baltimore regional markets via connections to I-795 and I-695. Goods and materials shipped from Pennsylvania and Baltimore, as well as commuters traveling to places of employment, uses this important transportation link.

Another issue in the Maryland MD 140 corridor is access control. The State Highway Administration manages access control for MD 140. Access management has been partially addressed within the Westminster corporate limits, in part by the construction of Market Street for use as a parallel collector road to commercial properties. The Westminster and Environs Transportation Element further enhances this effort, as it will provide alternative local roads to be used as alternatives to State roads.

In the future, the City of Westminster will have to manage land development along the MD 140 corridor to develop a well planned local roadway network with frontage or road service roads to alleviate MD 140 traffic pressure. The City also will work to develop a strategy to consolidate or limit driveway access points onto MD 140. Currently, the priority project for the MD 140 corridor is to accomplish the goals of the MD 140 Improvement Study in order to improve the traffic operation and safety, as well as increase accessibility for bicyclists and pedestrians.

MD 140 Improvement Study

The Maryland Department of Transportation and the State Highway Administration have proposed a four-phase approach to increasing capacity along MD 140. During the 1998 Comprehensive Plan, the State of Maryland was prepared to construct the Westminster By-pass which would alleviate much of the pressure on MD Routes 140 and 97. However, in 1999, the State of Maryland removed the proposed Westminster By-pass from the Consolidated Transportation Plan because its construction was not in compliance with the principles of Smart Growth.

As a result of that action, the State of Maryland initiated project planning for MD 140 from Market Street to Sullivan Road to provide extensive capacity improvements to it. In October 2004, SHA conducted a Location/Design Public Hearing at the Henry C. Evans Armory where five alternatives, including the No-Build Alternative, were presented. The build alternatives focused on three critical intersections: Englar Road, Center Street, and Malcolm Drive, and ranged from minor upgrades to the construction of interchanges. Following the hearing, the project team evaluated all comments received from the public, regulatory agencies, and local officials and performed additional work to determine

whether a combination of alternatives would work best along the corridor. As a result, Combination Option 4 with Gorsuch Road Option B was chosen as the selected alternative.

Combination Option 4

Combination Option 4 would provide major intersection improvements at Center Street and Englar Road through what is known as a Continuous-Flow Intersection (CFI). A CFI separates left-turning vehicles from the main intersection, which significantly increases the number of vehicles the intersection can handle. At Malcolm Drive, a Single-Point Urban Interchange (SPUI) would be constructed. The SPUI is compact and efficient; a single traffic signal above the overpass would allow vehicles approaching the intersection from opposite directions to turn left at the same time. Between Malcolm Drive and Center Street, one-way service roads with interchange ramps would provide access to properties along both sides of MD 140. Other intersections along the study area corridor would receive minor improvements.

Gorsuch Road Option B

Gorsuch Road Option B would provide right-in/right-out access onto Old Gorsuch Road from northbound MD 140, avoiding several businesses identified as community landmarks by the City of Westminster.

Additional Features

Throughout the project limits, MD 140 would have 16-foot-wide outside lanes to accommodate on-road bicyclists. Pedestrians would benefit from five-foot-wide sidewalks and improved crossings. A new pedestrian bridge at Gorsuch Road would provide safe access to businesses and services on both sides of MD 140.

Final Approvals

In May 2009, SHA announced that federal and state approvals were in place for a package of improvements along MD 140 from Market Street to Sullivan Road in Westminster. The Maryland State Highway Administration (SHA) has completed a project planning study that examined ways to improve future traffic flow, relieve congestion, and upgrade pedestrian travel along the 2.5-mile study area corridor. Location and design approvals make the project eligible for detailed engineering activities when funding becomes available.

Section 2: Main Street

The Main Street corridor provides a totally different character. Whereas Maryland MD 140 is oriented for individual motorized vehicles, the historic Main Street of downtown Westminster is less automobile oriented and more focused toward pedestrians. Many of the historic buildings contain shops, offices, and services. The tree-lined street and wide sidewalks encourage pedestrian movement.

Parking in the Main Street area is of particular concern to both merchants and potential customers. On-street parking is available in many locations, and public parking lots are located at major intersections and to the rear of the commercial buildings along the first block of East Main Street. The City has established consistent rates at all of its parking meters. In addition, there is no charge to park at a meter on weekends, holidays, and after 5:00 p.m. on weekdays. To further address parking concerns, the City constructed two parking garages which were opened in September 2003. The Longwell Avenue Municipal Parking Garage, located at the intersection of Longwell Avenue and Distillery Drive, is a 296 space parking garage which is open to monthly permit holders, as well as hourly users. The Westminster Square Municipal Parking Garage, located on Green Street near its intersection with MD 27, is a 160 space parking garage that is also open to monthly permit holders, as well as hourly users.

Main Street experiences serious congestion problems during the afternoon period. Vehicles stopped at the traffic signals along Main Street back-up past the side street intersections and limit access to Main Street. This results in congestion characteristic of and approaching gridlock. A significant number of trucks were noted turning left from northbound MD 27 to westbound Main Street. The entire block along MD 27 between Main Street and Green Street was frequently filled with vehicles, causing traffic to back up on Green Street, as well as Liberty Street as far as George Street. Traffic queued from the Main Street/MD 27 signal also backs up through the Longwell Avenue intersection, restricting opportunities for traffic to enter Main Street from Longwell Avenue when Longwell has the green signal phase.

Section 3: MD 27

There is not a significant section of MD 27 within the corporate limits of Westminster. However, it does provide a primary access to Downtown Westminster from Maryland MD 140, as well as serving as the primary access to the Washington D.C. Metropolitan Area.

During the summer of 2002, the City partnered with the State of Maryland to develop the MD 27 Corridor Study. The primary objective of that plan was to redevelop the MD Route 27 Corridor into the primary "Gateway" to downtown Westminster.

Section 4: MD 97 (N)

The Maryland MD 97 (N) corridor immediately to the north of Maryland MD 140 is the site of prime industrial land in Westminster. The Carroll County Regional Airport is located in this area, as well as six industrial parks which have experienced moderate levels of development over the past several years.

Maryland MD 97 (N) also serves as a primary commuter route, connecting residents of northern Carroll County and southern Pennsylvania with employment destinations in Westminster and points to the south and east. During morning and evening rush hours, the volume of pass-through commuter traffic chokes the roadway, making it difficult for employees and clients of the industrial parks to safely make turning movements. This situation results in long queuing of vehicles at the signalized intersections. A

study completed in 1994 by Whitney, Bailey, Cox & Magnani (WBCM) for the Carroll County Industrial Development Authority indicated that traffic along Maryland MD 97 (N) is expected to increase dramatically by the year 2020. These increases will be the result of both additional through traffic and the generation of a greater number of trips from the industrial parks as they continue to develop, indicating a need for multiple lane additions along MD 97 (N).

As a result of the increasing needs along MD 97, City staff, in cooperation with SHA and Carroll County, will require three developers to be responsible for immediate mainline widening on MD 97(N). As future developments approach the City for development opportunity, they will also be required to make additional improvements to MD 97. The City will also make arrangements to consolidate the number of access points onto MD 97. To date, the planned closing of the Kriders Church Road will be complete once Meadow Branch Road is reconstructed. While impossible to eliminate all single source access points to MD 97(N), it is a priority to eventually eliminate as many as possible. Because the Westminster By-pass was eliminated from the Consolidated Transportation Plan in 1999, mainline widening improvements to MD 97(N) are now even more critical as areas beyond Westminster continue to develop at a pace that further exacerbates the problems on the existing roadway. The City will be in discussion with SHA to move this project along in a timely manner to meet the current needs of MD 97(N) to improve the safety and increase the capacity of this vital road for not only the residents but the economy of Westminster.

Part 7: Proposed Major Streets

The planned major streets for the City of Westminster are included on the Comprehensive Land Use Plan Map. The alignments of these proposed streets were evaluated with assistance from County Planning staff. Major street alignments that are located beyond, but in the vicinity of the City's corporate limits, are shown on the map for informational purposes. The proposed major streets, as well as streets deleted from the 1985 *Comprehensive Plan for Westminster and Environs*, are described below:

Crossbridge Drive will be extended to Tahoma Farm Road. Continuation of Crossbridge Drive was incorporated into the City's Major Street Plan with adoption of the 1985 *Comprehensive Plan for Westminster and Environs*. The Crossbridge Drive Bridge over Copp's Branch has been completed, and construction of the final segment will be accomplished in connection with the development of the adjacent commercial site.

Wyndtryst Drive is proposed to be extended to Maryland MD 140. This planned street between MD 97 and Meadow Branch Road was included in the adoption of the 1985 *Comprehensive Plan for Westminster and Environs*. The current proposed alignment reflects a modification to the 1985 alignment, so that the primary through movement is from MD 97 to MD 140 at the WMC Drive intersection, rather than the direct Wyndtryst-Thornbury-Meadow Branch Road connection shown on

the 1985 plan. This change from the 1985 alignment reduces the number of stream crossings and environmental impacts.

Meadow Branch Road will serve as a major collector street for the connection between MD 97(N) and MD 140. Once reconstructed, the alignment will be shifted and vehicular traffic will move more efficiently as the radius of the turn towards MD 97 will be more gradual. This primary road will have very few direct connections to it from the Meadow Branch Industrial Park. The Bolton Hill development will have only a single access point which is the main entrance to the development. There will be no individual residential access points to Meadow Branch Road.

Business Parkway North is proposed to be extended to Old Meadow Branch Road. As the Air Business Center has developed, it has become apparent that an alternate means of access is necessary. Extension of Business Parkway North to Old Meadow Branch road will not affect any existing site development. This route will become a secondary means of ingress and egress for the industrial park to MD 97 at Old Meadow Branch Road. The installation of a traffic signal is ultimately anticipated at this intersection.

Tuc Road Realigned the MD 27 Corridor Study recommended that Tuc Road be realigned near East Middle School to provide a safer environment for the school to eliminate traffic traveling directly in front of the school. If approved, the potential development of City owned land in and around the area could provide the necessary funding to complete this project. Tuc Road could be realigned so the road would no longer separate the parking lot from the school building.

Part 8: Transportation Planning

The 2009 Comprehensive Plan has adopted the Smart Growth Principle of creating a balanced, multi-modal transportation system that plans for increased transportation choice. In Westminster, land use and transportation planning must be integrated to accommodate automobiles and to provide increased transportation choices, such as mass transit, bicycles, and walking. The Westminster transportation system in the future must be reliable, efficient, and user-friendly, allowing full access by all segments of the population to housing, employment, education, and human and community services.

Section 1: Complete Streets

Background

In June of 2005, at its 73rd Annual Meeting, the U. S. Conference of Mayors, led by Seattle Mayor Greg Nickels and Des Moines Mayor Frank Crownie, adopted a resolution that urged Congress and the current Administration to require local and regional transportation departments and metropolitan planning organizations to adopt Complete Streets policies.

Complete Streets are designed and operated to enable safe access for all users. The National Complete Streets Coalition seeks to fundamentally transform the look, feel, and function of the roads and streets in a community, by changing the way most roads are planned, designed, and constructed. Complete Streets policies direct transportation planners and engineers to consistently design with all users in mind. The 2009 Comprehensive Plan encourages Complete Streets in order to create a seamless network of on-street bicycling and walking facilities, trails, and transit connecting homes, jobs, schools, shops, families, and friends. The City of Westminster will integrate the elements of the Complete Streets policies in future transportation projects and the Complete Streets concepts in the development of the Westminster Pedestrian and Bicycle Master Plan.

Elements of an Ideal Complete Streets Policy:

1. Includes a vision for how and why the community wants to complete its streets
2. Specifies that ‘all users’ includes pedestrians, bicyclists, and transit passengers of all ages and abilities, as well as trucks, buses, and automobiles
3. Encourages street connectivity and aims to create a comprehensive, integrated, connected network for all modes of transportation
4. Is adoptable by all agencies, to cover all roads
5. Applies to both new and retrofit projects, including design, planning, maintenance, and operations, for the entire right of way
6. Makes any exceptions specific and sets a clear procedure that requires high-level approval of any exceptions to the policy
7. Directs the use of the latest and best design standards, while recognizing the need for flexibility in balancing user needs
8. Directs that Complete Streets solutions will complement the context of the community
9. Establishes performance standards with measurable outcomes
10. Includes specific next steps for implementation of the policy

Section 2: Maryland 20-Year Bicycle & Pedestrian Access Master Plan

The Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) advises State government agencies on issues directly related to bicycling and pedestrian activity including funding, public awareness, safety, and education.

On October 1, 2002, the Maryland Department of Transportation completed its 20-Year Statewide Bicycle and Pedestrian Access Master Plan with input from MBPAC. The Plan includes five goals ensuring

the creation of a transportation system designed to encourage walking and bicycling, as well as provide a seamless, balanced, and barrier-free network for all. The City of Westminster will work with MBPAC to implement the goals and action items in the plan that support Westminster’s efforts to become a more pedestrian- and bicycle-friendly community.

Maryland 20-Year Statewide Bicycle and Pedestrian Access Master Plan Goals

State Goal 1: Integrate and expand the State’s bicycle and pedestrian facilities, creating a connected network of on-road, off-road, and transit-related accommodations that will encourage and facilitate increased levels of bicycling and walking and improve access for individuals with disabilities

State Goal 2: Preserve, protect, and maintain the State’s existing bicycle and pedestrian facilities and rights-of-way including bike lanes, roadway shoulders, sidewalks, crosswalks, trails, and side paths

State Goal 3: Provide safe and convenient bicycle and pedestrian accommodations for every type of trip, and for all levels of ability

State Goal 4: Develop education and promotional programs that will increase bicycling and walking and foster a pro-bicycle and pro-pedestrian awareness in individuals, private sector organizations, and all levels of government

State Goal 5: Work with local communities to increase their understanding of how land use, transportation, and other policies and planning processes need to be modified to achieve increased levels of bicycling and walking, especially in Priority Funding Areas

Section 3: Pedestrian-Oriented Design

Pedestrian Oriented Design is a method where land use activities are designed and arranged in a way that emphasizes travel by foot, rather than by car. Elements include compact, mixed-use development patterns with facilities and design that enhance the environment for pedestrians in terms of safety, walking distances, comfort, and the visual appeal of the surroundings. Pedestrian-friendly environments can be created by locating buildings close to the sidewalk, by lining the street with trees, and by buffering the sidewalk with planting strips or parked cars, small shops, street-level lighting and signs, and public art or displays.

Section 4: Transit-Oriented Development

The Center for Transit-Oriented Development is the only national nonprofit effort dedicated to providing best practices, research, and tools to support market-based, transit-oriented development. Transit-oriented development is about creating attractive, walkable, and sustainable communities that allow

residents to have housing and transportation choices, in order to live convenient, affordable, pleasant lives.

Transit-oriented development is often defined as higher-density, mixed-use development within walking distance – or a half mile – of transit stations. The Center for Transit-Oriented Development uses a performance-based definition that projects should:

- Increase “location efficiency” so people can walk and bike
- Boost transit ridership and minimize traffic
- Provide a rich mix of housing, shopping, and transportation choices
- Create a sense of place

Carroll Area Transit System (CATS) serves the City of Westminster’s public transportation needs. In the future, CATS will continue to expand its operations and service capacity. The City will be working with CATS to support its efforts to improve the transit system of Westminster. The 2009 Comprehensive Plan also focuses on the other aspects of transit-oriented development that require high-density and mixed-use developments that encourage walking and the use of bicycles. The City of Westminster promotes transit-oriented development to generate a new wave of development that could improve housing affordability and choice as well as revitalize Downtown Westminster and neighborhoods.

Section 5: Context Sensitive Solutions

The Maryland State Highway Administration (SHA) has been a national leader in implementing Context Sensitive Solutions (CSS) for transportation development. Context Sensitive Solutions result from a collaborative, interdisciplinary approach to developing and implementing transportation projects, involving all stakeholders to ensure that transportation projects are in harmony with communities and preserve and enhance environmental, scenic, aesthetic, and historic resources while enhancing safety and mobility. While the CSS approach applies to all of SHA’s projects, Maryland’s Byways, designated for their acknowledged scenic, cultural and historic qualities, merit additional care in decision-making to preserve and enhance their special qualities.

Elements that Affect the Character of a Byway

- | | |
|--------------------------------|-------------------------------------|
| • Safety | • Signs |
| • Alignment and Geometry | • Lighting |
| • Roadside Barriers | • Access |
| • Grading and Drainage | • Roadside Enhancements |
| • Traffic Control Devices | • Bicycles |
| • Utilities | • Maintenance |
| • Landscape | • Management of Publicly Owned Land |
| • Bridges and Small Structures | |

Transportation Element

The 2009 Comprehensive Plan promotes an appropriate network of arterial, collector, and local streets to safely and efficiently serve the anticipated travel demand generated by the existing and proposed land uses. Proposed transportation improvements should relieve growing traffic congestion while improving pedestrian and bicycle accessibility. An efficient transportation system is essential to the sound social, as well as economic, development of the City. The Transportation Element seeks to improve the City's transportation system to ensure the safe and efficient movement of people and goods, and provide a variety of mode choices, while enhancing neighborhood livability and resident quality of life.

Goals and Objectives

Goal T1: Coordinate the provision and improvement of the Westminster area transportation infrastructure for compact and directed growth, as defined in the Municipal Growth Element

Objective 1: Develop an efficient road system that supports safe and efficient traffic circulation

- a. Maintain a data collection system, including traffic counts and accidents to support studies, operational changes, and designs
- b. Establish a high accident location identification and analysis system to ensure efforts are concentrated at the most critical locations
- c. Develop priorities for improvements to the transportation system based on safety considerations and existing deficiencies, as well as physical, economic, and policy constraints

Objective 2: Review and monitor the transportation system to provide adequate service to existing and future land uses

- a. Prepare an annual travel forecast to identify needed transportation improvements
- b. Study changes in personal travel behavior and feasibility of mode choices
- c. Monitor growth in population and employment as needed to ensure that planned transportation improvements will address the potential impacts of growth
- d. Ensure that transportation improvements or strategies are constructed or financed concurrently with development

Objective 3: Provide an integrated street network of different classes of streets designed to facilitate different types of traffic flows and access needs

- a. Ensure that transportation system improvements are compatible with adjacent land uses and will minimize potential conflicts
- b. Consider the multiple purposes of streets to accommodate transit and commercial vehicles
- c. Review and revise design standards for all classifications of Westminster streets

Objective 4: Partner with Carroll County to implement appropriate transportation demand management strategies

- a. Coordinate with Carroll Area Transit System to sustain and improve the local bus transit system to serve both transit-dependent and discretionary riders
- b. Encourage activities that aim at changing travel behaviors by getting people to utilize more efficient means of transportation alternatives
- c. Promote carpooling, flexible work times, telecommuting, and similar outcomes to increase peak-hour efficiency of the existing transportation infrastructure and services

Objective 5: Develop a “Transportation Strategy and Design Guidelines” for new developments and improvements to existing transportation systems in Westminster

- a. Require new transportation systems to consider the principles of Pedestrian-Oriented Design and Transit-Oriented Development
- b. Study Complete Streets policies in other cities of comparable size to Westminster
- c. Create a Westminster Complete Streets policy
- d. Refer to the goals of the Maryland’s Bicycle and Pedestrian Access Master Plan during the development review process of new developments and future streetscape projects
- e. Integrate the Transportation Strategy and Design Guidelines into the Westminster Design Guidelines and Manual according to the Community Character & Design Element

Goal T2: Provide a continuous and seamless pedestrian and bicycle system, and enhance the pedestrian environment to create a more walkable community

Objective 1: Develop a Pedestrian Master Plan that identifies and ranks, in order of priority, sidewalk and pedestrian needs

- a. Create a sidewalk and pedestrian trail network linking neighborhoods, Downtown, and key community destinations
- b. Prioritize sidewalk improvements on arterials and local roads
- c. Complete the arterial sidewalk system according to a priority system
- d. Require development to provide additional sidewalks along local streets to complete missing links, increase pedestrian safety, and provide linkages to key destinations

Objective 2: Promote an appropriate mix of land uses and densities, the quality and design of the built environment, pedestrian scale streetscapes, and pedestrian comfort

- a. Create pedestrian-oriented environments between buildings in auto-oriented commercial areas
- b. Require sidewalks or pedestrian areas to provide connections between buildings within developments
- c. Encourage pedestrian amenities such as trees, planters, street furniture, and awnings

Objective 3: Build a connected bicycle route that is viable, convenient, and safe and will encourage both utilitarian and recreational riding

- a. Develop a plan that designates an interconnected bicycle route system throughout the City that forms a transportation network linking major activity center
- b. Incorporate a Bicycle Accessibility Strategy into the Pedestrian Master Plan
- c. Expand the City's system of off-road bicycling trail facilities

Goal T3: Encourage parking strategies that minimize redundant access and maximize public space

Objective 1: Require only the amount of parking necessary to avoid problems, maintain viable businesses, and meet the needs of Downtown Westminster

- a. Develop an inventory and usage survey of all parking facilities, both private and public
- b. Use the inventory and survey to identify surface lots with the potential for future development

- c. Seek to provide an appropriate balance in on-street parking by providing resident parking and overflow commercial and employee parking in residential areas
- d. Consider strategies for addressing residential area on-street parking that allow flexibility for neighborhood-specific situations

Objective 2: Increase flexibility with minimum parking requirements to reflect typical daily demand and allow innovative parking provisions

- a. Require no more parking than reasonably necessary to optimize land use density and minimize the amount of impervious surface
- b. Promote locating parking to the side or behind buildings or new developments to provide pedestrian accessibility of building entrances and walkways to the street
- c. Encourage commercial uses on contiguous parcels to have connecting or shared parking areas

Goal T4: Provide a safe and convenient access system that respects community needs and values

Objective 1: Ensure adequate and safe access to property

- a. Encourage the preparation of comprehensive access plans, and consolidation of access points in commercial and residential areas
- b. Require new development to minimize and consolidate access points along all principal and minor arterials
- c. Design and construction standards should result in consistent street types, adequate lane widths, maintenance standards, and compatible subdivision patterns

Objective 2: Promote the continuity of the street pattern and design when considering subdivision, street vacation, or street extension proposals.

- a. Encourage the connection of streets when considering subdivision or street improvement proposals
- b. Limit the use of cul-de-sacs, dead-end streets, loops, and other designs that form barriers in the community
- c. Recognize that increasing connections can reduce traffic congestion and increase neighborhood unity

- d. Consider street design consistency when reviewing street extensions such as right-of-way width, curb style, landscape width, and sidewalk material and width

Objective 3: Develop through-routes and access to main roads while protecting local neighborhood circulation

- a. Seek to minimize impacts of through traffic within residential neighborhoods by employing neighborhood traffic management strategies
- b. Consider neighborhood traffic management strategies such as traffic control signs, speed limit education, enforcement, narrow streets, curves, or traffic circles

Objective 4: Mitigate traffic congestion when and where necessary to maintain traffic flow and minimize travel delays with a balanced approach

- a. Consider alternatives that do not include adding lanes when evaluating future capacity solutions
- b. Use transportation system management strategies on arterial roads to improve traffic flow, maximize capacity, and increase overall system efficiency and safety
- c. Design new local streets to provide for traffic movement while ensuring a safe and attractive pedestrian and bicycle-friendly neighborhood environments

Goal T5: Evaluate and mitigate the impacts of development on the Westminster area transportation system

Objective 1: Work with Carroll County to ensure that new development outside of the City does not negatively affect Westminster transportation systems

- a. Coordinate with Carroll County to implement the Transportation Chapter of the 2007 Westminster Environs Community Comprehensive Plan
- b. Continue to work with the Carroll County Traffic Team to stay informed on transportation issues and projects

Objective 2: Promote responsible funding of needed transportation system improvements with public and private sector participation

- a. Prioritize circulation system improvements needed to address safety, maintenance, congestion relief, multi-modal projects, transit, and growth
- b. Ensure adequate maintenance of existing facilities throughout the City
- c. Allocate resources in the City's transportation capital investment program in conjunction with the community's priorities

- d. Require new development to contribute its fair share towards transportation improvements and services required due to the development
- e. Enforce a shared responsibility of mitigating development impacts between the public and private sector

Objective 3: Encourage the use of telecommunications to reduce commuter traffic.

- a. Work with the Baltimore Metropolitan Council and the Carroll County Department of Economic Development to establish a telecommuting center in Westminster
- b. Clarify language in the Zoning Ordinance to address the home offices of telecommuters

Goal T6: Develop a transportation system that recognizes regional traffic needs, while allowing the Westminster area to meet economic development goals

Objective 1: Cooperate with local, regional, state, and federal agencies in the development and operation of the Westminster area transportation system

- a. Support and complement the transportation functions of the Carroll Area Transit System to meet Westminster transportation needs.
- b. Coordinate planning, construction, and operation of transportation facilities and programs with Carroll County and the State Highway Administration
- c. Make transportation decisions consistent with Transportation Chapter of the 2007 Westminster Environs Community Comprehensive Plan
- d. Support the Baltimore Regional Transportation Board to implement the Baltimore Region Long-Range Transportation Plan “Transportation Outlook 2035”

Objective 2: Establish and maintain a level of service consistent with local and regional circulation needs

- a. Coordinate with Carroll Area Transit in establishing appropriate levels of service for the community
- b. Support additional transit levels of service for the Downtown Westminster based upon existing and future population and employment densities
- c. Integrate management and operations strategies that improve the performance and reliability of existing transportation infrastructure to relieve congestion and reduce delay

Objective 3: Attract and retain business enterprises to Westminster by managing traffic growth

- a. Design the system to allow for safe, efficient access to commercial and mixed-use areas
- b. Encourage public/private partnerships for financing transportation projects that foster economic growth in Westminster
- c. Promote multi-modal improvements such as local transit improvements or carpool programs

Objective 4: Cooperate with Maryland State Highway Administration (SHA) to make the necessary improvements to State roads in the Westminster area

- a. Support SHA to complete the MD 140 Improvement Project according to enhance traffic circulation on MD 140 from Market Street to Sullivan Road
- b. Coordinate with SHA to study and implement the MD 97 (N) Improvement Project to increase safety and traffic capacity for regional traffic on MD 97 (N)

Goal T7: Maintain the availability of safe air travel services in Westminster

Objective 1: Support the continued operation of the Carroll County Regional Airport to provide private air transportation services to the region and community

- a. Recognize the Carroll County Regional Airport as a business that is economically and historically significant to the community
- b. Ensure planning and zoning regulations address the needs and issues of the Carroll County Regional Airport

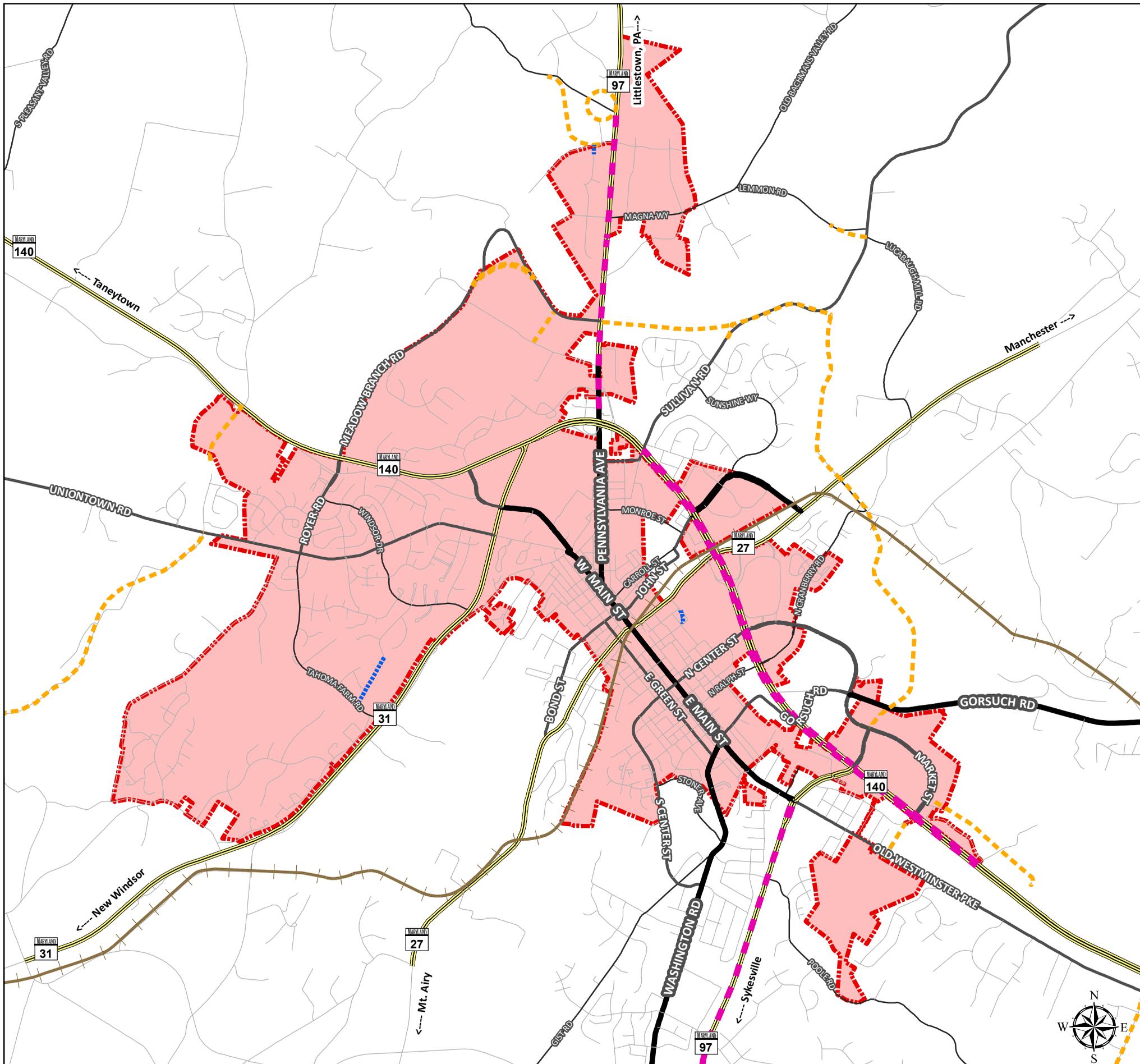
Objective 2: Plan for appropriate uses and activities in the vicinity to minimize impacts to and from the Carroll County Regional Airport

- a. Comply with State laws requiring plans and regulations that discourage incompatible uses adjacent to the Carroll County Regional Airport
- b. Ensure plans and regulations address height hazards, safety, and noise issues that can affect the long-term viability of the Carroll County Regional Airport
- c. Allow compatible uses, buildings, or land or water activities in the vicinity that do not present safety problems to Airport operations, or that would not be sensitive to noise from the Airport operations

Roads and Highways

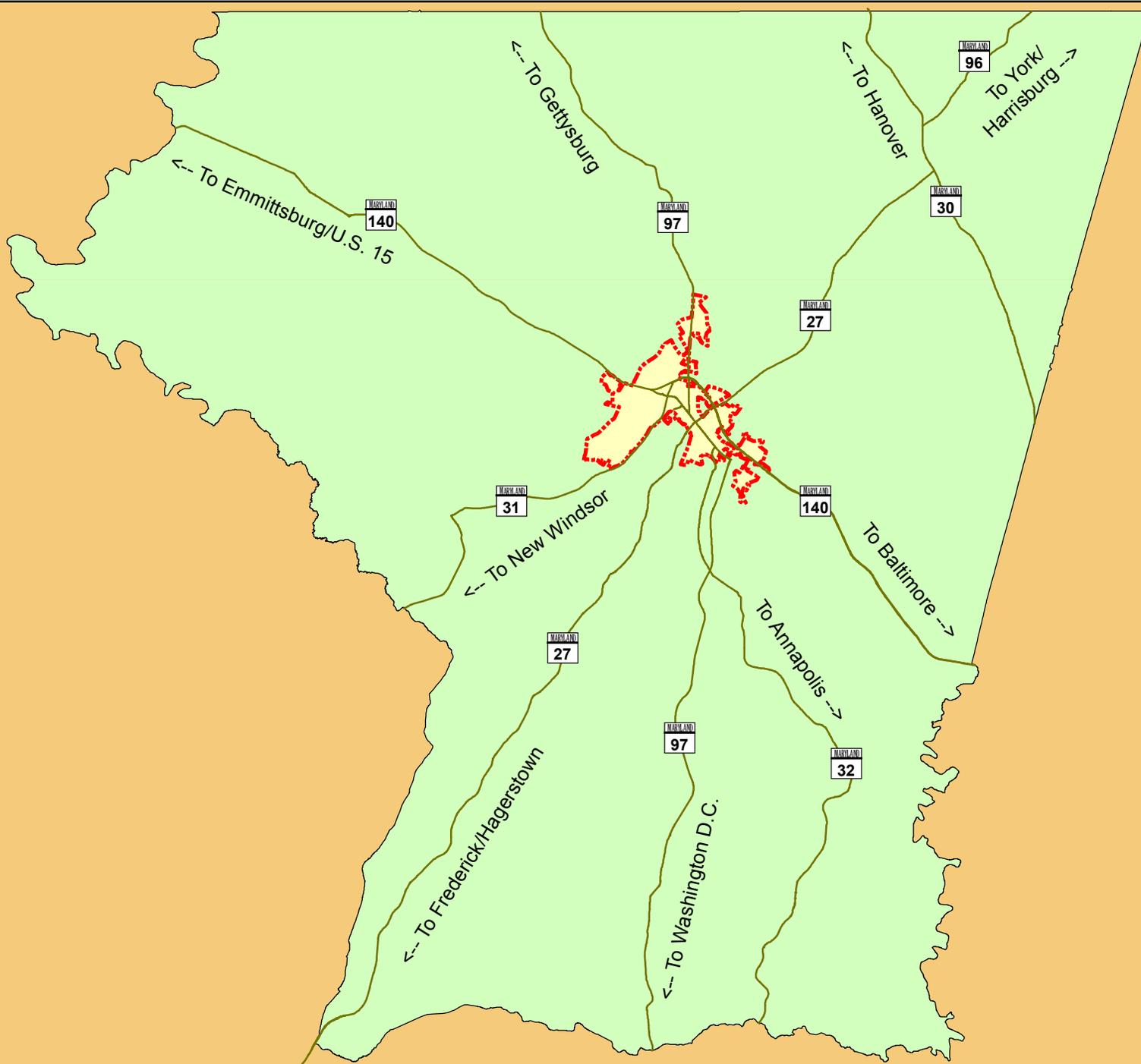
Legend

-  Railroad
-  LOCAL ROADWAY
-  MINOR COLLECTOR
-  MAJOR COLLECTOR
-  MINOR ARTERIAL
-  OTHER PRINCIPAL ARTERIAL
-  Planned County Improvements
-  Planned City Improvements
-  Planned State Highway Improvements
-  City Boundary



Map Not to Scale

Westminster Major Road Systems



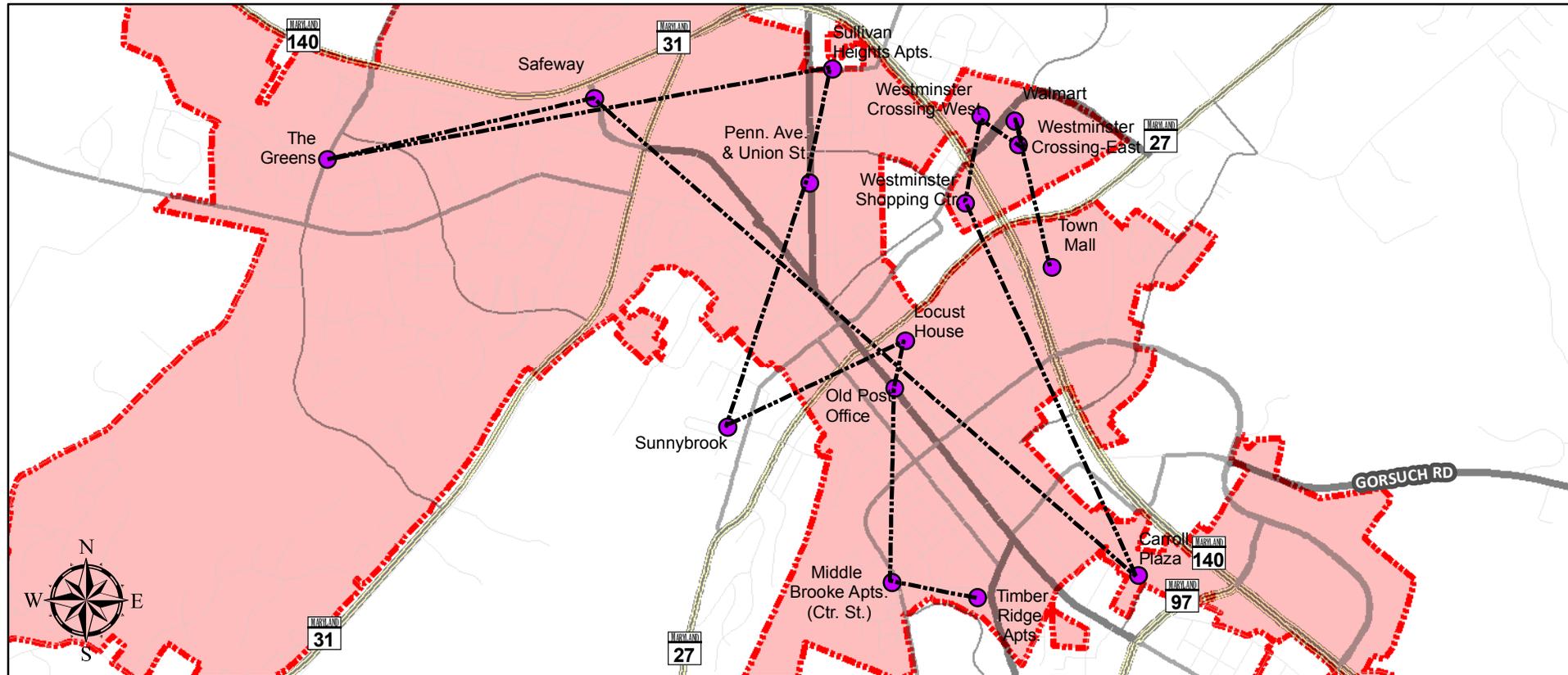
Legend

-  Westminster City Boundary
-  Carroll County



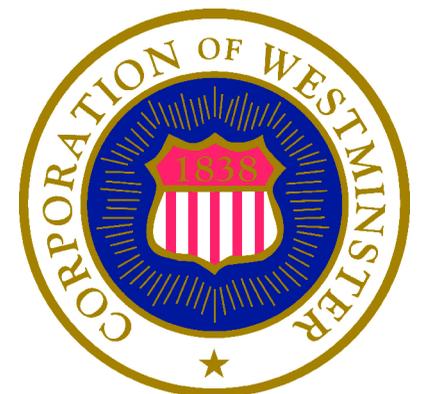
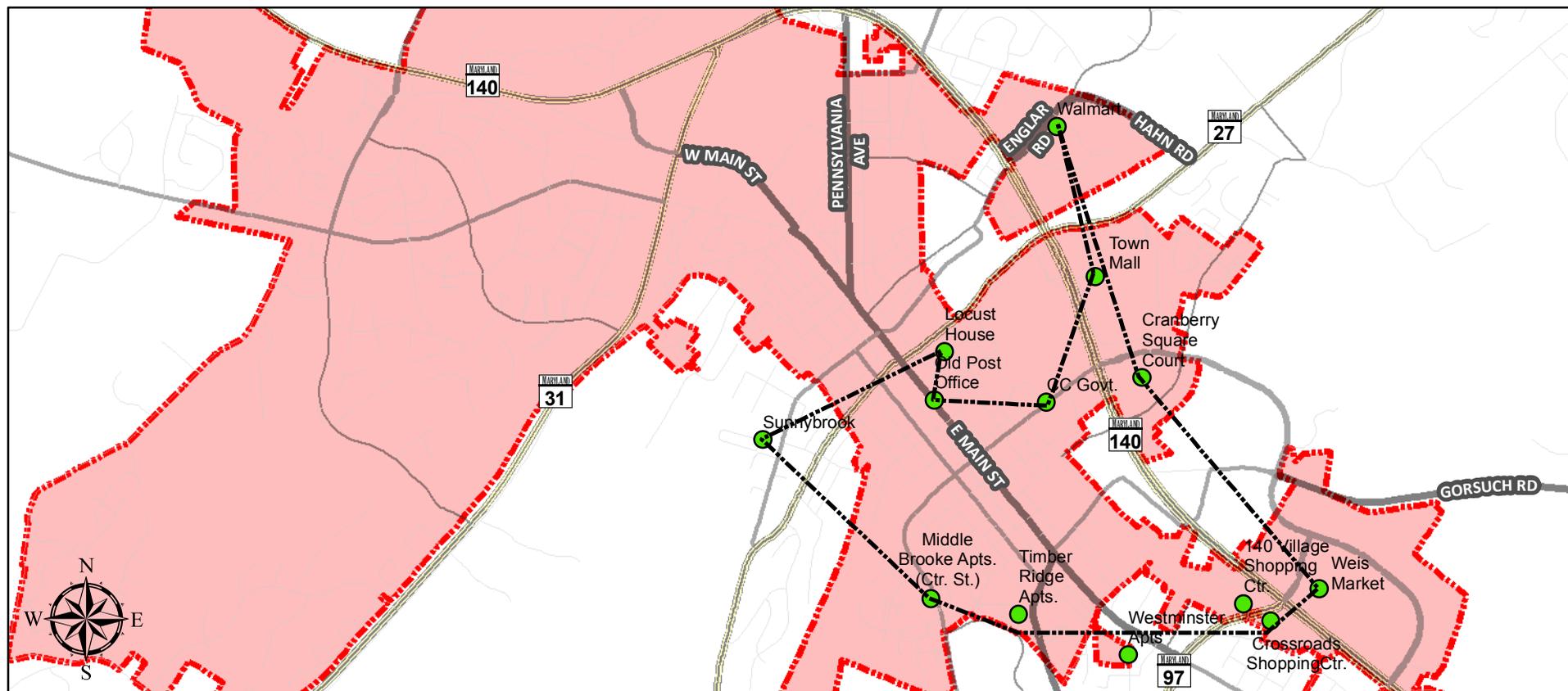
Map Not to Scale

Carroll Area Transit System Shuttle Routes



Legend

- Shuttle Loop 1
- Shuttle Loop 2
- City Boundary



Maps Not to Scale



Maryland Department of Transportation

*State Highway Administration
District 7 Engineering Systems Team
Frederick, Maryland*

Concept Design and Report
Contract No. CL2145187
June 2011



MD 97 (Littlestown Pike)
Widening Concept
Carroll County

MD 97 (Littlestown Pike) Concept Design and Report
Contract No. CL2145187
Widening Concept
Carroll County
June 2011

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APPENDIX A

Concept Plan Views

APPENDIX B

Utility Impacts Table

APPENDIX C

Right-of-Way Impacts Table

APPENDIX D

Major Quantities Cost Estimate

APPENDIX E

Pavement Detail

Project Description

As requested by the Maryland State Highway Administration (SHA), Wallace, Montgomery & Associates, LLP (WM&A) has developed a detailed investigation of the feasibility and impacts associated with the widening of MD 97 to a five-lane roadway section, with acceleration and deceleration lanes at all entrances and cross streets, for approximately 1.9 miles along MD 97 (Littlestown Pike) from just north of the interchange at MD 140 to just north of the intersection with Kalten Road.

The attached Concept Development Study includes plans of the proposed improvements along with a report which summarizes the impacts the proposed work will have on existing utilities, right-of-way, environmental features (i.e. streams, wetlands, historical properties, etc.), and existing drainage facilities, as well as verification that the improvements meet AASHTO and SHA design criteria and current State and Federal guidelines for bicycle, pedestrian, and ADA facilities. The study was based upon an analysis of SHA provided accident data and traffic count information, GIS information, field-run surveys, and aerial photography.

Existing Conditions

MD 97 is a 44' wide, 2-lane, predominantly open section, urban OPA roadway with full shoulders which have been converted to Acceleration / Deceleration lanes at all major commercial entrances along the corridor. Lane and shoulder widths are approximately 11' each. The roadway widens at major intersections to include left or right turn lanes.

The existing horizontal alignment is comprised of tangent sections joined by a 10,000' radius curve just north of Corporate Center Drive and a smaller 2,300' radius curve south of that intersection. Vertically, the MD 97 corridor is comprised of a series of vertical curves which necessitate reduced speeds at the southern limits (max 40 mph at the MD 140 interchange) but support speeds of 50 mph north of Corporate Center Court. The existing conditions were evaluated to determine compliance with AASHTO requirements for intersection sight distance (Case "B" – Stop Control from the Minor Road) and for adequate stopping sight distance along MD 97 and the results indicate the roadway meets AASHTO design requirements for all posted speed limits.

The existing pavement appears to be in good condition and based on construction history provided, is comprised of 9" of HMA pavement on top of 8" of Portland Cement Concrete base for the full width, including shoulders. The last record of resurfacing was in 1990.

The intersections at Corporate Center Drive and Airport Drive/Magna Way are both signalized for vehicular traffic; however, neither intersection includes pedestrian signals.

Evaluation of the provided traffic and accident information indicates that currently traffic volumes are in excess of 25,000 vehicles per day with a relatively high (10%) volume of trucks. There were 64 police-reported accidents found during the provided study (2-yr. study: 2007-2009). The most prominent accident type was rear end collisions with 36 occurrences recorded. Of the total accidents reported, 9% (6) involved alcohol use, 36% (23) were intersection related, and 23% (15) occurred during wet surface conditions. Rear end collisions calculated to be significantly higher than the statewide average. There are no Candidate Safety Improvement Locations (CSIL) within the study area during this study period.

Proposed Improvements (Compliance with AASHTO/SHA Design Guidelines & Policies)

Based on field walks and discussions with District 7 personnel regarding traffic patterns throughout the corridor and observations of the existing traffic patterns, it was determined that provisions for a 84' wide, five-lane roadway section (2-12' through lanes in each direction with full 12' wide shoulders and a



shared 12' wide center turn lane) are desired to improve corridor operation, safety, and access needs. Additionally, due to traffic safety concerns for turning vehicles, the proposed improvements include closing Krider's Church Road at the intersection with MD 97. Access to properties along Krider's Church Road will be maintained by utilizing planned future connections to Meadow Branch Road and MD 140 via Meadow Creek Road.

Plans for the proposed improvements may be found in **Appendix A**.

Due to the presence of large drainage conveyance channels along the SB (western) roadway edge from south of Airport Drive to north of Airport Drive and a Runway End Safety Area (RESA) along the SB edge of the roadway just north of Meadow Branch Road, the majority of the proposed pavement widening was required to be along the NB roadway (eastern) edge. Furthermore, minor alteration to the MD 97 alignment has been proposed to further reduce impacts to the RESA adjacent to the Carroll County Regional Airport (Jack B. Poage Field). Horizontal curves with radii of 10,000' were utilized so no superelevation corrections would be needed.

The current practice of utilizing the shoulders to provide acceleration / deceleration lanes at minor intersections and for business entrances is continued; however, an additional widening in these areas of at least 6' is required to comply with SHA's current and proposed bicycle compatibility guidelines (6' bicycle lanes are required due to the 50 mph posted speed and high truck percentage). Reconstruction of the existing shoulder should not be required as the current pavement section is continuous for the full width of pavement along the corridor.

Proposed acceleration / deceleration lanes were developed using SHA's Access Manual guidelines and warrant charts (Sections 13.3 & 13.4 on pages 67 to 71) in conjunction with AASHTO's guidelines (Exhibit 10-70 on page 847) and assuming a 55 mph design speed (the currently posted speed limit is 50 mph), and a stop condition for accelerating vehicles.

Traffic Analysis

In addition to the above mentioned proposed improvements along MD 97, alternative lane configurations and signal phasing were analyzed to improve the operations of the westbound Magna Way approach at the MD 97 and Magna Way / Airport Drive intersection. Currently the westbound approach includes separate left-turn, through and right-turn lanes running with a permissive left-turn phase. Three alternatives were analyzed with the following improvements to the westbound approach:

- *Alternative 1* - Revises the westbound lane configuration to two left-turn and shared through-right lanes running with a protected left-turn phase.
- *Alternative 2* - Revises the westbound lane configuration to one left-turn, one shared left-through and one right-turn lane running split phases for both eastbound and westbound approaches.
- *Alternative 3* - Revises the westbound lane configuration to two left-turn lanes with separate through and right lanes running with a protected left-turn phase.

Alternatives 1 and 2 revise the westbound lane configuration while staying within the existing footprint of Magna Way. However Alternative 3 will require widening along Magna Way to accommodate the additional lane. All three alternatives will require revisions to the signal timings.

The table below summarizes the intersection operations of each alternative compared to existing conditions. Although Alternative 3 provides the most improvement to the operations of the intersection, Alternative 1 provides adequate improvement to the intersection operations without additional costs to widen Magna Way.



Alternative	Peak Period	HCM Analysis (LOS, Delay, Queue)													
		NB (MD 97)			SB (MD 97)			EB (Airport)			WB (Magna)			TOTAL	
Existing	AM	C	21.9 s	208'	C	31.3 s	1008'	C	30.6 s	114'	E	68.9 s	347'	C	34.4 s
	PM	B	12.9 s	353'	B	12.5 s	391'	C	23.4 s	122'	D	35.4 s	247'	B	17.8 s
Alt 1 - WB 2 LT Protected	AM	B	13.5 s	127'	C	20.0 s	395'	D	38.2 s	121'	D	47.8 s	122'	C	23.7 s
	PM	B	17.9 s	380'	B	14.3 s	179'	C	22.8 s	89'	C	27.2 s	135'	B	19.1 s
Alt 2 - WB 2 LT Split	AM	B	16.7 s	146'	C	23.2 s	428'	D	38.5 s	124'	D	54.9 s	207'	C	27.3 s
	PM	B	19.0 s	395'	B	15.4 s	190'	C	22.9 s	90'	C	30.4 s	125'	C	20.4 s
Alt 3 - WB 2 LT Prot. w/ Separate RT	AM	B	13.4 s	124'	B	19.0 s	370'	D	38.7 s	122'	D	47.8 s	101'	C	23.2 s
	PM	B	16.9 s	362'	B	13.4 s	170'	C	22.7 s	57'	C	24.2 s	57'	B	17.9 s

Utilities

A utility review was performed to identify existing utilities and determine potential impacts from any proposed improvements. Field observation, records provided by franchise utility owners, and review of as-built drawings, indicate underground utility lines are present throughout the corridor in addition to the utility poles carrying aerial power, cable, fiber optic, and telephone lines within the project limits along both sides of the roadway.

Underground facilities are indicated on the attached plan sheets and include a high pressure (6") BG&E gas line which runs along NB lanes of MD 97 (with several perpendicular roadway service crossings) from the southern study limits to just north of the Magna Way intersection. Additionally, there are indications that a sanitary sewer line runs the length of the project under the existing NB shoulder and a water line runs along the existing SB edge of roadway. Finally, all utilities along the SB edge of roadway have been placed underground in the vicinity of the RESA adjacent to Jack B. Poage Field north of Meadow Branch Road.

Cover should be sufficient to avoid impacts to underground utilities in most cases; however, the proposed widening for MD 97 would place the above mentioned lines (gas, water, sewer) well within the proposed northbound or southbound travel lanes north of Corporate Center Drive and slightly inside the proposed curb line or edge of pavement south of Corporate Center Drive. It is possible that this situation may pose an issue to the respective utility owners and extensive test pitting and coordination with BG&E, County, and City forces should be performed during design to confirm these evaluations.

Practically all poles carrying primary and secondary transmission lines running along both NB and SB sides of the roadway will be impacted by the proposed roadway widening and will require relocation. Pole impacts, with specific pole numbers effected, have been identified and summarized and may be found in **Appendix B**.

The only SHA-controlled lines within the project limits along MD 97 provide service to the traffic signals at the intersections of Corporate Center Drive and Airport Drive/ Magna Way. Signal plans obtained indicate that the signals are isolated and no conduit or interconnect cable for the signals exist beyond the advance loop detectors located within the existing pavement at each location. It is anticipated that all traffic signal poles and detection at each intersection will be impacted and will need replaced.



Right-of-Way

SHA Plat Nos. 7583, 7584, 10294, 44813, and provided plans for proposed property development along the MD 97 corridor indicate that the right-of-way for the existing roadway varies from approximately 66' to 122'. Existing and Proposed Right-of-Way limits are shown on the plan views attached in Appendix A.

Based upon the concept plans developed from aerial and field measurements, it is anticipated that the proposed widening would require significant R/W takes along the northbound edge of roadway in addition to minor grading easements along the southbound edge of roadway. These may include onsite impacts to parking areas for existing businesses and existing billboards, especially along the northbound side of the roadway. It is also anticipated that temporary construction easements would be required for completion of the project.

It is anticipated that the additional R/W required for the proposed improvements total 387,666 square feet of takes and 69,451 square feet of easements. Impacts for individual parcels have been summarized and can be found in **Appendix C**.

Environmental Features

Based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps for Carroll County, MD, the project site does not lie in a delineated 100-year floodplain. However two streams, indicated on the FEMA maps, which pass through the site, have a 100-yr floodplain delineated downstream of the project site. The upper limits of the 100-yr floodplain for these two streams are indicated by a designation, "Limit of Detailed Study". Further study may be needed to determine the extent of the 100-yr floodplain for these streams, and if the 100-yr floodplain exists within the project site.

The Carroll County Quad Maps were analyzed to determine the project's possible impacts on streams, waterways, and the Waters of the US. Furthermore, a field investigation was conducted of the site to perform a preliminary investigation of Waters of the US. The in-house and field investigation did find the existence of three Waters of the US in the vicinity of the project. The first stream crosses MD 97 at the MD 140 overpass. The second stream crosses MD 97 at the intersection with the exit ramp from westbound MD 140. The third stream crosses MD 97 south of the intersection of Airport Drive. Although all three streams traverse MD 97 at the project site, only the second stream is anticipated to be impacted.

The US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) and the Maryland's Environmental Resources and Land Information Network (MERLIN) were used to ascertain the location of possible wetlands in the project area. Furthermore, a field visit was conducted of the site to perform a preliminary investigation of possible wetlands. Based on this information, there are two wetland systems in the vicinity of the project site. The first wetland system is associated with the second stream mentioned above. This wetland system is extensive on the western side of MD 140. The second wetland system is associated with the third stream mentioned above. This wetland system is within a large man-made swale which traverses the western side of MD 97 to the north and south of Airport Drive. Wetland buffer impacts are anticipated with both wetland systems, and wetland impacts are anticipated with the first wetland system. Although in-house and field investigations observed the existence of jurisdictional wetlands and Waters of the US, further investigation, including wetlands delineation, should be conducted during final design to verify this finding.

The presence of forest was not observed at the project site; however, six significant trees were observed within the project site. All six of these trees are located on the western side of MD 97. The first is a large 60" silver maple located just north of the MD 140 overpass. The remaining five trees,



which consist of Black Locust and Norway Maples are all considered “front yard trees” and are just outside the public right-of-way. These trees may require special protection during construction. If impacts to these large trees or any other tree within public right of way are to occur, then a Maryland Roadside Tree Permit will need to be submitted.

There were no observed historic structures within the project area. Coordination with the Maryland Historical Trust will be necessary to see if historic structures are located within the vicinity of the project.

Permit/Approvals

<i>Required</i>	<u>Permit/Approval</u>	Comments/Status
Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Reforestation Law – Approval	No forest impacts more than 1.0 ac
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Roadside Tree Permit	Permit required for any tree removal in public right-of-way
Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Forest Conservation Act Permit	Minimal forest impacts are anticipated
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	SWM/E&S Control Permit	MDE Approval will be required
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	NPDES General Permit for Const. activity	> 1.0 ac disturbance
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Joint Permit Application (JPA)	Wetland Buffer, Wetlands, and WUS impacts.
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	General Waterway Construction Permit (GWCP)	Possible waterway involvement
Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	U.S. Coast Guard Permit (Bridge Hydraulic Div. would apply)	No waterway involvement

In addition to the permits and approvals indicated in the above list, upcoming changes to SHA’s noise policy will most likely require that a noise study be performed for this project since the proposed roadwork can be interpreted as an increase in capacity for the roadway. Should this project be selected for advancement to design and construction, provisions for such a study should be planned for in PE funding outlays. Our experience with noise studies leads us to speculate that, upon completion of the study, there is a low probability that the results will indicate noise mitigation will be required due to the low density of housing and relatively small increases that may result in the ambient noise levels.

Pedestrian/ADA/Bicycle Issues

With the exception of the intersection at Magna Way, there are no existing pedestrian facilities within the MD 97 Corridor. Sidewalks and crosswalks along Magna Way will be impacted due to intersection widening and will need to be reconstructed. No pedestrian activity was noted during the time of the field view.

It is anticipated that the existing pedestrian and ADA facilities on Magna Way and Airport Drive that will be impacted by the widening will be replaced to comply with current ADA policies.

The existing roadway has shoulders of approximately 11’ to accommodate bicyclists, but there are no pavement markings or signs designating a bike route. All proposed improvement schemes would provide at least 6’ of shoulder width to ensure the corridor is compliant with current and proposed SHA bicycle policy guidelines and AASHTO design guidelines for accommodating bicycles.



Drainage Design

The existing MD 97 corridor is a combination of open and closed sections with mostly open sections. Curbed sections exist at the following locations:

- Both NB & SB sides from the MD 97 / MD 140 interchange to Krider's Church Road.
- NB side only from Krider's Church Road to just north of Corporate Center Court.
- SB side only from north of Corporate Center Court to north of Meadow Branch Road.
- SB side only from south of Old Bachman's Valley Road to north of Old Bachman's Valley Road.
- NB side only from south of the Finch Services Entrance to the large cross culvert south of the Jiffy Mart entrance.
- Both NB & SB sides from the Jiffy Mart entrance to just north of Airport Dr./Magna Way.

The corridor lies within two major Maryland watersheds. Throughout this corridor, runoff leaves the state right-of-way at various locations along the proposed project site. A more detailed analysis of existing drainage patterns is discussed in the Stormwater Management /Erosion & Sediment Control section below.

There are several locations along the corridor where major drainage pipes cross the roadway and will require extensions:

- A 72" Corrugated Metal Pipe (CMP) crosses under the roadway in the vicinity of the MD 140 ramp; the pipe will need to be extended to the east and west and the existing headwalls will be replaced in kind.
- There is an existing double barrel (84" each) CMP culvert that crosses under the roadway approximately 600' south of the Airport Dr./Magna Way intersection which appears to be in need of repair but operating satisfactorily. The proposed widening scheme should not impact the box culvert, as all improvements fall within the existing culvert headwall limits.
- Additional cross culverts less than 24" exist throughout the project site. These culverts will be replaced in kind.

Existing drainage patterns remain largely unaffected by proposed improvements; however, SWM needs may require extensive bio-swales or other Environmental Site Design (ESD) facilities along MD 97. The majority of these facilities will most likely be located along northbound MD 97. The estimates for R/W requirements have attempted to anticipate the space required for these facilities. Curbed sections, existing inlets, and pipe systems will be replaced in kind.

Stormwater Management /Erosion & Sediment Control

The proposed project lies within the Liberty Reservoir Watershed and the Double Pipe Creek Watershed in Carroll County, Maryland. The majority of the project lies within the Liberty Reservoir Watershed (02-13-09-07) within the Patapsco River Watershed (02-13-09). The northern end of the project lies within the Double Pipe Creek Watershed (02-14-03-04) within the Middle Potomac River Watershed (02-14-03).

The existing impervious area within the MD 97 right-of-way is greater than 40% within the project limits; therefore, the site is considered redevelopment and only 50% treatment is required for the reconstructed impervious areas. Quality stormwater management (SWM) is required for these redeveloped areas. Quality and quantity SWM is required for all additional impervious areas.

In each respective watershed, quality SWM may be provided anywhere throughout the project site. However, quantity SWM must be provided within each drainage area where new impervious area is proposed. Under existing conditions, runoff leaves the project site at 13 locations along MD 97. Below



is a summary table describing the approximate location of each Point of Investigation (POI) / Line of Investigation (LOI.)

POI	Location
1	Outfall of culvert along the MD 140 off-ramp/MD 97 on-ramp
LOI 2	Approximately 300 ft. along SB MD 97 at and north of Corporate Center Ct.
3	Outfall of stormdrain along SB MD 97 approximately 100 ft. south of Meadow Branch Rd.
4	Meadow Branch Rd.
5	Outfall of stormdrain along SB MD 97 approximately 70 ft. north of Meadow Branch Rd.
LOI 6	Approximately 600 ft. along NB MD 97 at and south of Old Bachmans Valley Rd.
7	Large box culvert under MD 97 approximately 550 ft. south of Magna Way
8	Stormdrain system on Magna Way
9	Stormdrain outfall along NB MD 97 approximately 675 ft. north of Magna Way
10	Ditch along SB MD 97 approximately 500 ft. north of Magna Way
11	Outfall of cross culvert along SB MD 97 approximately 540 ft. south of Kalten Rd.
LOI 12	Approximately 600 ft. along SB MD 97 at and south of Kalten Rd.
13	Ditch along NB MD 97 approximately 1050 ft. north of Kalten Rd.

POIs 1 through 10 are located within the Liberty Reservoir Watershed. Within this watershed, SWM will be required for approximately 9.0 ac. of impervious area with an ESD_v storage volume of approximately 71,600 cf. All runoff from these POIs will eventually enter one of two Carroll County SWM Ponds. The Westminster Community Pond is located approximately 1,000 ft. east of the MD 97/MD 140 interchange. The other County SWM pond is located in the southeast quadrant of the MD 97/Magna Way intersection. These ponds may be able to treat quantity and quality SWM for this project; however, it is assumed that ESD facilities will be implemented.

POIs 11 and 13 and LOI 12 are located within the Double Pipe Creek Watershed. Within this watershed, SWM will be required for approximately 1.5 ac. of impervious area with an ESD_v storage volume of approximately 12,700 cf. Runoff from POI 13 will eventually enter a SWM Pond within State right-of-way along NB MD 97 approximately 1300 ft. north of Kalten Rd. Roadway construction will not impact the SWM Pond. This pond may be able to treat quantity and quality SWM for POI 13; however, it is assumed that ESD facilities will be implemented.

Concept level calculations have been performed to estimate the surface area needed to implement SWM facilities. The table below provides a breakdown of estimated SWM facility location and size.

POI	Location	Additional area for SWM	Comments
1	MD 97 between MD 140 and Wyndtryst Dr.	25,500 sf	
LOI 2	SB MD 97 at Corporate Center Ct.	900 sf	Most likely seek a variance from quantity control due to linear nature of widening and close proximity to residential property.
3	NB MD 97 between Corporate Center Ct. and 600 ft. south Old Bachmans Valley Rd.	40,800 sf	
4	Meadow Branch Rd.	600 sf	
5	SB MD 97 between Meadow Branch Rd. and Old Bachmans Valley Rd.	9,100 sf	



LOI 6	NB MD 97 600 ft. south Old Bachmans Valley Rd. to Old Bachmans Valley Rd.	17,300 sf	
7	NB MD 97 north of Old Bachmans Valley Rd.	53,800 sf	
8	Magna Way at MD 97	4,300 sf	Variance from quantity control. Quality may be treated elsewhere.
9	NB MD 97 between Magna Way and Pleasant Valley Rd.	77,000 sf	
10	SB MD 97 500 ft. north of Magna Way to Meadow Branch Rd.	25,500 sf	
11	MD 97 from Pleasant Valley Rd. to 550 ft. north of Kalten Rd.	33,700 sf	This area excludes LOI 12
LOI 12	SB MD 97 from Kalten Rd. 525 ft. south	3,100 sf	
13	NB MD 97 approximately 575 ft. north of Kalten Rd. to 1050 ft. north of Kalten Rd.	4,000 sf	

The aforementioned SWM numbers are based on a concept level estimate. Further site analysis and investigation will be necessary to provide a more accurate assessment of SWM.

It is anticipated that SWM facilities will be linear ESD facilities such as bio-swales or grass swales. These facilities require a maximum longitudinal slope of 4% and 3:1 side slopes.

The project proposes greater than 5,000 sf of disturbed area; therefore, an Erosion and Sediment Control (E&S) permit will be required from MDE. Erosion control measures for this project will be minimal and will be required until final stabilization is established.

Cost Estimates

An Engineer’s Estimate was prepared and the results are summarized in the table below. A detailed Major Quantities Estimate may be found in **Appendix D**.

An estimate of the design fees to develop Preliminary Engineering and Project Advertisement documents, including field run surveys and coordination for all anticipated agency approvals, was also prepared based upon guidelines in the SHA *Highway Construction Cost Estimating Manual*. Total engineering fees for services through advertisement are anticipated to be approximately **\$3,500,000**.

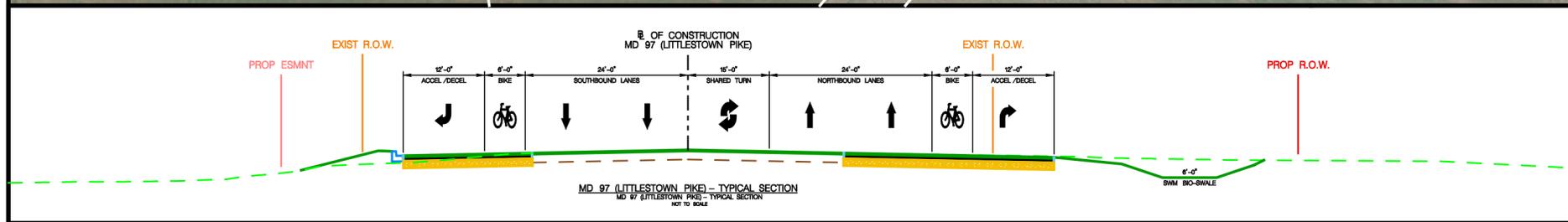
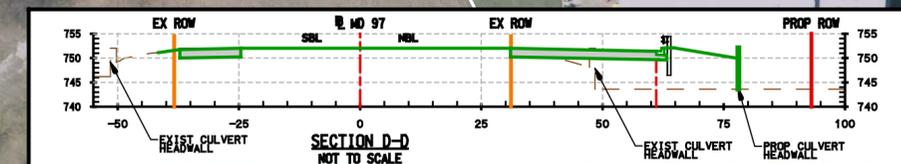
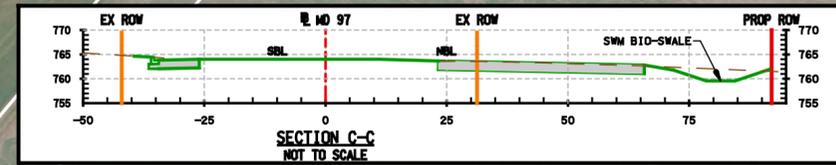
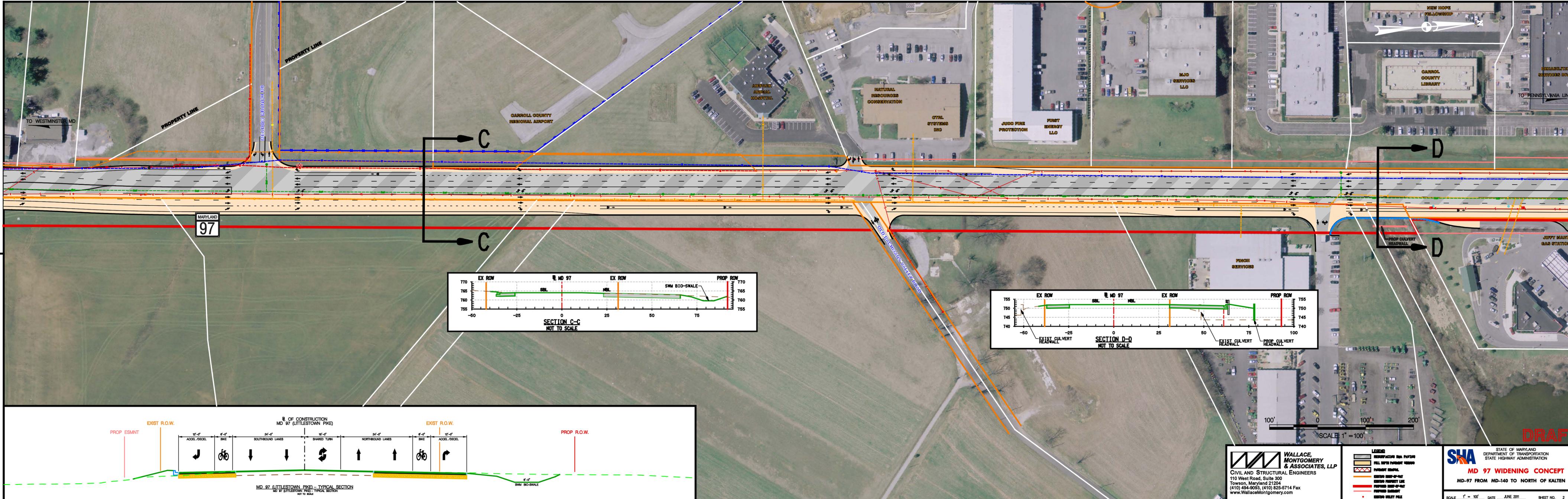
Construction Cost (Excludes Utilities)	R/W Costs Provided by SHA (Includes 13% Overhead)	Utility Relocation Costs Provided by SHA (Includes 25% Contingency)	Total Project Costs (with 40% Contingency)
\$ 16,109,250	\$ 13,495,387	\$ 2,693,750	\$ 39,819,587

Summary

This study was prepared based upon field reviews performed on Dec 9th, 2010; January 13th, 2011; field run surveys on March 4th, 2011; review of available accident information & traffic counts; SHA provided GIS and aerial photography; and available Right-of-Way plats for the project area. The proposed improvements meet AASHTO and SHA design guidelines and criteria, and no major environmental permitting issues are anticipated. Please contact us if you have any questions or concerns regarding the content of this memorandum at (410) 494-9093.

Appendix A

Concept Plan Views



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LEGEND

- REINFORCING IRON PAVING
- FULL DEPTH PAVEMENT REPAIR
- PAVED SHOULDER
- EXISTING RIGHT-OF-WAY
- PROPOSED RIGHT-OF-WAY
- PROPOSED ESMNT
- EXISTING UTILITY POLE

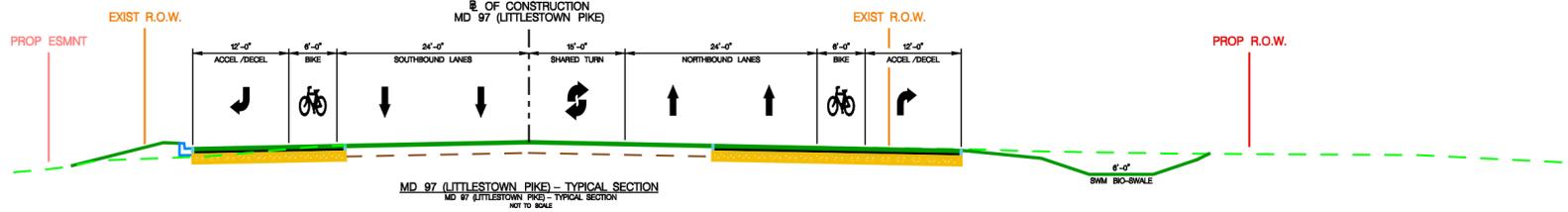
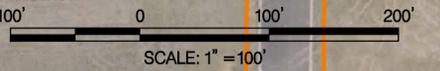
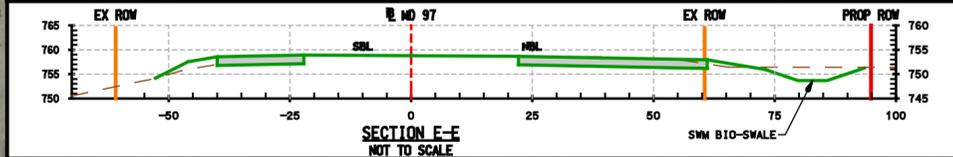
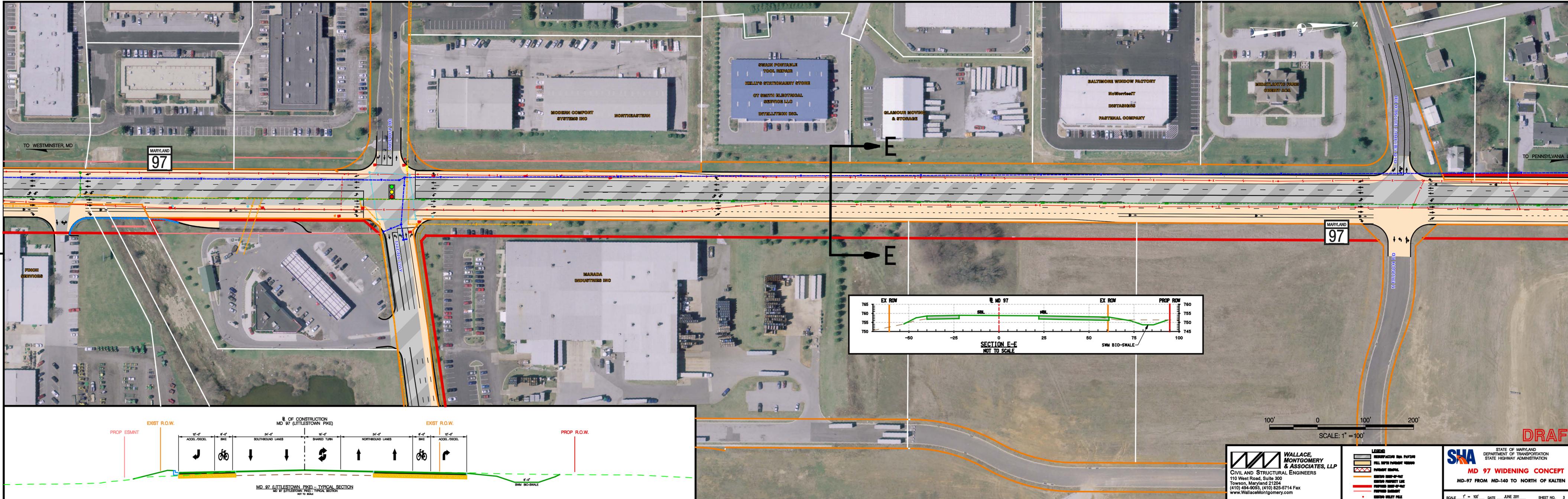
SHA STATE OF MARYLAND
 DEPARTMENT OF TRANSPORTATION
 STATE HIGHWAY ADMINISTRATION

MD 97 WIDENING CONCEPT
 MD-97 FROM MD-140 TO NORTH OF KALTEN RD

SCALE: 1" = 100' DATE: JUNE 2011 SHEET NO. 2 OF 4

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LEGEND
 ■ RECONSTRUCTING SUB-PAVEMENT
 ■ FILL WITHIN EXISTING ROADWAY
 ■ PAVED SIDEWALK
 --- EXISTING RIGHT-OF-WAY
 --- PROPOSED RIGHT-OF-WAY
 --- PROPOSED EASEMENT
 ● EXISTING UTILITY POLE

SHA STATE OF MARYLAND
 DEPARTMENT OF TRANSPORTATION
 STATE HIGHWAY ADMINISTRATION
MD 97 WIDENING CONCEPT
 MD-97 FROM MD-140 TO NORTH OF KALTEN RD
 SCALE: 1" = 100' DATE: JUNE 2011 SHEET NO. 3 OF 4

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Appendix B

Utility Impacts

ABOVE GROUND UTILITY IMPACTS FOR MD 97 CORRIDOR IMPROVEMENTS

Company	Pole Number	Station	LT or RT	Note
MD 140 BRIDGE				
BG&E	545797	30+58	LT.	not impacted
BG&E / C&P	554589 / 56	30+71	RT.	Relocate
BG&E	150799	31+34	LT.	not impacted
DUNROVIN AVE				
BG&E / VZ	819999 / 57	32+27	RT.	Relocate
BG&E	150800	32+31	LT.	not impacted
BG&E	150801	33+64	LT.	not impacted
BG&E / VZ	819998 / 58	33+74	RT.	Relocate
BG&E	349946	34+74	LT.	not impacted
BG&E / VZ	819997 / 59	35+10	RT.	Relocate
AUGUSTA AVE				
BG&E	180504	36+03	LT.	not impacted
WYNDTRYST DRIVE / MD 140 RAMP				
VZ	60	37+13	RT.	Relocate
MTA	538444	37+49	LT.	Relocate
BGE	150865	38+86	LT.	Relocate
VZ	61	39+35	RT.	Relocate
BGE	352435	40+92	LT.	Relocate
C&P	63	41+01	RT.	Relocate
?	?	41+01	RT.	Relocate
BG&E / C&P	150802 / 64	42+26	RT.	Relocate
BG&E	150809	43+53	RT.	Relocate
KRIDERS CHURCH DRIVE				
BG&E / C&P	150810 / 66	44+90	RT.	Relocate
BG&E / C&P	?	46+09	RT.	Relocate
BGE	279221	47+02	LT.	Relocate
?	?	47+04	LT.	Relocate
C&P	68	47+99	RT.	Relocate
BG&E	143924	48+16	LT.	Relocate
CORPORATE CENTER DRIVE				
Signal Pole		48+53	LT.	Relocate
Signal Pole		49+16	RT.	Relocate
BG&E	200999	49+36	LT.	Relocate
C&P	69	49+46	RT.	Relocate
BG&E	199815	50+47	LT.	Relocate
C&P	70	50+97	RT.	Relocate
?	?	50+97	RT.	Relocate
BG&E	150816	51+81	LT.	Relocate
C&P	71	52+49	RT.	Relocate
?	?	52+49	RT.	Relocate
BG&E	150817	52+83	LT.	Relocate
C&P	72	53+98	RT.	Relocate
BG&E	842943	54+10	LT.	Relocate
BG&E	150818	54+57	LT.	Relocate
C&P	73	55+46	RT.	Relocate
MEADOWBRANCH ROAD				
C&P	74	56+97	RT.	Relocate
C&P	75	58+47	RT.	Relocate
C&P	76	59+96	RT.	Relocate
C&P	77	61+43	RT.	Relocate
C&P	78	62+92	RT.	Relocate
C&P	79	64+27	RT.	Relocate
C&P	80	65+65	RT.	Relocate
BG&E	150829	66+71	LT.	Relocate
C&P	81	66+99	RT.	Relocate

ABOVE GROUND UTILITY IMPACTS FOR MD 97 CORRIDOR IMPROVEMENTS

Company	Pole Number	Station	LT or RT	Note
BG&E	150830	67+99	LT.	Relocate
BG&E	540030	68+35	LT.	Relocate
C&P	82	68+51	RT.	Relocate
OLD BACHMANS VALLEY ROAD				
BG&E	150831	69+19	LT.	Relocate
C&P	83	69+91	RT.	Relocate
BG&E	150832	70+71	LT.	Relocate
C&P	84	71+28	RT.	Relocate
BG&E	150833	71+94	RT.	Relocate
C&P	85	72+49	LT.	Relocate
BG&E	150834	73+70	RT.	Relocate
C&P	86	73+86	LT.	Relocate
C&P	87	75+35	LT.	Relocate
BG&E	150835	75+46	RT.	Relocate
C&P	88	76+89	LT.	Relocate
BG&E	150838	77+30	RT.	Relocate
BG&E	544096	77+34	LT.	Relocate
C&P	89	78+38	LT.	Relocate
FINCH SERVICES ENTRANCE				
BG&E	150839	79+03	RT.	Relocate
C&P	90	79+87	LT.	Relocate
BG&E	150840 / 33920AM	80+85	RT.	Relocate
C&P	91	81+38	LT.	Relocate
BG&E	344135	82+56	RT.	Relocate
C&P	92	82+90	LT.	Relocate
BG&E	548320 / 40032	83+44	RT.	Relocate
BG&E	150843	84+32	RT.	Relocate
VZ	93	84+39	LT.	Relocate
AIRPORT DRIVE / MAGNA WAY				
Signal Pole		84+91	LT.	Relocate
Signal Pole		85+07	RT.	Relocate
Signal Pole		85+74	LT.	Relocate
Signal Pole		85+88	RT.	Relocate
C&P	94	85+92	LT.	Relocate
BG&E	212924	86+11	RT.	Relocate
BG&E	563804 / 30019	86+48	RT.	Relocate
BG&E	563805 / 30021	86+62	RT.	Relocate
C&P	6	87+40	LT.	Relocate
BG&E	150896	87+93	RT.	Relocate
C&P	96	88+91	LT.	Relocate
BG&E	150841 / 22920AP	89+61	RT.	Relocate
C&P	97	90+42	LT.	Relocate
BG&E	150849 / 33920 GI	91+43	RT.	Relocate
VZ	8	91+93	LT.	Relocate
BG&E	544097	93+11	LT.	Relocate
BG&E	150850	93+15	RT.	Relocate
C&P	99	93+38	LT.	Relocate
VZ	100	94+92	LT.	Relocate
BG&E	150851	95+06	RT.	Relocate
VZ	101	96+38	LT.	Relocate
BG&E	150854	96+97	RT.	Relocate
C&P	102	97+91	LT.	Relocate
BG&E	150855	98+78	RT.	Relocate
C&P	103	99+41	LT.	Relocate
BG&E	150856	100+62	RT.	Relocate
C&P	104	100+92	LT.	Relocate

ABOVE GROUND UTILITY IMPACTS FOR MD 97 CORRIDOR IMPROVEMENTS

Company	Pole Number	Station	LT or RT	Note
VZ	105	102+39	LT.	Relocate
BG&E	150857	102+46	RT.	Relocate
C&P	0	103+83	LT.	Relocate
BG&E	150859	104+30	RT.	Relocate
C&P	1	105+40	LT.	Relocate
BG&E	150860	105+44	RT.	Relocate
OLD MEADOWBRANCH ROAD				
BG&E \ C&P	150861 / 108	106+62	RT.	Relocate
BG&E \ C&P	529704 / 108	106+86	LT.	Relocate
BG&E	150862	107+70	RT.	Relocate
BG&E	514334	108+64	LT.	Relocate
BG&E	150863	108+86	RT.	Relocate
BG&E	150864	110+02	RT.	Relocate
BG&E	830084	110+13	LT.	Relocate
BG&E	150865	111+16	RT.	Relocate
C&P	111	111+90	LT.	Relocate
BG&E	150866	112+32	RT.	Relocate
BG&E \ C&P	529767 / 112	113+10	LT.	Relocate
BG&E	150867	113+39	RT.	Relocate
C&P	113	114+43	LT.	Relocate
BG&E	243290	114+54	RT.	Relocate
PLEASANT VALLEY ROAD				
?	?	115+14	LT.	Relocate
?	?	115+60	RT.	Relocate
?	?	116+05	LT.	Relocate
?	?	116+70	RT.	Relocate
?	?	117+68	LT.	Relocate
?	?	118+39	RT.	Relocate
?	?	119+36	LT.	Relocate
?	?	120+06	RT.	Relocate
?	?	120+09	LT.	Relocate
?	?	120+94	LT.	Relocate
?	?	121+73	RT.	Relocate
?	?	121+76	LT.	Relocate
?	?	122+32	LT.	Relocate
?	?	122+66	RT.	Relocate
?	?	123+71	RT.	Relocate
?	?	123+76	LT.	Relocate
KALTEN ROAD				
?	?	125+00	RT.	Relocate
?	?	125+31	LT.	Relocate
?	?	126+47	RT.	Relocate
?	?	127+16	LT.	Relocate
?	?	127+96	RT.	Relocate
?	?	128+36	LT.	not impacted
?	?	129+45	RT.	Relocate
?	?	129+97	LT.	not impacted
?	?	130+93	RT.	Relocate
?	?	131+08	LT.	not impacted
?	?	132+60	LT.	not impacted
?	?	132+60	RT.	Relocate
?	?	133+90	LT.	not impacted

Appendix C

Right-of-Way Impacts

PARCEL	INFORMATION	R/W TAKE (s.f.)	EASEMENT (s.f.)	NOTES
1	Corporate Center Leasing, LLC Carroll County Commerce Center Limited Condo Unit 5 - P.4966	4568	0	
2	Corporate Center Leasing, LLC Carroll County Commerce Center Limited Condo Unit 6 - P.4966	19001	0	
3	Corporate Center Leasing, LLC Carroll County Commerce Center Limited Condo Unit 7 - P.4966	21807	0	
4	Mayor & Common Council of Westminster Carroll County Commerce Center Limited Condo Parcel C - P.4966	3777	0	
5	R&E, LLC Carroll County Commerce Center Limited Condo Parcel A - P.4966	27772	0	previously was 26786 s.f.
6	County Commissioners of Carroll County Carroll County Commerce Center Limited Condo Parcel B - P.4966	43049	0	previously was 41669 s.f.
7	Dale Feeser - P. 774	4561	0	previously was 4405 s.f.
8	Carroll Bish Trustees - P. 312	36209	0	previously was 34877 s.f.
9	Cathy Bowman Buckingham and Debra Bowman, Etal - P. 8	29653	0	previously was 28168 s.f.
10	Jackson Properties, Inc - P. 642	29374	0	previously was 27898 s.f.
11	Cosma Realty Holdings, LLC Carroll County Air Business Center Lot 2 - P. 4858	40678	0	previously was 30073 s.f. ADDITIONAL TAKES ALONG MAGNA WAY FOR SIDEWALK.
12	INDUSTRIAL DEVELOPMENT AUTHORITY OF CARROLL COUNTY, INC WESTMINSTER TECHNOLOGY PARK LOT 1 - P.4858	16265	0	previously was 13897
13	INDUSTRIAL DEVELOPMENT AUTHORITY OF CARROLL COUNTY, INC WESTMINSTER TECHNOLOGY PARK LOT 2 - P.4858	16601	0	previously was 14105
14	INDUSTRIAL DEVELOPMENT AUTHORITY OF CARROLL COUNTY, INC WESTMINSTER TECHNOLOGY PARK LOT 3 - P.4858	25033	0	
15	MAPLES, INC. - P.7176	31627	0	previously was 36227 s.f.
16	MAPLES, INC. - P.7178	893	0	previously was 1081 s.f.
17	MAPLES, INC. - P.7179	30501	0	previously was 44574 s.f.
18	HARRY AND DELORES BAUMGARDNER - P.56	641	0	
19	CHARLES AND KATHY KRAMMER - P.11	697	0	
20	ALBERT AND SUSAN LIEBNO - P.43	1536	0	
21	CHARLES AND BERNADETTE FOREMAN - P.42	1942	0	NEW TAKE
22	STATE OF MARYLAND STATE HIGHWAY ADMINISTRATION P.365	5572	0	NEW TAKE AREA PREVIOUSLY LISTED AS PORTION OF EASEMENT "A"
23	JOSEPH FIORANI - P.125	1281	0	NEW TAKE AREA PREVIOUSLY LISTED AS EASEMENT "B"
24	County Commissioners of Carroll County Carroll County AIR BUSINESS CENTER TRACT 2 - P.773	2024	0	NEW TAKE
25	County Commissioners of Carroll County Carroll County AIR BUSINESS CENTER TRACT 1 - P.773	4720	0	NEW TAKE

PARCEL	INFORMATION	R/W TAKE (s.f.)	EASEMENT (s.f.)	NOTES
26	SPJ, INC MARADA INDUSTRIAL CAMPUS LOT 1 - P.4858	2210	0	NEW TAKE. SIGN WILL BE IMPACTED AND NEED RELOCATION
A	STATE OF MARYLAND STATE HIGHWAY ADMINISTRATION P.365	0	3877	previously was 9359 s.f. of easement only. Area was broken into easement and take. See Parcel 22 above
B	VOIDED	0		SEE PARCEL #23 ABOVE
C	MOLLY POOLE WOLFE - P.311	0	1093	
D	NEW LIFE FOR GIRLS, INC - P.93	0	411	
E	NATHAN BAUGHER - P.444	0	186	
F	KOREEN WHALEY - P.384	0	175	
G	MICHAEL AND JOLENE SULLIVAN - P.437	0	235	
H	LISA ECKARD - P.194	0	294	
I	DORIS FEESER - P.383	0	250	
J	WILLIAM DONALD KINNA, JR - P.309	0	297	
K	MICHAEL AND JOLENE SULLIVAN - P.382	0	318	
L	JOHN. JR AND DIANE SCHUSTER - P.446	0	480	
M	ROLAND FEESER, ETAL - P.381	0	530	
N	County Commissioners of Carroll County MEADOW BRANCH ROAD PARCEL F - P.759	0	252	
O	County Commissioners of Carroll County MEADOW BRANCH ROAD PARCEL C - P.759	0	23247	
P	County Commissioners of Carroll County P.516	0	2301	
Q	DAN HOLDING, LLC CARROLL COUNTY AIR BUSINESS CENTER LOT 2 - P.6801	0	3575	
R	UNIT 1 ARTHUR AND SUSAN KERR UNIT 2 ARTHUR AND SUSAN KERR UNIT 3 JUDD BUILDING I, LLC UNIT 4 BURUBE PROPERTIES, LLC UNIT 5 T R HOUCK ENTERPRISES, LLC UNIT 6 AIRPARK PROPERTIES, INC. UNIT 7 AIRPARK PROPERTIES, INC. PARKWAY BUSINESS CENTER LOT 3 P.6801	0	3308	
S	MJO ENTERPRISES, LLC CARROLL COUNTY AIR BUSINESS CENTER LOT B-1 - P.6801	0	4015	
T	BUTERA PROPERTIES, LLC ATTN. ZINA SMITH CARROLL COUNTY AIR BUSINESS CENTER LOT B-2D - P.6801	0	3286	
U	BUTERA PROPERTIES, LLC ATTN. ZINA SMITH CARROLL COUNTY AIR BUSINESS CENTER LOT B-2B - P.6801	0	4247	

PARCEL	INFORMATION	R/W TAKE (s.f.)	EASEMENT (s.f.)	NOTES
V	BUTERA PROPERTIES, LLC ATTN. ZINA SMITH CARROLL COUNTY AIR BUSINESS CENTER LOT B-2A - P.6801	0	5775	
W	VOID	0		
X	TEVIS REAL ESTATE, INC CARROLL COUNTY AIR BUSINESS CENTER LOT D-1 - P.6804	0	11299	
Y	SPJ, INC MARADA INDUSTRIAL CAMPUS LOT 1 - P.4858	0	12437	NEW EASEMENT TEMPORARY CONSTRUCTION EASEMENT ONLY
Z	SCOTT AND KELLY DUNCAN P.241	0	2313	NEW EASEMENT TEMPORARY CONSTRUCTION EASEMENT ONLY
Totals		401992	69451	

Appendix D

Cost Estimate

MAJOR QUANTITIES ESTIMATE

DATE:	June 23, 2011	CONTRACT:	FMIS No. CL214A21
ROUTE:	MD-97	COUNTY:	CARROLL COUNTY
JOB DESCRP:	MD 97 WIDENING CONCEPT MD 140 TO PLEASANT VALLEY ROAD		
IMPROV TYPE:	ROAD WIDENING & INTERSECTION	LENGTH:	9,980 feet
TYPICAL SEC:	87' ASPHALT PAVEMENT	COST PER LF:	\$3,990 per linear foot
ALTERNATE:	WEST BRANCH ROAD INTERSECTION ALTERNATE	COST PER 1/2 MILE: \$ 10,534,000	
PREPARED BY:	WALLACE, MONTGOMERY & ASSOCIATES LLP.		

CATEGORIES	DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL	GRAND_TOT
CATEGORY 1:	PRELIMINARY ITEMS	50%		[% OF CATGR 2,5,6,7,8]		\$ 4,948,000
CATEGORY 2:	EARTHWORK AND GRADING					\$ 1,581,000
	CLASS 2 EXCAVATION < 15' WIDE	47,600	CY	\$ 25	\$ 1,190,000	
	CLASS 1-A OVER EXCAVATION	4,800	CY	\$ 30	\$ 144,000	
	BORROW COMMON BORROW	5,200	CY	\$ 20	\$ 104,000	
	BORROW SELECT BORROW (FOR OVER EXCAV.)	5,700	CY	\$ 25	\$ 142,500	
CATEGORY 3:	DRAINAGE ITEMS	40%		[% OF CATGR 2,5,6,7,8]		\$ 3,959,000
	INLET / PIPE / ENDWALL RELOCATIONS					
CATEGORY 4:	STRUCTURES		None			\$ -
CATEGORY 5:	PAVING					\$ 4,003,000
	BASE COURSE 2" HMAC SURFACE	12,100	TON	\$ 90	\$ 1,089,000	
	SURFACE COURSE 8" HMAC BASE	20,500	TON	\$ 100	\$ 2,050,000	
	GRADED AGGREGATE BASE 12" GRADED AGGREGATE BASE	44,000	SY	\$ 11	\$ 484,000	
	GRINDING HMA 2" GRINDING OR MILLING	58,400	SY	\$ 5	\$ 292,000	
	PAVEMENT MARKS SYMBOLS	300	EA	\$ 20	\$ 6,000	
	PAVEMENT MARKS WHITE SOLID 5"	33,000	LF	\$ 1	\$ 33,000	
	PAVEMENT MARKS WHITE SKIP 10'-30'	5,000	LF	\$ 1	\$ 5,000	
	PAVEMENT MARKS WHITE DASH 3'-9"	3,000	LF	\$ 1	\$ 3,000	
	PAVEMENT MARKS STOP BAR 12"	500	LF	\$ 12	\$ 6,000	
	PAVEMENT MARKS YELLOW SOLID	35,000	LF	\$ 1	\$ 35,000	
CATEGORY 6:	SHOULDERS					\$ 250,000
	CURB & GUTTER STANDARD CURB AND GUTTER	8,600	LF	\$ 25	\$ 215,000	
	SIDEWALK & RAMPS 5" CONC SIDEWALK & ADA RAMPS	1,500	SF	\$ 10	\$ 15,000	
	BARRIER / FENCING W-BEAM or CHAIN LINK FENCING	1,000	LF	\$ 20	\$ 20,000	
CATEGORY 7:	LANDSCAPING ITEMS	15%		[% OF CATGR 2,5,6]		\$ 876,000
CATEGORY 8:	TRAFFIC/UTILITY ITEMS					\$ 3,186,000
	TRAFFIC ITEMS 5% of Categories 2, 5, & 6				\$ 292,000	
	SIGNAL MODIFICATIONS Relocation of Existing Signal Poles	4	LS	\$ 50,000	\$ 200,000	
	UTILITY RELOCATIONS Cost Provided by SHA	1	LS	\$ 2,693,750	\$ 2,693,750	
	SUBTOTAL OF CATEGORIES 2,5,6					\$ 5,834,000
	SUBTOTAL OF CATEGORIES 2,5,6,7,8					\$ 9,896,000
	NEAT ROADWAY COST					\$ 18,803,000
	RIGHT-OF-WAY ACQUISITION COSTS					\$ 13,495,387
	CONSTRUCTION CONTINGENCY FACTOR (40%)					\$ 7,521,200
	TOTAL CONSTRUCTION COST					\$ 39,819,587

REMARKS:
 COSTS ARE BASED UPON SHA COST ESTIMATING MANUAL.
 RIGHT-OF-WAY COSTS & UTILITY RELOCATION COSTS WERE PROVIDED BY SHA
 LIGHTING HAS NOT BEEN ACCOUNTED FOR

**UTILITY RELOCATION COST ESTIMATE (CTP)
(CATEGORY 9)**

DATE: June 16, 2011 PDMS NO: _____ CONTRACT NO: CL214A21
 ROUTE: MD 97 COUNTY: Carroll FEDERAL ID NO: _____
 PROJECT LENGTH AND DESC: widening from MD 140 to Old Meadow Branch Road

TYPE OF IMPRVMT: _____
 TYPICAL SECTION: _____
 R/W TYPE: _____ WIDTH: _____ PROPOSED WIDTH: _____
 ALTERNATE/OPTION: Concept BASE YEAR OF COST: 2011
 PERPARED BY: Andrea Abend BUREAU / DIVISION: DISTRICT #7

ANTICIPATED SCOPE OF UTILITY WORK REQUIRED: _____

UTILITY:		
1. WATER		\$ -
DESC:	_____	

2. SEWER		\$ -
DESC:	_____	

3. GAS		\$ 280,000.00
DESC:	<u>6" gas line 7,000 feet X \$40</u>	

4. ELECTRIC		\$ 1,425,000.00
DESC:	<u>95 poles X \$15,000</u>	

5. TELEPHONE		\$ 450,000.00
DESC:	<u>45 poles X \$10,000</u>	

6. OTHER		\$ _____
DESC:	<u>6 signal poles need to be relocated with new services need to be estimated by OOTS.</u>	

ALTERNATE METHOD (PROJECT PLANNING ONLY):
 UTILITY COST AS A % OF CATEGORIES 1 - 3 AND 5 - 8 \$ _____
 _____ % OF \$ _____

SUBTOTAL OF UTILITY RELOCATION \$ 2,155,000.00
 CONTINGENCY (25% OR 40% FOR CPM ESTIMATES) 25 % \$ 538,750.00

NEAT UTILITY RELOCATION COST \$2,693,750.00

REMARKS: Prior rights have not been done, therefore this cost estimate assumes
SHA will pay 100% of the utility relocations. This estimate is not from the utility owners
as there is not enough information available for them to determine impacts or costs.

Print Preview

Right of Way Cost Estimate - Segment
Confidential Attorney Client Privilege
Project: CL214010059 **Estimate:** 07-2013-002

Project Number: CL214010059 **PDMS Number:** **CTP Program:** **Requested By(Project Manager):** John Jenkins D-7
Estimate Number: 07-2013-002 **Route Number:** MD0097 **CTP Year:** **Prepared By:** RCANNON
County: Carroll **Segment:** **CTP Page/Line:** **Prepared Date:** 06/15/2011
Alternates: **Option:**
Termini: MD140 TO OLD MEADOW BRANCH ROAD

RIGHT-OF-WAY COST:

Land Cost:

Category	Count	Estimated Amount
Fee Area	25	\$5,885,330.00
Perpetual Easement	0	\$0.00
Revertible Easement	23	\$574,570.00
Temporary Easement	0	\$0.00
Appraised Parcels	0	\$0.00
Total Properties	47	\$6,459,900.00
Total Land Area	9.1006	Acres

Other Cost:

Category	Count	Estimated Amount
Improvement	0	\$0.00
Damages	1	\$50,000.00
On-Sites	3	\$125,000.00
Relocation	0	\$0.00
Demolition	0	\$0.00
Hazardous Waste	0	\$0.00
Miscellaneous	0	\$0.00
Total		\$175,000.00

Totals:

Acquired Cost less Exposure	\$6,634,900.00
Exposure Cost	\$5,307,920.00
Neat Cost	\$11,942,820.00
13.00% of Overhead	\$1,552,566.60
Sub Total	\$13,495,386.60
CFS/FMIS (Already Spent)	\$0.00
Adjusted CFS	
Grand Total	\$13,495,386.60

Comments: This is a revision of estimate 07-2012-001.The acquisition areas have been increased along with the number of affected parcels.SWM / Wetland needs are included in the estimate.

Appendix E

Pavement Detail

State of Maryland
State Highway Administration
Pavement and Geotechnical Division

Contract: **CL214A21**
Project: **MD 97 FROM MD 140 TO OLD MEADOW**
Date: **JUNE 2011** Page: **1** of **3**

PRELIMINARY PAVEMENT LEGEND

- ① 2" Hot Mix Asphalt Superpave 12.5 mm for Surface, PG 64-22, Level 2
- ② 4" Hot Mix Asphalt Superpave 19.0 mm for Base, PG 64-22, Level 2
- ③ 6" Base Course Using Graded Aggregate
- ④ Existing Pavement Surface after 2" Grinding
- ⑤ Top of Subgrade and Limit of Excavation
- ⑥ Longitudinal Underdrain (per MDSHA STD 387.11) (See Note 2)
- ⑦ Standard Type A Combination Curb and Gutter, 12" Gutter Pan 10" Depth

- Notes:
- 1. If necessary, use Hot Mix Asphalt Superpave 9.5 mm for Wedge/Level, PG 64-22, Level 2. (1" min, 2" max lift)
 - 2. Underdrain shall be wrapped in Class SD Type II Geotextile and shall be outletted at low points, drainage structures at intervals not to exceed 250 feet or wherever possible. See Plan Sheets for specific locations

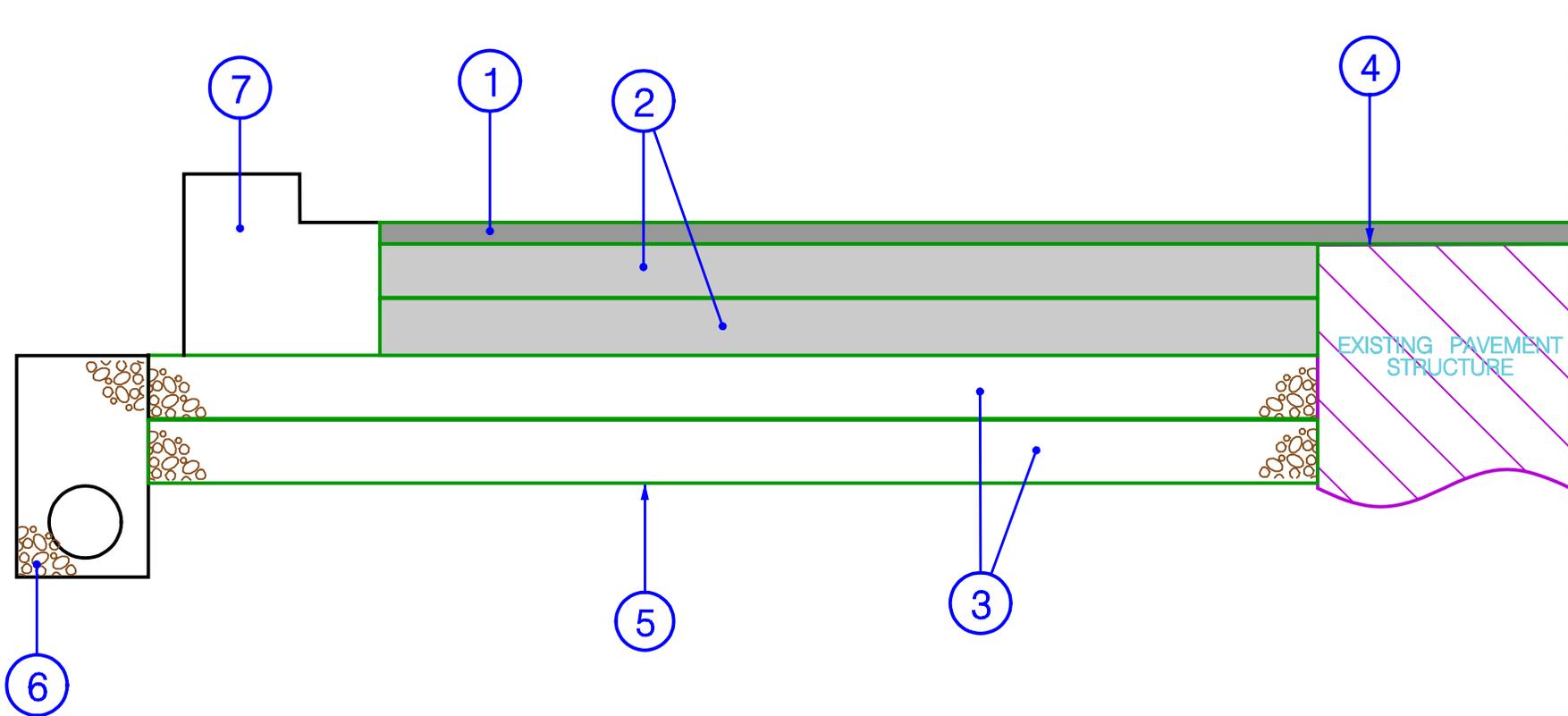
SCALE: **NTS**

DRAWN BY: **RB**

APPROVED BY: **--**

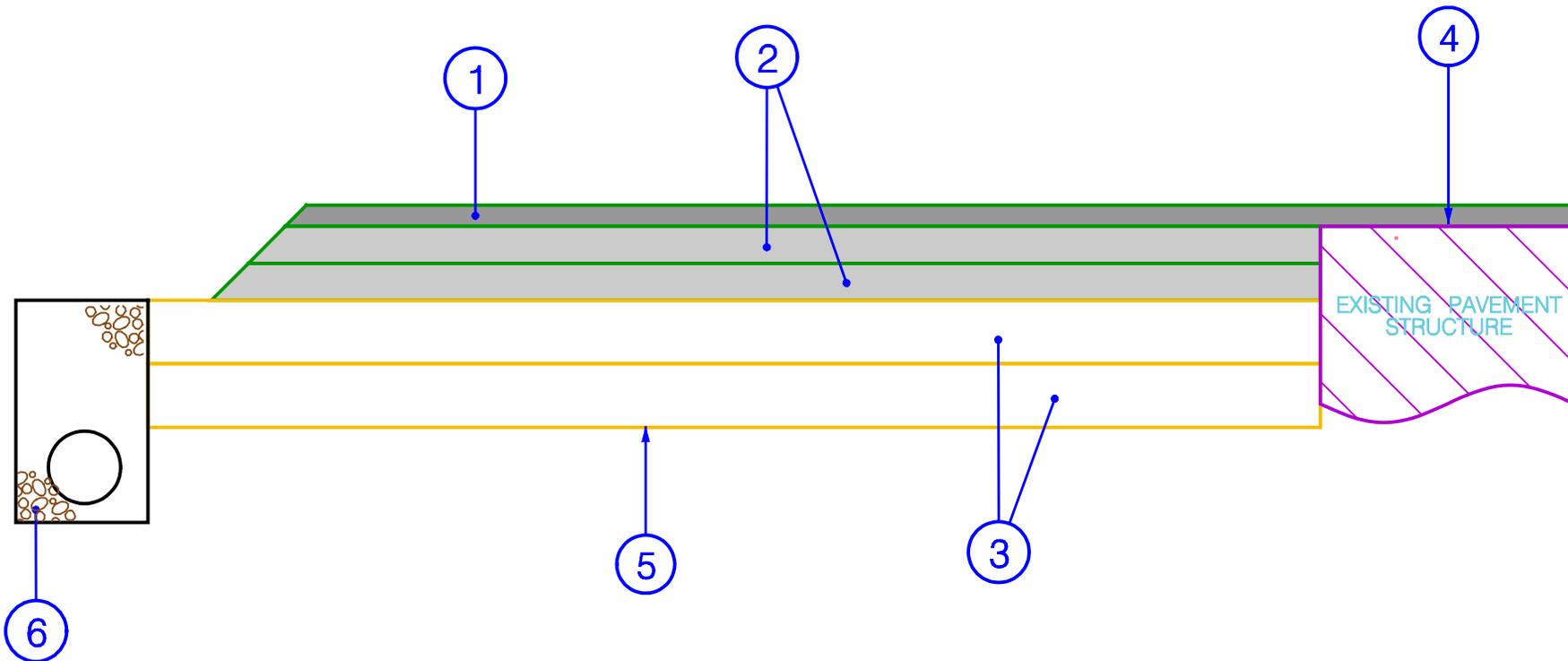
PRELIMINARY PAVEMENT SECTION

BASE WIDENING, GRIND AND RESURFACE (CLOSED SECTION)



PRELIMINARY PAVEMENT SECTION

BASE WIDENING, GRIND AND RESURFACE (OPEN SECTION)



§ 164-65 Purpose.

It is the purpose of the P-I Planned Industrial Zone to provide a parklike setting for a community of industries wishing to mutually maintain aesthetically pleasing appearances and operations having no nuisance factors as a means of protecting investments within the zone and reducing the impact of industrial uses on surrounding zones. Tracts within the district are to be planned, promoted and developed for industries within the protection of performance standards herein provided

- A.** The following objectives are sought in providing for the one or more types of industrial zoning in the Planned Industrial Zone:
- (1) To provide a more attractive and varied showcase location on tracts of land generally open to constant and extensive public viewing in the City than would be possible through the strict applications of industrial Euclidean zonal district requirements.
 - (2) To encourage developers to use a more creative approach in the development of land.
 - (3) To encourage more efficient allocation and maintenance of common open space in industrial areas through private initiative.
 - (4) To encourage variety in the physical development patterns of industrial areas.
- B.** The fact that an application complies with all specific requirements and purposes set forth herein shall not be deemed to create a presumption that the application is, in fact, compatible with surrounding land uses and, in itself, shall not be sufficient to require the granting of any application.

§ 164-66 Uses permitted.

[Amended 7-8-1996 by Ord. No. 612]

The following uses are permitted in the Planned Industrial Zone:

- A.** All of the uses permitted in §§ 164-53 and 164-61, except:
- (1) All residential and retail commercial uses.
 - (2) The manufacture, testing, distribution or other use of explosives.
 - (3) Wholesale distribution of fuels, such as but not limited to coal, coke, gasoline, diesel fuel and propane.
 - (4) Truck or motor freight terminals or warehouses.
 - (5) Brickyards, manufacture of pottery, tile, terra cotta or clay products.
 - (6) Electric or steam generating plants.
 - (7) Extractive uses.
 - (8) Flour mills, grain or feed drying or processing.
 - (9) Sawmills.
 - (10) Signs and billboards, except as authorized herein.
- B.** Office buildings for governmental agencies, regional and home corporate offices. These may include offices of insurance companies, investment concerns, trade associations, manufacturing companies and engineers, but do not include any kind of retail facilities, except as provided in Subsections F and G herein.

- C. Research, experimental and testing laboratories.
- D. Warehousing and wholesale distribution centers.
- E. Any use of an industrial nature not prohibited in this section that can meet the performance standards and other guides and limitations set forth in this section.
- F. Retail sales of the products or processes engaged in on the property, provided that not more than 10% of the gross floor area is devoted to such use.
- G. Motor inns, motels, restaurants and service stations.
- H. Banks and savings and loan institutions with or without drive-through facilities.
[Amended 9-9-2013 by Ord. No. 846]
- I. Indoor and outdoor recreational facilities, cafeterias, clinics, libraries, schools, meeting rooms and display rooms incidental or subordinate to a principal use of the main building or related to or primarily restricted to the industries located in the Planned Industrial Zone.
- J. Accessory uses and buildings customarily incidental to any permitted use in this subsection.
- K. Trade schools.
[Added 9-9-2013 by Ord. No. 846]

§ 164-66.1 Special exceptions.

[Added 7-8-1996 by Ord. No. 612; amended 10-26-1998 by Ord. No. 631; 9-9-2013 by Ord. No. 846]

The following uses may be permitted as a special exception in accordance with the provisions of Article XXII:

- A. Telecommunications facilities, subject to the requirements of § 164-139.1.
- B. Telecommunications Installations, subject to the facility limitations in § 139-28.2A(3)(a) through (f) and the screening requirements for modern appurtenances in § 164-131.3.
[Added 9-25-2017 by Ord. No. 869]

§ 164-67 Performance standards.

It is the intent of these regulations to prevent land or buildings from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazardous condition, noise or vibration, smoke, dust, odor or other form of air pollution, electrical or other disturbances, glare or heat, liquid or solid refuse or wastes, condition conducive to the breeding of rodent or insects or other substances, condition or elements (all referred to herein as "dangerous or objectionable elements") in a manner or amount so as to adversely affect the surrounding area.

§ 164-68 Building height.

[Amended 7-8-1996 by Ord. No. 612]

The height of buildings or structures shall not exceed 20 feet, plus $\frac{2}{3}$ of the horizontal distance (d) from the structure to the lot line (height = 20 feet + $\frac{2}{3}d$).

§ 164-69 Dimensional requirements.

- A. Area requirements. Sites eligible for consideration for the Planned Industrial Zone shall consist of a tract of land at least 10 acres in size and classified in either the I-R or I-G Zone prior to reclassification to the Planned Industrial Zone.
- B. Yard, landscaping and distance requirements.
 - (1) Each lot shall have a minimum frontage of 150 feet on a street or private way, provided that the Commission may approve a lesser frontage to a minimum of 50 feet for lots located on culs-de-sac or on street curves or having other

extraordinary characteristics. The Commission shall give due consideration to permitting access from such sites only to major roadways.

- (2) The maximum ground area coverage of any lot by a principal building or buildings shall not exceed 40% of the total lot area.
- (3) The yard, landscape and distance requirements shall be the same as those contained in §§ 164-55, 164-57 and 164-58.
- (4) Any portion of a lot in a Planned Industrial Zone not used for driveways, walkways, parking, loading or storage areas shall be planted in grass or other suitable ground cover.

§ 164-70 Off-street parking.

- A. Off-street parking shall be provided in accordance with Article XVI, except that for an industrial or manufacturing establishment or warehouse or similar use, the minimum requirement shall be one parking space for each 1 1/2 employees or one for each two employees on combined major and second shifts, and in addition one visitor parking space for every 10 employees; except that the Commission may authorize fewer visitor parking spaces if it finds that a fewer number will be sufficient for the operation anticipated. In addition to the foregoing, one parking space shall be provided for each company-owned or leased truck, passenger car or other vehicle located or principally based on the premises. No parking spaces may be located within required yards; except that an area equivalent to not more than 5% of the total area of all required parking spaces may be located within a required yard for use as parking spaces for visitors, selected personnel and minor deliveries. Off-street parking spaces may be grouped in facilities serving more than one lot or establishment.
- B. When the lot on which parking spaces are located abuts the rear or side lot line of or is across the street from any land in a residential zone other than publicly owned land, a wall, fence or evergreen planting shall be maintained so as to screen substantially the parking lot from view from the nearest property in the residential zone. The screening shall be maintained in good condition at all times. In parking lots of one acre or more, at least 5% of the area of the parking lot shall be devoted to landscaping within the interior of the parking area. Luminaries on parking lots shall be subject to approval by the Commission.

§ 164-71 Access and loading.

- A. Vehicular access to Planned Industrial Zones shall be permitted only from a City-, county- or state-maintained highway and not directly with any residential street.
- B. Road access to a Planned Industrial Zone may be at points prescribed by the appropriate agency of jurisdiction and may be dedicated to public use if constructed in accordance with City standards.
- C. Off-street loading berths shall be provided for all buildings in accordance with the following schedule:
 - (1) For a building with a floor area of 10,000 to 25,000 square feet: one berth.
 - (2) For each additional 25,000 square feet or fraction thereof up to 100,000 square feet: one berth.
 - (3) For each additional 50,000 square feet: one berth.
- D. Such loading berths shall be at least 14 feet wide, 48 feet long and 14 feet in height, unless the Planning Commission shall find that only smaller trucks requiring less space will be used for a period of 10 years, and may be located either within a building or in the open, but not within required yards. If such berths are not enclosed, they shall be located not less than 300 feet from any residence zone boundary and effectively screened therefrom as in the case of parking areas above. All access roads to loading berths shall be at least 14 feet wide; except that if tractor-trailers would be accommodated, then the roads shall be 14 feet wide for one-way traffic and 22 feet wide for two-way traffic.

§ 164-72 Storage.

- A. No outdoor storage shall be permitted in the front yard.
- B. All permitted uses and accessory activities shall be confined within completely enclosed buildings, with the exception of off-street parking spaces, screened outdoor storage areas, off-street loading berths, employee recreational facilities and those exceptions made elsewhere within this section.

§ 164-73 Utilities.

All utilities shall be placed underground. Utilities shall include but are not limited to gas mains, telephone lines and electrical lines.

§ 164-74 Signs.

Signs shall be permitted subject to the provisions of Article XVII of this chapter.

§ 164-75 Procedures.

- A. An application for zonal classification in the Planned Industrial Zone shall be accompanied by a development plan prepared in accordance with the provisions of § 164-188 of this chapter.
- B. In addition to all other standards and criteria, in considering an application for the Planned Industrial Zone the Common Council shall also consider the capability of the street or road system, highway and road access and the availability and capability of existing water and sewage systems.
- C. All Planned Industrial Zone projects shall be subject to site plan approvals provided in Article XXV.
- D. A person may apply, either as part of an original application for zoning classification or as an amendment to a previously approved development plan, to designate a certain area of the Planned Industrial Zone for retail and commercial uses as part of the development plan, subject to the conditions and restrictions delineated below:

[Added 9-9-2013 by Ord. No. 846]

- (1) The gross acreage of such uses does not exceed 15% of the acreage of the Planned Industrial Zone project.
 - (a) The area of the retail uses shall be considered to include the building area containing the retail uses and the supporting parking lot area, but not required yard setbacks and open space.
 - (b) No variance to the acreage limitation of 15% may be granted.
 - (c) Uses allowed either as of right or by special exception in the P-I Planned Industrial Zone shall not be included in the acreage limitation of 15%.
- (2) The size of any individual retail or commercial use may not exceed a maximum of 6,000 square feet, except for day-care centers and health clubs, which may not exceed a maximum of 12,000 square feet. The area of a canopy over gasoline pumps shall not be included in the size limitation of 6,000 square feet for a convenience store with gasoline pumps.
- (3) The development of the retail or commercial space shall be phased in with the development of the industrial uses such that the ratio of retail or commercial space to industrial space that has been constructed and for which a use and occupancy permit has been issued may not exceed 25% at any time until the business park is complete.
- (4) A retail or commercial use may not be approved under this section if it would constitute a substantial change in the character of the neighborhood.
- (5) The retail and commercial uses allowed under this subsection are limited to the following uses:
 - (a) Local retail business or service shops, including:
 - Alcoholic beverage package stores
 - Bakery shops
 - Banks, savings and loan institutions
 - Beauty shops and barbershops
 - Candy stores
 - Cellular or phone (wireless) sales and service
 - Clothing stores
 - Computer sales and repair shops
 - Convenience stores with or without gasoline pumps

- Day-care facility
- Dress or millinery shops
- Drugstores
- Dry cleaners
- Dry goods or variety stores
- Florist or garden shops
- Food and grocery stores
- Fruit or vegetable stores
- Fuel stations
- Furniture and upholstering stores
- Gift or jewelry shops
- Hardware stores
- Health clubs
- Laundromats
- Laundry or dry-cleaning establishments and pickup stations
- Office supply stores
- Pharmacies with or without drive-throughs
- Photographic studios
- Planned business center
- Radio and television studios or repair shops
- Restaurants and lunch rooms with or without drive-throughs (including fast food)
- Shoe repair shops
- Specialty shops
- Sporting goods or hobby shops
- Tailor establishments
- Taverns
- Video production facilities

§ 164-76 Conflicts.

Wherever any requirement or performance standard contained in this zone is in conflict with any applicable state or federal requirement or performance standard, the state or federal requirement or performance standard shall control and supersede the provisions of this zone.

§ 164-176 Types of amendments.

An application for amendment of this chapter may be either a proposal for the amendment of the text or a proposal for amendment of the Zoning Map. An application for an amendment to the Zoning Map shall be one of the following types:

- A. A local amendment covering a single tract, all portions of which are proposed to be classified in one zone or two alternative zones.
- B. A sectional amendment covering two or more tracts or parcels of land in the City, portions of which may be proposed to be classified in different zones.
- C. A comprehensive amendment covering the entire City, portions of which may be proposed to be classified in different zones.

§ 164-177 Filing application.

- A. Who may file.
 - (1) Text amendments. An application for an amendment of the text of this chapter may be filed by an interested party or any officer, department, board, commission or bureau of the City.
 - (2) Local amendments. An application for a local amendment to the Zoning Map may be made by any governmental agency as outlined in Subsection A or by any person with a financial, contractual or proprietary interest in the property to be affected by the proposed amendment.
 - (3) Sectional and comprehensive amendments. An application for a sectional or comprehensive map amendment may be made only by the Commission or the Mayor and Council.
- B. Signature of applicant. All applications shall be signed by the applicant and shall state his name and address.

§ 164-178 Acceptance of application.

- A. An application for a local map amendment shall not be accepted for filing by the Zoning Administrator if the application is for the reclassification of the whole or any part of land, the reclassification of which has been denied by the Common Council on the merits within 12 months from the date of the decision of the Common Council or the date of the last judicial decision upholding the decision of the Common Council.
- B. An application for a local map amendment shall not be accepted for filing by the Zoning Administrator if the application fails to conform to any of the applicable requirements of this chapter.

§ 164-179 Filing fees.

- A. An application for a text amendment or for a local map amendment shall not be accepted for filing unless it is in the form provided herein and is accompanied by a receipt from the City Treasurer showing payment to the City of the applicable filing fee.
- B. The Mayor and Common Council shall adopt filing fees as provided in the General Fee Ordinance.^[1]
[Amended 11-24-2008 by Ord. No. 792]
^[1] *Editor's Note: See Ch. A175, Fees, Art. I, General Fees.*
- C. The filing fee requirements of this section do not apply to the governmental agencies described in § 164-177A(1).
- D. Once paid, no filing fee shall be refunded unless the application is withdrawn prior to its advertising for hearing has been ordered. in which event 2/4 of the fee shall be refunded.

§ 164-180 Contents of application.

- A. Local map amendments. An application for a local map amendment shall be in such form as the Zoning Administrator may prescribe and shall include the following:
- (1) A written statement specifying:
 - (a) The street number, if any, of the land proposed to be reclassified or, if none, the location with respect to nearby public roads.
 - (b) A description by metes and bounds, courses and distances of the land or, if the boundaries conform to lot boundaries within a subdivision for which a plat is recorded in the land records of the county, then the lot, block and subdivision designations with appropriate plat reference.
 - (c) The present zoning classification of the land, the proposed classification and the alternative classification, if any.
 - (d) The name and address of the owner of the land.
 - (e) The area of the land proposed to be reclassified, stated in square feet if less than one acre and in acres if one or more.
 - (f) The application number and the date of the application of and the action taken on all prior applications filed within three years previously for the reclassification of the whole or any part of the land proposed to be reclassified.
 - (2) An identification plat prepared by a civil engineer, surveyor or other competent person and certified thereon by him to be correct and in conformity with this subsection, showing by metes and bounds, courses and distances the land proposed to be reclassified or, if the boundaries conform to lot boundaries within a subdivision for which a plat is recorded among the land records of the county, then a copy of such plat, with the land proposed to be reclassified appearing in a color distinctive from that of other land shown on the plat.
- B. Sectional and comprehensive amendments. An application for a sectional or comprehensive amendment shall be in such form as the Zoning Administrator may prescribe.
- C. Text amendments. An application for an amendment to the text of this chapter shall be in such form as the Zoning Administrator may prescribe but shall include the new text which is proposed to be added and the existing text which is proposed to be deleted.

§ 164-181 Changes to application.

After acceptance for filing, an application for a local map amendment shall not be modified or amended as to the area proposed to be reclassified or as to the class of zone requested.

§ 164-182 Map amendment sign.

- A. Erection of sign. Not less than 20 days before the hearing date on an application for a local map amendment, the Zoning Administrator shall erect a sign on the land proposed to be reclassified. The sign shall be erected within 10 feet of whatever boundary line of such land abuts the most traveled public road and, if no public road abuts thereon, then facing in such manner as may be most readily seen by the public. The sign shall contain such information as the Zoning Administrator may require, including the time, place and purpose of the hearing.
- B. Removal of or tampering with sign. It shall be unlawful for anyone except the Zoning Administrator to remove or tamper with the sign erected under this section during the period it is required to be maintained.
- C. Affidavit. At the hearing on any application for a local amendment to the Zoning Map or within 10 days thereafter, the applicant shall file an affidavit stating that the sign required by this section was continuously maintained in accordance with the requirements thereof through the date of the last hearing on such application. If such sign was not continuously maintained, such affidavit shall be sufficient if it states that following erection of such sign the property was inspected at least once per week and that on each and every occasion through the date of the affidavit such sign was found to be in place

or, in the event that such sign was damaged, destroyed or removed, that such sign was repaired or replaced within five days of the inspection which resulted in discovery of the damage to or destruction or removal of such sign.

§ 164-183 Referral of application to Planning Commission or Historic District Commission.

[Amended 1-25-1993 by Ord. No. 568]

- A. Within a reasonable time after accepting for filing any application for the amendments provided in § 164-176, except those regarding the Historic District Zone, the Zoning Administrator shall refer a copy thereof to the Commission for its study and recommendations and notify the Commission of the hearing date of the application. The Commission shall thereupon promptly submit a report and recommendation prior to the hearing date to the Zoning Administrator, which shall be incorporated in the application file and thereafter be considered as a part of the record on the application.
- B. Within a reasonable time after accepting for filing any application for the Historic District Zone, the Zoning Administrator shall refer a copy thereof to the Historic District Commission for its study and recommendations and notify the Historic District Commission of the hearing date of the application. The Historic District Commission shall thereupon promptly submit a report and recommendation prior to the hearing date to the Zoning Administrator, which shall be incorporated in the application file and thereafter be considered as a part of the record on the application.

§ 164-184 Hearing examiners.

- A. The Mayor and Common Council may appoint such full- or part-time hearing examiners as in its discretion may be deemed necessary and appropriate and may delegate to such hearing examiner or examiners the power to hold and conduct public hearings in the manner and subject to such rules and regulations as may be provided by the Mayor and Common Council.
- B. The hearing examiner or examiners shall be appointed for such terms of office, shall be possessed of such qualifications and shall receive such compensation as may be provided by the Mayor and Common Council.
- C. Any such hearing examiner is hereby authorized to issue subpoenas to compel attendance of witnesses and production of documents at any public hearing and to administer oaths to witnesses appearing before the examiner.
- D. The hearing examiner shall promptly render a written report and recommendation on each application heard after the record of the hearing is closed.
- E. The hearing examiner may recommend rules and regulations regarding the conduct of public hearings and other functions of the hearing examiner.
- F. The hearing examiner may perform such other tasks and duties as the Mayor and Common Council from time to time may assign.
- G. Concurrently with the transmittal to the Mayor and Common Council, copies of the hearing examiner's report shall be mailed to the applicant, the Commission and to all persons and associations entering an appearance at the hearing as evidenced by the hearing transcript.

§ 164-185 Hearing procedures.

- A. Notice of hearing.
 - (1) Within 120 days of accepting any application for the amendments provided in § 164-177 for filing, the Zoning Administrator shall set the application for hearing at a specified date, time and place and shall cause to be published in at least one newspaper of general circulation in the county, once each week for two successive weeks, notice of the public hearing on such application, stating the application number, date, time and place of hearing and containing the following:
 - (a) A summary of the amendment, if a text amendment.
 - (b) The location of the property, its area, name of owner, change of classification or two alternative classifications applied for and the application number, if a local map amendment.

- (c) The designation of the area covered, if a sectional or district zoning plan map amendment, and the place where copies of the map or maps and the application may be examined. The first publication of notice shall appear at least 15 days prior to the hearing.
 - (2) Additionally, at least 15 days prior to the hearing on any application for a local amendment to the Zoning Map, the Zoning Administrator shall send a written notice of such hearing by regular mail, postage prepaid, to the owners of all real property immediately adjacent to the property which is the subject of such application.
 - (3) The Zoning Administrator shall notify the applicant and the Commission by mail of the date, time and place of hearing. The date of hearing shall not be less than 20 days following the newspaper publication of the notice.
 - (4) All application files in the custody of the Zoning Administrator shall be open to public inspection during regular office hours. Such files shall not be removed from the Zoning Administrator's office or inspected therein at other times by any person, except that such files may be removed from such office or inspected therein at other times by any person pursuant to court order or by the Mayor and Common Council, by the City Attorney or by the hearing examiner.
- B.** Availability of evidence prior to hearing. The Mayor and Common Council may prescribe regulations pertaining to the submission of documentary evidence into the record of any application prior to the advertised hearing date for such application.
- C.** Conduct of hearing. Any interested person shall have the right to submit oral or written testimony or documentary evidence into the record at the hearing of any application subject to the regulations adopted under Subsection B of this section. There shall be a complete record of the testimony at the hearing with all exhibits admitted at the hearing, including the application, which shall promptly be incorporated by the Zoning Administrator in the application file and shall be considered a part of the record on the application. The Zoning Map and any sectional or district zoning highway plan map adopted by the Commission for the area within which lies the land proposed to be reclassified shall be considered a part of record on the application. Evidence which is immaterial, irrelevant or unduly repetitious may be excluded. The hearing may be adjourned from time to time to a date certain on public announcement at the hearing of the earliest practicable date, time and place for resumption of the hearing.
- D.** Receipt of recommendations. No hearing shall be conducted prior to receipt by the Zoning Administrator of the report and recommendations of the Commission.
- E.** Requests for postponement. Requests for postponement of a scheduled hearing shall be filed, in writing, with the Zoning Administrator not less than 10 days prior to the date of hearing and shall be accompanied by a sum of money sufficient to pay the cost of advertising the postponement and the rescheduled hearing. The granting of such requests shall be at the discretion of the President of the Common Council.
- F.** Late filing of request. Requests for postponement filed later than 10 days prior to the date of a scheduled hearing shall, in addition to the other requirements set forth in Subsection E, be supported by an affidavit of the party making the request or of some other credible person. The granting of such request shall be at the discretion of the Common Council, in cases of extreme hardship, or upon good cause shown.
- G.** Readvertisement. The Common Council may, upon its own initiative, postpone a scheduled hearing at any time, but shall readvertise the new hearing date in accordance with § 164-185.

§ 164-186 Action on application.

[Amended 7-8-2002 by Ord. No. 679]

- A.** An application for a map amendment shall be decided on the basis of the evidence of record, provided that any application heard by a hearing examiner may be decided solely on the basis of the hearing examiner's report.
- B.** In the event that an application is heard by an examiner, within 10 days after transmittal of the examiner's report, any person who or association which appeared and participated in person, in writing or by counsel at the hearing before the examiner or any person who would be aggrieved by any decision of the Common Council may request, in writing, an opportunity to present oral argument before the Common Council prior to its rendering a decision. The Common Council may, in its discretion, grant or deny such request. Thereafter, it shall either decide the application or remand it to the examiner for clarification or the taking of additional evidence, if deemed appropriate.

- C. An application for text or map amendment shall be either approved or denied on the merits or denied for want of the necessary total of affirmative votes as provided in § 164-187 or dismissed or allowed to be withdrawn. The Common Council may dismiss any such application if it finds that the application does not conform to any stated procedural requirements of this article or that the application is not acceptable for filing because of being filed within the time limitations of § 164-178 or that the application is frivolous or filed for purposes of harassment. The Common Council may allow an applicant to withdraw his application for a local map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of hearing, no application for the reclassification of all or any part of the land which is the subject of the application shall be allowed within the time limitations set forth in § 164-178 following the date of the action of the Common Council approving such withdrawal, unless such action allowing withdrawal or subsequent resolution specifies that the time limitation shall not apply. An application for a sectional or district plan map amendment shall be approved, with such modification as the Common Council deems appropriate, as a map amendment with the force and effect of law or shall be denied.
- D. Action shall be taken upon an application heard by the Common Council within 90 days after the record has been closed. Action shall be taken upon an application heard by a hearing examiner within 90 days after the Council receives the examiner's report.
- E. No application for a local map amendment shall be approved for a zone other than applied for, or, if application is made for two alternative zones, the application shall not be approved for a zone other than one of the two applied for.
- F. No application for a local map amendment shall be approved for a greater area than that applied for, but an application may be approved for a smaller area than that applied for if the reclassification of such small area is supported by the evidence of record and if such smaller area is accurately delineated in the record.
- G. Any area reclassified by a local or a sectional or district plan map amendment shall exclude and be held to exclude any portion of the area which lies in the bed of a road, street, alley or transit route or facility, whether existing or proposed on a plan adopted by the Commission or Common Council.

§ 164-186.1 Action on application with additional restrictions, conditions or limitations.

[Added 7-8-2002 by Ord. No. 679]

- A. Upon the zoning or rezoning of any land or lands pursuant to the provisions of this chapter, the Common Council may impose any additional restrictions, conditions, or limitations that the Common Council considers appropriate to preserve, improve, or protect the general character and design of:
- (1) The lands and improvements being zoned or rezoned; or
 - (2) The surrounding for adjacent lands and improvements.
- B. Upon the zoning or rezoning of any land or lands pursuant to the provisions of this chapter, the Common Council may retain or reserve the power to approve or disapprove the design of buildings, construction, landscaping, or other improvements, alterations, and changes made or to be made on the land being zoned or rezoned to assure conformity with the intent and purpose of Article 66B of the Annotated Code of Maryland and of this Zoning Ordinance.
- C. Additional restrictions, conditions, or limitations may be originated by the applicant, by the Commission, or by the Common Council. However, the published notice of hearing and, where appropriate, posted notice of hearing must include not only the nature of the requested zoning or rezoning and the time, place and date of hearing, but also the general nature and the extent of restrictions, conditions, or limitations imposed upon the zoning or rezoning requested.
- D. In no case shall any restrictions, conditions, or limitations waive or lessen the requirements of or prohibit uses allowed in the approved zone.
- E. In the event that any restrictions, conditions, or limitations beyond those contained in the public notice of hearing are sought to be imposed, a new notice containing such proposed additional restrictions, conditions, or limitations shall be published in the same manner as otherwise provided for public hearings and another public hearing shall be conducted by the Common Council thereon. In considering said restrictions, conditions, or limitations, the Common Council may obtain an

additional recommendation from the Commission.

- F. In addition to any other remedies provided by law, any violation of any restrictions, conditions, or limitations placed upon a zoning or rezoning under this section shall be deemed a violation of this chapter and shall be punishable under the provisions of § 164-159. Further, the Common Council may in its discretion impose a further condition that a violation of all or any such restrictions, conditions, or limitations may automatically void the zoning or rezoning granted, causing the property involved to revert to its former zoning classification.

§ 164-187 Decision by Common Council.

- A. On any application for a local map or sectional map, the Common Council shall adopt written decisions which shall contain findings of fact in each specific case, including but not limited to the following matters: the purpose of this chapter, population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, the recommendation of the Commission and the relationship of such proposed amendment to the City's plan; and may grant the amendment based upon a finding that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the existing zoning classification. A complete record of the votes of the Common Council shall be kept.
- B. Each member of the Common Council shall have one vote on all zoning decisions. A majority of affirmative votes shall be necessary to adopt a decision granting an application for a map or text amendment, except as provided in the Charter of the City of Westminster as it exists on the date of the enactment of this chapter or as it may thereafter be amended. If the necessary total of affirmative votes as herein provided shall fail to be achieved for any reason, the application shall be held to be denied; no decision need be adopted for such denial, and the minutes shall so reflect the denial for want of the necessary affirmative vote total. Any such denial for want of the necessary total of affirmative votes shall not be subject to the time limitation set forth in § 164-178. A copy of the decision shall be filed in the application record, and a copy shall be promptly mailed by the Zoning Administrator to the applicant, the Commission and to all parties to the proceeding before the Common Council as shown by the hearing transcript.
- C. The decision of the Common Council on any application for a local map or sectional map text amendment shall be final. The time for appeal from a final decision of the Common Council, including a denial for want of the necessary total of affirmative votes as set forth in § 164-186, shall begin to run from the date of the decision or from the date the application was denied for want of the necessary total of affirmative votes.
- D. Any decision by the Common Council on an application for a local map, sectional map or text amendment shall not become effective until 10 days after the conduct of the public hearing held on said application.
- E. A member of the Common Council shall not consider any ex parte or private communication from any person, whether oral or written, which he knows is or reasonably may be intended to influence unlawfully the decision on the merits of any application pending before the Common Council. Any such ex parte or private communication received and considered shall be made part of the public record by the recipient and, if made orally, shall be written down in substance for this purpose by the recipient. A communication to the Common Council concerning the status or procedures of a pending matter shall not be considered an ex parte or private communication. Alternately, upon receipt of such ex parte or private communication, a member of the Common Council may abstain from participating in the decision. This subsection shall not apply to legal advice rendered by the City Attorney or his staff and shall not apply to technical advice or explanation by governmental agencies at the request of a member or members of Common Council.

§ 164-188 Planned development.

- A. The Commission shall determine whether any development of land is or is not in substantial accordance with an approved development plan or an approved amended development plan, and the party implementing an approved development plan or an approved amended development plan must obtain a determination by the Commission as to whether or not a proposed undertaking is in substantial accordance with an approved development plan or an approved amended development plan.
- B. In order to assist in achieving the flexibility of design needed for the implementation of the purposes of certain planned development zones, a development plan must be submitted as a part of the application for reclassification of land to the planned development zones set forth in Articles XIA, XII, XIII and XIV of this chapter. Approval of the application for rezoning must include explicit approval of a development plan. Development of land must be in substantial accordance with an approved development plan or an approved amended development plan. Modification of road alignments, unit types or site

planning designs which do not increase the approved density of the project shall not constitute a substantial change in the development plan unless the Commission considers such a change to have an adverse impact on the adjacent properties or general character of the approved development plan.

[Amended 9-25-2000 by Ord. No. 638]

- C. The application process for all planned developments shall follow the same process, whether they are divided into multiple phases or not. The process will consist of three stages: rezoning (development plan approval), subdivision (culminating with the final plat) and building permit (site plan approval). In the event that the development includes multiple phases, separate applications for subdivision and building permit will be required for each separate development phase.
- D. All development plans and amendments thereto shall be prepared by and certified by a licensed architect, landscape architect or registered civil engineer.
- E. A development plan shall be prepared, taking into consideration the following standards and design criteria, and shall reflect compliance with the standards and criteria:
- (1) In residential areas of planned developments, units shall be arranged and distributed so that higher densities are not unreasonably and disproportionately concentrated in areas of open space, single-family and semidetached dwellings or so located as to concentrate traffic on minor residential streets.
 - (2) Interior and exterior roads shall provide safe and adequate links among areas in the development and to areas outside of the development. Sufficient ingress and egress shall be provided to accommodate the projected traffic flow.
 - (3) All planned developments shall be provided with water and sewage facilities sufficient to meet project needs for the development.
 - (4) All planned developments shall comply with the landscape manual of the City of Westminster adopted pursuant to § 164-131.1.
[Added 3-22-1993 by Ord. No. 553]
- F. The development plan shall clearly indicate how the proposed development would meet the standards and purposes of the zone applied for. The development plan shall include the following:
- (1) The location, acreage and density calculations for each zone.
 - (2) The location, acreage and gross leasable area of all other nonresidential uses, including open space.
 - (3) The location and dimensions, to include right-of-way and pavement widths, for all proposed roads.
 - (4) Conceptual site plans for all buildings and parking areas, including schematic single-family and multifamily layouts.
 - (5) A preliminary utility master plan showing the layout of water and sanitary storm sewer mains.
 - (6) The phasing plan, in the event of more than one phase.
 - (7) Evidence of approval of other agencies to assure the adequacy of those aspects of the plan pertinent to the respective department, commission or office. These agencies may include, among others, the Health Department, State Highway Administration, Carroll County Department of Public Works, Carroll County Planning Commission and Carroll County Board of Education.
 - (8) Proof that the owners and/or applicants for any planned development are financially able to complete the proposed development and that they intend to start construction within 18 months of the Commission's approval.
- G. Submission requirements for supplements to the development plan shall include the following information:
- (1) A property map describing the boundary and total acreage of the proposed project.
 - (2) Topography of the project area at five-foot-contour intervals with identification of all slopes in excess of 25%.
 - (3) One-hundred-year floodplain area, bodies of water and watercourses.

- (4) Easements and public rights-of-way.
 - (5) Existing utilities.
 - (6) Vegetation, including existing trees.
 - (7) Adjacent land use and zoning.
 - (8) Existing public and private roads.
 - (9) Existing structures.
 - (10) The names of all abutting property owners.
 - (11) A soil map.
 - (12) A map showing the relationship of the site to the surrounding area.
 - (13) The relationship, if any, of the development program to the City's capital improvements program.
 - (14) Other information, drawings or models required by the Commission, the hearing examiner or the Common Council as being necessary for evaluation of such plan of development or additional information which the applicant may deem necessary to support the application.
- H. All development plans and proposed amendments to development plans shall be subjected to review and recommendation comments by the Commission of the City in accordance with the following process:
- (1) The Commission shall consider whether a rezoning application and an accompanying development plan fulfill the purposes and requirements of the applicable zone and shall recommend approval, approval with recommended modifications or disapproval thereof to the Common Council, particularly considering, in regard to the development plan, those matters which the Common Council must consider in acting upon the rezoning application.
 - (2) In reviewing a development plan, the Commission shall give consideration to:
 - (a) The purpose and objectives of the requested zonal district and the planned development.
 - (b) Compliance with the standards and design criteria for a planned development.
 - (c) Any other considerations relating to the location, size and specific character of the site deemed appropriate by the Commission having a substantial bearing on achieving maximum safety, convenience and environmental and amenity qualities for the development and its residents or users.
 - (d) The Comprehensive Development Plan.
 - (3) The material required to be filed as or with a development plan may be presented to the Commission and its staff in an informal presentation for informal comment and recommendations by the Commission and its staff.
 - (4) Upon the receipt of informal comment and recommendations by the Commission and its staff, the development plan, with any changes or alterations, will be formally presented in a public hearing before the Commission.
 - (5) Following the public hearing on a development plan, the Commission shall submit its written decision on the plan to the applicant to approve, approve with modifications or disapprove the plan within 45 days of the date of the hearing.
 - (6) The Planning Commission shall also submit its written decision on the development plan to the hearing examiner, if any, and the Common Council for inclusion in the record of the rezoning application of which the plan is a part.
 - (7) The decision of the Commission on a development plan shall be considered by the hearing examiner, if any, and the Common Council in considering all rezoning applications which require development plans.

- I. The hearing examiner or Council shall consider the development plan as a part of the application for rezoning for the

purposes of conducting the required public hearing on rezoning applications and preparing the examiner's report and recommendation on a rezoning application to the Council. The hearing examiner or Council shall not conduct a public hearing on a rezoning application which includes a development plan until after receipt of the decision of the Commission on said plan.

- J. In considering a rezoning application which includes a development plan, the Common Council shall consider whether the application and the development plan fulfill the purposes and requirements set forth in this chapter. In so doing, the Common Council shall make the following specific findings, in addition to any other findings which may be found to be necessary and appropriate to the evaluation of the proposed reclassification:
- (1) That the zone applied for is in substantial compliance with the use and density indicated by the Master Plan or sector plan and that it does not conflict with the general plan, the City's capital improvements program or other applicable City plans and policies.
 - (2) That the proposed development would comply with the purposes, standards and regulations of the zone as set forth in Articles II through XV, would provide for the maximum safety, convenience and amenity of the residents of the development and would be compatible with adjacent development.
 - (3) That the proposed vehicular and pedestrian circulation systems are adequate and efficient.
 - (4) That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site.
 - (5) That any proposals, including restrictions, agreements or other documents, which show the ownership and method of assuring perpetual maintenance of those areas, if any, that are intended to be used for recreational or other common or quasi-public purposes, are adequate and sufficient.
 - (6) That the submitted development plan is in accord with all pertinent statutory requirements and is or is not approved. Disapproval of a development plan by the Common Council shall result in a denial of the rezoning application of which the development plan is a part.
- K. An approved development plan may be amended, upon the application by the developer of a planned development, by the Council. Any application for an amendment to an approved development plan shall be filed with the Commission and shall be subject to all the procedures, hearings and requirements contained in this chapter which pertain to development plans. An amendment to an approved development plan shall not involve a change in zoning or the area zoned. The Common Council shall approve or disapprove the application for amendment of an approved development plan.
- L. Development and construction of all planned developments must be in accordance with the provisions of an approved development plan or approved amended development plan.
- M. Following approval of the development plan, the applicant shall then submit plans for subdivision (final plat) and building permits for each separate phase of the planned development. The procedure for such submissions shall follow the requirements for subdivision of land as defined in Article XXIV.
- N. The subsequent approval of such subdivision plans and building permits shall require Common Council approval only in the event that such submissions deviate materially from the approved development plan.
- O. An approved development plan or amendment thereto shall remain valid for a period of 24 months following the expiration of all applicable appeal periods. In the event of an appeal to a court affecting the development plan, the time limitation under this subsection shall run from the decision date of the court making final determination of the appeal. If at the end of that twenty-four-month period site plan approval, including any required subdivision plan approval, has not been obtained and construction has not begun, the development plan shall be considered void unless the Council approves a petition for an extension of time submitted by the applicant, his successor or assigns for an extension not to exceed 12 months. This subsection shall not apply to a development plan approved on or before the effective date of this section.

§ 164-189 Other conditions.

- A. The Common Council may impose additional restrictions, conditions or limitations upon the grant of any application for a local amendment to the Zoning Map amendment pursuant to the provisions of § 164-186E.^[1]

[1] *Editor's Note: Former § 164-186E, regarding the rezoning of land, referred to herein was deleted by Ord. No. 679, which amended*

§ 164-186 in its entirety. For similar provisions, see now § 164-186.1, Action on application with additional restrictions, conditions or limitations.

- B. If the decision of the Common Council is to grant a local amendment application with conditions, it shall adopt a decision proposing the restrictions, conditions or limitations upon which such application is to be granted.
- C. The Common Council shall thereafter hold a public hearing on such proposed conditions, notice of which shall be given as in the case of an original local amendment application, and in writing by first class mail, to any person who has registered an appearance, in writing, prior to the adoption of such resolution.
- D. Following such public hearing on the proposed conditions, the Common Council may adopt a decision granting the application with the additional restrictions, conditions or limitations contained in or such modifications thereof as are not substantially different therefrom. Upon the adoption of such ordinance, the letter and number of the classification of such property on the Zoning Map shall be followed by the letter "C" to designate the zoning classification as conditional. Such decision shall be subject to judicial review under § 164-190.

§ 164-190 Appeals from Common Council.

- A. Who may appeal; procedure. Any persons, jointly or severally, aggrieved by any decision of the Common Council or any taxpayer or any officer, department, Board or bureau of the City may appeal the same to the Circuit Court for Carroll County. Such appeal shall be taken in accordance with the Maryland Rules as set forth in Chapter 1100, Subtitle B.
- B. Hearing; additional testimony. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the Court with his findings of fact and conclusions of law, which shall constitute part of the proceedings upon which the determination of the Court shall be made.
- C. Costs not allowed against Common Council; exception. Costs shall not be allowed against the Common Council unless it shall appear to the Circuit Court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.
- D. Issues under section have preference. All issues in any proceeding under this section shall have preference over all other civil actions and proceedings.
- E. Decision of Circuit Court; appeal to Court of Special Appeals; costs. Upon its determination of the case, the Circuit Court shall file a formal order embodying its final decision. An appeal may be taken to the Court of Special Appeals, during the period and in the manner prescribed by the Maryland Rules, from any decision of the Circuit Court. In such cases, the award of costs shall be subject to the discretion of the Court of Special Appeals.