

WASHINGTON COUNTY PLANNING COMMISSION WORKSHOP MEETING – February 18, 2008

The Washington County Planning Commission and Planning Staff held a workshop meeting on Monday, February 18, 2008 at 1:00 p.m. in the Washington County Administrative Annex, Conference Room #1, 80 West Baltimore Street, Hagerstown, Maryland.

Planning Commission members present were: Chairman George Anikis, Clint Wiley, Terry Reiber, Sam Ecker and Ex-Officio, James F. Kercheval. Staff members present from the Planning Department were: Planning Director Michael C. Thompson, Chief Planner Stephen Goodrich, Senior Planner Jill Baker, Planner Chris Cochrane, Land Preservation Planner Eric Seifarth and Administrative Assistant Debra S. Eckard.

CALL TO ORDER

Mr. Anikis called the meeting to order at 1:03 p.m.

DISCUSSIONS

Mr. Thompson noted that Mr. Kirk Downey of the County Attorney's office would not be present at today's meeting; therefore, the Rezoning discussion scheduled for today's meeting will be rescheduled during the Planning Commission's regular meeting in March. Mr. Thompson gave a brief overview of changes in procedures for rezoning hearings. The Planning Commission will hold a public meeting separate from the Board of County Commissioner's public hearing for all rezoning cases. The BOCC has voted to accept rezoning cases on a semi-annual basis with deadlines in January and July.

Discussion: Mr. Reiber expressed his concern with regard to semi-annual meetings and the ability to accommodate citizens that may have a need for rezoning. Mr. Thompson stated that the BOCC has the ability to waive the timing of the meetings, if necessary. The Planning Department is in the process of rezoning the urban growth area and recently completed the rural area rezoning. Therefore, the main reason for rezoning a property would be based on mistake because the change in the neighborhood would be harder to prove based on recent zoning updates.

Mr. Anikis discussed the issue of additional information being received following the Planning Commission's public meeting since the record would still be open. He made an inquiry with regard to the additional information, and asked if the Planning Commission would have the information presented to them prior to making their recommendation to the BOCC. Mr. Thompson stated that the Planning Commission's public meeting would be held prior to the BOCC's public hearing and therefore, its recommendation should be made based on information presented at the public meeting without rebuttal from either side.

The Planning Commission's first public meeting will be held on April 21st for the purpose of hearing one rezoning case and a Comprehensive Plan amendment for Priority Preservation Areas.

Priority Preservation Areas

Ms. Baker began by giving a brief overview of this project. Guidelines were sent to the County from the Maryland Department of Planning with regard to the House Bill 2 Act. Staff reviewed these guidelines along with the County's existing Agricultural Preservation goals. Staff then began looking at mapping and identifying potential priority areas. Using the County's GIS system, properties outside the urban and town growth areas were identified that were greater than 20-acres in size with an agricultural land use assessment and contained more than 50% fine agricultural soils or forested land. The County has approximately 105,000-acres of land with these limited criteria. A reasonable and appropriate goal must be established for the amount and type of agricultural resources to be preserved. The County established a long-standing goal that was specified in the 2002 Comprehensive Plan to maintain at least 50,000-acres of land in agricultural production. According to Staff's latest estimates, the County currently has approximately 21,000-acres permanently preserved in agricultural land. According to regulations set forth in HB2, the amount of land needed to achieve the County's land preservation goals should be at least 80% of the areas delineated in a PPA. This means that Washington County needs to establish at least 37,500-acres in PPAs. This adjustment helps to factor in limitations such as funding, citizen participation, development pressures, etc. Staff identified three major areas where previous land preservation efforts have already begun to establish large blocks of permanently preserved land. They include areas northeast of Clear Spring, north of Smithsburg, and southwest of the Hagerstown Growth Area boundary in the Downsville area stretching around the Antietam Battlefield. Staff tried to include areas adjacent to existing easements and areas adjacent to agricultural districts. This plan has been presented to the Agricultural Advisory Board. The Ag Board is in consensus with the established areas with the exception of the Rural Legacy areas.

Mr. Seifarth clarified that each county establishes a Rural Legacy area that is approved by the State. Washington County's Rural Legacy area has been established around the Antietam Battlefield based on specific parameters. The State established criteria to determine a Rural Legacy area: development rights, agricultural value, environmental features and historic features. They also look for a block of existing preserved farm and open space lands. Ms. Baker stated there is currently 7,865-acres of land delineated as Priority Preservation areas in Rural Legacy areas.

Ms. Baker discussed the draft she has prepared to address the State's guidelines in identifying Priority Preservation areas. A map has also been prepared to be included in the County's Comprehensive Plan.

Discussions focused on implementation of the new guidelines. Staff recommends adjusting the priority ranking system to include Priority Preservation areas. Mr. Ecker asked what the zoning designations are on the properties designated as Rural Legacy and Priority Preservation areas. Ms. Baker stated she does not have the breakdown; however, the vast majority of the properties are zoned with a 1:5 (1 dwelling unit per 5 acre) designation.

Mr. Kercheval made inquiries with regard to areas around Smithsburg's UGA and the impact of the Priority Preservation areas on the proposed TDR Plan. The area around Fort Frederick were also discussed. Copies of the proposed amendment will be presented to the municipalities.

Comments from citizens: Mr. Gerald Ditto was present at the workshop and made the following comments. He believes that depending upon the language written in the text of the amendment, being in a PPA would limit uses and therefore limit the value of easements. Mr. Ditto believes that establishing a Priority Preservation Area would discriminate against persons living in the PPA that want to sell their easements because they would get less for their easement. Mr. Seifarth expressed his opinion that if the County Commissioners do not limit the uses within the PPA, the easement values should be the same as values outside the PPA.

By consensus, the Planning Commission gave approval for Staff to move forward with the Text Amendment following review of the recommendations as discussed.

Comprehensive Plan Update

Mr. Goodrich distributed copies of the Comprehensive Plan recommendations that have not yet been accomplished and copies of **all** recommendations within the Comprehensive Plan. Recommendations that have been completed are accompanied with an explanation of how the issue was addressed. Mr. Cochrane stated that most of the goals have been completed, nearing completion or in progress. Approximately one-quarter of the goals have not been addressed in any way. Mr. Cochrane suggested that the Commission focus on the goals that have not been accomplished to determine if the goals need to be changed or removed from the Comp Plan. Mr. Goodrich noted that the goals that have been accomplished will not be removed from the Comp Plan and would be identified in an appropriate manner. If there are goals that the Commission feels are no longer appropriate, they should be removed from the Comp Plan. Mr. Cochrane stated that the four main goals of the Comp Plan would not be changed.

Discussion: Mr. Anikis noted in Chapter 6 "Mineral Resources" there is a comment about establishing expansion limits for low and moderate mining. He expressed his opinion that the County needs to limit the expansion of quarries and "deep pit" mining. Mr. Goodrich stated that the Comp Plan gives priority to existing mineral extraction operations.

Mr. Anikis expressed concern with regard to Chapter 10 "Historic and Cultural Resources". He believes the County needs to accomplish more of the recommendations listed. Mr. Goodrich stated that there has been a lot of progress when you consider this chapter had many more goals than others.

Mr. Anikis believes that transportation issues need to be addressed. Mr. Goodrich noted there are 29 individual road projects listed in Chapter 5 of the Comp Plan. More than 20 projects including the widening of Interstates 70 and 81 are currently in planning stages. Mr. Goodrich noted that many of these projects are not under the County's control and are not land use related. Ms. Baker believes that the County could focus on and encourage more pedestrian and transit related communities using appropriate language in the Comp Plan. Mixed use development that includes retail, commercial and business type uses within communities is becoming more popular. Mr. Wiley expressed his opinion that the County should emphasize this type of development.

OTHER BUSINESS

Mr. Kercheval began a brief discussion with regard to the UGA comprehensive rezoning and economic development areas. He believes there is a lot of retail uses locating in the County because it is an "easy way to make a quick profit". He expressed his concern that if retail uses are not limited, the prime areas around the interstates interchanges could be developed with retail uses. Mr. Kercheval believes that office space should also be considered for areas around the interstate. Mr. Goodrich stated that the Comp Plan guides the County in addressing these types of issues. The Comp Plan directs Staff to re-evaluate the Highway Interchange 1 district to make it a more highway oriented use zone and to focus the interchanges on particular uses. The Comp Plan also recommends re-evaluation of the Business Local district where a lot of retail uses are located. Staff will also review the ORT (Office Research Technology) zone. Mr. Reiber expressed his concern in the management of growth and the economic expansion by rezoning. He also expressed his concern for small professional type businesses and their needs being interfaced with a typical business neighborhood. Mr. Reiber expressed his concern with regard to annexations and the BOCC's express approval process. He believes that the County needs to be flexible to accommodate and encourage the expansion of economic growth.

ADJOURNMENT

Chairman Anikis adjourned the meeting at 2:40 p.m.

Respectfully submitted,

George Anikis, Chairman

