

ORDINANCE NO. 2025-09

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, AMENDING CHAPTER 164, "ZONING AND SUBDIVISION OF LAND," OF THE CITY CODE OF WESTMINSTER, ARTICLE XII, "P-I PLANNED INDUSTRIAL ZONE," § 164-66 "USES PERMITTED," TO ADD "HOTELS" AS A PERMITTED USE AND ARTICLE XII, "P-I PLANNED INDUSTRIAL ZONE," §164-75(D) "PROCEDURES," AND ARTICLE XXIII, "AMENDMENTS," § 164-188 "PLANNED DEVELOPMENT" TO AUTHORIZE THE PLANNING AND ZONING COMMISSION, RATHER THAN THE MAYOR AND COMMON COUNCIL, TO APPROVE AMENDMENTS TO AN APPROVED DEVELOPMENT PLAN DESIGNATING AREAS OF THE PLANNED INDUSTRIAL ZONE FOR RETAIL AND COMMERCIAL USES, AND TO INCREASE THE ALLOWABLE GROSS ACREAGE OF SUCH USES FROM 15% TO 30%

WHEREAS, pursuant to Md. Ann. Code, Local Gov't Art., § 5-213, the Mayor and Common Council of Westminster (the "City") has the authority to provide reasonable zoning regulations subject to the referendum of the voters at regular or special elections; and

WHEREAS, pursuant to Sections 15 through 18 of the City Charter, the City has, for the purpose of promoting the health, security, general welfare and morals of the community, the authority to divide the City into zoning districts and to regulate therein the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land, in accordance with a comprehensive plan and for enumerated purposes, which include the control and direction of municipal expansion and development, provided that such regulations are to be made with reasonable consideration of the character of the districts and their peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the City of Westminster Department of Community Planning and Development reviewed the uses permitted in the P-I Planned Industrial Zone and determined that the inclusion of hotels as a permitted use reflects the evolving needs of modern industrial and employment centers, where proximity to lodging supports business operations, visiting clients, and workforce accommodations, thereby necessitating an amendment to the list of permitted uses in this zone; and

WHEREAS, the City of Westminster Department of Community Planning and Development reviewed the procedures and limitations applicable to amendments of approved development plans within the Planned Industrial Zone and determined that the current requirements – specifically the restriction on retail and commercial acreage and the process requiring approval by the Mayor and Common Council – no longer reflect the needs of modern development and land use planning; and

WHEREAS, the City of Westminster Department of Community Planning and Development further determined that increasing the maximum gross acreage of retail and commercial uses from 15% to 30% would better support economic development objectives and provide greater flexibility for mixed-use development within the Planned Industrial Zone, while maintaining compatibility with the industrial character of the area; and

WHEREAS, the City of Westminster Department of Community Planning and Development also recommended that the authority to review and approve amendments to designate areas in the Planned Industrial Zone for retail and commercial uses within an approved development plan be transferred from the Mayor and Common Council to the Planning and Zoning Commission to streamline the review process and better align with the Commission’s established role in evaluating development plans; and

WHEREAS, on or about November 20, 2025, the City Planning and Zoning Commission reviewed the proposed amendments to Chapter 164 regarding the increase in allowable retail and commercial acreage and the delegation of approval authority to the Commission, and recommends the adoption of this Ordinance; and

WHEREAS, after a duly advertised public hearing, on December 8, 2025, the Mayor and Common Council considered the report and recommendation of the Planning and Zoning Commission and determined that the proposed amendments are compatible with the purpose and intent of the Planned Industrial Zone, promote orderly development, and are in the best interest of the residents and business community of the City of Westminster.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, that the Code of the City of Westminster, Chapter 164 “Zoning and Subdivision of Land,” Art. XII “P-I Planned Industrial Zone,” § 164-66 “Uses permitted” shall be and is hereby amended to read as follows:

§ 164-66 Uses permitted.

The following uses are permitted in the Planned Industrial Zone:

* * *

G. ~~HOTELS, Motor~~ **MOTOR inns, OR motels WITH OR WITHOUT A RESTAURANT,** ~~restaurants and service stations.~~

* * *

- ~~Strikethrough:~~ Indicates language proposed to be deleted from the Code.
- BOLDFACED SMALL CAPITALS:** Indicates language proposed to be added to the Code.
- UNDERLINED SMALL CAPITALS: Indicate existing language proposed to be renumbered without substantive change in the Code.
- *** Asterisks: Indicates language in the Code that remains unchanged and that is not set forth in this Ordinance.

Section 2. NOW THEREFORE BE IT FURTHER ORDAINED AND ENACTED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, that the Code of the City of Westminster, Chapter 164 “Zoning and Subdivision of Land,” Art. XII “P-I Planned Industrial Zone,” § 164-75 “Procedures” shall be and is hereby amended to read as follows:

§ 164-75 Procedures.

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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:

(1) The gross acreage of such uses does not exceed ~~1530%~~ 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 ~~1530%~~ 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 ~~1530%~~.

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(6) AN INDIVIDUAL APPLYING FOR AN AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN WITHIN THE PLANNED INDUSTRIAL ZONE TO DESIGNATE A PORTION OF THE PROJECT AREA FOR RETAIL AND COMMERCIAL USES SHALL SUBMIT THE APPLICATION TO THE COMMISSION. THE COMMISSION SHALL REVIEW AND ACT UPON THE APPLICATION IN ACCORDANCE WITH THE PROCEDURES AND REQUIREMENTS APPLICABLE TO DEVELOPMENT PLANS UNDER THIS SECTION 164-75.

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Section 3. NOW THEREFORE BE IT FURTHER ORDAINED AND ENACTED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, that the Code of the City of Westminster, Chapter 164 “Zoning and Subdivision of Land,” Art. XXIII “Amendments,” § 164-188 “Planned development” shall be and is hereby amended to read as follows:

§ 164-188 Planned development.

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K. An approved development plan may be amended, upon the application by the developer of a planned development, by the Council, EXCEPT AS PROVIDED BELOW OR AS SPECIFIED ELSEWHERE IN THIS CHAPTER. 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.~~

NOTWITHSTANDING THE FOREGOING, AN APPLICATION TO AMEND AN APPROVED DEVELOPMENT PLAN WITHIN THE PLANNED INDUSTRIAL ZONE TO DESIGNATE A PORTION OF THE PROJECT AREA FOR RETAIL AND COMMERCIAL USES, CONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS CHAPTER, SHALL BE REVIEWED AND ACTED UPON BY THE COMMISSION. THE COMMISSION SHALL HAVE THE AUTHORITY TO APPROVE, APPROVE WITH MODIFICATIONS, OR DISAPPROVE THE AMENDMENT FOLLOWING THE APPLICABLE PROCEDURES AND REQUIREMENTS OF THIS CHAPTER. SUCH APPLICATIONS SHALL NOT REQUIRE APPROVAL BY THE COUNCIL.

ALL OTHER APPLICATIONS FOR AMENDMENTS TO AN APPROVED DEVELOPMENT PLAN SHALL CONTINUE TO REQUIRE APPROVAL BY THE COMMON COUNCIL UPON RECOMMENDATION BY THE COMMISSION.

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Section 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

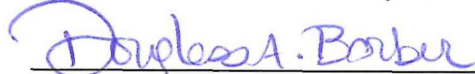
Section 5. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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Section 6. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.


AND BE IT FURTHER ORDAINED by The Mayor and Common Council of Westminster that this Ordinance shall take effect (10) ten days after its passage and approval.

INTRODUCED this 13th day of October, 2025.



Douglass A. Barber, City Clerk

ADOPTED this 8th day of December, 2025.




Douglass A. Barber, City Clerk

APPROVED this 8th day of December, 2025.



Dr. Mona Becker, Mayor

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY this 8th day of DECEMBER, 2025



Ramsay M. Whitworth, Esq., City Attorney

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