

Implementation

2009

What is the Implementation Element?

State of Maryland Article 66B states the planning commission has the function and duty to prepare a comprehensive plan for its jurisdiction, and to present this plan to the local legislative body for its consideration and adoption.

The comprehensive plan must serve as a guide to public and private actions and decisions to ensure the development of public and private property in appropriate relationships.

Recognizing the importance of designing land development regulations that implement the Plan, the Implementation Element is supposed to:

Address recommendations for land development regulations, encourage streamlined review of applications for development in areas designated for growth, the use of flexible development regulations to promote innovative and cost-saving site design, protect the environment, target economic development in areas designated for growth.

State Planning Vision found in this Element

Implementation - Strategies, policies, programs and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these visions.

City of Westminster Purpose of the Implementation Element

The purpose of this chapter is to reiterate strategies for the implementation of the various goals, objectives, and policies set forth in the 2009 Comprehensive Plan. An implementation strategy is necessary to ensure that the Comprehensive Plan is used by community leaders as a guide to decision-making.

This Element follows the Smart Growth principle:

Encourage community and stakeholder collaboration

- To respond to a community's own sense of how and where it wants to grow
- To lead to creative and speedy resolution of development issues
- To build a greater community understanding of the importance of good planning and investment
- To involve the community early and often in the planning process in order to improve public support and create innovative strategies that fit the unique needs of each community
- To address the needs of the community which are best defined by the people who live and work there

Part 1: Overview of Implementation Strategy

It is the intent that this chapter can be separately copied as a "policy plan" component. Minimum planning standards for local plans require the development of an implementation strategy which consists of several key components including the community programs and projects needed to meet the goals and objectives of the Comprehensive Plan. Furthermore, the strategy will ensure that there are adequate public facilities to meet the standard of living desired by the community for existing residents and for the projected population for 10 to 20 years into the future.

This Implementation Element includes a general description of any land development regulations expected to be adopted or amended to help achieve the goals and objectives of the Comprehensive Plan in the next five years. The implementation strategy and work plan program should be revised every five years, with annual updates encouraged.

Section 1: Interagency Approach

The effort to develop the 2009 Comprehensive Plan has been an open and collaborative process involving federal and state agencies, local governments and public participation. This inter-agency, interdisciplinary process ensured that the Plan evolved from a healthy diversity of backgrounds, interests, and agency missions. The flexibility and openness of this process will continue during implementation to allow for continual dialogue and improvements to the Plan. (See Chapter 14: Interjurisdictional Coordination).

Section 2: Involve Stakeholders & the Public

Outreach and public involvement have been an integral part of the development of the 2009 Comprehensive Plan. The City of Westminster will continue to seek this input during the implementation of the Comprehensive Plan. Neighborhood Vision Workshops and Community Surveys will help promote public participation in the implementation of the 2009 Comprehensive Plan. (See Chapter 2: Public Participation).

Section 3: Flexibility

The 2009 Comprehensive Plan is a living document and its flexibility allows for further improvements as the City of Westminster refines individual projects and obtains new information. The Plan does not provide all the answers, it does, however, contain an aggressive and adaptive strategy that includes staff

Chapter 15

Part 1: Overview of Implementation Strategy

Part 2: Current Regulations

Part 3: Issues & Concerns with Zoning Ordinance

review and a process for identifying and resolving conflicts of interest. This approach provides an efficient way to allow implementation to move forward now and for the agencies to make necessary mid-course corrections. Periodic updates of both the Comprehensive Plan and the Implementation Plan will allow the Mayor and Common Council to achieve the visions and goals of the community.

Section 4: Annual Review

In the past the Westminster Comprehensive Plan was reviewed every five to six years. The new approach for the 2009 Comprehensive Plan is to keep it an “active document.” Once an implementation strategy is in place, the Westminster Planning and Zoning Commission will present an Annual Comprehensive Plan Status Report to the Mayor and Common Council. This report will describe the 2009 Comprehensive Plan recommended actions that have been completed in the previous year and address what recommended actions are to be implemented in the upcoming year.

Section 5: Comprehensive Plan Implementation Strategy & Work Plan

The City of Westminster will begin developing an Implementation Strategy and Work Plan during the winter of 2009. City Administration will hold a series of meetings with City staff, local officials and community organizations to review the adopted 2009 Comprehensive Plan, and to develop an Implementation Strategy and Work Plan, that outlines how the 2009 Comprehensive Plan will be implemented over the next six years. This gives those parties mentioned in the Plan an opportunity to evaluate their role in the future of the City of Westminster.

Part 2: Current Regulations

The City of Westminster has established various regulations to guide development in the City. These regulations determine the permitted land uses and densities of development, the process for development approval, management of stormwater runoff, design of water and sewer utility extensions, subdivision design, parking requirements, and landscaping requirements, all of which are applicable to development activity throughout Westminster. In addition, there are architectural design guidelines for the historic Central Business Zone in Downtown Westminster. Descriptions of each of these regulations and their level of effectiveness follow.

Section 1: Zoning Ordinance

The Land Use and Development Code of Westminster, Maryland is the Zoning Ordinance for the City and is codified as Chapter 164 of the City Code. The Zoning Ordinance regulates the uses permitted on a parcel, as well as the size and setbacks required for a parcel and the height of structures permitted. The purpose of these regulations is to guide land uses to appropriate areas of the City and to provide for a development density that is compatible with adjoining land uses and the carrying capacity of the land.

The commercial and industrial zoning districts are Business, Central Business, Central Commerce, Downtown Business, Restricted Industrial, General Industrial, and Planned Industrial.

Section 2: Subdivision Regulations

The Subdivision Regulations and Site Plan Review procedures are included as part of the Zoning Ordinance. Subdivision of land must be completed as described in the Subdivision Regulations. Information provided by the applicants includes the location of proposed lots and streets; land to be reserved for public facilities; soil removal and grading; stormwater management; and existing streams and floodplains. Subdivision plats are reviewed by staff for conformance with applicable regulations and are then presented to the Westminster Planning and Zoning Commission for a decision.

Section 3: Site Plan Review

Site Plan Review provides an opportunity for the City to review development proposed on individual parcels of land. The purpose of this review is to ensure that the proposed development meets design standards and complies with any applicable regulations. The applicant must provide information on existing and proposed streets, buildings, and topography/grading; setbacks and heights of buildings; signs; fencing and landscaping; off-street parking, loading, and walkways; and drainage. Site Plans are reviewed by staff and forwarded to the Planning and Zoning Commission and the Director of Planning, Zoning and Development for a decision.

Section 4: Landscaping Requirements

Landscape reviews are completed in accordance with the City of Westminster Landscape Manual. The Landscape Manual is intended to provide for an enhanced physical environment and visual appearance through the planting of trees and other vegetation. The Landscape Plan must include information regarding the location and species of existing and proposed plants, measures for protecting existing plants, and the number of plants required and provided. Landscape Plans are included with subdivision plats and drawings and with site plans.

Section 5: Architectural Design Standards & Standards for Renovation

Architectural design guidelines, known as Standards for Renovations, were initially adopted in 1978 and currently apply to the portion of Main Street zoned Central Business, generally located between Anchor Street and Longwell Avenue. The purpose of the guidelines is to maintain the historic appearance of downtown Westminster, which is a significant draw for both regular customers and visitors to the area. Projects are currently reviewed for compliance with the design guidelines by staff, and a design guidelines committee makes a decision on each project.

Part 3: Issues & Concerns with Zoning Ordinance

There are several minor issues with respect to the effectiveness of land use, dimensional requirements, and the extent of the zoning districts in the Zoning Ordinance. The Zoning Ordinance generally provides for the separation of incompatible land uses; however, certain residential uses are permitted in the Business Zone and the Planned Regional Shopping Center Zone. These two zoning districts are often characterized by heavy and fast-moving automobile traffic. Residential uses may not be appropriate within this environment. In addition, residential uses may not represent the highest and best use of land zoned Business or Planned Regional Shopping Center zones, leading to commercial uses intruding upon other zoning classifications, such as industrial zones, to meet market demand.

The dimensional requirements of some zones may not achieve the intended design and intensity of development. For example, the R-7,500 zone is located primarily in the older sections of Westminster where houses were constructed with setbacks and lot sizes much smaller than is permitted by the ordinance. As a result, redevelopment or subdivision of these lots, while in keeping with the neighborhood, may require a property owner to seek relief in the form of an administrative adjustment. Alternatively, the owner may disrupt the existing character of the neighborhood in an attempt to follow the regulations. Providing dimensional requirements for development that would result in a layout similar to existing buildings would in turn provide a continuous building line that is appropriate to the neighborhood and attractive to pedestrians.

An issue regarding land use is the lack of a zone specifically reserving land for townhouse and multi-family development. An insufficient amount of land available for these residential uses may lead to a shortage of affordable housing, the conversion of single-family homes to apartments, and an increased burden on the transportation network as the overall density of the City drops. The creation of a zoning district specifically for townhouses, condominiums, and apartments would address these issues and preserve parcels most suited for these more intense residential uses. In addition, the aggregate quality of affordable housing would improve as new structures take advantage of advancements in construction materials and practices.

There are three zoning districts in which the effectiveness of regulation is impacted by the geographic extent of the zone. The Mixed Use Infill Zone, recently added to the Zoning Ordinance, is not yet represented on the Zoning Map. Parcels suitable for rezoning to the MUI Zone have been identified and are shown on Figure 8.2 in the Land Use chapter. Development of these properties under the provisions of the MUI Zone would involve a vertical mix of uses, utilize design elements compatible with existing development, and provide additional multi-family residential opportunities. The reclassification of these properties to the MUI Zone should be studied further to determine the optimal timing of redevelopment along the MD Route 27 corridor.

The Historic District Zone is an overlay zone that provides for the preservation of important architectural features. Inclusion in the Historic District Zone is voluntary, and thus far only two properties are subject

to the provisions of the zone. Designation of a contiguous and more comprehensive Historic District Zone would provide more effective protection of historic architecture.

Although the regulations for the Agricultural-Residential Zone are included in the zoning text, there is no Agricultural-Residential Zone shown on the Zoning Map. Furthermore, the entire city is planned to be served by public water and sewer, which is not typically extended to lots of the required five acres in size. A determination should be made as to the appropriateness of this zone in the City of Westminster corporate limits, and consideration should be given to the continued inclusion or elimination of the Agricultural-Residential Zone in the Zoning Ordinance