



To: Planning and Zoning Commission

From: Mark A. Depo, Director of Community Planning and Development

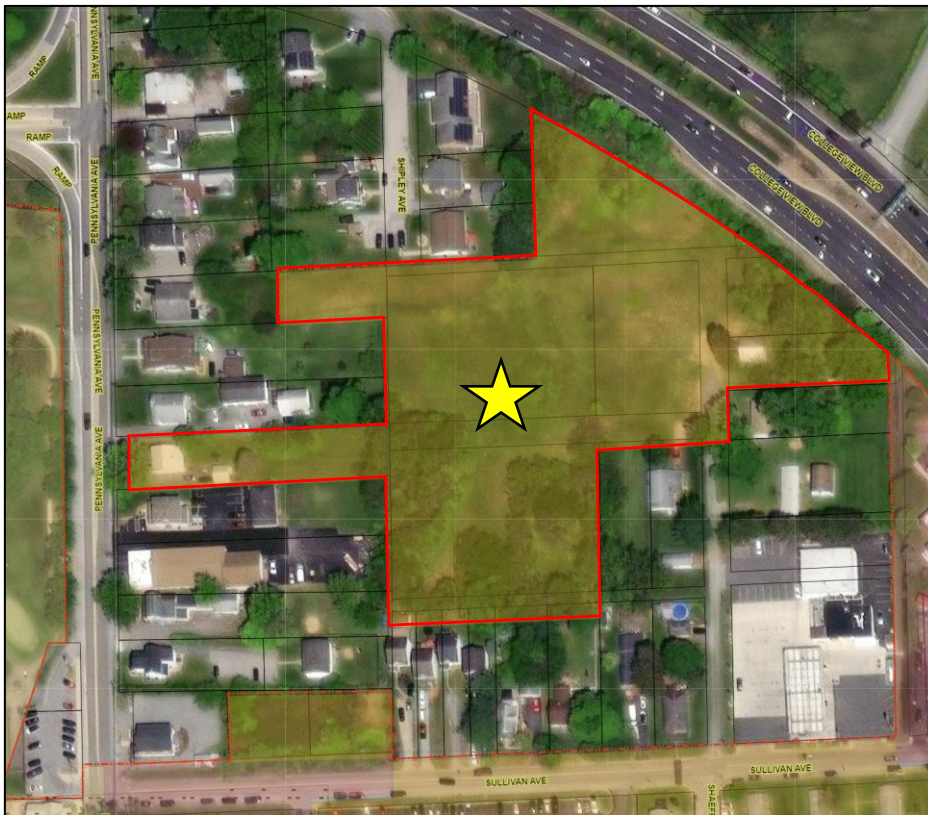
Meeting Date: March 19, 2026

Re: **Zoning Map Amendment ZMA 24-01 (Recommendation)**, a Zoning Map amendment reclassifying certain real property from the R-7,500 Residential Zone to the Planned Development-9 Zone.

The Department of Community Planning and Development (DCPD) is requesting the City of Westminster Planning and Zoning Commission (PZC) provide a recommendation to the Mayor and Common Council regarding Zoning Map Amendment ZMA 24-01.

### ZONAL CLASSIFICATION REQUEST

D.R. Acquisitions, LLC (the "Applicant"), submitted a request and concept development plan (Option 1) and architectural elevations (Option A) for The Willows (hereafter "Development Plan") to amend the Zoning Map to reclassify certain real property located in the City of Westminster from the R-7,500 Residential Zone (R-7,500 Zone) to the PD-9 Planned Development-9 Zone (PD-9 Zone) to construct 20 two-over-two dwellings for a total of 40 dwelling units.



 = Property

The subject properties, State Department of Assessments and Taxation (SDAT) #07-020430, #07-114443, #07-033338, #07-011490, #07-011482, #07-032471, #07-032455, and #07-044429 (the “Property”), are zoned R-7,500 Residential Zone (R-7,500 Zone) and are subject to the City of Westminster Zoning Ordinance (the “Zoning Ordinance”).

The Property is located in the southeast quadrant of the intersection of Maryland Route 140 and Pennsylvania Avenue in the City of Westminster. In 2006 the Property was annexed into the City of Westminster (Annexation No. 56; R-05-01). The Property contains approximately 4.731 acres of land.

The Property has a land use designation of Urban Residential in the City of Westminster Comprehensive Plan, as amended in 2017. The Comprehensive Plan states “The majority of land designated for Urban Residential development is located within the older developed sections of the City. This is a high-density residential classification which allows for five to six units per acre and a mixture of housing types.” The Property is located within the W-1 Water Service Area and S-1 Sewer Service Area.

### Background

On May 29, 2024, ZMA 24-01 was introduced to the Commission and the Commission voted to forward ZMA 24-01 to a future work session.

On August 29, 2024, the Commission held a work session on ZMA 24-01. The Commission discussed architectural elevations and three conceptual site layouts (Option 1 – 3) provided by the Applicant for the proposed two-over-two 40-unit residential development. The Commission chose to move forward with the Option 3 conceptual site layout. **[Attachment 1]**



On October 17, 2024, the PZC held a Public Hearing for ZMA 24-01. The PZC closed the public hearing but left the record open until 4:30 pm on October 31, 2024 and voted to forward ZMA 24-01 to a future work session.

On November 21, 2024, the PZC was scheduled to hold a work session for ZMA 24-01, however the Applicant requested a continuance. The PZC voted to amend its agenda to continue ZMA 24-01 to a future PZC meeting.

On February 20, 2025, May 15, 2025, and December 17, 2025, the PZC held a work session for ZMA 24-01 and discussed architectural elevations.

On February 17, 2026, The PZC reviewed two options provided by the Applicant that reflected the previous Planning Commission’s direction regarding architecture [**Attachment 2**].

### Option A



### Option B



The Commission was split on which elevation should be forwarded to the Mayor and Common Council and ultimately voted to forward both elevation options to the Mayor and Common Council with a favorable recommendation. However, when forwarding Option A, the Commission requested that Option A be amended to include a bump out feature that wraps around the middle of the building encapsulating the window to provide more variation in the design.

## **ZONING MAP AMENDMENT**

### **Zoning Map Amendment**

Pursuant to City of Westminster Zoning Ordinance (the “Zoning Ordinance”) Section 164-176, an application for an amendment to the Zoning Map covering a single tract, all portions of which are proposed to be classified in one zone, is a local map amendment. Pursuant to Zoning Ordinance Section 164-177 A. (2), Local amendment, “An application for a local amendment to the Zoning Map may be made by any governmental agency or by any person with a financial, contractual or proprietary interest in the property to be affected by the proposed amendment.” The Applicant is the contract purchaser of the Property.

Local map amendments to rezone a property to the P-I Planned Industrial Zone, PD-4 Planned Development-4 Zone, and PD-9 Planned Development-9 Zone, which are floating zones, are considered zonal classifications and processed as a Zoning Map Amendment (ZMA). As the request is to reclassify the R-7,500 Zone with the PD-9 Zone floating zone, the Applicant does not have to meet the stringent legal standard for “change or mistake” as is required for an individual or piecemeal rezoning.

### **Article XIV PD-9 Planned Development-9 Zone**

The Zoning Administrator has previously determined that a two-over-two dwelling is equivalent to a single-family attached dwelling. Pursuant to Zoning Ordinance Article XIV, Section 164-89 G., “Single-family attached dwellings” is a permitted use in the PD-9 Zone.

Pursuant to Zoning Ordinance Article XIV, Section 164-91 A. “Area requirements. A site eligible for consideration as a Planned Development - 9 Zone shall consist of a tract of land not exceeding 10 acres in size, including particularly vacant tracts of land on which any existing building or buildings are sufficiently obsolete and are not of significant historic or architectural value so as to warrant replacement and redevelopment and classified in the R-7,500 Zone prior to reclassification to the PD-9 Zone.” At this time, the land area intended to be rezoned PD-9 Zone consists of eight tracts of land with, as stated on the Development Plan, a combined area of 4.7313 acres. For the request to be eligible for rezoning to the PD-9 Zone, the tracts of land must be consolidated into a single 4.7313 acre tract of land.

Pursuant to Zoning Ordinance Article XIV, Section 164-91 B. “Density. (1) Residential density shall be approved generally on the capabilities of the existing and/or planned utilities and such other standards and requirements as enumerated in this chapter, but in no case shall density exceed nine dwelling units per net acre. (2) Calculation of net acreage shall include all land within the planned development, except floodplain areas and slopes in excess of 25%.” The Development Plan states the net tract area is 4.5145 acres, which would allow for a density of 40 dwelling units at 9 dwelling units per acre. The Development Plan is proposing 20 two-over-two dwellings for a total of 40 dwelling units.

Pursuant to Zoning Ordinance Article XIV, Section 164-91 C., “Lot area, lot width and yard requirements”, “(3) There shall not be more than six single-family attached dwellings in any one

attached row. In any one row of single-family attached dwellings there shall be no more than three continuous single-family attached dwellings with the same building line, and the variations in building line must be at least two feet.” The Development Plan proposes no more than six single-family attached dwellings in any one attached row.

Pursuant to Zoning Ordinance Article XIV, Section 164-92, Building height, “Maximum principal building height shall not exceed three stories or 40 feet in height. No accessory structure shall exceed two stories or 20 feet in height.”

Pursuant to Zoning Ordinance Article XIV, Section 164-93, Open Space, “A. Twenty percent of the net project area shall be dedicated and deeded without charge to the City for common open space. The City may waive the right to such dedication to it and instead may require the open space areas be deeded to, improved, operated and maintained by a property owners' association of the residents of a PD-9 Zone project.” The purpose of the open space is to be usable space that is accessible to City residents, including the PD-9 community. It is unclear how useable, accessible and/or safe the proposed open space locations are for the residents, due to the size, separation, and location of the open space, particularly around the stormwater management facilities. The Development Plan open space locations that are less than 0.1 acres of land.

Pursuant to Zoning Ordinance Section 164-94, Off-street parking, “Off-street parking shall be provided in accordance with Article XVI of this chapter.” The Zoning Administrator has determined that each two-over-two dwelling unit requires 5 parking spaces. Therefore, the total number of parking spaces required is 100 (20 two-over-two dwelling units x 5).

Pursuant to Zoning Ordinance Article XIV, Section 164-98, Procedure:

“**A.** An application for zonal classification in the PD-9 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 PD-9 Zone, the Common Council shall also consider the present or potential adequacy of schools, the capability of the street or road system, highway and road access and the availability, capability of existing water and sewage systems and the availability and capability of all other public facilities.

**C.** All PD-9 Zone projects shall be subject to site plan approval as provided in Article **XXV**.”

Pursuant to Zoning Ordinance Article XXIII, Amendments, Section 164-188, Planned Development:

“**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.

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.”

Pursuant to Zoning Ordinance Article XXIII, Amendments, Section 164-97, Compatibility.

“All uses permitted and special exceptions shall achieve the purposes set forth in § **164-88** and be compatible with the other uses proposed for the planned development and with the other uses existing or proposed adjacent to and in the vicinity of the area covered by the proposed planned development.

A. In order to assist in accomplishing such compatibility, the following requirements shall apply where a PD-9 Zone project adjoins an existing single-family detached dwelling neighborhood or land classified in the R-10,000 or R-7,500 Zones, but compliance with these requirements shall not in and of itself be deemed to create a presumption of compatibility.

(1) No building, other than a single-family detached dwelling, shall be constructed within 100 feet of the nearest existing dwelling; and

(2) All single-family detached dwellings constructed within 100 feet of the nearest existing dwelling shall comply with the minimum development standards of the zonal classifications of the adjoining land.

B. The Commission shall have the discretion to increase or decrease the strict application of the requirements contained in Subsection **A(1)** and **(2)** hereof in instances in which the adjoining property or properties will not be adversely affected by such increase or decrease.”

Pursuant to City of Westminster Zoning Ordinance (the “Zoning Ordinance”) Section 164-176, an application for an amendment to the Zoning Map covering a single tract, all portions of which are proposed to be classified in one zone, is a local map amendment. Pursuant to Zoning Ordinance Section 164-177 A. (2), Local amendment, “An application for a local amendment to the Zoning Map may be made by any governmental agency or by any person with a financial, contractual or proprietary interest in the property to be affected by the proposed amendment.” The Applicant is the contract purchaser of the Property.

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meet the stringent legal standard for “change or mistake” as is required for an individual or piecemeal rezoning.

### **Process**

Following acceptance of the of the zoning map amendment application, the Zoning Administrator shall forward the application to be introduced to the Planning and Zoning Commission (the “Commission”) at its next meeting for informational purposes. *(On May 29, 2024, ZMA 24-01 was introduced to the Commission)* In addition, the Zoning Administrator will notify the Commission of its public hearing date for the application. *(On May 29, 2024, following the introduction of ZMA 24-01, the Commission voted to forward ZMA 24-01 to a future work session. On August 29, 2023, the Planning and Zoning Commission held a work session for ZMA 24-01 and following the work session voted to forward ZMA 24-01 to public hearing. On October 17, 2024, the PZC held a public hearing for ZMA 24-01. The PZC closed the public hearing but left the record open until 4:30 pm on October 31, 2024 and voted to forward ZMA 24-01 to a future work session. On February 20, 2025, the PZC held a work session for ZMA 24-01. On May 15, 2025, the PZC is scheduled to hold a work session for ZMA 24-01. The purpose of this scheduled work session is to discuss the recommendation that will be forwarded to Mayor and Common Council)* 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 (the first publication of notice shall appear at least 15 days prior to the hearing) notice of the public hearing on such application, stating the application number, date, time and place of hearing and the summary of the amendment and the location of the property, its area, name of owner, and change of classification. *(The Planning and Zoning Commission Notice of Public Hearing for ZMA 24-01, was advertised on October 2, 2024, 15 days prior to the hearing, and October 9, 2024, in the Carroll County Times. [Zoning Ordinance Section 164-185 A.]* Following the public hearing, the Planning and Zoning Commission shall submit a report and recommendation to the Zoning Administrator.

### **RECOMMENDATION**

DCPD Staff recommends the Planning and Zoning Commission review Zoning Map Amendment ZMA 24-01, an application for zonal classification in the PD-9 Zone, and provide a finding as to whether ZMA 24-01 is or is not in accordance with Zoning Ordinance Article XIV and Article XXIII, Section 164-188, and forward a recommendation to the Mayor and Common Council. Any favorable recommendation, should include the planned development plan Option 3 and architectural elevations Option A, as amended, and Option B, approved by the Commission.

### **ATTACHMENTS**

1. ZMA 24-01 PD-9 Development Plan Layout Option 3
2. ZMA 24-01 Architectural Elevations Options A and B